

INDEX TO MADRAS LEGISLATIVE COUNCIL DEBATES

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

9th and 11th to 16th November 1957.

Volume XXII (Nos. 1 to 7).

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2 MADRAS ACT No. XXXIII OF 1958

(b) "employee" means—

(i) any person (including an apprentice) employed in any industrial establishment to do any skilled or unskilled, manual supervisory, technical or clerical work for hire or reward, whether the terms of employment be express or implied;

(ii) any other person employed in any industrial establishment whom the Government may, by notification, declare to be an employee for the purposes of this Act;

(c) "employer" when used in relation to an industrial establishment means a person who has the ultimate control over the affairs of the industrial establishment, and where the affairs of any industrial establishment are entrusted to any other person (whether called a managing agent, manager, superintendent or by any other name) such other person;

(d) "Government" means the State Government;

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

THE MADRAS LEGISLATIVE COUNCIL

PRINCIPAL OFFICERS.

Chairman.

THE HON. DR. P. V. CHERIAN.

Deputy Chairman.

SRI A. M. ALLAPICHAJ.

Panel of Vice-Chairmen.

- 1 SRIMATHI JOTHI VENCATACHELLUM.
- 2 SRI MOHAMED RAZA KHAN.
- 3 DR. T. V. SIVANANDAM.
- 4 SRI V. GURUNANDAN ROW.

Secretary to the Council.

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

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.	State Legislative Assembly.
3 Arunachalam, A. J.	State Legislative Assembly.
4 Balasubramanya Ayyar, K., B.A., B.L.	Madras Graduates.
5 Balasundaram, V. S.	State Legislative Assembly.
6 Bashyam 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., B.C.S. (Lond.) (Chairman).	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.	State Legislative Assembly.
15 Gurunandan Row, V., BAR.-AT-LAW.	State Legislative Assembly.
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.SC., D.C.L.	Madras Graduates.
24 Mahomed Usman, Dr., B.A., LL.D.	NOMINATED.
25 Manjubhashini, S.	NOMINATED.
26 Masilamani Chettiar, A. K.	Madras - cum - Chingleput - cum-North Arcot Local Authorities.
27 Mohamed Raza Khan	State Legislative Assembly.

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PERSONNEL OF THE GOVERNMENT OF MADRAS.

GOVERNOR OF MADRAS.

SHRI P. V. RAJAMANNAR.

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 Colleges).*
- 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) [Leader of the House].*
- 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.*

Serial number and name of member.	Name and class of constituency.
28 Nallasenapathi Sarkarai Man-radiar, N.	State Legislative Assembly.
29 Narayanaswamy Pillai, T. M., M.A., B.L.	State Legislative Assembly.
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 Saraswathy Pandurangam	NOMINATED.
40 Sivanandam, Dr. T. V., M.B., B.S.	Madras Graduates.
41 Sivasubramanya Nadar, S. P., B.A., B.L.	Madurai-cum-Ramanathapuram - cum - Tirunelveli Local Authorities.
42 Somasundara Reddiar, A.	South Arcot-cum-Tanjore cum-Tiruchirappalli Local Authorities.
43 Sreenivasan, Dr. A., M.B.C.P. (Lond.).	Madras Graduates.
44 Srinivasavaradan, T. P., B.A., L.T.	Madras Teachers.
45 Subramanyam, A.	State Legislative Assembly.
46 Subrahmanyam, B. V., B.A., B.L.	State Legislative Assembly.
47 Subramania Karayalar, M.	Madurai-cum - Ramanathapuram-cum - Tirunelveli - cum-Kanyakumari Local Authorities.
48 Sudarsanam Naidu, M. V.	South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.
49 Thiagaraja Reddiar, P. B. K.	Salem - cum - Coimbatore - cum-Nilgiris Local Authorities.
50 Venkataraman, R. (Minister—Leader of the House).	State Legislative Assembly.
51 Venugopal, S. N.	Salem-cum-Coimbatore-cum-Nilgiris Local Authorities.

THE MADRAS LEGISLATIVE COUNCIL

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

Saturday, the 9th November 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.—SWEARING-IN OF A NEW MEMBER.

Srimathi Saraswathi Pandurangam was sworn in.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Executive Officers of temples.

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

(a) the qualifications prescribed for the post of Executive Officers of temples;

(b) whether, besides the general qualifications, any departmental test has been prescribed for satisfactory completion of probation and if so, what it is; and

(c) whether the Government have received any proposal from the temple authorities of Sri Dandayuthapaniswami Devasthanam at Palani to start a Training Centre for Executive Officers, and, if so, the action taken thereon?

THE HON. SRI M. BHAKTAVATSALAM: (a) There are five grades of Executive Officers of temples and the age and the educational qualifications prescribed for direct recruitment are as follows:—

Grades.	Educational qualifications.	Age.	
		Minimum.	Maximum.
(1)	(2)	(3)	(4)
I	A degree in Law of the Madras University or equivalent qualification recognised by the Government.	30	45
II & III	A degree in Arts or Science or Commerce of the Madras or Annamalai University or equivalent qualification recognised by the Government.	25	45
IV	Minimum general educational qualification prescribed for entrance to Government Service.	25	35
V	Sufficient knowledge in maintenance of temple accounts and correspondence.	No age-limit.	

(b) An Executive Officer shall, on appointment by direct recruitment, undergo training for one month in such office as the Commissioner may decide. Executive Officers of Grades I to IV

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should pass the Account Test for Executive Officers and the Hindu Religious and Charitable Endowments (Administration) Department Test conducted by the Madras Public Service Commission during the period of probation.

(c) No proposal has been received by the Government or the Commissioner, Hindu Religious and Charitable Endowments.

SRI T. PURUSHOTHAM: Sir, may I know whether any training in *Agamas* or religious tenets is given at present to the Executive Officers before they are posted to take charge of the temples?

THE HON. SRI M. BHAKTAVATSALAM: I do not think there is any systematic training given to these officers.

SRI T. PURUSHOTHAM: With reference to the answer to clause (b), may I know whether the temples of different religious sects such as Saivites, Vaishnavites, Thengalais and Vadagalais, Executive Officers of those particular sects are being posted?

THE HON. SRI M. BHAKTAVATSALAM: I do not think that in the matter of training or posting, there should be any distinction between different sects and different types of temples.

SRI V. CHAKKARAI CHETTY: May I know whether these Executive Officers are Engineers carrying out repairs to temples or whether they are religious authorities instructing the devotees, and what functions they perform?

THE HON. SRI M. BHAKTAVATSALAM: The Executive Officers will perform the executive functions relating to the administration of the temples. They need not necessarily be Engineers or religious preachers.

SRI T. PURUSHOTHAM: With reference to the answer to clause (c), will the Government consider the starting of a training centre for Executive Officers so that they may get training in religious matters before they are posted to temples?

THE HON. SRI M. BHAKTAVATSALAM: Sir, I do not think there is any need for starting a centre like that proposed by the hon. Member, but off and on seminars are being held and instructions are given by those who could afford to give instructions not only in matters relating to administration of temples but also in matters relating to archaeological research and so on.

Ban on the slaughter of cows.

* 23 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Home be pleased to state whether there is any proposal before the Government to ban the slaughter of cows in this State?

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THE HON. SRI M. BHAKTAVATSALAM: The question of introducing legislation to prohibit the slaughter of useful cattle is under consideration.

SRI T. PURUSHOTHAM: With reference to Article 48 of the Constitution which states that the State shall take steps for prohibiting the slaughter of cows and calves, will the Hon. Minister tell us what measures are generally taken by the Government for the protection of cows?

THE HON. SRI M. BHAKTAVATSALAM: Sir, as I have stated, a Bill has been already drafted in consultation with the Government of India. That Bill seeks to prohibit the slaughter of cows, bulls, calves, bullocks, female and male buffaloes, etc., unless a certificate from the competent authority to be appointed for the purpose has been obtained that the animal is fit for slaughter. This Bill is awaiting the sanction of the President.

SRI V. CHAKKARAI CHETTY: Is the Hon. Minister aware that such a ban exists in some other States like Bombay and West Bengal?

THE HON. SRI M. BHAKTAVATSALAM: Perhaps it is so.

SRI MOHAMED RAZA KHAN: Sir, is the Hon. Minister aware that attempts are being made by all the States to impose a ban on the slaughter of cows but that nowhere they are able to succeed because of the economic factors existing in the country?

THE HON. SRI M. BHAKTAVATSALAM: What we are now considering is not an absolute ban on the slaughter of cows and other animals. Particularly in view of our economic conditions, we have to conserve and preserve cows and other animals which are useful and we should not permit them to be slaughtered.

Honorary Director of Indigenous Medicine.

* 24 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Revenue be pleased to state whether there is any proposal before the Government to create a post of Honorary Director of Indigenous Medicine in this State?

THE HON. SRI M. A. MANICKAVELU: No, Sir.

SRI A. GAJAPATHY NAYAGAR: May I know the reasons for the abolition of the post of Honorary Director of Indigenous Medicine?

THE HON. SRI M. A. MANICKAVELU: It was thought that a greater control over the administration of the institution could be exercised if the Director of Medical Services was in charge of it, and that was why the post was abolished.

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SRI A. GAJAPATHY NAYAGAR : That post was first sanctioned in 1949 and was abolished in 1955. When that post had been in existence for so long, what was the reason for abolishing it?

THE HON. SRI M. A. MANICKAVELU : The hon. Member sitting opposite Dr. Guruswami Mudaliar was the Honorary Director. Now the present system is working all right. The proposal now is to have an Honorary Adviser, mainly to advise on research and development of indigenous medicine.

Sethusamudram Project.

* 25 Q.—**SRI V. V. RAMASWAMI :** Will the Hon. the Minister for Public Works be pleased to state, with reference to the answer to the Legislative Council starred question No. 27 answered on the 27th August 1956, whether the Sethusamudram Project has been included in the Second Five-Year Plan for implementation?

THE HON. SRI P. KAKKAN : No, Sir.

SRI V. V. RAMASWAMI : இந்த ஐந்தாண்டுத் திட்டத்தில் சேர்த்துக் கொள்ளப்படாவிட்டாலும், அடுத்த ஐந்தாண்டுத் திட்டத்திலாவது சேர்த்துக் கொள்வதற்கு சர்க்கார் நடவடிக்கை எடுத்துக்கொண்டிருக்கிறார்களா?

THE HON. SRI P. KAKKAN : அடுத்த ஐந்தாண்டுத் திட்டமென்ன, இந்த ஐந்தாண்டுத் திட்டத்திலேயே சேர்த்துக் கொள்ளவேண்டுமென்று முதல் மந்திரி கடிதம் எழுதியிருக்கிறார். அதன் பிறகு இதைப் பற்றி பரிசீலனை செய்துகொண்டிருக்கிறோம். The Government of India replied on 24th October 1957 that a decision would be taken shortly.

SRI V. V. RAMASWAMI : இதைச் சேர்ந்தாற்போல் தூத்துக்குடித் துறைமுக அபிவிருத்தி விஷயமாக என்ன நடவடிக்கை எடுக்கப்பட்டிருக்கிறது என்பதையும் அறிய விரும்புகிறேன்.

THE HON. SRI P. KAKKAN : தூத்துக்குடித் துறைமுக அபிவிருத்தி வேலையை எடுத்துக்கொள்வது சேதுமத்திரத் திட்டத்தை எடுத்துக்கொள்வதைப் பொறுத்திருக்கிறது. இரண்டு திட்டங்களும் ஒன்றாகச் சேர்க்கப்பட்டிருக்கின்றன.

Revival of Village Vaidhya Course.

* 26 Q.—**SRI A. GAJAPATHY NAYAGAR :** Will the Hon. the Minister for Revenue be pleased to state whether there is any proposal before the Government to revive the Village Vaidhya Course in different centres in this State, and if so, at what stage the matter now stands?

THE HON. SRI M. A. MANICKAVELU : No, Sir.

SRI A. GAJAPATHY NAYAGAR : நாட்டுப்புறங்களில் இப்படிப்பட்ட கிராம வைத்தியர்கள் இருந்தால், நாட்டு மக்களுக்கு மிகவும் உதவியாக இருக்கும் என்பதை கனம் உறுதி அறிவாரா?

THE HON. SRI M. A. MANICKAVELU : அதையறிந்துதான் அரசியலார் அந்தப் பயிற்சி ஆஸ்பத்திரியில் கொடுக்கப்படவேண்டும் என்று அதற்கு ஏற்பாடு செய்தார்கள். ஆனால் அவர்கள் என்ன செய்தார்கள்.

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என்றால் அவர்கள் அந்தப் பயிற்சி பெற்ற பிறகு கிராமங்களில் இல்லாமல் நகரங்களுக்கு வந்து வசிக்க ஆரம்பித்து விட்டார்கள். அதோடு கூட என்ன செய்கிறார்கள் என்றால் சல்பா ட்ரக்குகளையும் ஆண்டி. பயாட்டிக்ஸ் ட்ரக்குகளையும் கொடுக்க ஆரம்பித்து விட்டார்கள்.

SRI A. GAJAPATHY NAYAGAR : சித்த வைத்திய முறையை நன்றாகக் கற்கிக்காத காரணத்தால், இப்படி அவர்கள் செய்கிறார்கள் என்று மக்கள் சொல்கிறார்கள். ஆகையால், அம்மாதிரி நடக்காமலிருக்க இன்மேலாவது சித்த வைத்திய முறையை நன்றாகக் கற்பிப்பதற்கு அரசியலாருக்கு என்ன ஆட்சேபணை?

THE HON. SRI M. A. MANICKAVELU : கனம் அங்கத்தினருக்கு எந்த மக்கள் இம்மாதிரிச் சொல்கிறார்கள் என்பது எனக்குத் தெரியவில்லை. எனக்கு வந்திருக்கும் தகவல் ரிப்போர்ட்டிலிருந்து.

SRI A. M. ALLAPICHAIR : Sir, is it not a fact that half knowledge is a dangerous thing and that "half-doctors or half-physicians" will be most dangerous to the world?

THE HON. SRI M. A. MANICKAVELU : I am sorry the Hon. Deputy Chairman has come to this pitch as to ask for this sort of information.

SRI A. GAJAPATHY NAYAGAR : Sir, where is full knowledge obtained on any subject in the world?

SRI V. V. RAMASWAMI : Are not questions to be put to Hon. Ministers?

MR. CHAIRMAN : Questions are over.

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

III.—NON-OFFICIAL BILLS.

(1) THE MADRAS PRESERVATION OF PARKS, PLAY-FIELDS AND OPEN SPACES BILL, 1956 (L.C. BILL NO. 3 OF 1956).

3-30
p.m.

DR. A. LAKSHMANASWAMI MUDALIAR : Mr. Chairman, Sir, under rule 123 of the Madras Council Rules, I move—

"That leave be granted to withdraw the Madras Preservation of Parks, Play-fields and Open Spaces Bill, 1956 (L.C. Bill No. 3 of 1956)".

After the introduction of this Bill by me in this House, it was made clear that it would require either the Governor's consent or modification of some of the clauses for its introduction. Hence, I have modified the Bill accordingly and I beg leave to withdraw the Bill.

MR. CHAIRMAN : The question is—

"That leave be granted to withdraw the Madras Preservation of Parks, Play-fields and Open Spaces Bill, 1956 (L.C. Bill No. 3 of 1956)".

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(2) THE MADRAS PRESERVATION OF PARKS, PLAY-FIELDS AND
OPEN SPACES BILL, 1957.

DR. A. LAKSHMANASWAMI MUDALIAR : Sir, I beg leave to introduce the Madras Preservation of Parks, Play-fields and Open Spaces Bill, 1957.

This is the first motion I am making and I am not going to make any statement on this occasion. I hope the Hon. Minister concerned will appreciate the necessity for the Bill and help in all ways possible in achieving the objects of the Bill.

The motion was duly seconded.

MR. CHAIRMAN : The question is—

“ That leave be granted to introduce the Madras Preservation of Parks, Play-fields and Open Spaces Bill, 1957.”

The motion was put and carried and leave was granted.

DR. A. LAKSHMANASWAMI MUDALIAR : Sir, I introduce the Madras Preservation of Parks, Play-fields and Open Spaces Bill, 1957.

IV.—NON-OFFICIAL RESOLUTION.

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* SRI T. PURUSHOTHAM : Sir, I move the following Resolution :—

“ This Council recommends to the Government that a Committee consisting of some of the Members of the Legislature and some prominent citizens be appointed to enquire into and report on the extent to which the directive principles laid down in the Constitution have been implemented in the governance of this State and to suggest further measures to give full effect to the directive principles with respect to State policies.”

Sir, it is not my purpose on this occasion to analyse the provisions of the Constitution under this head or that and to enter into a discussion of the physical achievements of our State.

THE HON. SRI R. VENKATARAMAN : I thought it was your purpose.

* SRI T. PURUSHOTHAM : I shall presently explain what I have got in my mind in moving this Resolution. As hon. Members are aware, the directive principles are laid down in Articles 36 to 51 in Part IV of the Constitution. Article 36 says that the term ‘ the State ’ has the same meaning as in Part III. I wish to submit to the House that the directive principles are not mere pious instructions for the guidance of the Executive. This point was made clear by the framers of the Constitution in the Constituent Assembly, when this subject came up for discussion. Hon. Members are quite aware of that. But what I wish to emphasise is the definition

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of ‘ the State ’ given in Article 12 which says that the State includes the Government and the Legislature of each State. The Legislature, therefore, has got a specific responsibility in the matter of implementation of the directive principles. So it is, I have proposed that the Legislature should take up the matter and review how far we have carried out the provisions of the Constitution. It will not be long before we run through the first decade of the working of our Constitution and I feel that the Legislature would do well to consider the achievements of the State and its future programme with reference to the directive principles adumbrated in the Constitution. This is necessary for the successful functioning of parliamentary democracy. High ideals have been set in the Constitution which the framers have enjoined on the State Legislature and the State Executive to strive for. Our responsibility to the public at large is all the greater in view of the specific provision in Article 37 which says that the provisions contained in that part (Part IV relating to Directive Principles) shall not be enforceable by any court. While the Fundamental Rights guaranteed to the citizens in Part III of the Constitution are enforceable by a court of law, the directive principles are not so enforceable, though they are as fundamental as the provisions of Part III in the governance of the country and it is specifically laid down that it shall be the duty of the State, which means the Executive as well as the Legislature, to apply these directive principles and make laws. I feel that the Legislature has a great responsibility to fulfil its obligations to the citizens. Sir, I am supported in this view by the late Minister for Law at the Centre who specifically pointed out in the Constituent Assembly that Part IV of the Constitution was intended to give specific directives to the future Legislatures and future Executives to show in what manner they were to exercise the legislative and executive powers which they had. There is no doubt that we have achieved great things in our State in all spheres of public administration. I am sure, with regard to the second part of my Resolution also, our Government have several programmes of progressive reform in accordance with the directive principles. As I said, what I wish to emphasise is that the Legislature has a duty to perform in this matter and that this could be best performed by having a Committee as suggested in the Resolution. It seeks to take stock of the work so far done subject to specific terms of reference that may be laid down by the Government for the working of the Committee, so that it may make suitable recommendations for consideration by the Government. I have particularly suggested the association of a few prominent citizens with the Committee so that we may avail ourselves of the services of great public men whose experience and talent will be useful. I am aware of the fact that the Legislature has got certain opportunities to discuss State policy during the discussion on the

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Budget and also on the Governor's Address. But it is all a general discussion and that is not what I have proposed in this Resolution. I want that we should have a comprehensive review by a small body for the specific purposes stated by me. I wish to make it clear once again that this Resolution does not provide for a survey, critical or otherwise, of ministerial achievements. I am anxious that we should have an opportunity to turn the search-light on ourselves and see how far we have fulfilled the obligations laid on us under Part IV of the Constitution. I would appeal to the Government to consider and see how best such an opportunity can be given to the Legislature. The issue of a comprehensive note on all the measures taken so far to give effect to the Directive Principles of State Policy and the further measures that may be taken may not be ruled out. In my view, the advice of a committee as proposed by me would be desirable. If the Government consider that there is any constitutional impropriety in associating outsiders with this Committee, I would agree to the constitution of a purely Legislature Committee. As I said, the Committee would be guided by the terms of reference that the Government may issue in this behalf. I believe I have not made any unreasonable demand in moving this Resolution. With these words, I commend the Resolution for the acceptance of the House.

SRI V. CHAKKARAI CHETTY : Sir, in seconding the Resolution, I feel myself guilty in not having given my attention to the Directive Principles and how to carry them out. The committee proposed in the Resolution may make a comprehensive survey of what we have done and also of what we have not done. What we have done may be squeezed into a few sentences. But what we have not done may fill pages. I feel that our acts of omission should figure prominently in the committee's survey. I hope the committee will be brave enough not to evade this invidious task of pointing out how the legislators belonging to this House and the other House have failed to carry out the 'Directive Principles' whatever that might mean. The Directive Principles constitute the whole universe. Therefore, the committee may have to confine itself to some definite aspects. If the hon. Member who moved the Resolution will indicate those aspects, the committee may be vastly benefited. Otherwise, it will be a kind of roving or rambling committee not confining itself to particular points. With these words, I have great pleasure in seconding the Resolution moved by my indefatigable Friend Sri Purushotham who is not tired of putting questions and moving Resolutions. I admire him for this great quality which I like very much.

MR. CHAIRMAN : Resolution moved—

"This Council recommends to the Government that a Committee consisting of some of the members of the Legislature and some prominent citizens be appointed to enquire into and report on the extent to which the directive principles laid down in the

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Constitution have been implemented in the governance of this State and to suggest further measures to give full effect to the directive principles with respect to State policies."

* DR. V. K. JOHN : Sir, I support this Resolution very enthusiastically. Before going into the merits of the Resolution, I must pay my compliments to the Mover of the Resolution. Mr. Purushotham is a very useful Member of this House and he has been very, very active. I am very pleased indeed that he has brought forward this Resolution. But I am afraid that at the end, he may withdraw the Resolution, because he belongs to a particular Party. Nevertheless, his Resolution would have achieved some purpose.

You will find that the Constitution of India is perhaps one of the longest of enactments. It contains 395 Articles with many sub-clauses in some of them, and nine Schedules. Ordinarily a Constitution must provide for a Legislature, an Executive responsible to the Legislature and an independent Judiciary. Our Constitution has gone further. One of the most important chapters is the chapter on Fundamental Rights provided for in Part III of the Constitution. Part III comprises Articles 12 to 35 and these Fundamental Rights can be enforced by courts of law. Anyone practising in the High Court or in the Supreme Court will find that there are hundreds of petitions in the High Courts under Article 226 and in the Supreme Court under Article 32 for the enforcement of Fundamental Rights vested in the citizens. Equally important is the chapter on the Directive Principles of State Policy contained in Part IV of the Constitution comprising Articles 36 to 51. When we use the term 'Directive Principles of State Policy', we might be under the impression that it is concerned with States like the Madras State. Article 36 in Part IV provides, "In this part, unless the context otherwise requires, 'the State' has the same meaning as in Part III". Article 12 in Part III provides that "the State" includes the Government and Parliament of India and the Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India. The term 'State', therefore, includes not only the Government and Parliament of India and the Government of the State, but also the Legislature of each State and all local authorities. Therefore, the duty of implementing the Directive Principles of State Policy embodied in Articles 36 to 51 is cast not only on the Government but also on the Legislature and even the local authorities. There may be Members here who are not students of Constitutional Law, and it might interest them to know what these Articles 36 to 51 contain. Article 37 is a very important Article. It says—

"The provisions contained in this Part shall not be enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws."

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Because the Directive Principles are not enforceable by any court, it becomes an all the more imperative duty of the Executive, the Legislature and the local authorities to implement those principles. Even if one reads the head notes, one will find how important the provisions in Chapter IV are. Article 38 provides that the State—as I said, 'State' includes the Legislature also—shall strive to build up a Welfare State. Article 39 lays down certain principles of policy to be followed by the State. It says that the citizens, men and women equally, have the right to an adequate means of livelihood. Article 40 speaks of 'Organisation of village panchayats'. (This subject we discussed the other day.) Article 41 speaks of 'Right to work, to education and public assistance in certain cases'. Article 42 speaks of 'Provision for just and humane conditions of work and maternity relief.' Article 43 speaks of 'Living wage, etc., for workers.' Articles 44 to 51 speak of 'Uniform civil code for the citizens', 'Provision for free and compulsory education for children', 'Promotion of Education and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections', 'Duty of the State to raise the level of nutrition and the standard of living and to improve public health', 'Organisation of agriculture and animal husbandry', 'Protection of monuments and places and objects of national importance', 'Separation of judiciary from executive' and 'Promotion of international peace and security', respectively. I am not sure whether the Executive, local bodies, and the Legislature are always aware of the Directive Principles of State Policy, which are fundamental and should be implemented. We are always likely to find fault with the Executive and say that they have not implemented the Directive Principles of State Policy. I may concede that the Government are doing what they possibly can to implement these Articles except for the desire not to implement them, if implementing them should come into conflict with their exercise of power and patronage. Apart from this, I must concede that these Ministers are anxious to implement the Directive Principles of State Policy. I do not think we ever had a discussion in the Legislature after the Constitution was passed on a Resolution like the one which the hon. Member has brought forward to-day, pointing out to the Legislature that we are also included in the definition of the term 'the State' and for implementing the Principles we are as much responsible as any other body, like the Executive and the local bodies. So, the Legislature must take a very active part in implementing the Directive Principles of State Policy. Have we done anything? I do not think the Legislature has done much in discussing the various Directive Principles of State Policy and bringing them to the notice of the authorities and implementing them in all cases in which we can implement. This Resolution not only concerns the Executive but also this House and the other House and I am very pleased indeed and the House is also obliged

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to the hon. Member Sri T. Purushotham for having brought forward this Resolution in 1957, although the Constitution was passed in 1950. But to have some discussion about it and then to withdraw it may not be very good. It is better to have this Resolution passed, and the work done by all parties, the Executive, the Legislature, and the local bodies and all those that are included in the definition of the term, 'The State', reviewed. Every year we must have a review in this regard. There must be a day or two allotted for discussion to see how far we have implemented the Directive Principles of State Policy and how far we have created the Welfare State. If you read the Directive Principles of State Policy, although education is there and many other things are there, you will find that the object of the Constitution is to create and promote a Welfare State. I would define the Welfare State as a State in which no person who can be employed is unemployed, no person is without food, without clothing, without shelter, without sanitary conditions of living, without medical assistance, without education, without recreation or without those social securities which in America were introduced by the Social Security Act of 1935 or in England by the Beveridge Act and by the other Acts in other parts of Western Europe. These Acts make provision for old age, for widows, orphans and others in need. If I were a counsel or barrister practising in England and I am unable to make both ends meet, then there is a fund called 'The Fund in Need' from which I can draw. I should not starve. There is nobody in Western Europe or America or Canada or in any other civilized country who starves. The other day I read a news item (and I shed tears) that a man and his wife died with a note that the economic structure of society was such that they were not entitled to continue in this state. We bow down our heads in shame that two persons have committed suicide because there is no Welfare State, and there is no fund from which they can draw. It is not their fault. Therefore, a Welfare State ought to be created implementing the Directive Principles of State Policy.

I would, Sir, make one suggestion before I sit down. I have thought over this matter very deeply and I find that the best way, if not the only way, of implementing the Directive Principles of State Policy, is to decentralise power, authority and administration. Everything must be built up from the bottom. Now, there are space-ships and satellites—all moving in space—but we have learnt from our childhood that the foundation must be laid on earth and that we must build on strong foundations. We cannot build a Welfare State on any foundation other than the foundation of Local Self-Governing Bodies. I know it cannot be introduced in a day. We must plan. The other day I mentioned about this. The only way to create and promote a Welfare State, in my opinion, is to have Local Self-Governing bodies functioning through co-operative

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3-40 p.m. societies and habilitate every poor family in productive employment. We have got the Five-Year Plan. We spend crores of rupees on paying village level officers, local level officers and everybody else but we never increase production and we now suffer. The economic crisis is due to the fact that we have put crores of rupees into the hands of the people under the Five-Year Plan. We are repeating the conditions which obtained during War-time. The essential commodities of life are not there. There is no increase in production. But there is more demand. Therefore, the value of the rupee has come down. If we pay a thousand rupees everyday to every adult in this country, in a week's time, that thousand rupees will have the value of only Rs. 100 or less. This is a simple economic principle. The cost of living is going up and the value of the rupee has come down because there is no production. I would suggest that the purchasing power of the people should go up by producing more food and other essential commodities and that productive activity can be had only by rehabilitating poor families in productive employment. I am sorry that the First Five-Year Plan and the Second Five-Year Plan have enabled a large number of persons to enjoy patronage and receive large sums of money which are going into the market and that people are unable to find essential commodities, namely, rice, clothing, etc. The cost of living goes up. This is what is happening to-day. If only we had concentrated our attention on Article 40 of the Constitution from the very beginning—even before 1950 we should have done it—and decentralized authority and administration and local bodies had functioned through co-operative agencies, we could have rehabilitated every family, not only in cities, but also in rural parts in productive activity. I do not want that they should be given any charity. They should be made to feel that they can get help when needed. There is no use of taking a totalitarian attitude in such matters. Poor people who are in the midst of an economic crisis should be helped by the Government. The Government must come forward to put some money into the hands of such people. Therefore, I submit that a discussion on the implementation of the Directive Principles of State Policy might produce many suggestions from various quarters and it is for the Executive, the Legislature, the local bodies, the Parliament and the Executive at the Centre to concentrate their attention on the implementation of these directive principles which alone will create a Welfare State which I described before. But, unfortunately, it is a matter of shame not only for the Executive but for the Legislature also that people living in our State should commit suicide as they have nothing to do and no income to live upon. We should really be ashamed of it. That is why I say I am very pleased indeed that the hon. Member Sri T. Purushotham has brought forward such a Resolution. If the Government are anxious to implement the Directive Principles of State Policy not only themselves but through other bodies as

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well, I don't see any reason why the Government could not accept this Resolution and get the help of the Committee which the hon. Member Sri Purushotham wants to be appointed. I think the Government ought to accept the Resolution and be helped by the Committee which will go into the matter from day to day. We must have a strong Committee consisting of members who can find the necessary time, who can understand the problem well and who can help the Government and every other body concerned. I am not saying this with the object of criticising the Government. It is not a party matter. It is a matter in which all of us are interested. It will be a great help to the Government if a committee is there to assist them. If, however, the Government do not accept this Resolution and want the hon. Member, Mr. Purushotham, the Mover of the Resolution and a Member of the Party in power, to withdraw the same, I cannot compliment them. Because that means there is something sinister about it. Why cannot the Government accept such a Resolution? We do not want to criticise the Government. We only want to assist them. If they do not want to take our assistance, it is not a good thing. There is no use of their saying, 'Oh, we are doing everything. We can do this also ourselves.' It is not as if they alone can do everything. There is no meaning in saying like that. There is this House. We, Legislators, are here offering our assistance. So far as the Legislature is concerned, we are asking for the formation of a committee to assist the Government in implementing the Directive Principles of State Policy. Thank you, Sir, for giving me this opportunity.

* SRI G. KRISHNAMOORTHY : Mr. Chairman, I strongly support the Resolution so ably moved by the hon. Member Mr. T. Purushotham. But, I would like the composition of the Committee to be limited to the Members of the Legislature. Now, the need for such a committee is evident. My hon. Friend Dr. John detailed the various Articles which formed the Directive Principles under Chapter IV. Article 45 says that within a period of ten years all children of school-going age, that is, between the years of 6 and 14 ought to be made literate. In fact, if there had been a committee as suggested in the Resolution before the House, we would have achieved a little more than what we have now achieved after seven years of rule under this Constitution. We have barely three years left and yet we have to admit that we are practically where we were seven years before in the matter of compulsory and free education of all children of school-going age in our State. In spite of the figures which the Education Department may produce, we are static and it is a fact that about 50 per cent of the children are still outside the schools. If there had been a committee, naturally, it would have pointed out earlier the need for finding out the ways and means by which the other 50 per cent

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of the children in our State could have been brought into the schools, within the time-limit set in Article 45 of the Constitution. Now, time and again, I have suggested various ways by which we can achieve this target and satisfy the provisions of Article 45. But, somehow or other, the Government have been finding it inconvenient to accept my suggestions to bring all the children of school-going age into the school. If there had been a committee or if a committee is formed on the acceptance of this Resolution by the Government, naturally, in the remaining three years—the time-limit fixed under Article 45—we could bring all the children of school-going age into the school. I do not feel the need to impress upon the hon. Members of this House the importance of this Article. In a democratic set-up, all the children of school-going age should be made literate. Such an important Article is there and because it is only one of the Directive Principles of State Policy not enforceable under law, we cannot say . . .

THE HON. SRI R. VENKATARAMAN: May I ask whether that has not been considered by a Committee of the Legislature?

* SRI G. KRISHNAMOORTHY: I may at once submit that we have been considering this matter all these years. I have been throwing forth suggestions in this regard all these years. We are not going to consider any new subject. The White Paper on Education deals with so many subjects and this is one of the subjects dealt with by the Legislature Committee. If there were a Committee as contemplated in the Resolution, it would see that the Directive Principles were implemented within the time-limit fixed in the Constitution. The question of implementing the Article would assume more prominence and specific ways and means would be devised by the Legislature Committee that is proposed here. In spite of so many committees and in spite of the fact that we have had discussion on this matter, we are still where we were and 50 per cent of the children of school-going age are still outside the schools. Practically, we have come to a stage when we can say that we require another 10 years or 15 years to achieve this objective and that only by the end of the Third Plan period or the Fourth Plan period the objective could be achieved and so on. If there is a separate Committee, this matter would receive greater attention at its hands. All people should be enabled to bear the burden of Swaraj that we have won. It is, therefore, necessary that proper and detailed plans must be chalked out by a committee such as the one envisaged in the Resolution so ably moved by the hon. Member Mr. Purushotham. I strongly support the Resolution. Before resuming my seat, I once again wish to compliment the hon. Member Mr. Purushotham on his having done such an original work in this connection.

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SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman; at first I did not want to speak as I thought everybody would agree that it would be useful to have a Committee to see that the Directive Principles were implemented. But, as I have a doubt that Sri T. Purushotham, the Mover of the Resolution, might withdraw it, I want to urge strongly that the Resolution should not be withdrawn, but should be accepted by the Government. Before he withdraws it, I am sure the rules will be observed. I shall object to his withdrawing the Resolution. It is very necessary that we should occasionally look into our own affairs and see what we have done all these ten years since we secured Independence. It is more than six years since our Constitution came into force. So, it is proper that we should take stock of the situation and see what things have been achieved by us. In fact, if we carefully look into the various Directive Principles, we will find that there are one or two of them which may not have been noticed at all. Therefore it is I say that it would be good if the Government take steps to see that those principles are implemented.

For example, Article 49 of the Constitution says—

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p. 10.

"It shall be the obligation of the State to protect every monument or place or object of artistic or historic interest, declared by or under law made by Parliament to be of national importance, from spoliation, disfigurement, destruction, removal, disposal of export, as the case may be."

Even the attention of the Parliament was drawn by a question to the export of beautiful objects to various other countries. Some of these things have to be attended to. The most important thing is to see that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment. People are very anxious about that. Therefore, various taxation measures are brought forward so that wealth may not be concentrated in the hands of a few people to the common detriment.

DR. V. K. JOHN: Is wealth concentrated in the hands of the hon. Member?

SRI K. BALASUBRAMANYA AYYAR: No wealth is concentrated in my hands. I myself am not a very great earning member.

SRI A. M. ALLAPICHAJ: What is concentrated in the Nation is concentrated in the individual.

SRI K. BALASUBRAMANYA AYYAR: That is a matter to be enquired into. According to Goldsmith, 'wealth accumulates and men decay'. So, the point is that wealth should not be concentrated in the hands of a few individuals to the common detriment.

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There are also some more Directive Principles which are agitating the minds of the people. For instance, there is the provision that the State shall make effective provision for securing the right to work, to education and to public assistance in cases of unemployment. That is a very serious matter, and what have we done so far as this State is concerned? This matter also has to be enquired into. These are some of the important things which have to be carefully looked into and proper attention should be paid to them.

A question has been raised whether other prominent persons should be associated with the Committee. That is a matter for the Government to decide. Even the object of the Resolution is to recommend to the Government to take such steps as they may think necessary. So, I think the Resolution will not be withdrawn on the ground that the Government may not like to associate some prominent citizens with this Committee. We may leave it to the Government to come to a decision in respect of this matter. It is not necessary that they should do it immediately and even the Resolution does not expect that it should be done immediately. Let the Government take a little time and decide what steps should be taken in this matter. With these words, I support this Resolution with great enthusiasm. I hope and trust that the hon. Member Mr. Purushotham will press this Resolution to the vote of the House.

* SRI A. M. ALLAPICHAI: Mr. Chairman, Sir, during the Budget debate, we discuss many matters and we draw the attention of the Government to several things which the Government have not done. There is a saying, 'Anything we can discuss during the Budget debate'. Sometimes we also feel that if such a thing is not provided for, it will be very difficult for the hon. Members to speak on various matters. During the presentation of the Budget, we are given big bundles of papers full of figures relating to the Budget and we have to go through them. At that time, we have some opportunities to discuss several matters. What happens during those discussions is this. The Opposition is more or less influenced by the defects and shortcoming in the administration of the Government which they have not overcome. It is absolutely within the power of the Members to suggest to the Government what they should do in future. Generally we do not do so. But when we experience some difficulties, perhaps the Committee proposed by my hon. Friend, Mr. Purushotham, would be of some help to us. I do not know what the view of the Government would be in this matter. Sir, we belong to the Government Party and whatever may be our personal views, we have to vote with the Government.

DR. V. K. JOHN: Shall we sympathise with the hon. Member?

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* SRI A. M. ALLAPICHAI: Sir, I do not understand why Opposition Members are so very anxious and why they are egging on my hon. Friend Mr. Purushotham not to withdraw this Resolution. But one thing which we have to remember and which I also want to impress upon the Government is this. There are many good things in the Constitution. In this connection, I am reminded of one thing. By merely writing 'sugar, sugar, sugar' on paper, we cannot taste it. So, the framers of the Constitution thought that it might not be possible for the country to achieve all the things. What they want us to do is to keep them always before us and remember them. That is the most important thing which we have to do. No doubt, it may not be possible for us for the time being to carry out some of the Directive Principles on account of financial difficulties and other things. That does not mean that we should think that something is already written in the Constitution, that the Constitution may take care of the Directive Principles, and that we shall take care of ourselves. If we do so, we will not be respecting ourselves or the Constitution which we ought to respect. As a matter of fact, hon. Members are aware that a Bill is coming up before this House which makes the insulting of the Constitution an offence. Suppose there is some wrong principle enunciated in the Constitution. Perhaps, if such a principle is not carried out according to the Constitution purposely and knowingly, it may not be considered so bad. Sir, there is no doubt that all 4 p.m religions stand for very good things, but to-day they are at some disadvantage, because people who follow these religions do not carry out the injunctions laid down. What does religion say? It says, "Do not commit theft; do not cheat another man; treat the other man as your own brother". But many people do not follow these. Therefore, people who have no faith in religion, take advantage of this and openly say, "Some people call themselves religious people but they do not act according to the principles laid down." Sir, they say that religion is some sort of opium.

Sir, there is our Constitution which contains all these Directive Principles. Everyone of these principles had its origin in the mind of our great leader, whom we call the "Father of our Nation". It is not as if these principles have been framed by this lawyer or that lawyer or by this leader or that leader. The 'Father of our Nation' has been the very spring or source of all these principles. The framers of our Constitution have fully realised that it will not be possible to achieve these objectives all of a sudden. But that does not mean that these Directive Principles should not be in the Constitution. Sir, what I want to point out is this. This Resolution, which my hon. Friend has brought forward, simply draws the attention of the Government to this matter. There is nothing in it against the Government.

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After all, who are the Government? We ourselves are the Government. We all sit here and some of our leaders have taken charge of the administration of our country. When they realise the difficulties in the way of implementing some of these Directive Principles, we must also realise their difficulties. Sir, we are not interested in creating trouble for this Government. When I say "we", I include the Opposition also. I know that the Opposition also does not want to create any trouble for the Government. Only an unscrupulous Opposition will condemn every action of the Government. Such an Opposition will not command our respect. But here we are having an Opposition which will sympathise with the Government and will not find fault with them for very small things. I am sure they will also realise the difficulties of the Government. I therefore, personally feel that there is nothing wrong in accepting this Resolution.

SRI A. GAJAPATHY NAYAGAR: Does the hon. Member mean that it is a pious Resolution?

* SRI A. M. ALLAPICHAIR: Sir, the Resolution is only for drawing the attention of the Government to this matter. In the absence of any specific provision that we could give suggestions to the Government as to what they ought to do during the next year or during the next three or four years, I think the constitution of a committee like this may be useful. That is what I think. But, at the same time, we are bound by the Government. We can never betray them.

THE HON. SRI R. VENKATARAMAN: Mr. Chairman, Sir, it is not correct parliamentary etiquette to say that the hon. Member is bound by anybody. He is a free Member of this House. (Laughter.)

* SRI A. M. ALLAPICHAIR: Sir, I am very happy to hear that and I withdraw that expression. I said what I felt. We as a group cannot do anything. . . .

DR. V. K. JOHN: Sir, in spite of the fact that the Hon. the Leader of the House has said that the hon. Member is free to speak and vote, why is he still afraid?

* SRI A. M. ALLAPICHAIR: Sir, what I have got to say, I have said. This is only drawing the attention of the Government. I, therefore, resume my seat.

DR. A. LAKSHMANASWAMI MUDALIAR: Mr. Chairman, Sir, I had not intended to speak on this Resolution; but observing the tenor of the discussion, I felt I might perhaps crave your indulgence to participate in the discussion. The hon. Member, who wanted to move the Resolution, if I may reveal a secret,

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asked me what my attitude was. I said, "Let me listen to the debate". After listening to the discussion, I feel that there are two broad aspects which one has to take note of. One is the question of principle. Sir, when a Member moves a Resolution, unless there are sufficient grounds for him to seek withdrawal, is he justified, with reference to the other Members, in withdrawing such a Resolution? Especially when a Member moves a Resolution from the official Benches, we always take it that he will not withdraw it unless there is something so supremely important that it will mean a vote of no-confidence. As far as I can see, this is a very innocuous Resolution.

Another point that I wish to make is this. It is in the interests of the State and the Government themselves to assess how far they have accepted and carried out the directive principles of State policy. As I go through section after section, I must confess that I fully agreed that this Government—more than any other State Government—have tried to accept and implement most of the directive principles of State policy. I am not generally inclined to pay compliments, but this I must do in fairness. There are two sorts of directive principles. One is that the Government may really feel that although the directive principle has laid down a policy, it may not be implemented within the period stipulated or to the extent to which it ought to be implemented. Then a committee like this is the proper agency through which the Government can express that opinion freely and frankly, particularly with reference to Article 45 of the Constitution which my hon. Friend naturally emphasised. We know we had a discussion on the White Paper placed before the House. We realise the difficulties. Now, it will be no use concealing those difficulties. We should express them and see how best we can get over them.

There are other directive principles where this Government have done everything possible. This State has done its best even where other States have not at all come to the help of this State. They have been obstructive to this State. Let me quote Article 47 of the Constitution:

"The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health."

This policy of prohibition of intoxicating drinks which this State and one other State are judiciously committed to is not accepted at all by the other States, even though the same Party which my hon. Friend referred to is in authority in those States, with the

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result that it is a great handicap to this State in many respects, because it allows illegal transport of such liquors to this State, much to the detriment of the finances of this State and the people of this State. This is a matter where this State can take up a strong position and say what the position is, not only with reference to this State's achievements but also *vis-a-vis* the other States.

Then, the next Article (48) says: "The States shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds" I am glad that this State is doing its best with regard to agriculture and animal husbandry. I have always felt, particularly in former years and to a certain extent even now, that there is too much of a directive of the Central Government rather than the directive principles that are laid down and I feel that so far as agricultural development is concerned, a greater amount of autonomy should be left to the States concerned to devise ways and means of promoting agriculture. There must be one uniform law as to the extent of land that one should possess and one uniform law as to the relationship between tenants and landowners—deliberately I will not use the word 'landlords', because if I use that term, they may get into more trouble and may be liquidated sooner than later. These are things which are within the right of the State and the State ought to make a greater amount of effort in this direction.

I shall refer to one more Article which is Article 51 of the Constitution. This says—

"The State shall endeavour to—

- (a) promote international peace and security;
- (b) maintain just and honourable relations between nations;
- (c) foster respect for international law and treaty obligations in the dealings of organized peoples with one another; and
- (d) encourage settlement of international disputes by arbitration."

I have never seen either in this House or in the other House nor have I read any report to the effect that the State is taking interest in this important directive principle. We are inclined too much to leave all these things to the Central Legislature. With due deference to the Members of the Central Legislature for whom I have a great deal of respect, I should say that the directive principle lays on us also the obligation to give expression to our views in a way that will not embarrass the Government. I quite agree that these are very delicate matters and none knows better than I how delicate they are. But, at the same time, it is necessary for

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the State to take some interest in these matters. I, therefore, think that this Resolution of my friend is completely innocuous and is one which will enable the Government to take a firm stand on certain questions, to express their difficulties and the manner in which they propose to circumvent them and to give a report of what they have achieved, if they have achieved something to their credit. I for one would strongly support the Resolution and oppose any attempt at withdrawal.

* SRI A. GAJAPATHY NAYAGAR: Sir, I do not wish to speak on the Resolution. But I would like to ask for information whether there has been any such Resolution in any other place in India—I mean an omnibus Resolution such as the one we have before the House. I would also like to ask whether the purpose of the Resolution would not be better served if we discuss the various matters to be covered by it as and when occasions arise. I would particularly ask the Members who have spoken on the Resolution whether there has been any such Resolution anywhere.

DR. A. LAKSHMANASWAMI MUDALIAR: Let us create a precedent.

* THE HON. SRI R. VENKATARAMAN: Mr. Chairman, I am grateful to the House for the very instructive debate that has taken place and also to my hon. Friend Sri Purushotham for having drawn the attention of the Government, the Legislature and other bodies concerned to the obligation of observing the Directive Principles of State Policy. If I differ at all, it is only on a minor question, viz., whether it is at all necessary at this stage to have a committee, whether it would be able to fulfil any useful purpose and whether we have really advanced sufficiently to review the progress made. Sir, I may immediately answer the hon. Member Sri Gajapathy Nayagar and say that a similar Resolution was brought forward before the Lok Sabha and that, after a debate, it was lost. But that does not in any way mean that I want this Resolution to be defeated (laughter). I only brought a piece of information to his notice which he wanted.

Sir, the Directive Principles of State Policy, when compared to Chapter III of the Constitution are of the nature of targets and achievements. The directive principles are targets. The conditions envisaged in Chapter IV of our Constitution do not exist. It is the endeavour of the State to march towards that goal prescribed in Chapter IV. But so far as Chapter III—Fundamental Rights—is concerned, it is imperative on the part of the State to implement all the conditions laid down and see that the protection afforded by Chapter III of the Constitution, is extended to every citizen. Therefore, to say, what is merely a goal, what is a target to be achieved over a series of years, has not been achieved immediately is to miss the point in the Constitution itself. During the

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brief period of seven years the Congress has been in administration, it has endeavoured its utmost to march to that goal, viz., of trying to implement the various principles contained in Chapter IV. I shall not take much of the time of the House but since a debate has been raised in the matter, I think it is necessary for me to briefly sketch the few things that the Government have done. For instance, if we take social matters. Sir, notwithstanding the criticism levelled by the hon. Gentleman Sri Balasubramanya Ayyar, we have tried to introduce an element of equality between men and women in our legislation, in our social system as well as in the various executive acts which the State has performed. We are also giving protection to children and a Bill for protection of children is about to be introduced in the other House, if not in this session, at least in the next session. We have also implemented the policy of Prohibition and we are trying to improve the standards of health and sanitation of the people in this State by various measures such as primary health centres, provision of medical assistance, opening of hospitals, provision of sanitation, supply of good drinking water in the villages, etc. So, if we have not completely carried out all that is contained in Chapter IV with regard to the directive principles in relation to social matters, it is not because of any lack of endeavour on our part or lack of will or desire on our part but the compelling circumstances of our economic deficiency.

Then, we come to matters relating to economic questions. The right to work is an ideal which has not been achieved in very many States in the world except in countries where there is a low population and where there is full employment. It has not been possible for a large majority of States to implement this principle of right to work. On the other hand, we have not even full and adequate statistics of the number of people remaining unemployed in this country. In order to gather relevant material, the State has already established in each district an Employment Exchange to gather the figures of unemployed men and women. But even these Exchanges are not proving effective because very many people who are unemployed do not go and register themselves for the reason that for a long time they do not get any employment. But still, Sir, even for the purpose of understanding the magnitude of the problem, it would be helpful if the unemployed people go and register themselves in Employment Exchanges.

Then, the question of extending medical benefits has been taken up in the whole of India and in our State, we have got the Employees State Insurance Corporation. It provides medical facilities for workers, maternity benefits and payment of compensation in case of accidents. This scheme is in operation in Madras, Coimbatore and Madurai and we intend extending it in the near

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future. So far as providing just and humane conditions of labour and maternity benefits is concerned, the State has introduced a number of Bills. For instance, we have introduced in the other House a Bill to regulate employment in hotels. We are bringing in legislation for regulation of employment in the beedi industry. We have taken effective steps to enforce the Factories and the Plantations Labour Acts. The cumulative effect of all these is to see that the employees and workers in our factories and mines and plantations do get adequate protection against exploitation and that decent standards of health and comfort are ensured for them in their places of employment.

Article 43 of the Constitution deals with providing a living wage. I must confess that we are far, far away from the ideal of providing a living wage to our people. But we have taken steps to provide the barest minimum of comfort for their existence by way of implementing the Minimum Wages Act. In institutions and factories and establishments where it is possible to give more than the barest minimum wage to the workers, we have referred the question to the tribunals and the tribunals have granted fair wages to the workers. We have also undertaken an elaborate scheme for the introduction of cottage and village industries and I am glad to announce that so far 35 societies for such village and cottage industries have been started. We have schemes for another fifteen societies to be started in the course of the next year.

So far as animal husbandry and agriculture are concerned, it is well-known that we are doing our utmost. The only criticism that the hon. the Leader of the Opposition made about this was that we were being nose-led by the Centre in this matter. I want to disabuse the minds of the people in this State that in matters like this, we are not compelled to do things against our own conviction. On the contrary, suggestions do emanate from both sides, from the State as well as from the Centre and it is only after a very free and frank exchange of thought, on these matters that some workable solution is arrived at. Therefore, merely because some suggestions have emanated from the Centre, it should not be misunderstood as directives from the Centre for implementation by the States.

With regard to education and cultural rights, the question of compulsory education within ten years has been referred to. About 4 20 p.m.
education, we will have a discussion very shortly in this House. What I want to bring to the notice of this House is that, whenever questions like Education or Local Self-Government crop up, Legislature Committees are constituted to go into them. It is not necessary to constitute one committee to go into the extent of implementation of all the Articles in the Constitution. Legislature

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Committees are constituted as and when occasion arises. In the other House the Minister for Education announced that he would establish a Standing Committee of the House for attending to the problems of Education. Therefore, we are really implementing the spirit of the Resolution which has been moved, in the sense that whenever occasion arises we are not reluctant to appoint committees to go into specific matters. Only two days back, our House joined with the other House in having a Legislature Committee to examine the proposals contained in the White Paper on the Reform of Local Administration.

With regard to the promotion of the educational and economic interests of the Scheduled Castes and the Scheduled Tribes, which directive is contained in Article 46 of the Constitution, I desire to point out that a number of fee concessions have been given and that seats in educational institutions have been reserved for the Scheduled Castes and the Scheduled Tribes. Everything possible is being done to ameliorate their condition.

Lastly, I come to political questions. The State has already implemented the provision regarding separation of the judiciary from the executive, a directive contained in Article 50. With regard to the reorganisation of village panchayats, the directive contained in Article 40, the State has already taken steps.

With regard to international relations and matters relating to international peace, the subject is exclusively in the Union List and there is very little that we as a State can do in the matter. But still we do what little we can. When we organise meetings like the meeting on the United Nations Day, do we not try to spread the ideal of the United Nations, the ideal of international peace and international co-operation?

I have very briefly and in a very sketchy fashion touched on the various matters contained in Part IV of the Constitution. We have not worked for a sufficiently long time to warrant a review. As and when occasions arise, we do appoint Committees of the Legislature to go into particular questions. In the circumstances, I earnestly plead with the House that there is no need to appoint the committee proposed in the Resolution. I trust my hon. friend Mr. Purushotham will withdraw his Resolution.

* SRI T. PURUSHOTHAM: Mr. Chairman, Sir, I am grateful to the hon. Members for the support that they have extended to the Resolution that I moved. We have heard the Hon. Minister. He has surveyed the achievements so far. But what I suggested in my Resolution was that we should have a comprehensive survey of what

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has been done in fulfilment of the Directive Principles and that the Legislature should be given an opportunity to see how far we, the Legislature, has fulfilled the obligations laid on it by the Constitution. In my speech while moving the Resolution, I suggested that the Government might consider the issuing of a comprehensive statement on the achievements so far made with regard to the Directive Principles in the Constitution. If such a statement is made, the House will have an opportunity of discussing the same, and also that would be the best means of educating the public, which is very necessary in a democratic constitution. It is not so much to know what the Executive has done that I want the committee. I wanted that we ourselves should probe and see how far the Legislature has carried out its duties. The Hon. Minister has told us that the spirit of the Resolution has been accepted by the Government. I may tell the hon. Members opposite that we in this House work as a team. If I have moved this Resolution, it is not in any party spirit at all. We do not have in this House a rigid party system with sharp cleavage between the parties. I and my Friends on this side are grateful to the hon. the Leader of the Opposition for co-operating with the Government in carrying on the business of this House in a most healthy manner. After the Minister's statement that the spirit of the Resolution has been accepted by the Government and that they will have no objection to appoint Legislature Committees as envisaged in my Resolution, whenever necessary, I think there is no purpose in pressing to a division a Resolution of this kind. We have made our suggestions to the Government. Instead of a piecemeal examination, we wanted a comprehensive survey, and I am sure some opportunity will arise to do so. We have been having our Constitution only for seven years. Hon. Members of this House will remember—the Hon. the Leader of the House was not in this House then—that once before I raised a similar question during the Chief Ministership of Sri C. Rajagopalachari, and he assured me that there was time enough to consider the matter. Seven years we have spent. Perhaps, when we complete the first decade, we will have an opportunity to discuss more fully our achievements and programmes. Even as individual Members, we may examine what we have done and what we have not done. We can move Resolutions on the failures of the Legislature and ask the Government to take action. We can bring non-official Resolutions, if need be, with regard to compliance with these directives in the Constitution. As I said, we are working as a team in this House. I would appeal to the hon. the Leader of the Opposition and the hon. Members opposite to permit me to withdraw the Resolution, in view of what the Hon. Minister has said. (Dr. V. K. John: I strongly object.) Dr. John says that he strongly objects but I know that he is not sincere about it. I once again request the House to grant me leave

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to withdraw my Resolution to the fullest hope that some opportunity will be given to us to have a comprehensive survey as to what steps have been taken and to press on the Government the further steps to be taken by them for implementing the Directive Principles.

The Resolution was, by leave, withdrawn.

MR. CHAIRMAN: The House will now adjourn and meet again at 3 p.m. on Monday, the 11th November 1957.

The House then adjourned.

THE MADRAS LEGISLATIVE COUNCIL

Monday, the 11th November 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.

Inclusion of Tamil-majority border villages in Nellore district with Madras State.

* 26-A (Short Notice) Q.—SRI T. PURUSHOTHAM: Will the Hon. the Chief Minister be pleased to state whether any representations have been received by Government for inclusion of Tamil-majority border villages in Nellore district with Madras State and, if so, the action taken or proposed to be taken thereon?

THE HON. SRI R. VENKATARAMAN (on behalf of the Hon. the Chief Minister): Yes, Sir. Several representations have been received by Government for the inclusion of the Tamil-majority villages in Nellore district with this State, but it is not considered worthwhile to pursue this question further, as the recommendations of Sri Pataskar on the Andhra-Madras border dispute have already been accepted by both the Governments.

SRI T. PURUSHOTHAM: Will the Hon. Minister kindly tell us, Sir, whether the case of these Tamil villages in Nellore district was included in the terms of reference to Sri Pataskar, whether this was also examined and whether his verdict covers this issue also?

THE HON. SRI R. VENKATARAMAN: Actually it was represented to Sri Pataskar that these were minor matters and that if no agreement was reached between the Madras Government and the Andhra Government, then these things would be taken up. Since an agreement has been arrived at, this issue was not pressed.

SRI MOHAMED RAZA KHAN: Sir, as both the Governments have agreed to accept the recommendations of Sri Pataskar, may I know what the position of Hosur is? May I know whether the matter is finally decided or whether efforts may be made by other Governments to revive it?

THE HON. SRI R. VENKATARAMAN: As far as we are concerned, it is finally decided. We cannot say what other Governments may try to do.

SRI T. PURUSHOTHAM: Will the Hon. Minister kindly tell us when the Hyderabad decisions will be implemented?

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THE HON. SRI R. VENKATARAMAN: The hon. Member knows the procedure. After the Government of India prepare the Bill, it will be sent to the Madras and the Andhra Governments, it will be discussed in our Legislatures, and then the Bill will be brought before Parliament.

SRI T. PURUSHOTHAM: Are the Government aware of the reported move on the part of some in Andhra State to effect some changes in decisions already arrived at?

THE HON. SRI R. VENKATARAMAN: I do not think we should take very serious notice of those things.

SRI V. V. RAMASWAMI: தலைவர் அவர்களே, இந்த ஆந்திரா, தமிழ் பிரிவினை விஷயமாக மாநிலப் பிரிவினை வந்தபோது, அந்த விஷயம் சட்டசபையிலும் இங்கும் பேசப்பட்டது. இப்போது அதனுடைய முடிவை அரசாங்கம் ஒப்புக்கொண்டிருப்பதாகச் சொல்லப்பட்டது. இவ்விதம் ஒப்புக் கொள்வதற்கு முன்பு ஏன் இதைப்பற்றி சட்டசபையிலும் இங்கும் விவாதித்திருக்கக்கூடாது என்று கேட்கிறேன்.

THE HON. SRI R. VENKATARAMAN: Actually, Sir, it is only because both the Governments agreed to arbitration by Sri Pataskar that this question went before him. Having agreed to arbitration, I do not see what point there is in discussing it over again.

Applicants for the Veterinary course.

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

(a) whether it is a fact that the number of applicants who sought admission to the Veterinary Course this year was less than the number of seats available; and

(b) the reasons therefor and the steps proposed to be taken by the Government to attract more number of students?

THE HON. SRI M. BHAKTAVATSALAM: (a) No, Sir. Against 77 seats allotted for the students of this State in the Madras Veterinary College for the B.V. Sc. Course, 242 candidates applied, 77 were selected and all of them have joined the course. As regards Pre-professional course, against 83 seats allotted for this State, 95 candidates applied and 83 were selected. But only 54 actually joined the course. Later, 7 students left.

(b) The reasons are being looked into.

SRI T. PURUSHOTHAM: Sir, will the Hon. Minister kindly tell us whether all those who passed out of our veterinary institutions in this State are able to get absorbed in public service and whether there is not need for more such men?

THE HON. SRI M. BHAKTAVATSALAM: Yes, Sir. There is serious shortage of this technical personnel and there is no difficulty at all for those who go out of this college in getting absorbed.

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Suspension of Secondary Grade Assistants.

* 28 Q.—SRI V. R. RANGANATHAN: Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that two Secondary Grade Assistants of Presidency High School for Girls, Egmore, Madras, were suspended during 1955-56;

(b) if so, the dates on which they were suspended and the date on which they were permitted to attend duty;

(c) the nature of the charge framed against them;

(d) whether any investigation was conducted by the Special C.I.D. and, if so, with what result; and

(e) whether any substitutes were appointed during the period of their suspension?

THE HON. SRI C. SUBRAMANIAM: (a) One Secondary Grade Assistant and one Physical Training Instructress of the Presidency High School for Girls, Egmore, were under suspension during 1955-56.

(b) & (c) The teachers were suspended with effect from 9th February 1954 on the charge that, actuated by corrupt motive, they altered the marks or connived in the alteration of the marks obtained by two candidates who appeared for the S.S.L.C. Examination held in 1953. The Secondary Grade Assistant was reinstated in service on 10th April 1956 and the Physical Training Instructress on 19th April 1956.

(d) A preliminary investigation and, later, a detailed enquiry were made by the appropriate authorities and the teachers were honourably acquitted of the charge.

(e) Yes, Sir.

SRI V. R. RANGANATHAN: Is there any time-limit for suspension in such cases, Sir?

THE HON. SRI C. SUBRAMANIAM: There has been some delay in this case and, as a matter of fact, I am addressing the Director that this delay should be avoided.

SRI T. P. SRINIVASAVARADAN: Were the substitutes immediately appointed or after a lapse of some months?

THE HON. SRI C. SUBRAMANIAM: Notice.

SRI G. KRISHNAMOORTHY: Were they paid any subsistence allowance?

THE HON. SRI C. SUBRAMANIAM: Yes, Sir. Later on, they would have got their salaries.

SRI JOHN ASIRVATHAM: Sir, may I know the reason for the inordinate delay in the office of the Director of Public Instruction?

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THE HON. SRI C. SUBRAMANIAM: It is perhaps due to overwork. But, now I am fixing a time-limit with reference to these cases regarding disciplinary action against teachers and other officials.

SRI JOHN ASIRVATHAM: Considering the fact that the work of this department has considerably expanded during recent years, will the Government consider the desirability of appointing a Joint Director to avoid this unnecessary delay?

THE HON. SRI C. SUBRAMANIAM: I do not know whether the problem can be solved by the appointment of a Joint Director. The entire matter is under consideration and we hope to take necessary steps to see that the work is expedited.

Scheme for improving water-supply system at Ootacamund.

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

(a) whether there is any scheme before the Government to improve the water-supply system at Ootacamund; and

(b) if so, when it will be taken up and completed?

THE HON. SRI M. A. MANICKAVELU: (a) Administrative sanction has been accorded in August 1957 for a scheme of improvements to the Ootacamund Municipal Water-supply system.

(b) The scheme can be taken up for execution in 1958 and completed by 1961.

SRI T. PURUSHOTHAM: Sir, as the Madras Hotel Proprietors' Association has been complaining about the inadequate supply of water in Ootacamund, will the Government institute enquiries and ensure adequate supply of water to the hotels, as Ootacamund is an important tourist centre?

THE HON. SRI M. A. MANICKAVELU: Only for augmenting the supply of water in Ootacamund, this scheme, though not included in the Five-Year Plan, has been accorded administrative sanction. Because it is a hill station and tourist centre, the Government are trying to implement it even though it is not in the Five-Year Plan.

SRI MOHAMED RAZA KHAN: As there is a possibility of our Legislature meeting in Ootacamund, should not the Revenue Minister expedite this scheme so that when the legislators go there, they would have adequate supply of water?

THE HON. SRI M. A. MANICKAVELU: Apart from this scheme, I can assure the hon. Member that I will be in a position to give him enough water.

SRI A. M. ALLAPICHAJ: Is there anything like that—a session of the Legislature being held in Ootacamund?

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THE HON. SRI M. A. MANICKAVELU: It may or it may not be.

DR. V. K. JOHN: Sir, are the Government aware that water-supply in another hill station, viz., Kodaikanal, is defective?

THE HON. SRI M. A. MANICKAVELU: We are now dealing with Ootacamund. Kodaikanal is far away from it.

Full-fee concession up to S.S.L.C. class.

* 30 Q.—**SRI V. V. RAMASWAMI:** Will the Hon. the Minister for Finance be pleased to state whether there is any proposal under the consideration of the Government to grant full-fee concession to the children of N.G.Os., teachers and other employees of local boards up to and inclusive of the S.S.L.C. class and, if so, the stage at which the matter now stands?

THE HON. SRI C. SUBRAMANIAM: The proposal is under consideration.

SRI V. V. RAMASWAMI: இந்தச் சம்பளச் சலுகை விஷயமாக உத்தரவு 1952-ல் பிறப்பித்திருப்பதாகத் தெரிகிறது. எல்லா மாணவர்களுக்கும் எஸ். எஸ். எல். லி. வரைக்கும் சம்பளச் சலுகை கொடுக்க வேண்டுமென்பது தனது டெட்சியம் என்று முதலமைச்சர் ஸ்ரீ காமராஜ் கூறியிருக்கிறார். அப்படியானால், இதைச் சீக்கிரமாக்கக் கொண்டு வருவதற்கு முடியுமா? அது எப்போது வரும் என்பதைத் தெரிவிக்க முடியுமா?

THE HON. SRI C. SUBRAMANIAM: இதற்கு முன்பே அங்கத் தினர் அவர்களுக்குத் தெரியும் என்று நினைக்கிறேன். நிதி நிலைமையைப் பொறுத்ததான் சலுகை கொடுக்கவேண்டியிருக்கிறது. நிதி நிலைமை சரியாக இருந்தால், உடனே கொடுத்துவிடலாம்.

Improvements to minor ports.

* 31 Q.—**SRI V. V. RAMASWAMI:** Will the Hon. the Minister for Public Works be pleased to state, with reference to the answer to starred Legislative Council question No. 42 answered on 28th August 1956, the action taken by the Government to improve the minor ports under the control of State Government?

THE HON. SRI P. KAKKAN: This Government obtained the approval of the Planning Commission for including in the Second Five-Year Plan certain schemes relating to the development of Minor Ports in this State. The Government of India have subsequently sanctioned a loan of Rs. 4,04,000 for the year 1956-57 for the execution of the approved development schemes relating to Minor Ports and these works are in progress.

This Government have also applied for a loan of Rs. 2,39,000 for the year 1957-58 and the sanction of the Government of India for this loan is awaited. It is also proposed to address the Government of India for a loan of Rs. 3,36,250 for carrying out Port Development Schemes during 1958-59.

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-10 SRI V. V. RAMASWAMI: 1958-59-ம் ஆண்டில் அபிவிருத்திக்கு எடுத்துக்கொள்ளப்படும் துறைமுகத்தின் பெயரை கனம் மந்திரி அவர்கள் தயவுசெய்து சொல்வார்களா?

THE HON. SRI P. KAKKAN: Some incomplete works of the First Five-Year Plan have been carried over to the Second Five-Year Plan. The development of Tuticorin Port into a 20 feet harbour is linked with the Sethusamudram Project and it is under the consideration of the Government of India.

SRI V. V. RAMASWAMI: சிறிய துறைமுகங்களை அபிவிருத்தி செய்யும் திட்டத்தின் கீழ் தரங்கம்பாடியிலுள்ள துறைமுகத்தை அபிவிருத்தி செய்வதற்கு நம் சர்க்காருக்கு ஏதாவது தகவல் வந்திருக்கிறதா என்று அறிய விரும்புகிறேன்.

THE HON. SRI P. KAKKAN: Sir, after the reorganization of States, there are 20 minor ports in the State. They are—

In South Arcot district—

1. Cuddalore.
2. Porto Novo.

In Tanjore district—

3. Nagapattinam.
4. Thopputhurai.
5. Point Calimere.
6. Adirampattinam.

In Ramanathapuram district—

7. Tondi
8. Pamban.
9. Rameswaram.
10. Vedalai.
11. Dhanushkodi.
12. Kilakarai.
13. Maraiyur.

In Tirunelveli district—

14. Vembar.
15. Vaipur.
16. Tuticorin.
17. Kulasekharapattinam.

In Kanyakumari district—

18. Colachel.
19. Kovalam.
20. Manakudy.

MR. CHAIRMAN: Questions are over.

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

II.—ANNOUNCEMENT BY THE HON. CHAIRMAN *RE* MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN: I have to announce to the House that I have received the following message, dated the 9th November 1957, from the Hon. the Speaker, Madras Legislative Assembly:—

"In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Village Panchayats (Amendment) Bill, 1957 (L.A. Bill No. 16 of 1957), as passed by the Assembly on the 9th November 1957 and signed by me, for the concurrence of the Council."

III.—GOVERNMENT BUSINESS.

PRESENTATION OF THE SUPPLEMENTARY STATEMENT OF EXPENDITURE FOR THE YEAR 1957-58.

THE HON. SRI C. SUBRAMANIAM: Mr. Chairman, I rise to present the Supplementary Statement of Demands for Grants for the current financial year 1957-58 and the Detailed Estimates thereof. As explained in the Introductory Memorandum, the present Supplementary Statement relates mainly to New Service Schemes which were sanctioned by the Government in the course of the current year and which could not be provided for in the Revised Budget Estimates. Provision has also been made in a few cases for expenditure which is likely to exceed the provision made in the Revised Budget.

The total supplementary grant asked for is Rs. 77.4 lakhs. Out of this sum, Rs. 71 lakhs relates to schemes in the Second Five-Year Plan. The main item included under this is an amount of Rs. 44.5 lakhs on various schemes for the welfare of the Scheduled Castes and Tribes. Out of this amount, nearly Rs. 35 lakhs is expected from the Government of India. Rupees fourteen lakhs have been asked for under various educational schemes.

I may point out that advances amounting to Rs. 56.66 lakhs have been sanctioned from the Contingency Fund to meet the expenditure on thirty schemes for which the approval of the Legislature is sought through this Supplementary Estimate.

With these words, Sir, I commend the Supplementary Estimates for the acceptance of the House.

IV.—GOVERNMENT BILL.

THE MADRAS REPEALING AND AMENDING BILL, 1957 (L.A. BILL NO. 17 OF 1957).

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

"That the Madras Repealing and Amending Bill, 1957 * (L.A. Bill No. 17 of 1957), as passed by the Legislative Assembly, be taken into consideration."

[Sri C. Subramaniam] [11th November 1957]

This is a formal Bill bringing up to date the various legislative enactments in force in our State. Certain statutes have become out of place due to the reorganization of States on two occasions. Certain of them have to be declared as not applicable to our State, because they are applicable to areas, which are now not included in our State. That is one set of enactments. In respect of another set of enactments, we have to make certain amendments because of this reorganization. As for the third set of enactments, there are some verbal errors which have to be rectified. Thus, at this stage, there are three sets of enactments contemplated in this Bill. As a matter of fact, it is my desire that this should be done periodically every two or three years, but in view of the impending reorganization of States, this had been kept a little too long. After this, I may assure this House that it will be taken up every two or three years and the existing enactments will be brought up to date. I hope the House will pass the Bill.

MR. CHAIRMAN: Motion moved—

“That the Madras Repealing and Amending Bill, 1957 (L.A. Bill No. 17 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, I certainly welcome this move on the part of the Hon. the Law Minister to revise the statutes from time to time and to repeal those enactments which have become unnecessary and which have ceased to be in force in our State on account of the reorganization of States and for other causes. There is the Second Schedule to repeal some of the provisions or words which have become unnecessary on account of the reorganization of States. There is also the Third Schedule for making certain verbal alterations. I do not know whether the Government have fully looked into all the Acts up till now. I just wanted to look into the whole thing, but I was not able to complete it. Therefore, I am unable to say much. If the Hon. the Law Minister thinks that the whole thing has been thoroughly done, I shall certainly welcome and accept it, and anything that is left over may be done in a year or two.

So far as the Third Schedule is concerned, I was looking into it a little more carefully. There was one alteration in language which I would like the Government to consider. It is not a serious matter. It is merely a question of language. I am referring to the Madras City Municipal Act, 1919. It is stated there, “In section 129-A, Explanation 2, in the proviso to clause (b), for the words ‘do not extend’, the words ‘does not extend’ shall be substituted.” There is singular-plural difficulty. There is always this trouble. The wording has been there for a very long time. I was surprised why nobody noticed it. Perhaps, it might have been overlooked by the draftsmen. Section 129-A deals with tax on advertisements. Clause (b) states: “any sign, or any board, frame or other contrivance securely fixed to or on the top of the wall or parapet of any building or on the cornice or blocking course of any wall, or to the ridge of a roof.”

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Provided that such board, frame or other contrivance be of one continuous face and not open work, and do not extend in height more than three feet above any part of the wall, or parapet or ridge to, against or on which it is fixed or supported.” I consulted the English Professor, Mr. John Asirvatham, as to whether it was correct. I think I was told that ‘do not extend’ might be there. Then I put the other aspect also to him. (Sri John Asirvatham: I agree that ‘does not’ will be all right here.) I would also like to have clarification from my friend Sri V. Chakkarai Chetty.

Sir, I want to refer to another matter. As regards the Madras City Land Revenue Act, 1851, one of the amendments proposed is—

“For the words ‘walls of George Town’, the words ‘Presidency-town of Madras’ shall be substituted.”

In those days it was all right to mention the words ‘walls of George Town’. Now, even the use of the words ‘Presidency-town of Madras’ is a little antiquated. It was because from this town the mufassal had extended, that they perhaps called it ‘Presidency-town of Madras’. Now, we should say ‘City of Madras’ and it can be changed like that.

THE HON. SRI C. SUBRAMANIAM: We can change it.

SRI K. BALASUBRAMANYA AYYAR: Therefore, it is better to change the whole thing to suit modern conditions.

* DR. V. K. JOHN: Mr. Chairman, Sir, the Government have done very well in bringing forward this Bill and I must congratulate them on taking so much trouble to amend and repeal Acts which have to be amended and repealed. Strictly speaking, these amendments ought to have been made to each Act separately but since some are only nominal and some verbal, perhaps the Government have thought that it is not necessary to take up the time of the Legislature by bringing in different Bills separately. I would suggest, however, to the Government that the question of making amendments to existing Acts may be looked into every year and more than that, that they should print and publish up-to-date copies of enactments every year. I am quite sure that a large majority of persons concerned with these Acts, particularly the professional people and the courts, would like to have copies of the amendments which are now proposed to the enactments mentioned in the First, Second and Third Schedules. Now, it is very difficult to get them and these may be forgotten or ignored or may not be taken notice of by the professional people and the courts. We are proposing amendments so that these Acts may stand amended. Of course, ‘M.L.J.’ and other bodies publish these Acts, but they are neither up to date nor quite correct. I would rather like the Government to publish a few volumes of the Madras Acts, which are in force at the time they are published. This must be done every year. I know that it will cost something but, at the same time, I must point out that we pass these Acts so that the public may understand and have access to these volumes. The professional

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men will be very much benefited. Therefore, I would very earnestly request the Hon. the Minister for Finance to see that every year these Acts are published in two or three volumes. The Government could also take trouble to publish them every year, as they have taken trouble to bring forward this Repealing and Amending Bill incorporating all the amendments, without any exception whatsoever.

I would also point out that if the Government have a Committee of men attached to the Law Department, they will also find that some of these enactments either have become obsolete or require verbal modifications. Bills can be brought in every year but the most important thing is to take the trouble of publishing each enactment up to date every year. I hope the Government will do it.

* SRI T. PURUSHOTHAM: Mr. Chairman, Sir, the Hon. the Minister for Law told us that in two or three years' time, all these Acts would be scrutinized again and brought up to date. But these are all minor and textual amendments. I feel that the State enactments passed before "Independence" require revision so as to be brought into conformity with the present Constitution and modern trends. The Central Government have realized this and appointed a Law Commission to revise the Central Acts. I feel that the old Acts passed in the bureaucratic age should be brought up to date to suit the modern times. The Hon. the Minister for Home, speaking at a public function the other day, told us that with regard to a legislation passed some time ago, on dancing in temples, a radical change was necessary. That is with regard to the Madras Devadasis (Prevention of Dedication) Act. In respect of it, the following minor amendment is proposed in the present Bill:—

"For the words, figures and letter 'section 44-A of the Madras Hindu Religious Endowments Act, 1926', the words and figures 'section 34 of the Madras Hindu Religious and Charitable Endowments Act, 1951' shall be substituted."

What I want to say is that while bringing these Acts up to date, we should see that they are revised in all respects to suit the present conditions. I believe, Sir, that the Law Commission appointed by the Central Government will not say anything about the State Acts as they are not included in its terms of reference. I, therefore, feel that at the State level we should appoint an expert Committee to examine and revise the State enactments on the lines of the action taken by the Central Government with regard to the Central Acts. I commend this suggestion for the consideration of the Government.

THE HON. SRI C. SUBRAMANIAM: Sir, I am really glad that hon. Members have taken the trouble of scrutinizing even this very formal Bill. Hon. Members will see that all the enactments dating from 1802 have been scrutinized and with what minute detail they have gone into every section in the various enactments,

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can be seen from the fact that a grammatical error which was committed about 100 years ago has just been found out and is sought to be corrected. In the same way, hon. Members will find that great care has been taken to make various corrections and amendments to a number of enactments which are on the Statute-book to-day and I think the Law Department deserve our congratulations and a word of praise is due to them from this House.

With regard to the suggestion that the Madras Acts should be published periodically, I do agree, but I certainly do not agree to the period fixed by the hon. the Deputy Leader of the Opposition. It may not be possible to publish them every year. But the Law Department are taking action to publish them periodically so that an authorized version of the various enactments in compact volumes may be made available to the members of the profession and the public. Now that this work has been done, I am hoping to have a publication of the Madras Acts very shortly. How long it will take to publish them is another question. The Government Press takes two or three years for printing these books and by the time these books are published, they become out-of-date. We are considering how best it could be expedited.

With reference to the suggestion made by the hon. Member Sri T. Purushotham, that we should have a separate Law Commission for our State, hon. Members know that a Law Commission has been appointed by the Government of India. Let us see the work done by it. After that and with the experience gained by that Law Commission, we may decide what sort of machinery we should constitute for the purpose of revising the various statutes. I think we can afford to wait for a year more for that purpose. It is stated that we will be having the preliminary Report of the Law Commission in March 1958. After that, we can consider the matter. I am really thankful to the hon. Members for having taken so much care even with reference to this small Bill. That only shows the high efficiency of the House.

MR. CHAIRMAN: The question is—

"That the Madras Repealing and Amending Bill, 1957 (L.A. Bill No. 17 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.

First, Second and Third Schedules were put and carried.

Clause 1 and the Preamble were put and carried.

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

"That the Madras Repealing and Amending Bill, 1957 (L.A. Bill No. 17 of 1957), as passed by the Legislative Assembly, be passed."

3-30
p.m.

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MR. CHAIRMAN : The question is—

“ That the Madras Repealing and Amending Bill, 1957 (L.A. Bill No. 17 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.

* 85. Notification issued with G.O. No. 1165, Local Administration, dated 31st July 1957, regarding amendments to rules 5 and 6 of the rules relating to house tax, framed under the Madras Village Panchayats Act, 1950 (Madras Act X of 1950).

† 86. Notification issued in G.O. No. 2795, Food and Agriculture, dated 16th September 1957, regarding the rules framed under the Madras Hill Stations (Preservation of Trees) Act, 1955 (Madras Act XVII of 1955).

† 87. Notification under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948) Notification under section 1 (5) omitting the entry “ 265, Kilapidariseri ” under the heading “ Ramanathapuram district ” in the Schedule to the Notification No. 280, dated 1st September 1951—G.O. Ms. No. 3218, Revenue, dated 12th August 1957.

† 88. Notification issued in G.O. No. 3445, Revenue, dated 31st August 1957, under section 1 (4), appointing the 26th day of September 1957, as the date on which sections of the above Act other than sections 1, 2, 4, 5, 7, 8, 58-A, 62, 67 and 68, shall come into force in the inam estates specified in the schedule to this notification.

† 89. Notification issued with G.O. No. 1467, Revenue, dated 16th April 1957, amending certain rules issued under sections 30 and 34 of the Act.

† 90. Notification issued with Memorandum No. 109784-J/56-4, dated 5th July 1957, under section 1 (5), omitting the entry “ 25. Navithan Usilangulam ” against the entry “ Sivaganga estate ” issued with Revenue Department Notification No. 2227, dated 22nd August 1947.

† 91. Notification issued in G.O. Ms. No. 3239, Revenue, dated 13th August 1957, under section 1 (5), omitting entry “ 125. Akkinampattu Block B ” and amending entries Nos. 124, 168 and 330 of the Schedule to the Notification No. 5618, Revenue, dated 9th December 1950, under the heading “ Chingleput district ”.

* Laid on the table of the House on 7th November 1957.
† Laid on the table of the House on 9th November 1957.

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* 92. Notification issued with G.O. Ms. No. 2174, Revenue, dated 28th May 1957, omitting the entry “ 425. Melaparuthiyur ” under this heading “ Zamin Manamadurai taluk ” in the Schedule to the Revenue Department Notification No. 2227, dated 22nd August 1949.

* 93. Notification issued in G.O. Ms. No. 3671, Revenue, dated 18th September 1957, under section 1 (4), appointing the 17th October 1957, as the date on which the provisions of the Act other than sections 1, 2, 4, 5, 7, 8, 58-A, 62, 67 and 68 shall come into force in Kannakudi inam estate of Tiruppattur taluk, Ramanathapuram district.

* 94. Notification issued in G.O. Ms. No. 3672, Revenue, dated 18th September 1957, under section 1 (4), appointing the 17th October 1957, as the date on which the provisions of the Act other than sections 1, 2, 4, 5, 7, 8, 58-A, 62, 67 and 68 shall come into force in Kottakadu Block B, Zamin estate, Chingleput district.

* 95. Notification issued with Memorandum No. 62703-J/57-3, Revenue, dated 3rd September 1957, under section 1 (5), omitting entry No. “ 324, Paruthankaranai ” and “ 325. Onambakkam ” in the Schedule issued with Notification No. 5618, Revenue, dated 9th December 1950.

† 96. The Madras Repealing and Amending Bill, 1957 (L.A. Bill No. 17 of 1957) (as introduced and passed by the Assembly).

† 97. Report and proceedings of the Select Committee on the Madras Village Panchayats (Amendment) Bill, 1957 (L.A. Bill No. 16 of 1957).

* 98. Committee on Estimates (Sixth Report), Public Works Department (Buildings).

99. Notification issued with G.O. Ms. No. 3072, Industries, Labour and Co-operation, dated 17th September 1957, regarding amendment to clause (f) of sub-rule (2) of rule XIX of the Madras Small Scale and Cottage Industries Loans and Subsidy Rules, 1956.

* Laid on the table of the House on 9th November 1957.
† Sent by special messengers on 2nd November 1957.
† Sent by special messengers on 8th November 1957.

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APPENDIX.

[Vide item IV on page 33 supra.]

L.A. Bill No. 17 of 1957.

(As passed by the Assembly).

A Bill to repeal certain enactments and to amend certain other enactments.

WHEREAS it is expedient that the enactments specified in the First Schedule which have in consequence of the formation of the State of Andhra and the reorganization of States, ceased to be in force in the State of Madras, should be formally declared to be no part of the laws in force in the State of Madras;

AND WHEREAS it is further expedient that the enactments specified in the Second Schedule which are spent or have otherwise become unnecessary, or have ceased to be in force otherwise than by expressed specific repeal, should be expressly and specifically repealed;

AND WHEREAS it is also expedient that certain amendments should be made in the enactments specified in the Third Schedule;

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

1. *Short title.*—This Act may be called the Madras Repealing and Amending Act, 1957.

2. *Declaration respecting certain enactments inapplicable to the State of Madras.*—The enactments specified in the First Schedule are hereby formally declared to be no part of the laws in force in the State of Madras.

3. *Repeal of certain enactments.*—The enactments specified in the Second Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

4. *Amendment of certain enactments.*—The enactments specified in the Third Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

5. *Savings.*—The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequence of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim, or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or

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procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognized or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

Enactments no longer part of the laws in force in the State of Madras.

(See section 2.)

Year. (1)	Number. (2)	Short title. (3)
<i>Central Regulations of Local Application.</i>		
1909	I	The Nugur, Albaka and Cherla Laws and Cesses Regulation, 1909.
1912	I	The Laccadive Islands and Minicoy Regulation, 1912.
<i>Central Acts of Local Application.</i>		
1881	XVIII	The Central Provinces Land-revenue Act, 1881.
1883	I	The Central Provinces Local Self-Government Act, 1883.
1898	XI	The Central Provinces Tenancy Act, 1898.
<i>Madras Regulations.</i>		
1937	I	The Madras Agency Rules (Amendment) Regulation, 1937.
1939	II	The Madras Agency Rules (Amendment) Regulation, 1939.
1940	I	The Madras (Partially Excluded Areas) Village Courts Regulation, 1940.
1940	III	The Madras Agency Debt Bondage Abolition Regulation, 1940.
1940	IV	The Madras Agency Rules (Amendment) Regulation, 1940.
1940	V	The Madras (Partially Excluded Areas) Courts of Wards Regulation, 1940.
1940	VI	The Madras (Partially Excluded Areas) Guardians and Wards Regulation, 1940.
1940	VII	The Madras Agency Rules (Second Amendment) Regulation, 1940.
1942	III	The Amindivi Islands Court Fees Regulation, 1942.
1942	IV	The Madras Agency Rules (Amendment) Regulation, 1942.
1942	V	The West Godavari (Ganjam and Vizagapatam Act Extension) Regulation, 1942.
1943	I	The Madras (Partially Excluded Areas) (Estates Land Repealing) Regulation, 1943.
1943	II	The Golconda and Polavaram Taluks (Local Taxation and Fees) Regulation, 1943.
1944	I	The Madras Agriculturists Relief (Partially Excluded Areas Amendment) Regulation, 1944.
1945	II	The Madras (Partially Excluded Areas) Compulsory Vaccination Regulation, 1945.
1946	I	The Madras Agency Rules (Amendment) Regulation, 1946.
1946	II	The Madras Agency Rules (Second Amendment) Regulation, 1946.
1947	I	The Madras Agency Rules (Amendment) Regulation, 1947.
1947	II	The Madras Agency Rules (Second Amendment) Regulation, 1947.

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Year. (1)	Number. (2)	Short title. (3)	
<i>Madras Regulations—cont.</i>			
1948	I	The Madras Agency Rules (Amendment) Regulation, 1948.	
1949	II	The Madras Agency Rules (Amendment) Regulation, 1949.	
1951	I	The Madras Scheduled Areas (Validation of Succession Certificates) Regulation, 1951.	
1951	II	The Madras Agency Rules (Amendment) Regulation, 1950.	
1951	III	The Scheduled Areas States Land (Reduction of Rent Amendment) Regulation, 1951.	
1951	IV	The Madras Scheduled Areas Estates (Abolition and Conversion into Ryotwari) Regulation, 1951.	
<i>Madras Acts.</i>			
1917	I	The Agency Tracts Interest and Land Transfer Act, 1917.	
1920	XIII	The Mulgani Rent Enhancement Act, 1920.	
1926	II	The Andhra University Act, 1925.	
1926	VII	The Kirlampudi B and C Estates, Dontamura and Rayavaram Impartible Estates Act, 1926.	
1928	V	The Jagzampeta A and D Estates Impartible Estates Act, 1928.	
1929	VIII	The Mirzapuram and Padagonnur Impartible Estates Act, 1929.	
1929	IX	The Elamarru and Penjendra Impartible Estates Act, 1929.	
1933	I	The Kapileswarapuram Impartible Estate Act, 1932.	
1933	II	The Anakapalle and other Impartible Estates Act, 1932.	
1947	VII	The Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947.	
1947	XIII	The Tungabhadra Project (Prevention of Speculation in Land) Act, 1947.	
1949	XIV	The West Godavari District (Assimilation of Laws on Provincial and Concurrent Subjects) Act, 1949.	
1950	XII	The Andhra University (Amendment) Act, 1950.	
1951	XXIX	The Andhra University (Amendment) Act, 1951.	
1953	XV	The Tuticorin Port Trust (Application to Mangalore) Act, 1953.	
1955	II	The South Kanara Cultivating Tenants Protection (Amendment) Act, 1955.	
1956	II	The South Kanara Cultivating Tenants Protection (Amendment) Act, 1956.	

THE SECOND SCHEDULE.

Repeals.
(See section 3.)

Year. (1)	Number. (2)	Short title. (3)	Extent of repeal. (4)
<i>Regulation of the Governor of Fort St. George in Council.</i>			
1802	XXIX	The Madras Karnams Regulation, 1801.	Sections 3 and 10.
<i>Madras Acts.</i>			
1864	II	The Madras Revenue Recovery Act, 1864.	Section 61.
1878	VIII	The Madras Coffee-stealing Prevention Act, 1878.	Section 13.
1879	I	The Madras Cattle Disease (Amendment) Act, 1879.	The whole.
1881	I	The Madras Ports Police Act, 1881.	The whole.
1888	III	The Madras City Police Act, 1888.	Section 4.

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Year. (1)	Number. (2)	Short title. (3)	Extent of repeal. (4)
<i>Madras Acts—cont.</i>			
1895	III	The Madras Hereditary Village Officers Act, 1895.	Sub-sections (2) and of section 2.
1908	I	The Madras Estates Land Act, 1908.	Section 2.
1909	IV	The Madras Estates Land (Amendment) Act, 1909.	Section 9.
1909	VI	The Arni Jagir Act, 1909.	The whole.
1911	IV	The Madras Limited Proprietors Act, 1911.	Section 2.
1913	II	The Madras Irrigation Cess (Amendment) Act, 1913.	Sections 1 to 4.
1914	III	The Madras Proprietary Estates Village service (Amendment) Act, 1914.	Section 2.
1914	VIII	The Madras Decentralization Act, 1914.	The Schedule.
1918	II	The Doddappanayakkanur and Vuyyuru Impartible Estates Act, 1918.	The whole.
1933	IV	The Madras District Municipalities (Second Amendment) Act, 1933.	The whole.
1933	V	The Madras Local Boards (Second Amendment) Act, 1933.	The whole.
1933	XX	The Madras Commercial Crops Markets Act, 1933.	Sub-section (3) of Section 11.
1935	XIII	The Madras Local Boards (Amendment) Act, 1935.	The whole.
1938	II	The Madras City Municipal District Municipalities and Local Boards (Amendment) Act, 1938.	The whole.
1938	XXI	The Madras Removal of Civil Disabilities Act, 1938.	The whole.
1940	VI	The Madras Irrigation Cess (Amendment) Act, 1938.	The whole.
1943	XIX	The Madras Local Boards (Second Amendment) Act, 1943.	The whole.
1943	XXIII	The Madras Pawnbrokers Act, 1943.	Sub-section (1) of section 23.
1943	XXVIII	The Madras Elementary Education (Amendment) Act, 1943.	The whole.
1944	I	The Madras Estates Land (Temporary Amendment) Act, 1944.	The whole.
1944	III	The Madras City Municipal and District Municipalities (Amendment) Act, 1944.	The whole.
1945	II	The Madras Estate Lands (Amendment) Act, 1945.	The whole.
1946	VII	The Madras District Municipalities and Local Boards (Amendment) Act, 1946.	The whole.
1946	VIII	The Madras Elementary Education (Amendment) Act, 1946.	The whole.
1947	VI	The Madras City Municipal (Second Amendment) Act, 1947.	The whole.
1947	XII	The Madras High Court (Jurisdictional Limits) Amendment Act, 1947.	The whole.
1947	XXVI	The Madras Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1947.	The whole.
1948	XVI	The Madras General Sales-Tax (Amendment) Act, 1948.	The whole.

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Year. (1)	Number. (2)	Short title. (3)	Extent of repeal. (4)
<i>Madras Acts—cont.</i>			
1949	XII	The Industrial Disputes (Madras Amendment) Act, 1949.	The whole.
1950	I	The Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1950.	The whole.
1950	II	The Madras Appropriation Act, 1950.	The whole.
1950	VIII	The Madras Tenants and Ryots Protection (Amendment) Act, 1950.	The whole.
1950	XXVII	The Madras Appropriation (No. 2) Act, 1950.	The whole.
1951	III	The Madras Appropriation Act, 1951.	The whole.
1951	IV	The Madras Appropriation (No. 2) Act, 1951.	The whole.
1951	XII	The Madras Village Panchayats (Amendment) Act, 1951.	The whole.
1951	XXI	The Madras District Boards (Amendment) Act, 1951.	The whole.
1951	XXXVII	The Madras Appropriation (No. 3) Act, 1951.	The whole.
1952	I	The Madras Appropriation Act, 1952.	The whole.
1952	II	The Madras Consolidated Fund (Withdrawal of Moneys) Act, 1952.	The whole.
1952	VII	The Madras District Boards (Amendment) Act, 1952.	The whole.
1952	XVII	The Indian Registration (Madras Amendment) Act, 1952.	The whole.

THE THIRD SCHEDULE.

Amendments.

(See section 4.)

Year. (1)	Number. (2)	Short title. (3)	Amendments. (4)
<i>Regulation of the Governor of Fort St. George in Council.</i>			
1803	II	The Madras Collectors Regulation, 1803.	In section 2, the words "who shall be covenanted civil servants of the Government" shall be omitted and in the marginal note to that section for the words "covenanted civil servants", the word "Collectors" shall be substituted.
<i>Central Act of Local Application.</i>			
1851	XII	The Madras City Land Revenue Act, 1851.	1. In section 1, for the words "walls of Georgetown", the words "Presidency-town of Madras" shall be substituted. 2. In section 3, for the word "laid" the word "levied" shall be substituted.
<i>Madras Acts.</i>			
1864	II	The Madras Revenue Recovery Act, 1864.	1. In section 62, the words and figures "Regulation XXVIII of 1802 and" shall be omitted, and in the marginal note to that section, the figures and words "XXVIII of 1802 and" shall be omitted.

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Year. (1)	Number. (2)	Short title. (3)	Amendments. (4)
<i>Madras Acts—cont.</i>			
1864	II	The Madras Revenue Recovery Act, 1864—cont.	2. In section 63, the words and figures "Regulation V of 1804 and of" shall be omitted, and in the marginal note to that section, for the words and figures "Regulations V of 1804 and", the word "Regulation" shall be substituted.
1888	III	The Madras City Police Act, 1888.	In section 71, clause (xvi)— (i) for the words "upon the public place", the words "upon any public place" shall be substituted; (ii) for the words "the public place or any such building", the words "any such public place or any such building" shall be substituted.
1889	I	The Madras Village Courts Act, 1889.	1. In section 9, sub-section (3-A), for the words "Depressed or Backward classes", the words "members of the Scheduled Castes or Scheduled Tribes or Backward classes" shall be substituted. 2. In the marginal note to section 77 for the word "section", the word "sections", shall be substituted.
1891	I	The Madras General Clauses Act, 1891.	In section 3, clause (28), for the words and letters "a Part A State or a Part C State" the word "India" shall be substituted.
1896	III	The Malabar Land Registration Act, 1896.	In section 18, the words "of the Madras Code" shall be omitted.
1898	V	The Malabar Wills Act, 1898.	In section 1, sub-section (3), the proviso shall be omitted.
1902	I	The Madras Court of Wards Act, 1902.	In section 33— (i) in clause (d), for the words and letters "any Act of the Legislature of a Part A State or a Part C State", the words "any State Act" shall be substituted. (ii) in clause (f), for the words and letters "a Part A State or a Part C State", the word "India" shall be substituted.
1919	IV	The Madras City Municipal Act, 1919.	1. In the proviso to section 110, for the words "Indian Companies Act", the words and figures "Companies Act, 1956" shall be substituted. 2. In section 129-A, Explanation 2, in the proviso to clause (b) for the words "do not extend", the words "does not extend" shall be substituted.
1920	IV	The Madras Children Act, 1920.	In section 35-A, in the proviso to sub-sections (1) and (2), the word "State" shall be omitted.

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Year. (1)	Number. (2)	Short title. (3)	Amendments. (4)
<i>Madras Acts—cont.</i>			
1920	V	The Madras District Municipalities Act, 1920.	1. In section 3, clause (8-B), for the words "State of India", the words "part of India" shall be substituted. 2. In section 331, sub-section (1), clause (d), for the word: "fixing the same in some conspicuous part", the words "affixing the same on some conspicuous part" shall be substituted.
1920	VII	The Madras Town-Planning Act, 1920.	1. In section 38, sub-section (1), for the words "on this behalf", the words "in this behalf" shall be substituted. 2. In section 48, sub-section (1), clause (c), after the words "Code of Criminal Procedure", the figures "1898" shall be inserted.
1920	XIV	The Madras District Boards Act, 1920.	In section 3, clause (7-B), for the words "State of India" the words "part of India" shall be substituted.
1922	VI	The Madras Stamp (Amendment) Act, 1922.	In new section 19-A of the Indian Stamp Act, 1899, inserted by section 7— (i) for the words and letters "any Part A State or Part C State", the words "any part of India" shall be substituted; (ii) for the words "the State concerned", in the two places where they occur, the words "that part" shall be substituted; (iii) for the words and letter "any State other than a Part B State", the word "India" shall be substituted.
1923	VIII	The Madras Survey and Boundaries Act, 1923.	In section 15, sub-section (3), for the word, brackets and figure "sub-clause (2)", the word, brackets and figure "sub-section (2)" shall be substituted.
1926	V	The Madras Borstal Schools Act, 1925.	In section 13-A— (i) in sub-sections (1) and (2), for the words "any other State in India", the words "any other part of India" shall be substituted; (ii) in the provisos to sub-sections (1) and (2), for the words "other State concerned", the words "other State concerned or the Central Government, as the case may be" shall be substituted;

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Year. (1)	Number. (2)	Short title. (3)	Amendments. (4)
<i>Madras Acts—cont.</i>			
1926	V	The Madras Borstal Schools Act, 1925—cont.	(iii) in sub-section (3), for the words "any other State in India", the words "any other part of India" shall be substituted.
1932	VI	The Madras Co-operative Societies Act, 1932.	In section 43, sub-section (5), for the word "Provincial" the word "State" shall be substituted.
1933	XX	The Madras Commercial Crops Markets Act, 1933.	In section 20, sub-section (3), for the words "provincial revenues", the words "the revenues of the State" shall be substituted.
1935	VII	The Madras Debtors' Protection Act, 1934.	In section 2, in sub-clause (a) of clause (1) and sub-clause (a) of clause (2), for the words "any State", the word "India" shall be substituted.
1938	IV	The Madras Agriculturists Relief Act, 1938.	In section 3, clause (ii)— (i) in proviso (A), for the words and letter "Part B State", the words, figures and letters "territory which immediately before the 1st November 1956 was comprised in a Part B State" shall be substituted; (ii) in provisos (B) and (C) for the words "any other State in India", the words "any other State or Union territory in India" shall be substituted.
1939	IX	The Madras General Sales Tax Act, 1939.	In section 2-A, in sub-section (5), for the words, brackets and figure "sub-section (3)", the word, brackets and figure "sub-section (4)" shall be substituted.
1940	XX	The Indian Medical Degrees (Madras Amendment) Act, 1940.	In section 6-A of the Indian Medical Degrees Act, 1916, inserted by section 3, in sub-section (i), clause (b), sub-clause (i), for the words and letters "any Part A State or Part C State", the word "India" shall be substituted.
1943	XVIII	The Madras Irrigation Works (Repairs, Improvement and Construction) Act, 1943.	In section 3, sub-section (1), clause (a), for the word "clauses", the word "clause" shall be substituted.
1943	XXIII	The Madras Pawn-brokers Act, 1943.	In section 2, clause (2), sub-clause (a), for the word "in any State or", the words "in India or" shall be substituted.

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Year. (1)	Number. (2)	Short title. (3)	Amendments. (4)
<i>Madras Acts—cont.</i>			
1947	IX	The Bar Councils and Legal Practitioners (Madras Amendment) Act, 1947.	To new sections 13-A and 22-A of the Legal Practitioners Act, 1879, inserted by section 3, the following marginal notes shall respectively be inserted, namely:— “Pleaders and Mukhtars not to be punished for holding political opinions, etc.” “Revenue agents not to be punished for holding political opinions, etc.”
1947	XXXI	The Madras Devadasis (Prevention of Dedication) Act, 1947.	In section 3, sub-section (1), for the words, figures and letter “section 41-A of the Madras Hindu Religious Endowments Act, 1926” the words and figures “section 34 of the Madras Hindu Religious and Charitable Endowments Act, 1951” shall be substituted.
1948	II	The Madras Silkworm Diseases (Prevention and Eradication) Act, 1948.	In section 4, sub-section (1), for the word “thereof”, the word “Whereof” shall be substituted.
1948	XIV	The Madras Aided Institutions (Prohibition of Transfers of Property) Act, 1948.	In section 2, clause (2), sub-clause (c), for the words “class of institution”, the words “class of institutions” shall be substituted.
1948	XXIV	The Madras Public Libraries Act, 1948.	In section 15, for the words “the Act”, in the two places where they occur, the words “this Act” shall be substituted.
1948	XXVI	The Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948.	In section 3, clause (a)— (i) for the words “The Madras Estates”, the words “the Madras Estates” shall be substituted; (ii) for the words “in so far it relates”, the words “in so far as it relates” shall be substituted.
1949	XVIII	The Muslim Personal Law (Shariat) Application (Madras Amendment) Act, 1949.	1. In section 2, after the brackets and word “(Shariat)”, the word “Application” shall be inserted. 2. In section 3— (i) the following marginal note shall be inserted, namely:— “Substitution of new section for section 2, Central Act XXVI of 1937”; (ii) before the word “Notwithstanding”, the figure “2” shall be inserted.

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Year. (1)	Number. (2)	Short title. (3)	Amendments. (4)
<i>Madras Acts—cont.</i>			
1949	XXV	The Madras Buildings (Lease and Rent Control) Act, 1949.	1. For section 9, the following section shall be, and shall be deemed always to have been, substituted, namely:— “9. <i>Execution of orders.</i> — Every order made under section 7 or section 8 and every order passed on appeal under section 12 or on revision under section 12-B shall be executed— (i) in the City of Madras, by the Principal Judge of the Madras City Civil Court and during the vacation of that Court, by the Vacation Judge of the Court of Small Causes, Madras; (ii) elsewhere— (a) by the District Munsif or if there are more than one District Munsif, by the Principal District Munsif having original jurisdiction over the area in which the building is situated; or (b) if there is no such District Munsif, by the Subordinate Judge, or if there are more than one Subordinate Judge, by the Principal Subordinate Judge having original jurisdiction over the area aforesaid; or (c) if there is no such District Munsif or Subordinate Judge, by the District Judge having jurisdiction; as if it were a decree passed by him: Provided that an order passed in execution under this section shall not be subject to an appeal, but shall be subject to revision under section 12-B.” 2. In sections 10, 19 (1) (iii) and 22, for the words “Extra-Provincial Jurisdiction Act”, the words “Foreign Jurisdiction Act” shall be substituted.

[11th November 1957]

Year. (1)	Number. (2)	Short title. (3)	Amendments. (4)
<i>Madras Acts—cont.</i>			
1949	XXIX	The Madras Essential Articles control and Requisitioning (Temporary Powers) Act, 1949.	1. In sections 9 (1) (b), 20 (1) (c) and 22, for the words "Extra-Provincial Jurisdiction Act", the words "Foreign Jurisdiction Act" shall be substituted. 2. In section 21, sub-section (1), clause (a), after the words "Pudukkottai State", the words and figures "under the Foreign Jurisdiction Act, 1947" shall be inserted.
1950	X	The Madras Village Panchayats Act, 1950.	In section 94 and in the heading and marginal note to the section before the word "Places", the word "Madras" shall be inserted.
1954	XIX	The Madras Land Revenue (Surcharge) Act, 1954.	In the second proviso to section 5-A, after the words "further that", the word "at" shall be inserted.
1955	I	The Madras Indebted Agriculturists (Repayment of Debts) Act, 1955.	In section 2, clause (a), item (iv), for the words "under the law of any other State relating to sales tax", the words "under the law of any other part of India relating to sales tax" shall be substituted.
1955	XXXIV	The Code of Criminal Procedure (Madras Amendment) Act, 1955.	In paragraph (2) under the heading "(1) CHARGES WITH ONE HEAD" in Form No XXVIII in Schedule V to the Code of Criminal Procedure, 1898, amended by section 48, clause (b), for the words "Governor or Rajpramukh" in the three places where they occur, the words "or Governor" shall be substituted.
1956	XLIV	The Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1956.	In section 1, sub-section (2), before the word and figures "section 23", the word "and" shall be inserted.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 12th November 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.

Ventilation and light in the sanctum sanctorum of temples

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

(a) whether the attention of the Government has been drawn to the lack of proper provision for ventilation and light in the sanctum sanctorum of temples; and

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

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

(b) Does not arise.

SRI V. V. RAMASWAMI: சில கோயில்களில் முக்கியமான இடத்தில் நல்ல காற்றோட்டமும், நல்ல வெளிச்சமும் இல்லையென்று தெரிகிறது. உள்ளே உள்ள விக்கி-கம் எல்லோருக்கும் தெரியும்படியாக வெளிச்சமும், நல்ல காற்று வசதியும் இருப்பதற்கு அரசாங்கம் ஏற்பாடு செய்யுமா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM: கோயில்களில் உள்ள கர்ப்பக்கிரஹத்தைப்பற்றி இந்தக் கேள்வி. கர்ப்பக்கிரஹத்தில் அதிகமான வெளிச்சம் கூடாது என்பது எல்லோரும் ஒப்புக்கொள்ளக்கூடிய கருத்து. அதனால்தான் உள்ளே மின்சார விளக்குப் போட அனுமதிப்பதில்லை. அப்படியும் போடுவதானால் 'எபெக்ட்' போய்விடுகிறது என்றுதான், அம்மாதிரி போட்டிருந்த இடங்களில் கூட மின்சார விளக்கை எடுத்துவிட வேண்டும் எனச் சொல்லியிருக்கிறேன். காற்று வசதியைப் பற்றி ஆங்காங்கு கவனிக்கப்பட்டு வருகிறது. கனம் அங்கத்தினர் எந்தக் கோவிலுக்காவது சென்று காற்று வசதி இல்லையென என்னிடம் வந்து சொன்னால், தர்மகர்த்தாக்களைக்கொண்டு அதற்கு வேண்டிய ஏற்பாடுகளைச் செய்யலாம்.

SRI V. CHAKKARAI CHETTY: I do not know whether it is not a deliberate idea to impose some inconvenience on the worshippers when they go to see God, whether it is not proper that they should suffer something instead of merely going up as a gymnast to the sanctum sanctorum, as it is called, to the holy of holies. The phrase indicates to my mind something else but all the same, they have used a Latin expression which comes from the Latin Bible. Holy of holies is the real English word. உள்ளே போறவர்களுக்குக் கொஞ்சம் கஷ்டம் இருந்தால்தான் என்ன தப்பு? திருப்பதி மலை மேலே ஏறுகிறார்கள். அதிலே கஷ்டம் இல்லை. உள்ளே போன பிறகு சிறிது நேரம் சைதி குறைவாக இருக்கிறதென்று சொன்னாலும்கூட அவர்களுக்குக் கஷ்டம் உண்டாகிவிடுமா?

[12th November 1957]

THE HON. SRI M. BHAKTAVATSALAM : Sir, I may tell the hon. Member that there is no such idea that the worshippers should go to the sanctum sanctorum and suffer inconvenience. Holy of holies does not mean suffering inconvenience.

SRI V. V. RAMASWAMI : வெளிச்சம் போட்டால் 'எபெக்' போய்விடுகிறது என்று கனம் அமைச்சர் அவர்கள் கூறினார்கள். யார் பேரில் இருக்கிற 'எபெக்' போய்விடுகிறது என்று அவர்கள் சொல்வார்களா?

THE HON. SRI M. BHAKTAVATSALAM : கனம் அங்கத்தினர் சமீப காலத்தில் எந்தக் கோயிலுக்கும் போய் அந்த எபெக்லை அனுபவித்ததில்லை. ஆகவே அதை விளக்கிச் சொல்வதனால், அவருக்குப் பயன் இல்லை. ஏதாவது கோயிலுக்குப் போய் விட்டு அவர் வந்தாரானால், அதற்குப் பிறகு சொல்கிறேன். அப்பொழுது ஒருவேளை அவருக்குப் புரியலாம்.

DR. A. SREENIVASAN : கர்ப்பக்ரஹம் என்றால்—குழந்தைகள் கர்ப்பகாலத்தில் மெட்ரன்ஸ் பளட் மூலம், அம்புளிகஸ் கார்டு ஒன்றின் வழி மாத்திரம் இருக்கிறபடியாக, ஆண்டவனுடைய சந்நிதானம் இருக்கும், அதிலே வெளிச்சம், காற்று ஒன்றும் இருக்காது—ஒரே வழியாகத்தான் பகவானின் அருள் வெளிப்படும் என்பது ஐதகம். தப்பாகவும் இருக்கலாம், சரியாகவும் இருக்கலாம். நம்பிக்கை உள்ளவர்களுக்கு அது சரி. நம்பிக்கை இல்லாதவர்களுக்கு சரியில்லை. இப்போது இது விஷயத்தில் சர்க்கார் எடுத்திருக்கும்படியான நடவடிக்கை சரியானது என்பது என் அபிப்பிராயம்.

THE HON. SRI M. BHAKTAVATSALAM : அரசாங்கத்தின் அபிப்பிராயத்தை ஏற்றுக்கொண்டதற்கு நான் நன்றி சொல்கிறேன்.

Pataskar's report.

* 33 Q.—**SRI V. V. RAMASWAMI :** Will the Hon. the Chief Minister be pleased to lay on the table of the House a copy of the Pataskar's Report?

THE HON. SRI R. VENKATARAMAN (on behalf of the Hon. the Chief Minister) : Copies of the report* of Sri H. V. Pataskar on the Andhra-Madras border dispute are placed on the table of the House.

SRI V. V. RAMASWAMI : இந்த அறிக்கை எப்போது அரசாங்கத்திற்கு வந்தது? இந்த அறிக்கை வந்தபிறகு சில அரசியல் கட்சித் தலைவர்களையும் முதல் அமைச்சர் திரு. காமராஜ் கவந்தாலோசித்ததாகப் பத்திரிக்கையில் பார்த்தேன். அப்படி இருக்கும்போது, முடிவான அபிப்பிராயத்தைத் தெரிவிக்குமுன் ஏன் சட்டசபையைக் கூட்டிக் கவந்து கொண்டிருக்கக் கூடாதென்று கேட்கிறேன்.

THE HON. SRI R. VENKATARAMAN : நான் நேற்று இதே கேள்விக்குத்தான், ஒரு உபகேள்விக்குப் பதில் சொல்லும்போது, இருதரப் பினரிடையேயும் உள்ள தகராறைத் தீர்க்கும் வகையில் படாஸ்கர் ரிப்போர்ட் இருப்பதனால் அதை ஏற்றுக்கொள்வது என முடிவு செய்துவிட்டோம் என்பதாகச் சொன்னேன். மீண்டும் அதைப்பற்றி ஆலோசிக்க இடம் இல்லை என்றுதான் சொல்கிறேன்.

SRI T. PURUSHOTHAM : Will the Hon. Minister furnish us with details of the villages and the total area and the population that are to be transferred either way as we do not find any details excepting numbers, in the report placed on the table of the House?

* Printed as Appendix on pages 103-120 infra.

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THE HON. SRI R. VENKATARAMAN : Sir, this is an omnibus question. But I shall try to answer it to the best of my ability. In Chittoor taluk approximately the total number of villages transferred to this State is 29 and the area is 46.19 square miles; in Tirumani 291 villages have been transferred to this State and in Puttur one village whose area is 0.26 square mile has been transferred to this State.

DR. A. SREENIVASAN : தமிழ் ராஜ்யத்தோடு திருப்பதி சேர்க்கப்பட வேண்டுமென்ற கோரிக்கையை சில தலைவர்கள் வற்புறுத்திக் கொண்டிருக்கிறார்களே, இது விஷயமாக அரசாங்கத்திற்குத் தகவல் வந்திருக்கிறதா? இவ்விஷயத்தில் அரசாங்கத்தின் அபிப்பிராயம் என்ன என்று அறிய விரும்புகிறேன்.

THE HON. SRI R. VENKATARAMAN : திருப்பதி மாத்திரம் இல்லை, ராஜமகேந்திரமும் வேண்டும் என்று சொல்லப்பட்டு வந்திருக்கலாம். இரண்டு பேருக்கும் இடையேயுள்ள தகராறைத் தான் ஒரு வழியாக மத்தியஸ்தரைப் போட்டுத் தீர்த்திருக்கிறோம். மீண்டும் எல்லைத் தகராறைக் கிளப்ப சர்க்காருக்கு உத்தேசம் இல்லை.

DR. A. SREENIVASAN : இத்தனை கிராமங்கள் தான் நமக்கு வந்திருக்கின்றன என்பதாகப் பிரிவினையப்பற்றி கனம் மந்திரி அவர்கள் சொன்னார்கள். நமக்கு அவற்றிலிருந்து கிடைக்கும்படியான வரும்படி—ரெவின்யூ—என்ன என்பதையும் கனம் அமைச்சர் அவர்கள் சொல்வார்களா?

THE HON. SRI R. VENKATARAMAN : நம்மிடம் அந்த கிராமங்கள் வந்தவுடன் அவர்களிடமிருந்து எவ்வளவு ரெவின்யூ வசூல் செய்ய முடியுமோ, அதை நிதி அமைச்சர் அவர்கள் வசூல் செய்வார்கள். இப்பொழுது அதைப்பற்றிய புள்ளிவிவரம் இல்லை.

DR. A. SREENIVASAN : படாஸ்கர் ரிப்போர்ட் இருந்த போதிலும்கூட நமக்குக் கெடுதலாக ஏதாவது இருக்குமானால், பின்னர் இதைப்பற்றி ஆராய்ச்சி செய்ய முடியுமா?

THE HON. SRI R. VENKATARAMAN : Sir, the distribution was made on certain principles relating to the composition of the population. It was on the basis of the language of the population that these areas were divided. It is not possible to take into account the revenue consideration and then decide the question.

Family Planning.

* 34 Q.—**SRI T. PURUSHOTHAM :** Will the Hon. the Minister for Revenue be pleased to state the various schemes introduced so far during the current year in the State in respect of Family Planning and the results achieved so far?

THE HON. SRI M. A. MANICKAVELU : The following schemes in furtherance of family planning have been introduced during the current year—

(1) A scheme for the opening of 5 Urban and 74 Rural Family Planning Clinics.

(2) Establishment of a Family Planning Training Centre in the Government Hospital for Women and Children, Egmore.

(3) A pilot scheme for the intensive propagation of family planning in the Pudupakkam area (Triplicane) of Madras City.

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(4) A scheme for subsidisation of approved private medical practitioners for conducting vasectomy operations in Madras City.

It is too early to assess the results.

SRI T. PURUSHOTHAM : Will the Hon. Minister tell us what steps have been taken to make family planning more popular?

THE HON. SRI M. A. MANICKAVELU : Sir, a Family Planning Manual was published recently. It is available for sale at 25 nP. per copy. Then, the personal experience of people also has been summarised—replies received to the questionnaire and published in book form entitled 'Report of Personal Experiences'. A State Family Planning Officer has also been appointed. There is a research centre. At Pudupakkam we have started an intensive scheme. We are trying to popularise it. We find that more people are now coming in for advice. There was a time when there was objection to this. Now people are voluntarily coming to take advice.

3-10
p.m.

SRI T. PURUSHOTHAM : Sir, may I know whether people in urban and rural areas take kindly to Family Planning and whether the old prejudices are dying down?

(Sri V. Chakkarai Chetty rose.)

THE HON. SRI M. A. MANICKAVELU : Yes, Sir, I am glad to say that. I had also misgivings whether the rural people would not object to it. But now they are more anxious to have this than even the town people.

SRI V. CHAKKARAI CHETTY : I am sorry, Sir. In my anxiety to extract information from the Hon. Minister, I was rather hasty, for which I offer my apology to you and to the House.

Sir, I should like to know whether this Family Planning has contributed to the happiness of members of families in Tamil Nad. Has the Hon. Minister any information regarding the state of affairs since the introduction of this Family Planning? Does it mean curtailment in the number of children and birth control, or does it mean contributing to the comfort and convenience of the members of the family including the husband, wife, children and other dependants in the family?

THE HON. SRI M. A. MANICKAVELU : There is no compulsion in this regard. It is purely a voluntary effort. People who want this, go and take advice. What we see is that people have been suffering for a very, very long time with too many children unable to feed them, clothe them and educate them. Now, when there is a very useful way of controlling birth, naturally people are anxious to take to it.

SRI JOHN ASIRVATHAM : As Family Planning and Birth Control wound the religious susceptibilities of the Christian community, will the Government proceed cautiously and slowly in the matter?

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THE HON. SRI M. A. MANICKAVELU : I was aware of the fact that Catholics did not like this and that they were objecting to it as also Muslims. But the condition is slowly changing. This is a voluntary action and those who do not like it, need not take to it; they need not even worry about it.

SRI V. CHAKKARAI CHETTY : Another question, Sir, with your permission. The Hon. Minister said that they wanted to control the number of children. In other countries, western countries, they want to increase the number of children so that the country may be rich in the military sense, rich in food for cannon, in soldiers. This is especially the case where there is the danger of foreign invasion; they want to increase the population so that the army may increase in number and defend the country against foreign invaders. Why do the Government want to reduce the number of children here?

THE HON. SRI M. A. MANICKAVELU : Only in very few countries there is a move for increasing the population, for instance, in France where they give even a subsidy for each child born. In all other western countries, they are quietly following family planning; it is a great tradition in them to avoid too many children.

SRI JOHN ASIRVATHAM : Is the Hon. Minister aware of the fact that years ago, Mahatma Gandhi wrote in "Young India" that instead of birth control, there should be self-control on the part of both husband and wife?

THE HON. SRI M. A. MANICKAVELU : Yes, Sir. I advise that to be followed by Catholics who object to Family Planning.

SRI MOHAMED RAZA KHAN : May I know why Pudupakkam was selected for the intensive scheme? Is there any speciality about the place? Is there any over-population in that particular area?

THE HON. SRI M. A. MANICKAVELU : Yes, because it is a densely populated area where all sorts of lower category of people are residing, as an experimental place, we have selected that area.

DR. A. SREENIVASAN : Sir, is advice on Family Planning given to married people only or unmarried people also?

THE HON. SRI M. A. MANICKAVELU : Only to married people, Sir.

DR. A. SREENIVASAN : Are there instances of unmarried people going to the clinics and seeking scientific advice in the matter of prevention of birth?

THE HON. SRI M. A. MANICKAVELU : Not to my knowledge, Sir.

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DR. A. SREENIVASAN : Will the Government see that such advice is not offered to unmarried people?

THE HON. SRI M. A. MANICKAVELU : Yes. That will be borne in mind.

Exemption from age-limit for S.S.L.C. Candidates.

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

(a) the time-limit fixed for the submission of cases of candidates for the S.S.L.C. examination for exemption from age-limit; and

(b) whether there is any proposal under the consideration of the Government to extend the time-limit?

THE HON. SRI C. SUBRAMANIAM : (a) Applications for age exemption should be submitted to the concerned educational authorities so as to reach them not later than the 25th December or 25th April immediately preceding the examination of March or October, as the case may be.

(b) No, Sir.

SRI G. KRISHNAMOORTHY : Can this date, 25th December, be changed, as teachers find it difficult to correct the papers of half-yearly examination before this date?

THE HON. SRI C. SUBRAMANIAM : This has nothing to do with the correction of papers. I do not think there is any difficulty.

SRI G. KRISHNAMOORTHY : As I understand that marks of the half-yearly examination are taken into consideration for their eligibility to appear for the examination before exemption from age-limit is applied for, will Government consider changing the date, considering the gap between December and March?

THE HON. SRI C. SUBRAMANIAM : I shall consider the suggestion. But my own reaction is 25th December is quite all right. When really difficulties arise, I think the question can be examined.

SRI T. P. SRINIVASAVARADAN : I may submit for the information of the Hon. the Education Minister that 10th January is the last date for remitting examination fees. Though 25th December is fixed tentatively, the District Educational Officers admit applications for under-aged boys, for certain reasons beyond the control of the Headmaster and examine them.

SRI V. CHAKKARAI CHETTY : Does the age-limit mean upper limit or lower limit? For boys and girls under a certain age cannot appear and men and women over a certain age cannot. Suppose I want to appear for the S.S.L.C. examination (The Hon. Sri C. Subramaniam : You are welcome). Will I be permitted? (Laughter).

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THE HON. SRI C. SUBRAMANIAM : You will stand first in the presidency.

SRI V. CHAKKARAI CHETTY : I may fail, if you are the examiner. (Laughter.)

MR. CHAIRMAN : The next question is postponed. Questions are over.

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

II.—ANNOUNCEMENTS BY THE HON. CHAIRMAN.

(1) MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN : I have to announce to the House that I have received the following message, dated the 11th November 1957 from the Hon. the Speaker, Madras Legislative Assembly :—

“ In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Prevention of Insults to National Honour Bill, 1957 (L.A. Bill No. 19 of 1957), as passed by the Assembly on the 11th November 1957 and signed by me, for the concurrence of the Council.”

III.—GOVERNMENT MOTION.

DISCUSSION ON THE REPORT OF THE LEGISLATURE COMMITTEE ON THE WHITE PAPER ON EDUCATION.

THE HON. SRI C. SUBRAMANIAM : Mr. Chairman, Sir, it is with a certain amount of satisfaction that I move—

“ That the Report of the Legislature Committee on the White Paper on Education be taken into consideration.”

Sir, this Report symbolises the joint effort of the Members of the Legislature, both the Assembly and the Council, and also the representatives of all the political parties in the Legislature. As hon. Members are aware, the Report itself was submitted in December 1956 and because the General Elections intervened, it was not possible to place this Report before the Legislature for discussion earlier than now. But on certain recommendations in regard to which action was necessary and imperative, we have taken action. Therefore, the pace of the change has not in any way been affected because of the delay in the discussion of this Report by the Legislature. Many hon. Members of this House participated in the discussion when the White Paper was before this House. Some of the hon. Members were Members of the Legislature Committee and particularly the hon. the Leader of the Opposition, the Vice-Chancellor of the Madras University, and the Vice-Chancellor of the Annamalai University were associated with this Committee. I am really grateful to them for their services in finalising this Report. Therefore it was that I said that this

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Report represented the joint effort, if I might say so, the wisdom of our State in regard to educational matters. The recommendations are incorporated in three sections in the Legislature Committee's Report. The first section is introductory, the second section makes twelve recommendations, the third section makes another twelve recommendations and the fourth section makes four recommendations which relate to matters outside the scope of the White Paper on Education.

3-20 p.m. Hon. Members may be aware that this matter came up for consideration once before. Even during that discussion and at the committee stage, various other problems arising out of the various proposals were taken into consideration and solutions found for them, and they were all embodied in the Report. I may take hon. Members through the Report briefly. I do not think it is necessary to deal with the Report in any great detail.

Hon. Members will find that the first point on which a decision has been taken is the one regarding the duration of school education. This has been fixed at 11 years. There was a certain amount of controversy over this, because the Secondary Education Commission, which was presided over by the Vice-Chancellor of the Madras University and Leader of the Opposition here, had recommended the adoption of 'n+1' formula. After a good deal of discussion and enquiry into the matter, we came to the decision that we should restrict the course to 11 years—the existing number of years.

With reference to the restriction to 11 years or the maintenance of the *status quo*, it was decided that within these 11 years the standard to be reached should be that of the Pre-University class. For this purpose, it was found necessary that we should have a four-year secondary course instead of the three-year one existing now. It was also further considered necessary that the number of school hours should be increased. Now we work for about 900 hours a year. So, the secondary course of three years will mean 2,700 hours of work in schools. The Committee decided that the number of working days should be increased to 200 so that the number of hours available each year would be one thousand. So, for a four-year secondary course, we will have 4,000 hours of work. Instead of 2,700 hours of work in the secondary course (Forms IV to VI), we will have 4,000 hours available to us for the secondary course of four years. With this increase, it has been accepted by the experts concerned, it would be possible to reach this standard in the secondary course.

We have what are known as Academic course and Bifurcated course. It is only in the Academic course, it is expected, that students will reach the pre-University standard. In the Bifurcated course, it is expected, as far as academic standards are concerned, the attainment will be equivalent to the present S.S.L.C. standard. With reference to technical education, which the

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students may receive, particularly in the engineering, agriculture and other sections, it is expected that students would be able to reach the standard of the first year of the polytechnic course. As a matter of fact, the intention has been expressed here that persons who undergo this bifurcated course in any of these subjects would be enabled to join the second year course of the polytechnic in respect of that subject which they might have taken in the bifurcated course in the school. Therefore, we have, what are called, the four-year Academic course and the four-year Bifurcated course. But it has been decided that the student will have to choose between the two only after he completes the first year of the secondary course. This will be common for both the Academic course and the Bifurcated course. After the first year, the diversion will take place. Those students who want to take the Academic course will take that course and others who want to take the Bifurcated course will take that course. This has been indicated here.

For this purpose, it is necessary to have a new syllabus from the first class to the 11th class so that the standard may improve from year to year. By such improvement in standards from year to year, it would be possible to reach the standard of the pre-University class at the end of the 11th year. It was decided by the Committee that it should be left to an expert committee to decide the content of the syllabus with reference to each class. In respect of this, we have already taken action. Forty-four committees were formed with 266 men wherein many principals, professors, lecturers, headmasters and teachers including some teachers from elementary schools, participated. They have drawn up the syllabus, and it has been published. We are receiving representations with regard to this from the various interests involved in the teaching profession, from the public and from other educationists. After considering these objections and representations, we hope to finalize the syllabus before the end of this month.

As far as elementary education is concerned, it was decided that it should be an integrated course of seven years. This is mentioned in item VII. Then, there is the question of basic education and non-basic education. There has got to be a proper integration of these two aspects of education, and for this purpose a high level committee, with Sri Ariyanayakam as Chairman, has been constituted. I learn that the Committee's Report has just been submitted. The change-over from non-basic to basic education will be according to the decisions which will be taken by the Government on that Report.

There is another important matter on which some difficulty arose at the committee stage. This is about the eighth year in the elementary school. Now we have an eight year course of elementary education. Some people—I think validly—represented, 'Now there is the eight-year course provided for all the students. If you restrict elementary education to seven years, that means you are

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cutting off one year with reference to students who may stop with elementary education alone'. With reference to this representation, we thought that it was not necessary to take a decision immediately and that it was enough if we took a decision three years hence. That is why this question has been postponed. The question whether there should be this eighth year and what the content of education in the eighth year should be has been left for decision in the future. As far as this is concerned, it will not affect the various steps which we will have to take in the course of the next two or three years.

The next topic is of some importance and is a little complicated also. I may say that it is controversial also to a certain extent. It is the question about languages. I am glad to announce that the Committee, in spite of the complicated and controversial nature of the problem, has reached a unanimous decision. This unanimous decision is contained in item 10 of Section II. The important portion is—

Languages—Part I. Regional language.

„ —Part II. Hindi or any other Indian language not included in Part I.

„ —Part III. English or any other non-Indian language.

It was also laid down that English should be taught from the fifth standard. Now it is taught from the I Form. In order to improve the standard of English, it was felt necessary to teach it even in the fifth standard. As far as the English language is concerned, we will have seven years for teaching it. As far as Hindi is concerned, after giving careful consideration to the various aspects of it, the Committee came to the conclusion that it would be more than enough if we had the study of Hindi restricted to the secondary school stage. So, the learning of Hindi or any other Indian language will start in the eighth year. Therefore, there will be four years available for learning Hindi or any other Indian language. That is the main recommendation.

Then, we come to the transition programme. For the purpose of switching over to the new syllabus, we have to chalk out a programme so that we may be able to reach the target and the entire change may come into effect before a particular date, and that is contained in item 11.

We now come to the item dealing with regulation of school-age. Hon. Members may remember that a recommendation was made that the school-age—age at the time of entrance into a school—should be 6-plus. Even in respect of this matter, the Committee came to the conclusion that it was not necessary to change the present practice and that the *status quo* might be maintained, that is, that we might keep it as 5-plus. So far, I have dealt with Section II.

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Section III deals with the development of elementary education. It deals with the question of implementation of the directive principle contained in Article 45 of the Constitution, that is, provision of free and compulsory education up to the age of 14. The Committee had to consider various aspects with reference to this problem, particularly, the financial burden involved in this. After considering all aspects, they came to the unanimous conclusion that it would not be possible to implement the directive principle contained in Article 45 of the Constitution before the date fixed for the purpose in that Article, viz., 1960. Then, what the new target should be was the question which came up for consideration by the Committee. Their unanimous recommendation was that we should aim at free and compulsory education up to the 5th standard before the end of the Third Plan period, that is, 1965–66, and that the question of making it free and compulsory up to the 7th or 8th standard should be taken up afterwards and the target fixed for that purpose, i.e., after another five years, by 1970. Hon. Members may be interested to know that this matter was discussed by a Panel of the Planning Commission and that, after considering this subject fully, they came to the conclusion that our target was realistic enough, and that that has been adopted as an All-India target and endorsed in the conference of Education Ministers also. Thus, Section III deals with the various aspects of this question, namely, how it could be implemented and what the financial implications are. One important thing which I want to bring to the notice of this House is this. If we want to achieve this target of free and compulsory education before the new target date of 1965–66, it has certain financial implications and that financial burden can be borne by the State and by the community only if we take certain steps particularly with reference to the pupil-teacher ratio. It is with great reluctance that we took a decision that the pupil-teacher ratio should be 40 : 1. We had to take a decision halfway, that is, between not reaching the target at all and reaching the target by taking the decision that we have taken. Anyway, we consoled ourselves with the fact that in other countries also, when this problem of universalising education faced them, they had adopted not this 1 : 40 ratio, but 1 : 50 ratio and in some places even 1 : 60 ratio. To that extent, we may console ourselves and have the satisfaction that our ratio is, after all, not too high, considering the economic situation prevailing in this country.

Then, we come to the other important question, viz., the pay of teachers. If any educational system has to succeed, it will have to depend entirely upon the teaching profession. Unless we have a contented teaching profession, it will not be possible to make any educational system successful. Therefore, we devoted considerable attention to this question. When we were formulating the Second Five-Year Plan, this problem came up for consideration and a decision was taken. That was approved by the Legislature Committee also and that was that there should be an increase of Rs. 10 in the emoluments of the teachers and that Rs. 10 should

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be given in a graduated way at the rate of Rs. 2 per year so much so that at the end of the Second Plan period, we would have implemented this decision of sanctioning an increase by Rs. 10. All hon. Members are perhaps aware of the compelling circumstances that made us go back on all decisions. In spite of the heavy financial burden involved, we took a decision to give an immediate increase of Rs. 12 in the salary of all the teachers. To that extent, the Plan itself has been upset with reference to the education budget. But, we do not mind it because we think that more than anything else, it is necessary to create confidence and enthusiasm in the teachers. By the various measures which we have been taking during the last four or five years, I am able to assure this House that that confidence and enthusiasm has been created in the teachers to a very great extent. I do know that they have a few more grievances, and those grievances have been the subject-matter of representations to me now and then. I may assure the teaching profession through this House that it has always been my endeavour, even without representations, to meet all the just demands of the teaching profession. Now that we have given an immediate increase of Rs. 12, granted pension even to teachers working in the private sector and also undertaken various other measures, I hope the teachers will realize that the Government are devoting a good deal of attention to the problems facing the teachers and that they are trying to solve them as best as they can under the prevailing circumstances. As time goes on, it will be the endeavour of the Government to see that their status and their emoluments are raised. With this assurance, I hope we will have the entire teaching world behind us in implementing the various decisions which we have taken in the Legislature Committee and which we will be taking in this Legislature.

Sir, I have left out one item, viz., item IX of Section III, which has been very enthusiastically received throughout the State. I am glad to announce here that at present by voluntary effort about 60,000 to 70,000 poor students are being fed. Even though we had made provision for Rs. 10 lakhs in the Budget for this item, we did not take a decision with reference to the utilisation of this amount till now. Recently, Government have passed orders giving matching contribution for this midday meal scheme to the various elementary schools. Orders have already been issued.

Item XII deals with the ten-year target for development of primary education. Even for the purpose of reaching this target, it has been recommended by the Legislature Committee that just as we take up development work block by block, so also we should take area by area and concentrate on that area so that within the given period the target may be reached by taking one-fifth of the total area each year. It was thought that we would be able to cover the entire State within the period of five years so much so that the target of free and compulsory education up to the 5th standard would be attained before the end of these ten years.

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Then, Section IV deals, as I have already stated, with other matters which were not, as a matter of fact, dealt with in the White Paper but which arose out of the problems which were considered in the White Paper. One of them is the question of relative priorities. If we want to attain certain targets, we cannot be frittering away our resources in all sorts of schemes and plans. That is why relative priorities have been laid down by the Legislature Committee by saying that the first priority should be for providing education to all the children up to the age of 11, that is, up to the fifth standard. The second priority should be to improve the quality of education within these ten years from the first standard to the 11th standard. Those things have been laid down in greater detail in Section IV. 3-40
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Then, a recommendation has been made that the Grant-in-aid Rules should be revised. That matter has also been taken up and we hope to finalize it before long.

Then, with reference to school management also, certain recommendations have been made. With regard to private managements, we will have to take certain steps to ensure the efficiency of the management.

Then, a few other matters like the publication of text-books were considered. These are the main recommendations contained in the Report of the Legislature Committee on the White Paper on Education and we have now got to implement them. As a matter of fact, when this Committee was appointed, it was not intended that this question should go back to the Legislature again. But still I felt that the Members of both the Houses should be associated with the various steps taken by the Government at every stage because that alone would ensure that education did not become a subject-matter of controversy at any stage. In the other House during the discussion on the White Paper, I announced that I would be constituting a Standing Committee of the Legislature—not only of the Assembly but of the Council also—so that I might have the advantage—whatever the Education Minister might be—of consulting the leaders of various Parties at every stage. I have absolutely no doubt that if we have to make progress in the field of education, we have got to see that there is no controversy involved in any of the schemes which we may take up. Unless that co-operation from the people is ensured—and that co-operation can be ensured only when the representatives of the people concur in the various steps taken by the Government—the targets will remain mere targets and the standards which we may be laying down for the purpose of attainment may not be reached at all. We find that whenever there is a controversy amongst us in the Legislature, that controversy creeps into the public, that it does not stop there and that it creeps into the school also. Therefore, it is necessary for us to reach agreed conclusions, as far as possible, in making changes or in regard to any of the

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problems arising in the educational sector. With the constitution of this Standing Committee, it is our hope that we would be able to take decisions which would be agreeable to all.

All hon. Members might remember that when this question of the reorganization of school education was being considered, at the same time changes in University education also were being contemplated. I made a suggestion that in view of the fact that we were considering changes in the pattern of school education, the problem should be considered as a whole and that we could have an integrated scheme with reference to school education and University education. For this reason and for other reasons, I made the plea that the changes in University education should be held over for some time because even though many of the students might not go to the college, the feeder to the college was the school. Therefore it is that with reference to the school curriculum, we have to take decisions with regard to collegiate education also. But the University authorities thought that it was not necessary to wait for the contemplated changes in school education and they took a decision that with the pre-University class they could immediately introduce the three-year degree course. As the decision has been taken—if I may say so, as the Rubicon has been crossed—to introduce a change in the pattern of University education, we have also now reached a stage where we have to finalize the pattern of school education. Now, it is necessary to co-ordinate the two so that one may fit into the other. Unless that co-ordination and integration takes place, we will find ourselves in great difficulties and particularly the students will find themselves in great difficulties. As a matter of fact, this is one of the matters which I stressed and I said that the introduction of the pre-University course could be postponed for a year. The Syndicate was good enough to consider my suggestion and made some adjustments with reference to persons who had undergone the diversified course. Subject to that modification, that body thought that it could go on with the changes in University education. That has taken place and now we are taking decisions with reference to the pattern of school education. I think it is necessary particularly for this House—I am saying 'particularly for this House' because we have got here eminent educationists, two of them Vice-Chancellors and others who are intimately associated with the Universities—to consider certain problems which will require solution ere long with reference to school education and University education.

The first thing is this. We have got what we call 'Academic course and Diversified course' in the school curriculum. We have got to ensure that even though a person takes a diversified course, his entry into the college is not once for all barred. If such a situation should arise, I am afraid the success of the Diversified course will become doubtful. For any person undergoing school education up to the Eleventh Standard, whether it be in the Academic course or in the Diversified course, doors should be kept open to

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enter the college. Therefore, we have now got to evolve a formula by which the various subjects which are taught in the school course will be tied up with the subjects in the college course. As I have already stated, the Academic course takes students to the pre-University standard and, therefore, they can straightway join the three-year degree course. I will come to the professional course a little later. I shall now deal with the Academic course.

So far as the 'diversified course' student is concerned, in the second year of the reorganized secondary course, he would have reached academically the present S.S.L.C. standard. If he changes his mind then—if he feels that it is necessary to change—and wants to take the regular academic course in a non-professional college, it should be possible for him to enter the college. We should evolve a formula by which this will be made possible. For this purpose, we will have to sit down and consider what solution can be found. If I am asked to suggest a solution, perhaps the pre-University course may be a solution in respect of such persons, and this will be considered a little later with reference to other matters which I want to place before this House. 3 50 p.m.

One of the matters which the Legislature Committee considered was the avoidance of wastage at various levels. We found that if five boys entered the first standard, ultimately only two got through the fifth standard. The other three boys dropped off in between. Unless a person has at least five years of schooling, he does not become a permanent literate. Therefore, with reference to these three boys, the amount and the energy we spend become a waste. One of the recommendations is that this wastage should be avoided as early as possible.

SRI T. P. SRINIVASAVARADAN : Sir, there is also stagnation.

THE HON. SRI C. SUBRAMANIAM : There is the question of further stagnation also. I would respectfully submit to this House that this wastage is not confined to standards 1 to 5. The wastage occurs at various other levels also. For example, we find to-day that thousands of students appear for the S.S.L.C. examination. But we find that the percentage of passes is from 30 to 55. There is a great wastage here. There is something wrong somewhere. If we prescribe a syllabus and give the students coaching consistent with that syllabus and all the necessary facilities, then it should be possible for at least 90 or 95 per cent of the students to get through this course successfully.

SRI A. M. ALLAPICHAJ : Sir, the examinations are difficult.

THE HON. SRI C. SUBRAMANIAM : It is not a question of examination alone. If we think that we have set up a high standard for ourselves, it should be lowered. But I do not think that a solution should be found by lowering the standards. If, after undergoing schooling for 10 or 11 years, these boys are found to be not fit for this course, then we have got to see that some other

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method is adopted by which this effort on the part of the students will not ultimately become a waste. I would respectfully request the Vice-Chancellors and others connected with educational activities in our State to consider this problem, particularly when we are introducing the 11-year integrated course.

Under this 11-year integrated course, as far as academic attainments are concerned, we contemplate two levels. In the pure academic course we contemplate the attainment of a standard equivalent to that of the pre-University. In the bifurcated course we contemplate an academic standard equivalent to the present S.S.L.C. standard. So, even with reference to the implementation of the present proposals, academic attainments are contemplated at two levels, one at the present S.S.L.C. standard and the other at the pre-University level. I propose that, when a person goes through this 11-year course, it should be possible for him to get the higher certificate of being fit to join the three-year degree course or a certificate that he has attained the S.S.L.C. standard. Combining these standards, it should be possible for 85 or 90 per cent of the boys to get through even in their first attempt. Unless we aim at these standards, I am afraid all our effort would be a waste. Therefore, at this point we will have to consider whether we cannot recognize these two standards, that is, if a student goes through this 11-year course, whether we may have these two categories, one getting through the S.S.L.C. standard and the other getting through the higher standard. This could be judged by the same examination and it should not be necessary to have two sets of examinations. For example, if a student sits for the Honours Course and if he is found not fit for the Honours degree, he is given an ordinary B.A. degree. Just like that, it should be possible to reach that standard I have referred to. Unless we aim at that, it may not be possible to avoid wastage of effort. Therefore, that is a question for our consideration. If we recognize these two standards, there would be a large number of students who have attained the present S.S.L.C. standard. For them also I respectfully submit that admission to the colleges should not be barred once for all. They should be given a chance. In respect of these persons who attain the S.S.L.C. standard through the bifurcated course or who are considered to have attained that standard because of their lower standard in the 11th year in the academic course, it should be possible for them to enter the pre-University class; or we should make some other arrangement, say, after one year's training, it should be possible for them to join the degree course. It was contemplated that for the completion of the degree course there should be 15 years of education and now, with our present formula it is 11 *plus* 3, i.e., fourteen years. Even for these boys who have to take an extra year's course, it will be within the 15 years contemplated for the purpose of getting a degree. Therefore, this should be taken into consideration and a decision will have to be taken not merely at the Government level, but also at the University level. The Universities will have to be associated in this question, if we want to take a proper decision.

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One other headache that has come out of the reorganization of University education is with reference to the attainment for entry into the professional colleges. With reference to the engineering college, the medical college, the agricultural college, the veterinary college and institutions like them, we have laid down the standard. Now, a student who passes the Intermediate course gets entry into the first year of the engineering course. Since the introduction of the pre-University course, it has become necessary to have, what is called, a pre-professional course. What it should be and where it should be has caused us some concern. First, we have to take into consideration the difficulties of the students. Now, before we reach the stage of reorganization of this 11-year course leading to the pre-University course, let us see what the present position of our students is. First, they have got to pass the S.S.L.C. examination. Next year they have to sit for another public examination, the pre-University examination, and then again in the pre-professional course they will have to sit for another public examination. The result is that we have presented them with three public examinations in a row in successive years. If only we realize the difficulties of our students in preparing for an examination, we can very well imagine the strain caused to them by successive public examinations. Even now I get into nightmares during my sleep sometimes dreaming as if I were sitting in an examination hall trying to answer a question paper but finding that the answers to the questions are not clear to me, then sweating, then getting up and finding myself in the comfortable position of being in the bed and realizing that all those days are gone. I am only explaining to you the amount of strain which a student is put to during this period of examination. It is only for that reason that I am emphasizing this. That being so, are we justified in having three public examinations in three successive years even during a transitional period? As far as these boys are concerned, there is no question of transition. They have to undergo this system of education and get out of this. It is only the boys who come later on that enjoy some benefits. But as far as the present generation of students are concerned, for the next four or five years, they will have to undergo this torture of public examinations in three successive years. Therefore, I would request hon. Members to consider this problem also and suggest a solution. 4 p.m.

There are other difficulties which I would like to place before this House. We know that we select the better type of boys for admission to the pre-professional course. For entry into the regular professional course, they will have to pass the pre-professional public examination. Suppose some of these brilliant boys fail, what is their fate? They must get back to the three-year degree course and plod on. All their effort for one year is a waste. There is another aspect of the problem which we have to consider, and that is the difficulty which our students may have to encounter until the entire country adopts this three-year degree course and the pre-University course. Even now our

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students go out to other States for admission to various technical colleges. I am told that every year 200 to 300 of our boys get admission in the various technical colleges outside our State. As far as these students and the Universities that take them are concerned, only a pass in the Intermediate examination is recognized for admission to the engineering and other technical colleges. As a matter of fact, this is a problem we will be facing ourselves next year. I was told that this problem was to be discussed by some experts who came over to this place and I hope it would have been possible for them to find a solution to it. Anyhow, I have not heard about it. Students apart, on our own side, we have other problems. I am saying all this because we have to take a decision about the pre-professional course now, even though we are only considering school education. One thing we have to consider here. At the time the pre-professional course was recommended, it was expected to be attached to technical institutions like the engineering, veterinary and medical colleges. Then, the question arose as to how these technical institutions could provide one more year of education, without putting up necessary buildings and providing other facilities. This is still a problem. Then, yet another difficulty arose with reference to the number of students to be admitted to the pre-professional course, because once we took in a boy, we would have to guarantee him a seat in the technical college. Then, how many should we take in the initial stage? That was the problem. If 100 boys were to be admitted to the engineering course, what was the number to be taken into the pre-professional course? If we took only 100 and if there were some failures, we would be short of students in the following year. So, these were the questions we had to consider. We could not solve the problem unless we made some provision for admission of students who had already failed and made two or three attempts to pass the Intermediate examination. And in that case, we were confronted with another hardship. We would be compelled to take only second-rate boys. Then, suppose we took 125 students into the pre-professional course against 100 seats in the technical colleges. If 110 passed, what would we do with the extra ten students who had passed? So, we could not accurately assess the number of students to be admitted to the pre-professional course so that all of them might be fitted into the regular technical course.

The next difficulty was with reference to the location of the pre-professional course. In order to maintain the efficiency of teaching, we have to locate it properly. If we look into the syllabus of the pre-professional course, we will find that the standard is nothing more than that of the Senior Intermediate; as far as engineering is concerned, there is a little more of geometrical drawing. But all boys have to read subjects like English. Could these be taught in the best way possible in a technical college where we might not have highly trained personnel to

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teach them in the way they could be taught in an Arts college? This was another problem. Ultimately, we decided that the course should be located in the Arts colleges as far as possible and for the purpose of making an experiment in the matter, we permitted the engineering and the medical colleges to have a certain number of students attached to them for training. But now we have to take a final decision as to where it should be located—whether in the Arts colleges or in the technical colleges. Here we meet with another difficulty. If we want to have the pre-professional course attached to the various technical colleges, they should have more funds available with them, more equipment, more buildings and more staff. All these would mean extra cost. If we spend four thousand rupees per student in an engineering college, it will be five thousand rupees if the pre-professional course of one year is tacked on to it. To that extent, we will be making technical education costly. Therefore, these things will have to be taken into account. If the course remains with the Arts colleges, it would not add to the cost.

Sir, school education does not stop with school education as such. It has to proceed to college education, then to technical education and further to post-graduate education. Unless we have a complete, integrated pattern of education from the beginning to the end, it may not be possible to achieve the maximum efficiency. That is why we have made a suggestion to the University to co-ordinate the I year B.Sc. course and the pre-professional course so that all students who take the first year examination in B.Sc. with science subjects and pass it might be eligible for admission to the technical colleges. Unless that takes place, we will find difficulties faced by the students and the colleges also. They will be all the greater in respect of scheduled caste and backward class students. Because we have given them certain reservations, we will be recruiting not first class but only second class students. For them it will be more difficult to pass through the pre-professional course. If they fail in this course, their entire life will become a failure. That is why I am suggesting, and that suggestion has already been made to the University, that the first-year B.Sc. course and the pre-professional course should be co-ordinated so that the persons who pass a test at the end of the B.Sc. first-year course may be taken into professional colleges.

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SRI MOHAMED RAZA KHAN : Will there be another public examination at that stage?

THE HON. SRI C. SUBRAMANIAM : There will have to be an examination. Otherwise, it will not be possible to assess the standard reached by the students. Unless the two courses are integrated, many students may find themselves in a blind alley. These are matters which we will have to take up for consideration with reference to the B.Sc. course and the pre-professional course.

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In view of the fact that we are abolishing the Intermediate course altogether and adopting the three-year degree course, reorganization of colleges has become a problem not only for the University and the Colleges, but also for the Government because ultimately the financial burden will have to be borne by the State Government or shared by the State and the Central Government in some proportion. This has created some difficulties. Hon. Members may be aware that I called for a conference of Principals, and I had a frank discussion with them. After that discussion, the Vice-Chancellor has agreed to review the entire position some time next year so that firm decisions could be taken. I think it is my duty to inform the House of the problems involved in this. Here we are abolishing the Intermediate course and as far as the three-year degree course is concerned, only persons who want to take a degree will enter the colleges. Therefore, colleges which are now having the two-year Intermediate course and the two-year degree course will have a lesser number of students than those with the one-year pre-University course and the three-year degree course and consequently, will have less fee income than before. When we upgrade all high schools, we may abolish the pre-University course, even though we may be having it for certain purposes. There will not be the pre-University course in all colleges and there will be a fall in strength and, to that extent, there will be a fall in the fee income. Therefore, we have got to take into consideration the question of reorganization of the various colleges. The one solution to this problem which the University found in the past has created another problem in its wake. For the purpose of making up the number of students they thought that they could increase the number of admissions to the various Degree courses in the colleges so much so that the authorized strength of the first year of the three-year degree course was fixed at 10,000 odd. But the actual admissions numbered only 4,000. Whether in course of time we will reach this figure of 10,000 admissions into the first-year degree course is itself doubtful. Apart from that, in the transition period when we plan for 10,000, we have to put up buildings if extra space is required, to build up laboratory equipment to that extent, and unfortunately they have employed staff also to the extent of 10,000 admissions. All this has been discussed in the conference of Principals.

As far as the financial burden is concerned, this House as well as the other House will have to vote the required funds. Therefore, we are entitled to look into this position. When we are giving grants to the various colleges, we will have to see whether the grants are being utilized properly and for the maximum benefit of the community as a whole. I am not going into the minute details because, if we go into minute details, very many other problems will have to be faced. All these things are being taken into consideration by the University and I hope by next year they will be able to evolve a pattern by which it will be possible to give satisfaction to the Legislators that whatever amount they are

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voting is absolutely necessary and essential for the purpose of University education. We are hoping that the Central Government also will come to our aid. Whatever be the source of aid, ultimately it is the people that will have to bear the burden and it is the duty of everyone of us who is entrusted with responsibility to see that we get a return of one hundred naye paise for every rupee spent and not be satisfied with anything less. Whether it is the public source or private source—in the public source, whether it is the Central or the State Government—we have got to see that we get full return for the money spent, even if it be for the University, particularly in the strained circumstances in which we are placed. Wastage will have to be avoided in all sectors. Particularly in this sector, wastage will have to be avoided because persons in the University form the cream of society. Persons undergoing training in the University form the cream of society, persons teaching there are the highest personnel with reference to academic qualifications and persons who are in charge of the University, I am glad to say, are of the highest calibre with international renown. With this background, certainly we cannot plead that we have spent badly and that we are unable to avoid wastage. Nobody will excuse us if we say that wastage and extra expenditure became unavoidable. In view of all this, our responsibility is all the more great. Particularly the Leader of the Opposition, who is not only the Leader of the Opposition but also the Vice-Chancellor of the Madras University, should be more critical about wastage at the time of voting the various grants. I hope he will plan properly so that we may be able to face the people and the Planning Commission and tell them that we are not wasting even one rupee, that we have planned properly and that we are spending the money properly.

DR. V. K. JOHN : Does it mean that Government must control University education because it gives grants?

THE HON. SRI C. SUBRAMANIAM : I do not want to control the content of University education and all those things. If the University wants grant from us, certainly the Members of the Legislature are entitled to ask how it is going to be spent. Unless we give satisfaction to the Members of the Legislature, I cannot ask the Members to vote the grant, simply because I happen to be the Finance Minister and Education Minister. If the University has got autonomy, it does not mean that it has got a right to waste. I cannot put forward the plea of autonomy for wastage. As pointed out in another place, this autonomy is being made a fetish of. Unless we realize that it is the joint responsibility of the University, the Government, the Legislature and the people, to see to the better working of the University, mere autonomy will only wreck us. I want to strike a note of warning. On the plea of autonomy, we cannot afford to waste money. When we are in a better position like the position in America or Russia, when we have sufficient resources, we can afford to take risks and

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waste money. But situated as India is, we find ourselves in great difficulties with regard to financial resources even for the implementation of all the projects which are absolutely necessary for meeting the basic needs of the country, and certainly we cannot afford to waste money on University education. Whatever is necessary we shall provide, but certainly not for the purpose of maintaining the autonomy and, in the name of autonomy, committing waste. I am sure even the Vice-Chancellor will not say that in the name of autonomy, we should commit waste. Therefore, the hon. Member, Dr. John, is not correct in his plea for autonomy and in his saying that we are interfering with the University. When the Government and the University differ, I concede that the University's opinion should prevail in academic matters. I do agree that in academic matters the entire responsibility should be that of the University. I do not think that any Minister, however highly placed he might be, whether at the Centre or in the State or in the Legislature, however powerful he might be, should interfere with the academic content and the academic matters of the University. But, with reference to planning which involves financial matters, if there is a certain wastage, certainly the Legislature is entitled to look into it. I do not think that anybody can shut it out by saying, 'The University is autonomous and nobody should look into it.' Such autonomy does not exist in the present context. Therefore, I want to make it clear that, while it will be the responsibility of the Government to see that all necessary funds, funds which are absolutely essential for the purpose of developing University education in the changed pattern, are made available—I hope that this view would be shared by all the hon. Members of this House, even though some might be connected with the University—I feel that we should not be a party to wastage to any extent as far as University education is concerned.

Sir, I am placing all these matters before the House because we have got into certain difficulties. Now that we have got into them, my only request to the University and to the House is that we should all sit down together and plan in such a way that it would be possible to avoid wastage. With that end in view, we have to consider all these proposals.

Now that the hon. the Deputy Leader of the Opposition raised the question of autonomy of the Universities, I shall give a fuller picture of the situation to the House. Now, if we plan on the basis of admission of 10,000 students in the first-year degree course, will it be a realistic target for us, even for the next five or ten years? That aspect we will have to consider. I have consulted experts, not only here but at higher levels also. When I say higher levels, I mean experts at the Centre. I have consulted the Planning Commission also about the targets they have fixed with reference to the various types of education, the various levels of education. When we fix targets, we have also to take

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into consideration the resources available. The hon. Member Sri Balasubramanya Ayyar may think that University education is all in all and that, therefore, the entire money should be plumped into that. But, unfortunately, we are not so placed as to be able to take such an autonomous decision that we will plump into, and spend as much money as possible on, University education. Unfortunately, we have got to share the available resources with reference to the activities in the various sectors. Then, when a certain amount is allotted for educational development, that amount has got to be divided as between primary education, secondary education, University education and technical education. The money available for University education is, therefore, unfortunately very limited. Therefore, we have to chalk out a realistic plan with reference to the economic situation which has developed. Now, Sir, it has been made clear that this target of admission of 10,000 students is a very unrealistic target and that, therefore, it should be scaled down. If it has got to be scaled down, we will have to readjust our development also. But on the basis of admission of 10,000 students, we are now upgrading—particularly, I am posing the problem with reference to the second-grade colleges—all the second-grade colleges into three-year degree colleges. Before we get into it too much and before we spend too much money on the various developments of the second-grade colleges, we have to sit down and find out what would be a realistic estimate of admission to the first-year degree course, how many colleges we would require, whether it would be necessary to upgrade all the second-grade colleges, and so on. Unless we take decisions on these points, we won't be able to plan realistically. Therefore, I would appeal to the University authorities concerned through this House to make a realistic assessment of our resources—not only our resources but the resources available to us—and then plan accordingly. With reference to the second-grade colleges, unless we revise the original decision taken to upgrade them, we will get into various kinds of difficulties. My own view is that these second-grade colleges could be utilized for other purposes also. When I say 'other purposes' they are not useless purposes but useful purposes. That is a matter which we have to consider. I do not think I have to deal with the subject further. I must say that this has created a problem and it is necessary to find a solution to that problem. The mere plea of autonomy cannot solve the problem. I would emphasize and say again that such insistence on autonomy would only intensify the problem and create greater difficulties as far as this House is concerned, as far as this Legislature is concerned and as far as the Government are concerned. But if the University thinks that it need not care for the money of the Government, that it will be able to get on without it, that it has financial autonomy also, that it won't have financial dependency on the Government and that it will find the money for itself, then certainly it can carry on as it likes. But, even then, I would plead with the University, because after all, they are the resources of

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the people, that it should not waste. But then it will be a matter in which we will have no say. We can only appeal. But now we have to take a decision as to the exact amount that has to be allotted for the purpose.

Finally, Sir, there is the question of the medium of instruction. We have been discussing this for a long time. It is easy to agree on a certain principle but I do also agree that the difficulty arises in working out the principle. I do not want, Sir, that we should always be talking about the difficulties without making attempts to get over them. I also do realize that there are difficulties in changing the medium of instruction, from English to regional language. These difficulties will have to be assessed and steps taken to get over them. What I want to represent before the House is that we have not made any attempt to solve the difficulties, except emphasizing the difficulties again and again. The time has come now for us to take a decision. As a matter of fact, this problem was presented before the Official Language Commission. Hon. Members of the House will see on page 67, Memorandum No. V of the White Paper, that this question of language in schools and colleges has been dealt with extensively giving extracts of the memorandum submitted to the Official Language Commission. The various problems and difficulties arising out of the change in the medium of instruction have been fully stated there. After studying all that, this is what is stated in the memorandum :—

'A change in the present medium of instruction in colleges is not, therefore, the answer to the problem of arresting the present decline and raising the level of higher educational standards. On the other hand, there is a conflict, requiring reconciliation, between two different objectives, namely, the need for raising higher educational standards, and the need also to develop the potentialities of the mother-tongue as the vehicle of culture. The Government of Madras have not yet taken a decision on how this reconciliation is to be effected. The report of an Expert Committee which is studying the problem is awaited.'

At this stage, I want to state that this problem was taken up two or three years ago. I called for a conference of all the Principals of colleges and in that conference a decision was taken that effective steps should be taken for the change-over of the medium of instruction with reference to 'Humanities.' A Committee was appointed with the Vice-Chancellor as Chairman and some of the Principals as Members thereof. I am yet to hear what the Committee has done in the matter.

DR. A. LAKSHMANASWAMI MUDALIAR: May I say, Sir, that the Vice-Chancellor's endeavour to make the Committee meet produced no response from the Director of Public Instruction?

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THE HON. SRI C. SUBRAMANIAM: I do not know who is responsible for that. But whoever is responsible, I hold the Vice-Chancellor as Chairman of the Committee responsible for convening the meeting of the Committee. Occupying the position he does, certainly he cannot shove the responsibility on to the Director of Public Instruction. If the Director of Public Instruction did not act, he could have brushed him aside and gone on with the work. Or, he could have reported the matter to me that the Director of Public Instruction was not co-operating with him. Till now I have not heard from him anything about the work of the Expert Committee. Sir, I have referred to this because there is a mention made in the memorandum submitted to the Official Language Commission about the report of the Expert Committee which was studying the problem.

"Present indications are that the answer will have to be found first in making a distinction within the field of higher education between scientific and professional education in the "Humanities" and as the basis of this distinction—

(i) taking active steps to bring about an early change in the medium of instruction in colleges as far as the latter is concerned, and

(ii) continuing to use English as the medium of scientific and professional instruction in colleges, at any rate without change until 1965: While continuing to maintain English as the Second Language and subject of compulsory study in Secondary Schools to undertake all practicable measures for improving the efficiency of instruction in the study of that language."

These were the points which were put before the Official Language Commission in the form of a Memorandum. Before we submitted it, hon. Members may be aware, I called for a meeting of the Leaders of all the Parties in this House and in the other House, that Memorandum was discussed and then the entire Memorandum including this provision was agreed upon by all the parties concerned. Therefore, so far as this aspect is concerned, I do not see any difference of opinion and so far as this principle is concerned, there is no difference of opinion. But, somehow or other, we have been postponing the implementation of this principle. I am afraid the time has come now when, instead of saying that the problem is difficult and instead of thinking of the difficulties of the problem, we should take steps for solving this problem.

In view of this and on my own initiative, without reference to the Expert Committee, I have taken certain steps which I want to state before the House. First of all, to implement that principle, we should have text-books in the language before we can think of a change-over to another medium. Therefore, we have chosen

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twenty subjects and with reference to those twenty subjects, a scheme is drawn up. It has not been finalised and I do not know whether I have given the information to the hon. the Leader of the Opposition. However, as soon as it is finalized, I shall send it on to the Vice-Chancellor and also place it before the House. For the preparation of text-books in these twenty subjects, we are calling for manuscripts from the various authors. We will select, in respect of each subject, three or four books and print them at Government cost and pay the authors in order of priority or rank—the first book, the second book, the third book, etc., at Rupees 5,000, Rs. 4,000, Rs. 3,000, etc., and I think the lowest will be Rs. 1,500. Such a scheme has been drawn up and it needs finalising. Preparation of text-books alone would not solve this problem. We should also prepare lecturers who would be able to teach the various subjects in the regional language. For, though there may be text-books, the method of instruction, how the subject should be put to the students in the regional language is itself a big problem. To solve that problem a scheme is drawn up for selecting ten or twelve outstanding professors and attaching to those professors understudies who are competent in the particular subjects, not only in the particular subject but in the regional language also. The duty of the 'attache' (understudy) is to attend every class where this professor gives lectures and put them down in Tamil. So much so, at the end of the year, a "Manual of Teaching" in that subject would be prepared in Tamil. If it is a three-year course, there will be three volumes. So, even though there may be text-books in particular subjects, there should be an easy method of putting forth to the students the complicated and difficult subject. This is covered by the scheme which has been formulated and which is being finalized. As soon as it is finalized, I shall have it circulated to the University and also to this House. So far as the medium of instruction is concerned, particularly I appeal to the University to take an interest in this matter. As far as English is concerned, we are all agreed that we shall give importance to it even from the 5th standard and always make teaching of English effective and important. Therefore, the method of teaching and the standard of English will improve. As far as introduction of the regional language as the medium of instruction at the collegiate level is concerned, we have got to take effective steps soon. Because the difficulties are not merely ours but also of the students who, after having studied the different subjects throughout the school course in the regional language, have to switch over to English medium at the collegiate level. That is the real difficulty and problem of the student world to-day. Unless we solve that problem, it will not be possible to improve the standards in University education, however eminent our professors might be, however good our buildings and equipment might be. Therefore, this is a matter which requires urgent solution and I hope the University also would co-operate in this matter of switching over to the regional language as the medium of instruction.

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I do not think there is anything more for me to state before the House except to refer to our decision to undertake the publication of text-books. Perhaps, some hon. Members may have objection to that also. We have taken a decision that particularly at the elementary school level, all the text-books should be published either by the Government or by a Government-sponsored Corporation, as far as the reorganized syllabus is concerned, and we are taking steps to see that the books for the reorganized courses are published accordingly. Immediately in the next year, we will be introducing the reorganized course. Therefore, I have authorized the Director of Public Instruction to go forward with all the preparation necessary for the publication of the text-books for the first three classes. In the light of experience gained in the publication of these books, I am hoping, it will be possible to take the next step of publication of text-books for the other classes also. In this respect, I may assure the House that it is not the intention that the Government or Government officers should write the text-books. We will be only utilising the private efforts and selecting the best books. The only thing is that the publication of the text-books will be made by the Government, instead of by private publishers.

For the purpose of distribution of these text-books also, I have evolved a scheme with the help of another Education Minister—I am grateful to him for it. We will attach 25 or 30 elementary schools to each High School. In that High School a Co-operative Stores would be opened for the purpose of selling these text-books and that Co-operative Stores will be responsible for the distribution of these text-books to the elementary schools. In the transaction, if they make a little profit, that will be utilised for the welfare of the students and the general benefit of the school. I am sure the scheme will work not only for the benefit of primary school children but for the benefit of High Schools also. I am hoping that by this method, it will be possible to improve the quality of the text-books and also make them available at cost price, as far as possible, to the primary school children and perhaps it may be possible to supply books free to some poor students. I am hoping that this effort will help us to have that scheme implemented to a greater extent.

These are the various matters which will have to be considered by this House. As far as final decisions are concerned, even though we may discuss all allied matters, final decisions will have to be taken only with regard to school education which is covered by the Report of the Legislature Committee. As far as other matters are concerned, though they may incidentally arise, they also call for a decision, though not at this stage, at least at another stage, perhaps at another level altogether. Therefore, while we may consider all the connected problems, we have to concentrate our attention on the main recommendations made in the Legislature Committee Report and matters arising out of it.

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I thank the House for the patient hearing they have given me. If I have exhibited some enthusiasm or if I have emphasised certain points, it is only for the purpose of making myself clear. I hope no hon. Member will misunderstand my emphasis on certain points. What I want is that it should be the objective of every one of us here to have clear solutions, good solutions to the various problems facing us and the educationists in our State.

DR. V. K. JOHN : Are we to discuss the question of University education also?

THE HON. SRI C. SUBRAMANIAM : Yes, to the extent that it affects the school course.

MR. CHAIRMAN : Motion moved—

'That the Report of the Legislature Committee on the White Paper on Education be taken into consideration.'

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p.m.

DR. A. LAKSHMANASWAMI MUDALIAR : In view of the fact that the Hon. the Minister for Education has covered a very wide field which we did not anticipate, I appeal to you, Sir, to consider my suggestion that the debate cannot possibly serve any useful purpose if it is restricted to the period which has been allotted to it by the Business Advisory Committee. I hardly expected such a wide ground to be covered by the Hon. Minister. I think it is only fair that other hon. Members should have an equal opportunity to cover the whole field and express their views. I appeal to you, Sir, to consider this suggestion.

MR. CHAIRMAN : The Business Advisory Committee will meet again and decide.

THE HON. SRI R. VENKATARAMAN : Sir, if that is the desire of the House, then we may meet at 10 or 10-30 to-morrow morning and sit till 1 p.m. This will give enough time to hon. Members to express their views. Work for the other days is fairly full and it is not possible to find time later. Therefore, I would suggest that, if it is the desire of the House, we may meet to-morrow morning at 10 or 10-30.

DR. V. K. JOHN : Is not the other House sitting to-morrow morning?

THE HON. SRI R. VENKATARAMAN : It may be sitting, but we can go on with our work.

MR. CHAIRMAN : The best solution will be to meet to-morrow morning.

SRI V. CHAKKARAI CHETTY : Meeting at 10-30 a.m. will affect our stomach, Sir. (Laughter.)

MR. CHAIRMAN : The hon. Member Mr. Mohamed Raza Khan wanted some clarification from the Hon. Minister.

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SRI MOHAMED RAZA KHAN : I just wanted this clarification from the Hon. Minister. There may be difficulty in the case of students whose mother-tongue is not the regional language. I want to know whether provision has been made for these students in the elementary school stage.

THE HON. SRI C. SUBRAMANIAM : The hon. Member may raise this question in his speech. I shall answer it in my reply.

MR. CHAIRMAN : I would make an alternative suggestion, if hon. Members are not able to meet to-morrow morning. We will carry on discussion to-morrow afternoon and we may meet again on the 14th morning to discuss this subject. This suggestion must be suitable to hon. Members.

DR. A. LAKSHMANASWAMI MUDALIAR : Sir, the Business Advisory Committee may meet and take a decision to-morrow. I think morning sitting may be difficult for some Members. Moreover some Members are not here now.

II.—ANNOUNCEMENTS BY THE HON. CHAIRMAN—cont.

(2) DECISION OF THE BUSINESS ADVISORY COMMITTEE.

MR. CHAIRMAN : I will read out the programme of the House now. This I should have read out before.

I have to report to the House that at a meeting of the Business Advisory Committee held at 2.45 p.m. to-day, the following programme has been decided :—

13—11—1957	3 p.m.	Discussion on the Report of the Legislature Committee on the White Paper on Education (<i>continued</i>).
Wednesday.		
14—11—1957	10 a.m.	Discussion on the Report of the Legislature Committee on the White Paper on Education (<i>continued</i>)—
Thursday.	to	Last day.
	1 p.m.	
	2—30 p.m.	The Madras Village Panchayats (Amendment) Bill, 1957 (L.A. Bill No. 16 of 1957). (Discussion on the White Paper on Education will continue if a large number of speakers are left over).
15—11—1957	10 a.m.	Discussion on the Supplementary Statement of Expenditure for the year 1957—58.
Friday.	3 p.m.	The Prevention of Insults to National Honour Bill, 1957. (L.A. Bill No. 19 of 1957).
16—11—1957	10-30 a.m.	The Madras Money Lenders Bill, 1957.
Saturday	3 p.m.	Appropriation Bill and other Government Bills.

This programme will be circulated to hon. Members in a few minutes.

DR. V. K. JOHN : We meet at 10 a.m. on the 14th?

MR. CHAIRMAN : Yes.

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III.—GOVERNMENT MOTION—cont.

DISCUSSION ON THE REPORT OF THE LEGISLATURE COMMITTEE ON THE
WHITE PAPER ON EDUCATION—cont.

* SRI T. M. NARAYANASWAMY PILLAI : Sir, I move the following amendment :—

“ Add the following at the end :—

‘ and on such consideration, this Council gives its general concurrence to the recommendations made by the Committee ’.”

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

* SRI T. M. NARAYANASWAMY PILLAI : Mr. Chairman, Sir, I am glad that the Hon. Minister said that he rose with a certain amount of satisfaction to speak on this subject, but when he closed his speech, I think he could not have had the same satisfaction; he referred to matters not covered by the Committee.

(Deputy Chairman in the Chair.)

But I have got complete satisfaction in so far as I have the duty of moving this amendment, because my amendment covers only the recommendations made by the Committee and in regard to the recommendations, we are clear that we must give our general concurrence. In regard to matters which are outside the recommendations of the Committee and which refer to problems arising out of the reorganization of collegiate education and the desire to introduce reforms like the change in the medium of instruction, I do not want to give my opinion. (Dr. V. K. John : Why?) My hon. Friend the Deputy Leader of the Opposition asks, ‘ Why? ’. I feel, in all humility, I am not competent. At any rate, I have not bestowed any thought on these questions. I must leave the reply to these questions to be made by my esteemed Friend the hon. the Leader of the Opposition; he is the authority to deal with them.

Now, Sir, so far as the recommendations of the Committee are concerned, really there can be no two opinions. Before I proceed further, I must express my appreciation of the Hon. Minister's part in having tackled this problem successfully. Without any exaggeration I can say that he has shown great ability, great industry, and great capacity for practical appreciation of the problems that arise. I must also give my praise to his able Secretary, who was producing document after document with an array of statistics and figures.

So far as the recommendations of the Committee are concerned, it is unnecessary for me to go over the same ground in the same detail in which the Hon. Minister did. But I think I must refer to the whole picture and the background which necessitated the constitution of this Committee and the consideration by this Committee of the problems. This problem of reorganization has been with us for quite a long time. I do not want to go to the

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distant past. But after we attained our Independence, there was the Universities Commission presided over by Dr. Radhakrishnan. There was then the Secondary Education Commission presided over by our esteemed Friend the Leader of the Opposition here. After the publication of the Report of the Secondary Education Commission, we find that the Government went into the question very thoroughly. The Government considered the question with reference to the available resources. So far as elementary education is concerned, we had a committee presided over by the late Dr. Alagappa Chettiar, the philanthropist. This Committee also made very valuable suggestions. On the top of it all, the Secretary to the Education Department has prepared this White Paper which, I should say, is very illuminating, having regard to the array of statistics and figures. The Legislature Committee considered this question from all points of view. We must say that we appreciate the endeavour of the Hon. Minister in coming to practical conclusions, and we are glad that the Committee did come to unanimous conclusions on this important problem.

Referring to the recommendations, I should say that we might perhaps divide them into two sections, one relating to those which I may call the ‘ mechanics of reorganization ’ and the other, which relates more to the general principles. To the first type, viz., mechanics of reorganization, such questions as pupil-teacher ratio, teachers' salaries and things of that kind may be said to belong. There was, of course, difference of opinion from some angles on these questions, but in the end, we all came to unanimous conclusions. In regard to these recommendations, I may generally say that they are largely controlled by the overriding factor, viz., finance. So far as this matter was concerned, when it was pointed out to us ‘ here is so much of resources, here are so many problems to be met ’, we naturally yielded and we had to satisfy ourselves with what was possible within the resources available. That was the position with regard to the salary of teachers. The Hon. the Minister for Education and every one of the Members of the Committee were anxious to see that this useful profession was paid as adequately as it ought to be and really we were glad that we gave our entire approval to the proposal of the Minister to give Rs. 12 by way of increased salary even during the progress of the proceedings of the Committee. If we had not done more, it did not mean that we were not in favour of the enhancement of the teachers' salaries. We only thought that it was a good beginning and the Committee of the Legislature and everybody would really be glad to give something more, and I should say as much as they deserved, provided we had enough finance. Therefore, if the Committee was not able to recommend higher pay for teachers, if the Government were not able to grant higher pay for teachers, I think no blame could be attached to anyone.

Similarly, with regard to the important question of teacher-pupil ratio, everybody did feel that it was a high ratio and that in this country more than in any other country a lower ratio was

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necessary. In this country individual attention to the student was absolutely necessary in order to produce a good type of student and to develop his personality. But to have a lower ratio was beyond our resources.

There is also the other problem, viz., that of the single-teacher schools. Nobody was more convinced than the Committee of the inadequacy of the system to deal with the problems but it was once again finance which stood in the way. Therefore, generally speaking, with regard to the mechanics of reorganization, the Committee was unanimous and if the Committee had not gone to greater lengths in its recommendations, it was because our recommendations were controlled by the limited finance.

Having regard to the detailed manner in which the Hon. Minister dealt with this question, I shall confine my remarks very briefly to factors which I may call the general principles or those recommendations which relate to the structure of the reorganization. With regard to elementary education, of course, the question which we considered to be important was how to implement the directive principle contained in Article 45 of the Constitution. We would find that, for the first time in the history of elementary education, the State has undertaken directly the responsibility of introducing compulsion. This is an age-old problem. It had been recommended even 40 or 50 years ago from the time the late Gokhale took up the question in 1911. His speech in 1911, when he introduced the Elementary Education Bill, is still ringing in my ears. Year after year, they were pressing the Government to bring forward this much-needed measure. Anyway, we could not make great headway at that time. The Justice Party introduced the Madras Elementary Education Act of 1920, the first Act, I believe, in the history of reform with regard to elementary education. But, compulsion was not undertaken by the State, but was left to be undertaken by the Municipalities and Local Authorities, and they had to pass the necessary resolution not only introducing compulsion, but also stating that they would be willing to levy a certain cess for this specific purpose. But, that again did not make much headway. There were so many amendments to that Act. Thus, we had to reiterate this principle in the very Constitution itself. Any country worth the name must have this, namely, free and compulsory education up to a certain stage. That is the way in which every country has been dealing with this problem. If we want our people not to remain illiterate, if we want our people to have better standards of life and if we want to have more production, this free and compulsory education up to a stage is absolutely necessary. But, at the same time, we will have to remember that the history of every country shows that it was not possible to make its citizens literate unless some element of compulsion was introduced. In this country as in every other country, there has been great opposition to the introduction of the element of compulsion. But, history has shown that without compulsion, i.e., effective compulsion, directly undertaken by the

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State, such a reform could not make any progress. Therefore, this Committee which considered the question in all its aspects came to the conclusion that compulsion should be introduced. The next question that will arise is, 'compulsion up to what stage?' As the Secretary in his own inimitable way has described, the point for consideration was whether the idea of extending compulsory enrolment might be given up altogether or whether a more limited objective should be accepted with an extended time-limit. Free and compulsory education now recommended by the Legislature Committee relates to classes 1 to 5. The way in which this has been worked out and linked with the National Extension Service Blocks and the fact that the Government themselves have undertaken the responsibility of introducing this show that there is a better chance of this scheme succeeding within the next ten years, that is, by 1965-66 we expect the whole State to be covered with elementary schools giving free and compulsory education to the students up to the end of the 5th class, and this recommendation is aided by two factors. What is the use of introducing compulsion if a parent is poor or if a child is unwilling to go to the school? Again, what is the use of introducing compulsion if the school is far away? Therefore, we wanted to remove such hardships. So, this 'compulsion' is buttressed and supported by two recommendations, one of them being provision of midday meal to all poor children. If this provision were not there, it would have been wrong to introduce compulsion. Therefore, this recommen- 5 p.m.
dation goes along with the other recommendation, viz., provision of midday meals. I am glad that this has been ultimately introduced and I must express the Council's appreciation and the Committee's appreciation of the inspiring drive and energy displayed by the Director of Public Instruction. I am very glad and the Committee is also very glad to find that more than 60,000 to 70,000 children are being fed under this provision, and the Government have also taken up responsibility and have provided Rs. 10 lakhs and it is being regularized and placed on a matching grant basis. It is something wonderful how this appeal for provision of midday meals has found adequate response from the people, notwithstanding the difficult times through which they are now passing.

In addition to this, one of the recommendations is that no school should be at a greater distance than one mile from the residence of the pupil. Therefore, those who are against the principle of compulsion need not be very much perturbed because if a parent wants to perform this public duty, and if every child born is to grow into its own, certainly he must submit to this compulsion. Really he would have no grouse or complaint to make on account of the two factors which I referred to just now.

The other thing which strikes me is the kind of rationalized uniformity. There are now several kinds of elementary education, —primary, higher elementary, basic, non-basic, etc. Now, this Committee has introduced a kind of rationalized uniformity, a kind

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of integration between basic and non-basic education. I am glad that the Hon. Minister has referred to it and said that it is left open. Regarding what they call 'basic education', so much is claimed for it and so little is done. Again, it is claimed to be a kind of education which is entirely different from the education to which we have been accustomed. Of course, everybody knows the importance of basic education which emphasises vocational bias. But to go further and say that it constitutes the whole sphere of education and that everything else is not education is something which we cannot accept. Anyway, the Committee decided that there should be this integration and I am glad that further steps are being taken to do it. And I believe in the end the integrated education would not be very much different except for the importance it will be giving to the vocational bias which is very much desired by the Committee. That is another great improvement which the Committee may claim.

Then, Sir, with regard to elementary education, we wanted to be sure of our facts. We did not recommend that the Eighth Standard in the higher elementary schools should be abolished. After all, we are also impressed by the fact that at present there are about—I do not remember the exact figure—1,500 or 2,300 higher elementary schools where there is the Eighth Standard. If we take away the Eighth Standard from these schools, it would cause hardship to those students who are having education in those schools. Therefore, we did not interfere in respect of these schools but with regard to the future, we did say that there would be integration. So far as elementary education is concerned, education for the first five years would be free and compulsory. We also stated that due regard to the location of schools in the rural parts of the country rather than in the urban parts, should be given. There has been a feeling that we are encouraging the location of more schools in the urban parts to the detriment of the rural parts. Therefore, the Committee has stated that perhaps for this scheme to succeed, it is better that greater care and attention is paid to the location and starting of schools in the rural parts. I do not think that I shall deal more with the general features of elementary education.

Now, I come to secondary education. The great point that has been made against our present system of secondary education is that the product of that education is not fit either for going to the college or for entering life. What is it that we require of secondary education? In the majority of cases, the desire is that the students should get a basic fund of knowledge—academic as well as technical—which will enable them to become useful and productive citizens in addition to the general development of character and personality. That is our aim. Now, Sir, having regard to what is happening, the Secondary Education Commission which went into the whole question and studied it, has stated that the three years which are now allotted to secondary education, that is, Fourth to Sixth Forms, are not adequate and that four years

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should be allotted, having regard to the content of education on the academic and technical sides. If a student takes the academic course, he may enter the college. If he takes the technical or diversified course, he may go to the pre-professional course. That is the standard which is aimed at. I shall not deal to-day with the pre-University course or the pre-professional course. There was a lot of discussion on this subject. It is unnecessary to go into the question whether the duration of school education should be 12 years or 11 years. We were anxious that if we could give all the education taught in 12 years, in 11 years, we could have it. We were satisfied that in seven years we could impart what was being taught before in eight years. Now with that accelerated product of seven years, we would in four years give it more than what was being taught in three years. So, the kind of education that a student would get in seven *plus* four years would be much more than what he would get in 12 years. That is the logic and reason behind our decision to have the duration of school education as 11 years. Therefore, our object is to turn out better products of higher secondary education. Then only the students will take their place in the colleges. That is all I want to say so far as secondary education is concerned.

Then, I come to the study of languages which is really an important problem. The Hon. Minister has also referred to this complicated and controversial problem. I think everybody is actuated by sentiment as far as this matter is concerned. But this Committee did view that question rather dispassionately and it thought that no student should be asked to study more than three languages. It is cruel to do so and we would not be doing justice either to the student or to the languages. Therefore, the Committee has stated that no student should be asked to study more than three languages. Of these three languages, the student should be asked to study compulsorily only one language and that is the regional language or mother-tongue. Nobody can take exception to that. Then, what is the other language which he should study almost compulsorily? The Committee was of the view that English should be taught for a longer period than that for which it was now taught under the present system. Everybody now concedes that the importance of English should not be belittled. After all, we should remember that our society has to progress. If we want to progress, there is no use of saying that there is no need for immediate progress and that it is enough if we maintain the *status quo*. How can we maintain the *status quo*? *Status quo* merely means stagnation and stagnation means decay. Therefore, if you want to avoid that and make progress, you must have access to these treasures of knowledge which enable you to reach the higher levels of research and learning. It is now justified that secondary education in the regional language is a good preparation for life for the majority of our students who do not propose to go further. I should say from my experience that it is a pleasure to see our young students studying in the Intermediate class coming

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to the platform during conferences and speaking in a beautiful manner so far as our mother-tongue is concerned. That must be due to the training and learning which the student has had. But he has not got the same amount of knowledge with regard to the English language. He suffers from want of understanding with regard to that. If we succeed with regard to our mother-tongue, there are some good reasons, but, at the same time, the kind of education that we impart to our students, should not belittle the importance of English. A sound knowledge of English is necessary for pupils who are entering the colleges and who are going to play their part in science, research, technological subjects, etc. Therefore, we must give a proper place to that language which equips them with the necessary treasures of higher learning and knowledge and which affords them opportunities for acquiring that knowledge. I must say that in the present world set-up, the field of scientific knowledge is practically the monopoly of European languages. I hope I will not be wrong when I say that it is the English language. It is through that window that light and learning come to all centres and it is that light and learning that permeate the whole society. What is the use of our having a system under which the acquisition of such knowledge is barred? Therefore, in view of the present world set-up, in view of our own equipment in the English language and in the interests of the future generation, the Committee thought that it would be better if sufficient importance was given to the English language. I hope this House as well as the public will agree with the recommendation that the teaching of English should be started from the 5th Standard. It will go on right up for eight years.

Let me now proceed to the next problem. The controversy is not so much with regard to English or the regional language as it is with regard to Hindi. Our recommendation with regard to the study of Hindi was that Hindi or any other Indian language might be an optional subject. I would like to ask whether that is a recommendation which should not be accepted as reasonable by the advocates of Hindi. Unfortunately, in this country, this problem of Hindi has been dealt with on wrong lines. The advocates from the North say that unity will mean nothing unless Hindi is learnt by our students here. At the same time, they are not prepared to learn a South Indian language. In this connection, I saw a directive issued to the local Government which had been published in the "Indian Express", dated 15th October 1957. It is stated in the Press report that the Centre has in this directive issued instructions with regard to the implementation of the programme for the study of Hindi. It is said that for people in the non-Hindi-speaking areas, Hindi is a language to be studied compulsorily and that people in the Hindi-speaking areas should study only a language of North India and that they need not study any South Indian language compulsorily. It seems to me that the authorities have completely ignored the existence of States in the South. Tamil language is a great one. We can divide the whole country into two

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areas. The first category comprises languages which were born from Tamil or perhaps which are more or less of the same family as Tamil and the other category comprises languages which are of the same family as Sanskrit. Besides these two, I do not know of any other great language. Tamil language has got a hoary antiquity. Everybody coming from the North says that it is a beautiful and hoary language. But it seems to me that it is only lip service. If we had seen this directive before making our recommendation, I should have been one of those persons to say that the people in the South need not study Hindi even as an optional subject. Let us wait and see what happens. I do not want to import any heat or controversy into this question, but things must be stated plainly and firmly. As citizens of this State, we must express our views and assert our rights firmly. I have taken pains to study the history of this question. In 1949, Sri T. A. Ramalingam Chettiar fought tooth and nail and gave expression to the scant courtesy shown by the people of the North to an appreciation of this problem. I should like to say that in all such matters majority vote alone would not count. After all, the people in the North have to take us along with them and if they feel that India must be a united one, they must allow us to play our part. India does not consist of the languages of the North alone. Therefore, if I had seen this directive before we made our recommendation, I should have been the first to state before the Committee that it was an unjust directive and that that injustice should be resisted.

SRI T. PURUSHOTHAM: Sir, is it a retaliation against the views expressed in the North?

* SRI T. M. NARAYANASWAMY PILLAI: Sir, I do not know about any retaliation.

THE HON. SRI C. SUBRAMANIAM: I may inform the hon. Member that we have not yet received any such directive. Of course, I know about the publication of the directive in one of the dailies and perhaps in some other dailies also. But, so far we have not received any such directive. If the directive comes, we know how to make a reply.

* SRI T. M. NARAYANASWAMY PILLAI: Sir, if this directive had come, I do not know what would have been our recommendations. After all, one should maintain one's self-respect.

DEPUTY CHAIRMAN: In view of the explanation offered by the Hon. Minister, I think the hon. Member need not press that point any further.

* SRI T. M. NARAYANASWAMY PILLAI: Sir, I do not press that point. But our recommendation was the most innocuous one which should be appreciated by the people in the North. Our

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recommendation is a wise one. If you want me to summarise it, I will do it:—This kind of optional provision is one which shows sound realism. At the same time, it is an act of patriotic statesmanship. But that is not appreciated by others. Here are people who say that they are subject to an alien language. In this part of the country, they are attached to their language so much. At the same time, we are citizens of a country where we must consider the fact that a majority of the people are speaking one particular language. May be that language has not developed; may be it is not as hoary as our own. But the Constitution says that it must become the official language. The Committee was of the view that there was no harm and that it was desirable to study the language of the majority. It may not be comparable to our own language but might be useful in our day-to-day life, in marketing, etc. Therefore, having regard to all these facts, the Committee was of the view that Hindi might be studied as an optional language as any other Indian language. Even though it is so in theory, in practice, no college or school is going to provide for every other language spoken in the country except one or two including Hindi. Therefore, the majority of students will be studying Hindi of their own accord and that is a much better thing than to introduce compulsion. The Committee, of which Dr. A. Lakshmanaswami Mudaliar was Chairman, has given expression to the important psychological factor involved in this question. It has said—

“It was also brought to our notice that in certain areas the introduction of the study of Hindi as a compulsory subject had provoked opposition and steps had been taken to modify the rules framed thereunder. When, however, it was made optional, the study of Hindi was taken up by a large number of students.” That is the opinion expressed by the Committee. Therefore, it is a question of psychology. Wait for ten or fifteen years. We will find in this State a majority of students voluntarily learning Hindi. Therefore, psychologically, we would be much better citizens of the whole of India than we would be if we were compelled to learn Hindi. Compulsion provokes reaction. It will engender prejudice. Therefore, I feel that the present recommendation is an act of patriotic statesmanship. ‘Option’ is the only way in which our young men could be trained to be good citizens of India.

So far as the public are concerned, I was trying to analyse how our recommendations were received and I think that practically there has been no adverse criticism which may be said to be very serious. (The Hon. Sri C. Subramaniam: No hostility.) There are one or two papers which say that Sanskrit has been omitted. I am one who has great respect for that language. No doubt, it has had a great part to play in our culture. In our recommendation it has been given its proper place. Voluntarily, one may study that language. But as between Hindi and Sanskrit, if one prefers Hindi, we cannot blame the person. Can we ask

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a student to learn four languages? That in the secondary stage, one cannot learn four languages is a fundamental fact. Here at present there might be adherents to Sanskrit, to Telugu, to Tamil and to Malayalam. How can we fit in these people into the formula of three languages? But having regard to the present set-up, many people would plump for Hindi. So far as ‘Hindi’, ‘Tamil’ and ‘English’ are concerned, it is one of the most controversial problems set at rest by the Committee. As regards the study of Hindi by the people at large, several non-official agencies have taken interest in the spread of Hindi and I was myself president of one such association in the long past.

SRI V. V. RAMASWAMI : உங்களுக்குக் கொஞ்சமாவது ஹிந்தி தெரியுமா ?

* SRI T. M. NARAYANASWAMY PILLAI : எனக்குத் தெரியாது. தெரியாததைவிடத் தான் அவசியமாகத் தெரியவேண்டுமென்பது. அதெல்லாம் திருச்சியில் இருக்குமபோது . . .

THE HON. SRI R. VENKATARAMAN : You said you were associated with a Hindi Association.

* SRI T. M. NARAYANASWAMY PILLAI : Yes; even in Chidambaram, there are as many as 100 students appearing for the examination. That is the way we should work. If the people in the North try to make use of voluntary agencies for this purpose, then the problem will be best solved.

Sir, on this occasion, I do not know whether I should refer to the problem of official language. This is not exactly covered by the Committee's recommendations. But it strikes me that I should say something about the official language in respect of which our Government have submitted a memorandum to the Central Government. The Union Government have not come to any definite conclusion on this question and, therefore, the time is appropriate. I feel that English should continue to be the official language of the Union at least for some decades. It is difficult to foresee how any other language can replace English as the language of the Union. Though it is a little outside the purview of the subject under discussion, I must point out that our people are unanimous that English should continue to be the official language of the Union for another thirty years and perhaps for a longer time. I have no quarrel with Hindi. But it has to develop; as an ordinary language of communication, it may be used by the people, but to allow it to take the place of English would be doing something violent, something inimical and derogatory to our cultural standards and we will lose our place in the international world. We have a certain place now in the international world, and if we replace English, we will be relegated to some backwaters and will occupy an inferior place in the councils of the world.

SRI MOHAMED RAZA KHAN : The Hon. the Minister for Education is at his best in English. He is not so in Tamil.

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* SRI T. M. NARAYANASWAMY PILLAI: He is good at both. I wish the hon. Member's remarks do not provoke a controversy in respect of one of my favourite subjects. Whatever be the medium of instruction in colleges, if this part of the country is to progress, English should be given a high priority. Learn through English and spread that knowledge to the people through the mother-tongue. English is a store-house of modern thought which should be conveyed to the people through the medium of the mother-tongue. For this purpose, both English and the mother-tongue need to be equally developed.

SRI T. PURUSHOTHAM: He is now learning Sanskrit also. He does not allow any visitors in the morning to see him.

* SRI T. M. NARAYANASWAMY PILLAI: I am very glad about it. When we like certain things, it does not mean that we should develop prejudice for others. We must try to know what is in Sanskrit before we say that there is nothing in it. We must study it if we have the ability, time and inclination for it. So, we should not imagine that it is bad. It is really very good.

SRI A. GAJAPATHY NAYAGAR: ஆங்கிலம் கற்பதற்கு 30 ஆண்டுகள் வேண்டுமென்றால், தமிழைக் கற்பதற்கு 30 ஆண்டுகள் வேண்டியிருக்கின்றனவா என்பது ஒரு கேள்வி.

* SRI T. M. NARAYANASWAMY PILLAI: “மீடியம் ஆப் இன்ஸ்ட்ரக்ஷன்” பற்றிகளும் மந்திரி சொல்லுவார். நான் அதுபற்றிச் சொல்லவில்லை.

The point is this. We have given the utmost possible priority to the study of Hindi. But we are definite that it should not be made a subject for compulsory study. The moment it is compulsorily introduced, we provoke opposition. So, having regard to all the facts placed before us, we thought that it was enough if our students studied Hindi from Standard VIII. That is the stage where the student attains the age of discrimination, so to say. Therefore, our recommendation is one which should commend itself to the House and to the people at large. It does not bar the study of any other language. It is much better, having regard to the set-up of the whole of India, than perhaps the directive which was published in the newspapers recently.

With regard to another point I think the Hon. Minister has given it a quietus. I thought that it was going to develop into a big controversy. I saw in the papers of the 8th or so a controversy started by Rajaji whom we all revere and respect saying that the proposal of the Hon. the Minister for Education to put it on the statute-book was something retrograde and unsatisfactory. Perhaps, he was not aware that what the Hon. Minister had said related to the framework. I just saw two Acts of England and Wales, passed in 1944 or 1945, embodying several provisions and

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giving the gist of the framework and the financial control in respect of these things. In our own State, there was an Elementary Education Act. We had an amendment to that Act also.

On the whole, I am sure, the recommendations made by the Committee would start both elementary education and secondary education on a sounder basis. If people co-operate and work the scheme successfully, it will confer great benefits both on young children and on those studying in higher secondary schools. After all, both these are integrated. And, as the Hon. Minister said, this again is integrated with collegiate education. This is a very important factor for the majority of the people. Therefore, Sir, I must place on record my appreciation of the efforts of the Hon. Minister and the efforts of his Secretary and also thank individually the Members of the Committee for the trouble taken by them to solve this vexed problem which has been engaging the attention of the public for a very long time.

Thank you, Sir.

* SRI G. KRISHNAMOORTHY: Mr. Deputy Chairman, Sir, I should like at the very outset to thank the Hon. the Minister for Education for having so elaborately presented this White Paper.

DEPUTY CHAIRMAN: Please do not take more than fifteen minutes.

* SRI G. KRISHNAMOORTHY: My thanks are also due to him for having enabled me to see in my lifetime one of my suggestions seeing the light of day, namely, the publication of text-books by the Government. The indications he gave in this House, I am sure, will lead the Government to the publication of further text-books and their distribution through Government agency. My only request to him will be that in case it is profitable, the profits should go towards the enhancement of the emoluments of the teachers.

Sir, I thought I could not speak to-day. Hon. Members may not be aware that I have a high stroke of blood-pressure. For fear of collapse I should not exert myself much. (The Hon. Sri C. Subramaniam: Then the time-limit should be reduced to five minutes.) I thought, though I had a severe attack of blood-pressure, I should not miss the opportunity of taking part in the discussion on the White Paper. I am bound in duty to the cause of teachers, whom I represent, to do so.

Now, Sir, with regard to the various points made in the White Paper, I should like to submit some of my suggestions. There is scope for improvement and even the Hon. Minister will admit that there will be always scope for improvement in a field like education. I would have been gladder if the question of compulsion had been tackled in another way by accepting my suggestion of curtailing the hours of schooling. When I was going through the draft syllabus, I really began to laugh within myself when I found that

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girls were to be taught cooking, making cakes, frying and so on, and I wondered why their school-hours could not be curtailed to two and a half hours. They could be made to learn these things from their mothers at home.

Another thing that struck me while going through the draft syllabus was that suggestions could have been given (even now they could be given because it is only in a draft stage) for the guidance of teachers who wrote text-books that in regard to text-books on History, the matter dealt with therein as given in the skeleton draft should be more with reference to the treatment of India as a whole and not with reference to the treatment of India as the Southern region, Northern region, Aryan or Dravidian region and so on. Suggestions can also be given with regard to the writing of Mathematics text-books enjoining on the authors strictly that they should not include any sums about the dilution of arrack or the adulteration of coffee seeds with inferior stuff or the adulteration of milk with water and so on. These suggestions ought to be given because much of the anti-social matter enters into the text-books.

With regard to the midday meal scheme, some hon. Members may think that I was opposed to that scheme. Really I am for it but because it is a social matter, I do not want finance for this to be linked with education. But one thing I must make clear in this connection to the Government as well as to the public and that is, that we, the people of this State, are not so wanting in culture as to refuse to send our children to school for want of a meal, or as to be tempted to send the children to school for the sake of a 'sambar bath' that is to be given there. So, the problem is quite different. Five meals out of the 21 meals to be given to the child during the week cannot and will not solve the problem.

DEPUTY CHAIRMAN: It will solve at least some problem.

* SRI G. KRISHNAMOORTHY: So, let not the Government be under a delusion that attendance will improve by supply of midday meals. Attendance will not improve even after 1965-70 unless the working hours are curtailed and the children are enabled to assist their parents at home besides receiving education at school.

Now, in regard to the question of language, Sanskrit could have been given and even now can be given an alternative place to that of the regional language in Part I. Of course, the suggestions given there, as stated by my hon. Friend Sri Narayanaswamy Pillai, are all unbiassed. But, in spite of it, Part I can say that either the regional language or an alternative classical language can be learnt under it. No harm will come to the regional language because it has been the medium of instruction in schools and will be the medium of instruction in colleges as is envisaged by the Hon. the Minister for Education. Sanskrit should be there not only for the sake of the spiritual benefits that we get, but also for

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the sake of the utilitarian benefits that we will get in order to advance the nation scientifically. If to-day satellites and other things are there, inklings can be found in our Sastras that there were such things even in very olden days. Let us not neglect the vast treasure that is in them.

Now, with regard to revision of the Grant-in-aid Code, nothing definite has been stated after the deliberations of so many committees in such great detail. I would have liked the inclusion of this item, saying that all managements are only agents, that the Government would only give the maintenance grant to them and that the teachers would be paid direct by the Government irrespective of the agencies they served under. I wish such a day dawns soon. Now, the Government have seen for themselves the advantages and effects of such a proposal in the Kanyakumari district. If the Kanyakumari district has got the benefits of such a scheme under the Kerala Act and if the teachers are reaping the benefits of it, I must say that it was all through my efforts. Perhaps, it would be a tall claim. I may tell the hon. Members that I had occasion to address the All-Cochin Teachers' Conference in 1945 under the presidentship of Mr. Kuttikrishnan Nair. If to-day there is the Kerala Bill, the Teachers' Protection Bill, it is because of my suggestions at that conference which were noted and which then formed a register of demands by teachers. The clauses in the Bill are based on my utterances in the Legislative Council in the last four or five years and this can be verified with reference to the printed proceedings of the House. I know no Minister there, I know no teacher there. Still they have taken many of my ideas and they are all in the Teachers' Protection Bill and the benefits are enjoyed by our Kanyakumari district also. Similarly, I think the Hon. the Minister for Education will, in the interests of the teachers, take those ideas and give the teachers protection by bringing forward such an official Bill and avoid the trouble of my bringing forward a non-official Bill.

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Sir, with regard to salaries, I was rather surprised to see some statements made on behalf of the Government that the teachers were contented. No, Sir, they are discontented. If they are contented to a certain extent, it is due to the sympathy of the Hon. the Minister for Education and the way in which the Government have proceeded in the last five or six years in respect of teachers. I have paid a lot of tributes to them. Before six or seven years, only top men were considered and given increments and the elementary school teachers were not cared for at all. Then, I took a pledge as a mission in my life that I should work for the betterment of the condition of elementary school teachers and see that they got something. Therefore, in the last twenty years of my work, I have been able to impress upon those in authority, especially the present Education Minister, the necessity to come to the succour of those at the bottom. The Government began reform from the bottom and have done something for the good of those at the bottom and they are naturally satisfied to some extent.

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Sir, in the matter of pensions, we are yet to hear what steps the Government have taken in the matter. We were also surprised to see some statements that a sum of Rs. 12 had been given to the teachers and that some portion of it might be taken as house-rent. Paying house-rent does not arise in the mufassal. As per the present rules, people who have to pay a rent of at least Rs. 10 or Rs. 15 will be eligible as this is payable only in major panchayat areas. Therefore, paying house-rent to elementary school teachers is nothing. That has some meaning only in towns and cities where there may be middle schools and high schools. Spending Rs. 4 lakhs is nothing for a Government that get sixty crores of rupees a year. If the Government do not come forward to pay that, naturally the teachers think that they have still a major grievance. Let me at once impress upon the Hon. the Minister for Education that we, teachers, want to be a contented lot; we do not want to dissipate our energies in agitations and other things. We really want to see the day when we will have no worry whatsoever so that we may give our undivided attention to education and moulding the nation. Especially at this juncture, when the whole educational structure is modified, I was gratified to hear the Hon. Minister elucidating the various details—why should not the lot of teachers also be improved? Well, it is said that lack of finance stands in the way of improving the lot of the teachers. Is it beyond the wisdom of this Government to find finance for this purpose? Plans can wait, dams can wait. If Government simply attempt, they can just do that. We should remember that it is only the lower strata of teachers that supply the engineers and others and do everything for the advancement of the nation and this State should not lag behind the other States in finding the necessary finance for education and it should be given the first priority. In the White Paper in the list of priorities read out by the Hon. Minister, salary of teachers has not been given the first priority. With regard to the statement that all sections have to advance and that there are people living on Rs. 30 a month, well, it is all true. I have myself pleaded for the betterment of the pavement-dwellers. Of course, the teachers are better than that section of people. What I say is that the moulder of the nation should not be placed in such a plight as he is not to get what is necessary for him even in the Second Plan period when it is said milk and honey would flow. (Interruption: Nobody said that!) When can this poor teacher get his due?

SRI A. GAJAPATHY NAYAGAR : ஆசிரியர்களுக்குக் கொடுக்க வேண்டிய சலுகையைக் கொடுத்துவிட்டு, இவ்வச்சாய்பாடும் போட்டுவிட்டால், கல்விக்காகச் செய்யவேண்டிய சீர்திருத்தம் எவ்வளவு ஆகும்? மொத்தம் எவ்வளவு தொகையாக இருக்குமென்று விளக்கிச் சொல்லும்படியாகக் கேட்டுக்கொள்கிறேன்.

DEPUTY CHAIRMAN : The hon. Member (Sri Krishnamoorthy) is not well. Let him not be disturbed.

* **SRI G. KRISHNAMOORTHY :** I am not inclined to be excited. With regard to the treatment of teachers, I hear that

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even papers relating to teachers are badly delayed. Though it is more than two years since the submission of pension papers of some teachers, no orders have been passed. The delay is more in the offices of the District Educational Officers than in the office of the Accountant-General. I would like that instructions be issued to those officers to interpret the rules liberally. We are all brothers and if the rules are interpreted, let them be interpreted to the advantage of the poor teachers. Why should the rules be interpreted illiberally?

There are cases where teachers retired after 1st April 1955, the crucial date of grant of pension. Their papers are returned as ineligible for pension because they completed their 60th year before 1st April 1955. These teachers were in service with the approval of the department. The teachers are not claiming for those who retired before 1st April 1955. Simply because they attained the age of 60 before 1st April 1955, does it mean that they were not in service on that date? By a simple order from the Hon. the Minister for Education to interpret the rules liberally, the matter could be amicably and easily settled.

There is another anomaly. In the district board, a Headmaster who retired in the middle of the year is allowed to continue till the end of the academic year, while the next First Assistant, if he attains the 55th year by December, is not allowed the same concession. Therefore, I would like some simple rules to be framed with regard to district board schools and other schools to the effect that if a teacher completes the 55th or the 60th year in the middle of a school year, he should be allowed to continue till the end of the school year.

I would humbly request the Hon. the Minister for Education to see that certain demands which do not involve any finance might be conceded to the teachers, like security of service, etc. This may kindly be done at the earliest opportunity and the teachers given relief.

Thank you, Sir, for giving me this opportunity to speak.

* **SRI T. PURUSHOTHAM :** Mr. Deputy Chairman, Sir, I rise to support the motion, and the amendment so ably moved by the hon. Member Sri T. M. Narayanaswamy Pillai. It is pleasing to note that the Legislature Committee was able to produce a unanimous report. On behalf of the Committee, I should like to express how grateful we are to the Leader of the Opposition (Dr. A. Lakshmanaswami Mudaliar) who, in spite of his various engagements at home and abroad, was able to be present throughout the committee meetings and help us in shaping the recommendations. I need hardly say how much we, the people of the State, are obliged to our Education Minister Sri C. Subramaniam for the great work he has done in giving us this new education scheme, which, I am happy to learn, has been considered by other States also as a model one and adopted by them. As a Member of the

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Legislature Committee, I should be failing in my duty if I do not refer to the valuable help and guidance given to us by Sri R. A. Gopalaswami, Secretary to the Government in the Education Department. I am obliged to say this, as the Legislature Committee wanted to record a word of appreciation in the report itself and this would appear to have slipped in the final print. I should next congratulate the Government on the prompt action taken by them to complete the preliminaries for giving effect to the recommendations of the Legislature Committee with a view to the prompt implementation of the proposals. We find that about 40 sub-committees went into the question, and that the sub-committees have done very good work so far to enable the implementation of the scheme with effect from the next academic year. It was apprehended at one time that in spite of the labours of the Legislature Committee, the new scheme would take a long time to be implemented. But we find that the committees have already gone through the preliminary work and that it would be possible to introduce the scheme from the next year.

In regard to the point just now referred to by the hon. Member Sri G. Krishnamoorthy, we find that the revision of the Grant-in-aid Code is also under the consideration of the Government.

In this connexion, I should like to refer to the need for standardization of tuition fees in aided schools. The aided managements raise the school fees as and when they like, and this frequent increase of school fees should be brought under control by the much needed revision of the Madras Educational Rules. Parents are put to great trouble by this, and the Hon. Minister would remember that, when I raised this question on the floor of the House, he assured us that the revision of the Grant-in-aid Code would be taken up shortly, when this question could be considered and I hope that it would be possible now to fix the maximum rates of tuition fees to be levied in aided schools.

Sir, the Hon. Minister has referred to the problem of failures in the S.S.L.C. Examination. I believe the S.S.L.C. Board generally stipulates the percentage of passes every year, and based on that, the examination results are regulated. I believe that no rigid rules should be there regulating the percentage of passes in these examinations. When I heard the Hon. Minister speaking about the nightmare of public examinations, I felt whether we could not abolish the examinations altogether at the S.S.L.C. stage. There need not be a public examination at that stage at all. Though I agree that those students who would take to higher education—academic or technical—might be made to undergo a public examination, there is no need for others to undergo the rigour of a public examination at the S.S.L.C. stage. The issue of a certificate based on school examinations should be enough, and those who pass out of the school with a school certificate should be qualified to seek entry in public service or admission into polytechnics. This would, I think, give great relief to the students

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who wish to end their educational career with the school education and also remove the difficulties which the students experience in public examinations, about which the Education Minister himself has made such strong remarks.

It will be conceded, Sir, that the Legislature Committee has done its best with the financial limitations confronting it. We have to cut the coat according to the cloth. As has been referred to by the hon. Member Sri T. M. Narayanaswamy Pillai, the pupil-teacher ratio has come in for a certain amount of criticism mostly from among teachers. The Committee has recommended that the rule should be so changed that no new teachers are sanctioned for any school unless the number of pupils enrolled exceeds forty per teacher and that thereafter the sanction of additional teachers is regulated at the rate of one teacher for forty pupils enrolled. The Committee had the valuable advice of the Leader of the Opposition (Dr. A. Lakshmanaswami Mudaliar) in this matter, and he made it clear to us that the practice in other countries was in favour of having even a larger pupil-teacher ratio. So it is I think that within the allotted amount under the Five-Year Plan for education, this had to be done. As stated in the recommendation, we are satisfied that this is unavoidable. I assure the Hon. Minister, in the New Delhi conference next week, will stress the need for an adequate allotment for 'Education' for our State.

DEPUTY CHAIRMAN: The hon. Member can continue his speech to-morrow.

* SRI T. PURUSHOTHAM: I will finish my speech in a few minutes, Sir. The question of improvement in the pupil-teacher ratio or the teachers' emoluments would mean more funds. We are confident that the Finance Minister would press our demands in the New Delhi conference, next week, of the State Finance Ministers. I should, at the same time, say that the teachers on their part should realize their responsibility and should not mind the extra strain. On the other hand, they should willingly join in the country's effort to solve such problems.

The larger issue, viz., the study of languages, has been satisfactorily settled. The formula proposed by the Legislature Committee has been received well by all sections and I am glad that the Legislative Assembly has given its unanimous approval. I hope this House also would bestow its unanimous blessing by accepting this as well as the other proposals contained in the report before us. One aspect of the proposal struck me and I thought I should mention it here. The study of all languages is grouped into one and divided into three parts, Part I—Regional Language, Part II—Hindi or any other Indian language and Part III—English or any other non-Indian language. I feel that this order should be maintained in the arrangement of papers for public examinations. In the S.S.L.C. Examination, Tamil was

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the First Paper before and then English and so on. It is not known why this order has been changed now and English is made the First Paper and then Tamil and so on. The old order should be restored. The order laid down in the present scheme, viz., Part I—Regional Language, that is, Tamil, Part II—Hindi and Part III—English, should be followed in the scheme of examinations also.

SRI K. BALASUBRAMANYA AYYAR: What is the magic in the order?

* SRI T. PURUSHOTHAM: Sentiment counts in these matters. We are all anxious that Tamil should be introduced in all spheres. At least in this matter, let us give priority to Tamil. I would, therefore, respectfully request the Hon. Minister to see that the present order is changed and the old order restored. The old order was introduced during the time when Sri T. S. Avinashilingam Chettiar was the Education Minister. I believe it might have been changed without the knowledge of the Government. I would request that from the 1958-59 examinations the old order should be restored in view of the unanimous decision of the other House, and I hope this House also, with regard to the language problem and the order prescribed in this report. I appeal to the enlightened Vice-Chancellors here that even with regard to the University Examinations, the First Paper should be the regional language and then English and so on. This order should be introduced even at the University level.

DR. V. K. JOHN: What about priority in this House?

* SRI T. PURUSHOTHAM: Yes, when it comes to that, I shall take it up.

The last point on which I wish to speak is about the medium of instruction to which the Hon. Minister has referred just now. It has been repeatedly stressed in this House and in the other House that in elementary and secondary schools and also in the colleges, the regional language should be adopted. The Hon. Minister has just now explained that the Government have not yet come to a decision in the matter and that they are awaiting the report of the Expert Committee. The public are very much interested in this problem and the common man does not know whether the matter has been pending with the Vice-Chancellor or the Director of Public Instruction. With due respect to the Hon. the Minister for Education, I may state that he has got an obligation to see that this matter is not allowed to be dragged on. We are glad to note that in the matter of text-books and training proper teachers for the switch-over, definite action is being taken by the Government. This is all the more necessary, because we have to decide the language for the pre-professional course. If till the XI standard in the secondary schools we are going to have Tamil, switch-over to Tamil in the case of collegiate education is a natural corollary and immediate action is called for.

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Sir, the report of the Official Language Commission has been released. The Commission would seem to favour country-wide single medium of instruction in University education. It is interesting to note, in this connexion, that the Principals of various colleges in the City affiliated to the Madras University and, I believe, the representatives of the Venkateswara University were also here—I do not know about the Annamalai University—and also experts in the educational field seem to have met the Committee appointed by the University Grants Commission a day or two before and pleaded for the continuance of English as the medium of instruction at the University stage for a longer period and the representatives also seem to have told the Committee that if and when a change is made, it should be the regional language—Tamil—and not Hindi. As this language problem is greatly agitating the minds of the people of this State, I hope the Government will come to definite conclusions and see that the Expert Committee constituted by them do not delay matters. I feel that the Government should convey to the Parliamentary Committee, which is considering the Official Language Commission's Report, their reaction to the recommendations of the Official Language Commission with specific reference to the medium of instruction in our educational institutions about which we are concerned to-day. With these words, I wholeheartedly support the motion and the amendment moved by the hon. Member Sri T. M. Narayanaswamy Pillai.

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

The House then adjourned.

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APPENDIX

[Vide answer to starred question No. 33 asked by Sri V. V. Ramaswami, at the meeting of the Legislative Council held on 12th November 1957, page 52 supra.]

BOUNDARY DISPUTE—MADRAS-ANDHRA PRADESH
BORDER—REPORT OF SRI H. V. PATASKAR.

The question of reorganization of States assumed definite importance after the attainment of independence.

The present State of Andhra once formed part of the former composite State of Madras. There was a suggestion before the Constituent Assembly of India that Andhra should be mentioned as a separate State in the Schedule to the Constitution, in which the States of India were to be mentioned, as was done in the case of Orissa and Sind under the Government of India Act, 1935. The Drafting Committee of the Constituent Assembly considered this suggestion and were inclined to do so; but on a fuller consideration, the Committee thought that that would not be enough and, as there were other claims of a similar nature from other areas also, they recommended that a Commission should be appointed to work or inquire into all relevant matters not only as regards Andhra but also as regards other linguistic regions, with instructions to submit its report in time to enable any new States whose formation it may recommend to be created under section 290 of the Act of 1935 and to be mentioned in the schedule before the Constitution is finally adopted. And on this recommendation a notification was issued on June 17, 1948, appointing a Commission known as the Dar Commission, to report on the question of the formation of the Provinces of Andhra, Kerala, Karnataka and Maharashtra.

The Dar Commission, however, reported on 10th December 1948 that no new Provinces out of those referred to them should be formed for the present. Thereafter, this report was considered by a Committee of the Congress, consisting of Shri Jawaharlal Nehru, Sri Vallabhbhai Patel and Dr. B. Pattabhi Sitharamayya, known as the J.V.P. Committee. This Committee was of opinion that "Andhra Province should be formed, but that it should be confined to the well-defined areas mutually agreed upon and confined to the Province of Madras, and that it can be brought about only with the willingness and consent of the other component parts of Madras Province". They also stated that it did not rule out the possibility of changes or additions at a later stage.

In pursuance of this report, the Working Committee of the Congress passed a resolution on 16th November 1949 recommending that steps should be taken forthwith to set up an Andhra Province. They resolved that—

(1) the Government of India be requested to take steps to form forthwith the Andhra Province consisting generally of the undisputed Andhra districts but without the City of Madras;

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(2) the exact demarcation should be made by a Boundary Commission to be appointed therefor.

The Government of India thereafter appointed a Partition Committee to implement this resolution of the Congress Working Committee. This Partition Committee consisted of well-known leaders of Tamil Nad and Andhra. The Andhra representatives on this Committee were Sri N. Sanjeeva Reddy, the present Chief Minister of Andhra, Sri B. Gopala Reddi and Sri T. Prakasam, former Chief Ministers of Andhra, and Sri Kala Venkata Rao, one of the present Ministers of Andhra. This Committee submitted its Report on 3rd January 1950. This Report pointed out that there were disputes only in respect of areas on the borders of Chittoor, Anantapur and Bellary districts, that only minor adjustments were likely to be required in regard to the exact demarcation of the boundary of the Andhra Province in these few disputed areas, and that the Andhra State should therefore be formed immediately including the whole of Anantapur and Chittoor districts and the Adoni, Alur and Rayadrug taluks of Bellary district. They also recommended that these minor adjustments might be left to be dealt with at the administrative level between the Governments of Andhra Province and the residuary Madras Province, and that only in the event of these two Governments being unable to reach an agreement, the appointment of a Boundary Commission would become necessary. The recommendations made by the Partition Committee, however, were not immediately carried out.

On December 19, 1952, the Prime Minister informed the House of the People that the Government of India had decided to establish an Andhra State consisting of the Telugu-speaking areas of the then Madras State but not including the City of Madras, and that Government were appointing Mr. Justice Wanchoo, Chief Justice of the Rajasthan High Court, to report on the financial and other implications of this decision.

In February 1953 Mr. Justice Wanchoo submitted his report.

Again on March 25, 1953, Sri Jawaharlal Nehru as Prime Minister made a statement in Parliament referring to his former statement of December 1952 and further stating that the basic considerations which have to be kept in view are that an Andhra State had to be established and that it should consist of the Telugu-speaking areas of the present Madras State. Further that the City of Madras is not to be included in the proposed Andhra State. The Andhra State, therefore, was to consist of what might be called the undisputed Telugu-speaking areas of the present Madras State. At a subsequent stage a Boundary Commission or Commissions may have to be appointed to determine the exact boundaries of this new State. As this investigation might involve some delay, it is desirable that the State should be constituted as early as possible on the basis of the existing boundaries of the districts except, in one case, where the boundary might be according to taluks. The Andhra State will consist of the following

End of
1949.

January
1950.

December
1952.

February
1953.

March
1953.

1955.

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eleven districts: (1) Srikakulam, (2) Visakhapatnam, (3) East Godavari, (4) West Godavari, (5) Krishna, (6) Guntur, (7) Nellore, (8) Kurnool, (9) Anantapur, (10) Cuddapah, and (11) Chittoor. It will also consist of a part of the Bellary district". And then the Prime Minister further stated that a Boundary Commission or Commissions would be appointed after the establishment of the Andhra State to determine the boundaries of that State and to recommend such adjustments as may be considered necessary in regard to the boundaries of that State with the residuary State of Madras and the Mysore State.

August 1953.

Following this announcement, a Bill was introduced in the House of the People on August 10, 1953, to provide for the formation of the Andhra State. The Bill was passed by Parliament and the New State of Andhra came into being on 1st October 1953.

October 1953.

It will thus be seen that the new State of Andhra was to be carved out of the composite State of Madras taking district as the unit except in the case of the district of Bellary wherein taluk was taken as the unit and the question of the rectification of the border between these two States was to be dealt with after the formation of the State of Andhra by the appointment of a Boundary Commission. The question of the appointment of such a Boundary Commission was considered by both the Governments concerned immediately after the formation of the State of Andhra on 1st October 1953 and it was decided that the census slips of the disputed areas in the border districts should be sorted out and village-wise linguistic data of the areas prepared before the question was pursued further. The Government of India were therefore approached and they appointed Sri J. I. Aruputhanathan, Deputy Secretary to the Government of Madras, as the Superintendent of Census Operations, and Sri G. Bhimasankaran, a Deputy Collector of the Andhra State, as the Deputy Superintendent of Census Operations, for the collection of census particulars of the border villages. They were directed to sort out the 1951 census slips of all the villages in the following sixteen taluks and compile the village-wise language data:—

Chittoor district—

- (1) Kalahasti.
- (2) Puttur.
- (3) Tiruttani.
- (4) Chandragiri.
- (5) Palmaner.
- (6) Chittoor.

Chingleput district—

- (7) Ponneri.
- (8) Tiruvallur.
- (9) Saidapet.

North Arcot district—

- (10) Arkonam.
- (11) Gudiyatham.
- (12) Wallajapet.
- (13) Tiruppattur.

Salem district—

- (14) Hosur.
- (15) Krishnagiri.

Nellore district—

- (16) Sulpurpet.

June 1955.

This work was completed by the end of June 1955 and the village-wise linguistic data in respect of the villages in these taluks were furnished to the Governments of Andhra and Madras.

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The Superintendent of Census Operations also furnished maps of the sixteen taluks indicating therein the areas where Telugu, Tamil or other languages are predominantly spoken.

In July 1955, the Government of Madras, by their letter, dated 2nd July 1955, addressed to the Government of Andhra suggested that the border dispute between Andhra and Madras may be settled by mutual agreement between the two Governments and that representatives of the two States may sit together in a conference for the purpose. The Government of Madras also suggested the following broad principles on which the readjustment of the boundary between the two States may be effected:—

July 1955.

(1) The boundary line may be a continuous one and isolated pockets should be avoided to the extent practicable.

(2) The village should be the unit for consideration and partition of villages should be avoided.

(3) Villages with over 50 per cent Telugu-speaking people should be incorporated in the Andhra State to the extent practicable and *vice-versa*.

(4) Due consideration may be given to geographical features such as hills, forests and rivers as constituting natural boundaries between the two States and to economic features such as irrigation sources and their ayacuts being in the same State.

In August 1955, the Government of Andhra replied to the letter of the Government of Madras. While agreeing generally to the principles suggested by the Government of Madras, the Government of Andhra further suggested as follows:—

August 1955.

"In respect of villages where there is a clear numerical majority of over 50 per cent Tamil or Telugu, as the case may be, there is no difficulty. Where, however, the inhabitants of a village consist of people speaking other languages besides Tamil and Telugu, and where neither the Telugu nor the Tamil speaking people constitute over 50 per cent of the total population of the village, the principle referred to above cannot apply. In such cases, irrespective of other language groups, the village should be absorbed in Andhra or Madras, as the case may be, according as whichever of the two linguistic groups is in a majority. To illustrate the point: If, in X village, the population is 40 per cent Telugu, 30 per cent Tamil and 30 per cent other languages, the village should go to Andhra and this would apply *vice-versa* also. This is emphasised because the settlement is only between two major linguistic groups or territories".

This principle had been suggested by the Government of Andhra as the principles suggested by the Government of Madras did not cover cases where neither the Tamils nor the Telugus had an absolute majority.

It will thus be noted that at this stage of the negotiations between the two Governments, except for areas on the border where the villages had neither a Tamil nor a Telugu majority, there was an agreement between both States with respect to the

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criteria on which the border between the two States was to be adjusted. One of these criteria took the village as the unit for the purposes of adjustment; the other criterion was that isolated pockets should be avoided; the third was that a majority of over 50 per cent of any language in a village would be enough for the purpose of adjustment of this boundary; and the fourth was that due consideration should be given to (1) geographical features such as rivers, hills, which constitute natural boundaries, and (2) economic features such as irrigation sources and their ayacuts being in the same State.

September 1955. The States Reorganization Commission, which had been appointed in the year 1953 to consider the question of the reorganization of States in the Indian Union generally, submitted their report to Government on 30th September 1955. In paragraph 291 of their report, they laid down the basis of their report, with regard to matters which they had taken into consideration. In that paragraph 291 they state—

“In our scheme of reorganization, we have adopted the district as the basic unit for making territorial readjustments. This is because we feel that districts have developed an organic and administrative unity and an economic life of their own, and any adjustments below the district level, therefore, should normally be avoided. If any such adjustments are considered necessary, they should be made only by mutual agreement. We have departed from this rule only when, for ensuring geographical contiguity or for some other important administrative or economic considerations, detachment of part of a district has become imperative.”

Then again in paragraph 298 they state—

“As we have observed earlier, we do not regard the linguistic principle as the sole criterion for territorial readjustments, particularly in the areas where the majority commanded by a language group is only marginal. It may also be recalled that, on the basis of the evidence tendered before it, the Dar Commission had come to the conclusion that it would not be proper to describe any area as unilingual unless the majority of one language spoken in that area was at least 70 per cent and that any area below that should be considered as bilingual or multilingual as the case may be. We are generally in agreement with this view, but in our opinion, the mere fact that a certain language group has a substantial majority in a certain area should not be the sole deciding factor.” In effect, therefore, the States Reorganization Commission have formulated their proposals treating normally a district as the unit and 70 per cent as the necessary majority of a linguistic area for readjustment.

The Commission, however, left out of their consideration the question of the adjustment of the boundary between the States of Andhra and Madras. They state in paragraphs 395 and 396 of their Report—

“395. The boundary of the Andhra State in the South has already been the subject-matter of discussion and the Prime

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Minister's statement in Parliament, dated 25th March 1953, made it clear that a boundary commission would in due course demarcate the southern and south-western boundaries of the Andhra State. The Andhra Government has also conceded in the memorandum presented to us that the claims of the Tamilians to areas in the Puttur, Chittoor and Tiruttani taluks of the Chittoor district may be considered after the census slips have been sorted and village-wise language figures are available.

396. Some progress has now been made in this direction and the Madras-Andhra border disputes may be settled satisfactorily by negotiations between the two Governments. We do not feel called upon in these circumstances to make any particular recommendation.”

It will thus be clearly seen that the States Reorganization Commission deliberately left out of their consideration the question of the border dispute between Andhra and Madras which was already undergoing a different process of settlement. Some definite principles of settlement had already been agreed to between the two States. Village-wise language figures were being collected and this much progress had already been made in the direction of a settlement of that dispute. The basis of the settlement of this dispute is thus different from the basis adopted by the States Reorganization Commission for deciding the matters with which they dealt in their report.

A conference of the representatives of the two Governments, both Ministers and Officials, was called at Madras on the 3rd and 4th November 1955 for discussion with a view to reach an agreement. For the purposes of this conference, the Survey Department of the Government of Madras had specially prepared a map of the border area in dispute, and a copy of that map was handed over by the Government of Madras to the Government of Andhra. In order to understand the border dispute in its proper perspective, this map is very useful. It is based on the information made available from the records of the 1951 census. In this map, forest areas have been indicated in black dots. Every village has been given a code number and the numbers noted in the map are the code numbers adopted at the 1951 census. The villages in which the Tamil population exceeds 50 per cent have been shaded in green, while those in which the Telugu population exceeds 50 per cent have been shaded in red. The villages in which the Kannada speaking population exceeds 50 per cent have been shaded in yellow, and villages in which neither the Tamil nor the Kannada speaking population exceeds 50 per cent have been shaded in purple. The present border between the two States is shown in a broad line shaded black at the end and grey above it.

A copy of this map was also handed over to me when I went to Madras in December 1956.

This Conference held in November 1955, however, did not succeed in resolving the difference with respect to the areas where neither the Tamils nor the Telugus were in majority. As a result

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of the break-down of this Conference, the Government of Madras and Andhra approached the Ministry of Home Affairs. The Government of Madras pressed for the appointment of a Boundary Commission, while the Government of Andhra, though they agreed to the appointment of a Boundary Commission, suggested the postponement of the appointment of the Commission till a final decision had been taken by the Government of India on the Report of the States Reorganization Commission. The Government of Andhra at a later stage (on 21st June 1956) also suggested to the Government of India to have the Madras-Andhra dispute considered along with the boundary disputes between Andhra and Orissa, Andhra and Mysore, and between other areas that may arise as a result of the general reorganization of States carried out with reference to the recommendations of the States Reorganization Commission. The Government of Andhra urged that the Madras-Andhra border dispute should not be treated as an isolated problem and that that dispute also should be settled on the basis of uniform principles which the Government of India should formulate for the settlement of all boundary issues, existing or which may arise in future, between the States in India.

June
1956.

It would thus be seen that the smooth course of the settlement of the border dispute between Andhra and Madras was interrupted by the recommendations of the States Reorganization Commission.

It is clear from what I have stated earlier that at the time when the States Reorganization Commission were considering the question of readjustment of States generally, Andhra had already been formed and the question of adjustment of the border between Andhra and Madras had reached an advanced stage of settlement and some definite criteria for the settlement of that dispute had already been agreed upon between the parties to the dispute. The Andhra Government themselves in their Memorandum submitted to the States Reorganization Commission had conceded that "the claim of the Tamilians to areas in Puttur, Chittoor and Tiruttani taluks of the Chittoor district will be considered after the census slips have been sorted and village-wise language figures are available." This shows that even according to them village was to be the unit of settlement of this dispute in the taluks of Puttur, Chittoor and Tiruttani. The Commission itself refrained from applying the principles which they had set before themselves for the purpose of their readjustment, to this dispute between Andhra and Madras and they rightly mentioned in their Report that they were not called upon to make any recommendation about this border dispute. It will thus be seen that the criteria laid down by the States Reorganization Commission in their Report for the purpose of reorganization of States generally cannot have any bearing on the settlement of this particular dispute. Similarly, what action Government took with regard to the proposals of the States Reorganization Commission with respect to the readjustment of other States cannot have any bearing on the present dispute. It is desirable in the interest of the Governments and the people of both the States of Madras and Andhra that they should try to

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abide by what had been agreed between them with respect to the bilingual areas on the border of Andhra and Madras before the report of the States Reorganization Commission.

Some time in the beginning of December 1956, both the Chief Ministers of Madras and Andhra were good enough to agree that this dispute should be left to my mediation. Decem-
ber 1956.

I went to Madras in the third week of December 1956 and heard the points of view that were urged by the Government of Madras. I also received representations from the Ikya Tamil Nad Association and the Tamil Nad North Boundary Protection Committee. A large number of people from the town and taluk of Tiruttani also came and saw me at Madras. I also received representations from some persons from Hosur taluk who put forth the claim that that taluk should be included in the Mysore State. In fact, when I was returning, I met at the Renigunta railway station persons who had come all the way from Hosur to press for the inclusion of Hosur in the State of Mysore. They also submitted a memorandum.

Shri Nijalingappa, the Chief Minister of Mysore, probably on coming to know that I was going to mediate in the dispute between the States of Madras and Andhra about their border, wrote a letter on the 19th December 1956 to the Union Home Minister suggesting that I should also be asked to hear the representatives from the Talawadi firka in Gobichettipalayam taluk of Coimbatore district and the representatives of Hosur taluk in Salem district. He also wrote to me the same day, sending me a copy of his letter to the Home Minister, Government of India. He desired that so far as these two matters were concerned, the Government of Mysore should also be made a party and heard and that these matters should be decided after hearing them. Decem-
ber 1956.

It would be seen that, so far as the dispute regarding Talawadi firka is concerned, it is a dispute between the State of Madras and the State of Mysore only and that the Andhra State has no connection with that dispute. It cannot be a dispute regarding the border between Andhra and Madras which I am trying to mediate. The dispute regarding Hosur is a triangular dispute among the three States of Mysore, Andhra and Madras, and in which no language group, whether Kannada, Telugu or Tamil, has a majority of over 50 per cent either in the taluk as a whole or in the majority of the villages in the taluk.

It does not seem desirable that, at this stage, a dispute with regard to any other area or with any other State should be mixed up with the border dispute between Andhra and Madras. There had been virtually an agreement between these two Governments about the criteria for deciding the border dispute in regard to bilingual area on their border. They did not agree only about the trilingual area, or rather the area in which neither the Tamilians nor the Telugus had over 50 per cent majority, and that is only a small part of the dispute which can be separately dealt with

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as between the two States of Andhra and Madras. Besides, I am only mediating because of the agreement for such mediation by the Chief Ministers of the two Governments of Andhra and Madras. The Chief Minister of Madras has expressed in his letter, dated 21st January 1957, to the Chief Minister of Mysore that the Madras Government are definitely opposed to agree to my extending my enquiry to any claims that may be put forward by the Mysore State. Under these circumstances, I am unable to take into consideration in any manner whatsoever the claims of the Government of Mysore with regard to their dispute with the State of Madras.

After my visit to Madras, as already stated earlier, in the third week of December 1956, I wanted to follow it up by a visit to Hyderabad for hearing the case of the Government of Andhra as well as the case of the people from Andhra who may have to say anything about this border dispute. It was, however, suggested to me that I should better postpone it owing to the impending general elections in February 1957. Such disputes always create excitement in public mind and I therefore thought it desirable to postpone completing the enquiry then. Ultimately in Delhi towards the end of May 1957 I met the Chief Ministers of Madras and Andhra and then went to Hyderabad to complete the enquiry on the 8th and 9th of June 1957. The Madras Government had also then sent their Secretary to Hyderabad to supply me with any information which I needed. I gave a copy of the Memorandum submitted to me at Madras by the Madras Government to the Andhra Government and the latter in turn submitted to me their Memorandum with regard to this dispute. Both these Memoranda are attached to this report. Representatives of several organizations and individuals particularly, from Hosur came to Hyderabad to present their case. I thus completed the enquiry and heard numerous people on both sides as well as received representations from several individuals and organizations.

It will be seen from what has been stated earlier that except in regard to the trilingual area, there has been virtual agreement with respect to the basis of the dispute between the two Governments regarding the bilingual areas of the border. If we look at the map which has been prepared by the Survey Department of Madras on the basis of information supplied to them at the instance of the Government of India from the census of 1951, it will be seen that the border between the two States of Madras and Andhra extends from the Bay of Bengal at the eastern end up to where the borders of the taluks of Palamner and Krishnagiri meet the border of the Mysore State at the western end.

The accuracy of this map is challenged by the representatives of Andhra. It was pointed out in respect of some villages that there is an abnormal variation in the percentage of the population of the Andhra and the Tamils in the census of 1951 as compared with the census figures of 1931. Such cases are very few and it must be noted that the two officers, one of Madras Government and one of Andhra Government, were appointed by the Government of India in 1953 to collect the census particulars of border village

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and it was on the basis of particulars collected by them that this map has been prepared. No alternative map has been prepared or produced by the Andhra Government. There must be some finality to such matters and in the absence of another and different map produced by the Government of Andhra, I hold this map correct for the purposes of my report.

In view of what has already been stated above, the most equitable and just way to decide this border dispute will be to settle it on the basis of the four principles already mentioned on page 6 of this report and which were agreed to by both the Governments of Andhra and Madras with respect to the adjustment of the boundary in the bilingual areas of the border.

There was no agreement with regard to the trilingual areas in dispute between the parties. These are areas in which neither the Tamils nor the Telugs have a population of over 50 per cent. Such areas are mainly situated at the eastern end of the border and are in the two taluks of Hosur and Krishnagiri.

Krishnagiri taluk.—In Krishnagiri taluk, such trilingual area is in the north-west corner of the taluk. That area is surrounded by Palmaner taluk of Andhra on the eastern side, by Hosur taluk on the western side, by the Mysore territory on the northern side and by the remaining part of Krishnagiri taluk on the southern and part of the eastern side. As will be seen from the combined map, the only predominantly Telugu villages in the north of Krishnagiri taluk are villages Nos. 1, 3, 9, 15, 18, 23 and 24 and an enclave of Hosur taluk in Krishnagiri taluk, being village No. 11. Villages Nos. 1, 3, 9 and 15 are not near the border between Andhra and Madras; villages Nos. 18, 23 and 24 are near this border but they are surrounded on three sides by trilingual area and on the fourth side by forest area. There is thus no predominantly Telugu area in this north-western portion of the Krishnagiri taluk except for the eight scattered villages mentioned above. In the rest of Krishnagiri taluk there are only five Telugu villages but they are all pockets in Tamil area. Krishnagiri is a predominantly Tamil taluk, with 64.2 per cent Tamil against 19.1 per cent Telugu population.

As regards the trilingual area in Krishnagiri taluk, there is no justifiable reason why the whole or any part of this area in which the Telugus are not over 50 per cent of the population should be transferred to Andhra.

Hosur taluk.—Hosur taluk is again a trilingual area and the Andhras claim either the whole or a large portion of it on the ground that, even if the Telugus are not over 50 per cent in this taluk, they form the largest single majority. According to the 1951 census, the Telugu population accounts for 38.4 per cent of the population, Kannada accounts for 31.5 per cent and Tamil accounts for 22.4 per cent. It is contended by the Government of Madras that Hosur cannot form part of any border dispute between Andhra and Madras for the simple reason that it is not on any such border and that this taluk is not contiguous to any

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area in the present State of Andhra. In order to have this contiguity with the State of Andhra, the Andhras lay claim to a portion in the north-west corner of Krishnagiri taluk already referred to in the previous paragraph. This portion also is mainly a trilingual area. They say that this portion of the Krishnagiri taluk, now known as Vepanapalle firka, was once included in the Hosur taluk and formed part of what was known as the Berikai Estate which extended to other parts of Hosur taluk also. In 1921, some seventy-nine villages were transferred from Hosur taluk, and these seventy-nine villages included the area now known as Vepanapalle firka in Krishnagiri taluk.

What was done in 1921, i.e., long before this question arose, has now to be treated as not having been done and this area has to be treated as if it formed part of Hosur and then Hosur would be contiguous to Andhra and the dispute about Hosur could be regarded as a border dispute. I think this is too far-fetched to be seriously considered. We can at the most take into consideration the state of things as they existed at the time it was decided to form Andhra, and even at that time Hosur was not on the border of these two States, and the dispute about Hosur even then could not have been regarded as a border dispute.

In order to show contiguity of Hosur taluk with Andhra, the Andhra representatives urge that there are eleven villages in the north-west of Krishnagiri taluk which form a contiguous territory to Andhra and Hosur and in which the Telugu population is over 50 per cent according to the 1951 census. These eleven villages are being mentioned as Nos. 24, 23, 18, 17, 10, 9, 15, 11, 3, 2 and 1. The map clearly shows that out of these, village No. 2 has not over 50 per cent of Telugu population. As already mentioned, villages Nos. 18, 23 and 24 are surrounded on three sides by trilingual area and on the remaining side by forest. The Andhras state that if we take separately this group of 11 villages, then the Telugus have a population of 53.6 per cent in all of them put together and it becomes a Telugu area contiguous to Andhra. I think there is no reason why this device of grouping these particular 11 villages should be resorted to except to provide by this manipulation a contiguity with the border between Andhra and Madras for enabling the Andhras to lay claims to Hosur taluk which does not adjoin this border. I am not influenced by the logic, reason or justice of this suggestion and I cannot accept it. I cannot also for the purposes of my decision, attach any significance to the fact that Vepanapalle firka in Krishnagiri taluk and some other areas in Hosur taluk formed part of one Berikai Estate which was abolished in 1950.

As already stated, the Government of Mysore are laying claims to this area and it is a triangular contest. I have refrained from dealing with the claim of Mysore for reasons already mentioned on page 15 of this report. It would be unjust and improper to decide this question in the absence of one of the parties. I also agree with the contention of the Government of Madras that it

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is outside the scope of my inquiry to deal with the question of Hosur which is not on the border between Andhra and Madras as it exists now, or even as it existed at the time when it was decided to form Andhra.

Tiruppattur taluk and Palamner taluk.—The next portion of the border beyond Krishnagiri to the east is between the taluk of Tiruppattur in the North Arcot district of Madras and Palamner in the Chittoor district of Andhra State. So far as Tiruppattur is concerned, there is a claim by the Government of Madras for transfer of two tanks and the forest areas surrounding them to Madras. This claim is based on principle No. 4 agreed to between the parties that the irrigation sources and their ayacuts should, as far as possible, be in the same State. These two tanks irrigate lands in the villages of Javadiramasamudram and Golapalle in Tiruppattur taluk. If the irrigation sources and their ayacuts are in different States, it is but natural that some difficulty is caused to the cultivators depending on that irrigation. The Madras Government have, in fact, pointed out some of these difficulties. These two tanks are just beyond the border surrounded by a large forest area and there is no Telugu village nearby. They can only be of use to these villages in the Madras area. They are small tanks and the area covered by these tanks and the small area of forest between these tanks and the border of Andhra should be transferred to Madras. These villages are shown in the map sent by the Government of Madras to the Government of Andhra with their letter No. 667/54-9, dated the 24th November 1954, and addressed to the Chief Secretary to the Government of Andhra. A copy of that letter and the map sent along with it is appended to this report. It has not been possible for me to mark this area on the combined big map of the border.

Gudiyattam taluk and Palamner.—I next consider the question of adjustment of the border between Gudiyattam taluk in Madras and Palamner taluk in Andhra. It will be seen from the map that in this border no adjustment is necessary on the basis of the four principles already mentioned.

Chittoor.—We shall next deal with the boundary between Chittoor taluk in Andhra and Walajapet taluk and part of Gudiyattam taluk in Madras. As regards Chittoor taluk, the Madras Government have claimed the following two small blocks:—

(1) The area near the south-west corner of the taluk adjoining Gudiyattam taluk and comprising villages Nos. 299, 290, 297, 298, 295, 302/1, 302/2, 300 and 301 and the small forest area on the east lying between these villages and Gudiyattam taluk and

(2) The area in the south-east corner of the taluk consisting of villages Nos. 368, 363, 337, 248, 277, 280, 279, 351, 352, 353, 354, 365, 364, 366, 375, 374, 373, 372, 371, 370 and 369 and the small forest area within this block.

These two areas have a majority of over 50 per cent of Tamils, they are near the border and should, therefore, be transferred to the Madras State.

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The south-eastern border, therefore, will run now to the east of villages Nos. 367, 360, 362 to the east and north of village No. 333, to the east of villages Nos. 331 and 330, to the south of village No. 334, to the east of village Nos. 340, 341, 344, 346, 278 and 275, to the south of villages Nos. 246, 245, 276, 282 and 287.

Ponneri taluk.—The remaining part of the Andhra-Madras border lies between Arkonam taluk, Tiruvallur taluk and Ponneri taluk of Madras and Puttur taluk, Kalahasti taluk and Sulerpet taluk of Andhra. For convenience, it is better to deal with the question of this part of the border from the eastern end. At this end of the border is the Ponneri taluk in Chingleput district of Madras State. To the north of Ponneri taluk are the taluks of Sulerpet and Kalahasti in the State of Andhra. The northern portion of the taluk of Ponneri consists of some forest areas and a group of villages with a Telugu population of over 50 per cent. According to the principles adopted in dealing with the dispute on this bilingual border, the following areas of this taluk should be included in the State of Andhra and the border adjusted as stated below. The Madras Government have no serious objection to some of these areas being transferred to Andhra. They state in their memorandum as follows:—

“As will be seen from the combined map, Andhra Pradesh can reasonably claim the area lying to the north of villages Nos. 43, 48 and 50 and west of the villages Nos. 43, 42, 45, 69, 72, 73, 148 and 133.”

The southern boundary of the area to be transferred to Andhra Pradesh according to them should be along the southern boundary of village No. 141, the adjoining forest to the west, villages Nos. 62 and 61 and the large forest to the west. The revised eastern boundary between the two States, according to them, should run along the western boundary villages Nos. 73 and 72, the adjoining forest to the north, village No. 42 and the northern boundary of villages Nos. 43, 48, 50, 49 and 52. Besides this area, I think the area comprising villages Nos. 69, 144, 145, 135, 136, 137, 138 and 139 should also go to Andhra. Out of these, villages Nos. 136 and 139 have got a majority of Tamil-speaking people. But village No. 136 is surrounded almost on all sides by Telugu-speaking area. Village No. 139 is surrounded on three sides by Telugu-speaking area and on the fourth side by forest area. The forest area here also which is surrounded on all sides by Telugu-speaking area, should be transferred to Andhra State.

Tiruvallur.—I would next like to deal with the area in Tiruvallur taluk in the Chingleput district of Madras State. The northern portion of this taluk is predominantly Telugu area and it should go to Andhra. The border, therefore, in this area should be so adjusted that the boundary line between the two States will be to the south of villages Nos. 85, 84, 63, 73, 77, 76, 53, 52, 48, 67 and 64 up to the limits of Tiruttani taluk. If the border is shifted in this way, there will be some area consisting of villages Nos. 6, 20, 21, 22, 23, 24, 25, 26, 27, 34, 32, 40, 35, 36, 66, 49

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and 75 which has got a majority of people speaking Tamil language. But as this area is surrounded on all sides by areas where there is a majority of Telugu-speaking people or by forest, this area forms a pocket in the Telugu area and should, therefore, be transferred along with the rest of the Telugu-speaking area to Andhra Pradesh.

The taluk of Puttur in Andhra adjoins the area proposed to be transferred to Andhra as mentioned above. In this area there is a project known as the Araniar Project. At present a portion of the Araniar Project reservoir and the land required for diverting the Puttur-Nagalapuram road as a result of the reservoir are situated in Andhra and the Government of Madras have suggested that the area covering this portion and the land required for the diversion of the Puttur-Nagalapuram road as a result of the reservoir should be transferred to them so that the source of the irrigation and their ayacuts will be in the State of Madras. One of the principles agreed to between the two States and accepted as the basis of this report is that due consideration should be given to economic factors such as irrigation sources and their ayacuts being in the same State. By the modification of the border suggested above, the whole of the Araniar Project reservoir and the land required for diverting the Puttur-Nagalapuram road as a result of the reservoir (villages Nos. 173 to 176) will all now be in the State of Andhra. Out of the 34 villages now benefited by this Project, 13 will be in the State of Andhra and 21 in the State of Madras. In these 34 villages there are both Tamil and Telugu villages and they are all getting the benefit of this scheme of irrigation. The source of the irrigation and the 13 villages which get benefit out of it will now be in the same State of Andhra. As regards the 21 villages which are now getting advantage of this system of irrigation, they must get the same advantage in future and I feel sure that the Government of Andhra will not do anything to harm the interest of the cultivators of these 21 villages. To accept the suggestion made by the Government of Madras to adhere to the fourth principle, viz., to keep the source of irrigation and the ayacuts in the same State of Madras, is not feasible because the area covered by villages Nos. 40, 32, 20, 33, 21, 13, 34, 24, 23 and 25, though a Tamil area, is a pocket in the Telugu area and to accept the suggestion would have meant not only to keep this as a pocket but also to add something to that pocket. This would be apparent from the combined map produced by the Government of Madras itself. Having, therefore, given due consideration to this fourth principle, I do not find it feasible in this case to keep the source of irrigation and all the ayacuts in the same State. After all, these are two neighbour States and in such matters of economic development, they are expected to co-operate with each other. The whole cost of this Project has been incurred by the State of Madras and I am sure that the Government of Andhra, in all fairness, will see that the cultivators of the 21 villages, which will now remain in Madras, will continue to get the same benefit and advantage from this system of irrigation as they have been getting till now.

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Tiruttani taluk.—We have now to deal with the border between Arkonam taluk of Madras and the Tiruttani taluk of Andhra. To the north and west of Tiruttani are the taluks of Puttur and Chittoor in Andhra, 60.5 per cent of the population of Tiruttani taluk consists of Tamilians, while the Telugus account for only 37.6 per cent. As will be seen from the map specially prepared, the predominantly Tamil area accounts also for the larger portion of the area of this taluk. The Telugu patches are in the north-east, in the middle and in the north-west parts of this taluk with much hill area round about the north-west patches. While considering the border, I have already proposed that the northern portion of Tiruvallur taluk should be transferred to Andhra, as stated in the earlier paragraph. Villages Nos. 153, 156 and 155 are already included in Puttur taluk beyond the present border of Tiruttani taluk. Adjoining these villages is a compact Telugu area consisting of villages Nos. 95, 114, 78, 77, 93, 76, 94, 73, 43, 42, 41, 39, 38, 36, 44 and 37 in Tiruttani taluk. Village No. 40 which is also in this group is a trilingual area and village No. 154 in Puttur taluk is a pocket of Tamil in this Telugu area. I propose that the area to the north of villages Nos. 152, 151, 116, 133, 129, 150 and 75, and to the east of villages Nos. 91, 72, 61, 47, 48 and again to the west of village No. 48, to the north of villages Nos. 45 and 60 in Tiruttani should be retained by the Andhra State. Village No. 134 now in Puttur taluk, being a Tamil area, should go to Madras.

The border of Andhra and Madras, as proposed by me, will thus be between villages Nos. 135 and 134. Beyond village No. 134 to the west is a hill area which should be transferred to the Madras State.

In the north-west corner of the present Tiruttani taluk there is considerable hill area and round about it there is a group of Telugu villages, except one village No. 174 which is the only Tamil village. I, therefore, think that this portion should be retained in Andhra. The Government of Madras also in their memorandum stated that they were prepared to agree to this portion of the taluk being retained in Andhra.

The border, therefore, between Andhra and Madras will now run between the hill and village No. 120 and will be the same as the present border of Tiruttani taluk up to the southern end of village No. 85. From there, the border should be to the west of villages Nos. 7 and 6, north of village No. 5, north, west and south of village No. 20, west of village No. 53, to the west, south, then west, again south of village No. 63, to the west of village No. 97, to the north of villages Nos. 178, 176, 175 and 194, to the west of village No. 192, to the north of village No. 242, west of villages Nos. 242 and 272, to the south of village No. 272, to the west of village No. 312, to the north of villages Nos. 281, 293, 275 and 291 in Tiruttani taluk, and then proceed along the present border between Andhra and Madras. This border has been marked (in blue) on the map attached herewith. The rest of Tiruttani taluk, being contiguous to Arkonam and Walajapet in Madras

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State, should be included in the State of Madras. There is a group of Telugu villages in the middle of the Tiruttani taluk, but being a pocket, the area covered by these villages will naturally go to Madras.

Saidapet.—There is a claim made by Andhra for some area in the taluk of Saidapet. Saidapet is a taluk in the Chingleput district of Madras State. This taluk does not adjoin the border between the two States at any point. There are only four villages Nos. 78, 108, 137 and 151, where the Telugu-speaking population exceeds 50 per cent. But they are all pockets in Tamil area and as such, the question of transfer of any village in this taluk to Andhra State does not arise.

The adjustment of the border suggested by me is marked thick in blue on the map specially prepared by the Government of Madras on the basis of villagewise data collected from the census of 1951.

It can be seen that as a result of my proposal, though a large part of the taluk of Tiruttani goes to Madras, a correspondingly large area from the taluks of Ponneri and Tiruvallur goes to Andhra. So, by this adjustment, no State loses appreciably in its extent. Andhra State was formed mainly on the basis of language and they get all Telugu-speaking compact areas except a few pockets in the Tamil area.

The Tamils also get a large part of the Tiruttani taluk which is a predominantly Tamil area and which had been included in the Andhra State.

Hosur is a trilingual area at the western end of the border. It is not contiguous with the State of Andhra. There is no agreement between Andhra and Madras about the basis of the settlement of any trilingual area. A triangular dispute regarding a trilingual area can be settled only at the instance of all the three parties. I hope the people and the Government of Andhra will realise the inherent drawbacks and difficulties in their claim for Hosur or, at any rate, the fact that I cannot deal with that dispute in this report for reasons already mentioned.

I commend this report for the acceptance of the Governments and people of the States of Andhra and Madras. If they do so, a long chapter of linguistic controversy in the south of India will have been closed and these States in the south will be better able to attend to the more urgent task of development of their respective regions and the solution of their problems of social, educational and economic progress.

I must note here the right and commendable spirit in which both the Governments of Andhra and Madras have tried to settle this question of internal adjustment. They have put forth their points of view with firmness but in a spirit of sobriety and goodwill. I am thankful to the Government of Andhra and Madras firstly because they have opened a new and healthy method

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of resolving internal disputes by mediation, secondly because of the confidence shown by them in entrusting this difficult task to me. I have tried to deserve and justify the confidence placed in me by both sides and I hope and trust that my report will meet with their approval and lead to a happy end of this long-standing dispute.

RAJ BHAVAN, BHOPAL,
25th July 1957.

H. V. PATASKAR.

FURTHER REPORT REGARDING THE BORDER DIS- PUTES BETWEEN THE STATES OF ANDHRA AND MADRAS.

On the 2nd of September 1957 Shri Kamaraj Nadar, Chief Minister of Madras, and Shri Sanjiva Reddy, Chief Minister of Andhra, met Pandit Govind Ballabh Pant at New Delhi. I was also then present. Shri Sanjiva Reddy at that time gave the Home Minister and myself copies of the resolutions passed at the Council of Ministers of Andhra Pradesh on 1st August 1957 regarding my report in respect of the boundary dispute between the States of Andhra and Madras. By that resolution, they requested the Home Minister to remit that report back to me with a request that I should examine the claims of Andhra Pradesh to Krishnagiri-Hosur areas. Shri Sanjiva Reddy also handed over at the time a map of this area and stated that certain villages in Krishnagiri taluk, which had a population of over 50 per cent of Telugu speaking people and which were on the border had not been included in Andhra and that the matter should be re-examined.

In pursuance of this request of Shri Sanjiva Reddy, the Home Minister was good enough to ask me to re-examine this matter as suggested. I agreed to do so. I have now re-examined the matter carefully and beg to submit this further report.

As the western end of the present border between the States of Andhra and Madras are the taluks of Krishnagiri in Madras and Palamner in Andhra. Hosur taluk is to the west of Krishnagiri taluk and is not contiguous to the border between these two States.

The resolution passed by the Council of Ministers of Andhra on 1st August virtually concedes the fact of Hosur not being contiguous to the border between the two States of Andhra and Madras when they say that "it must be appreciated that there were Telugu villages in Krishnagiri taluk contiguous to Palamner taluk and if they are added to Andhra Pradesh, a link will be created with the Telugu portions of Hosur". So the question of transferring any Telugu villages in Hosur taluk to the State of Andhra will and can arise only if such a link can be created by transfer of certain Telugu villages from Krishnagiri taluk to

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Andhra State on the basis of principles to which both the Governments of Andhra and Madras had agreed and on which my report has been based. The two points that arise for consideration, therefore, are—

(1) whether there are any villages in Krishnagiri taluk which should be transferred to Andhra State; and if so, which are they?

(2) whether the transfer of these villages will make any Telugu area in Hosur taluk contiguous to the border?

Point No. (1).—I, therefore, first propose to re-examine that part of my report which deals with Krishnagiri taluk. This part of my report is partly on page 18 and partly on page 19. For ready reference and closed understanding, I reproduce it below:—

"In Krishnagiri taluk such trilingual area is in the north west corner of the taluk. That area is surrounded by Palamner taluk of Andhra on the eastern side, by Hosur taluk on the western side, by the Mysore territory on the northern side and by the remaining part of Krishnagiri taluk on the southern and part of the eastern side. As will be seen from the combined map, the only predominantly Telugu villages in the north of Krishnagiri taluk are villages Nos. 1, 3, 9, 15, 18, 23 and 24 and an enclave of Hosur taluk in Krishnagiri taluk, being village No. 11. Villages Nos. 1, 3, 9, and 15 are not near the border between Andhra and Madras, villages Nos. 18, 23 and 24 are near this border but they are surrounded on three sides by trilingual area and on the fourth side by forest area. There is thus no predominantly Telugu area in this north-western portion of the Krishnagiri taluk except for the eight scattered villages mentioned above. In the rest of Krishnagiri taluk there are only five Telugu villages but they are all pockets in Tamil area. Krishnagiri is a predominantly Tamil taluk with 64.2 per cent Tamil against 19.1 per cent Telugu population.

As regards the trilingual area in Krishnagiri taluk, there is no justifiable reason why the whole or any part of this area in which the Telugu area not over 50 per cent of the population should be transferred to Andhra."

In the north of Krishnagiri taluk, the predominantly Telugu villages are Nos. 1, 3, 9, 15, 18, 23 and 24, and an enclave of Hosur taluk in Krishnagiri taluk, being village No. 11. Of these the only Telugu villages near the border between Andhra and Madras are Nos. 18, 23 and 24 and I shall first deal with them.

Villages Nos. 18, 23 and 24 form a compact group and are adjacent to the border. As stated in the report, they are surrounded on three sides by trilingual area and on the remaining fourth side by forest area. It is true that part of this forest area beyond the border is in Andhra State and these villages are contiguous to the Andhra State through this forest area. The resolution passed by the Council of Ministers of Andhra State has rightly pointed that my recommendations are based on the village as the unit for adjustment of this border and that I have on that

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basis transferred even one village, viz., Gopalakrishnapuram in Puttur taluk, from Andhra State to Madras State. The only reason for my not recommending transfer of these villages Nos. 18, 23 and 24 to Andhra State in my report was that though contiguous to the border, they were separated from the rest of Andhra State by a forest area, and as such, it was thought that it would be more convenient from the administrative point of view for the people of these villages to continue to be in Krishnagiri taluk rather than be transferred to Palamner taluk in Andhra State. As the Andhra Government are in a better position to judge this question of administrative convenience and as their claim is justified on the ground of contiguity as well as on the ground that the population of these villages consists of over 50 per cent of the Telugu speaking people, I revise my earlier decision and recommend that villages Nos. 18, 23 and 24 in Krishnagiri taluk should be transferred to the State of Andhra.

As regards the other villages Nos. 1, 3, 9 and 15, and the enclave of Hosur (village No. 11), they are enclaves in an area which is either trilingual or Tamil. It is mostly trilingual. None of them is also contiguous to the present border between the States of Andhra and Madras. None of them is contiguous even to the new area of villages Nos. 18, 23 and 24 now recommended for transfer from Krishnagiri taluk to Andhra State. This will be evident from the combined map specially prepared as also from the map now produced by the Government of Andhra.

On the map now produced on the 2nd September by Sri Sanjiva Reddy, are marked the villages in Krishnagiri taluk, which according to the Andhra Government, should be transferred to them. They are eleven in number. Out of these, I have already recommended three, being Nos. 18, 23 and 24, for transfer to Andhra State. The rest eight include not only the five Telugu majority villages Nos. 1, 3, 9, 15 and the enclave of Hosur No. 11, but also three more, being Nos. 17, 10 and 2. It is these three villages Nos. 17, 10 and 2 that create the contiguity with the area covered by villages Nos. 18, 23 and 24 on one side and with the area covered by the rest of the five Telugu majority villages Nos. 1, 3, 9, 15 and the enclave of Hosur No. 11 on the other side. These three villages Nos. 17, 10 and 2 are not, as shown below, villages where the Telugus have a majority of over 50 per cent of the population.

Village No. 17.—The name of this village is Chigarmagana-palli. Its total population is 2,327, out of which Tamils are 90, Telugu 1,066 and Kannada 1,130. Other languages, 41. Telugus are 45.8 per cent, Kannada 48.5 per cent and Tamils 3.9 per cent. It is thus a trilingual area in which the Telugus are less than 50 per cent and the Kannadigas form the largest single linguistic group, being 48.5 per cent.

Village No. 10.—The name of this village is Manavarana-palli. The total population is 1,720 out of which Tamils are 455, Telugus 735, Kannadigas 463 and others 67. Telugus are 42.7 per cent,

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Kannadigas, 26.9 per cent, Tamils 26.5 per cent, and others 3.9 per cent. It is thus a trilingual area. The Telugus, though the largest single linguistic group, are less than 50 per cent.

Village No. 2.—The name of this village is Balanapalli. The total population is 764 out of which Tamils are 221, Telugus 183, Kannadigas 324 and others 36. Tamils are 28.9 per cent. Telugus are 24 per cent, Kannadigas 42.4 per cent and others 4.7 per cent of the population. The largest single group is Kannada and Tamils form the second largest group and Telugus the third group.

These villages Nos. 17, 10 and 2 are correctly shown in pink colour on the combined map as being villages which are trilingual and where none of these three languages has a majority of over 50 per cent. Even in the map produced on 2nd September 1957 by the Andhra Government, all these three villages are shown as villages where neither Tamil, Telugu nor Kannada speakers exceed 50 per cent.

It is thus evident that in all these three villages (Nos. 17, 10 and 2), the Telugu speaking people do not have a majority of over 50 per cent of the population and there is no justification for transferring them to Andhra State on the principles agreed between the two States of Madras and Andhra and followed by me in the settlement of this border dispute. It would be highly improper to transfer them to Andhra merely to provide them with a link to their claim to other Telugu areas which are not contiguous to the border. I, therefore, do not recommend that these three villages Nos. 17, 10 and 2 should be transferred to Andhra.

Villages Nos. 1, 3, 9, 15 and the enclave of Hosur village No. 11 cannot be transferred to Andhra State as they are enclaves in a trilingual area and are not contiguous even to the border as would be formed by the transfer of villages Nos. 18, 23 and 24 to Andhra State.

My decision, therefore, after careful consideration with regard to point No. 1, is that only villages Nos. 18, 23 and 24 in Krishnagiri taluk should be transferred to Andhra State. I have shown on the combined map this change in the border between the States of Andhra and Madras.

Point No. (2)—Hosur.—As regards the second point whether the transfer of villages Nos. 18, 23 and 24 will make any Telugu area in Hosur taluk contiguous to the border between the States of Andhra and Madras, a look at the combined map as well as the map produced by the Andhra Government on 2nd September 1957 will clearly show that even after the transfer of these villages Nos. 18, 23 and 24 from the Krishnagiri taluk to Andhra State, no part of the Hosur taluk becomes contiguous to the border.

The Government and people of Andhra have all along been anxious to establish contiguity with Hosur taluk through the Krishnagiri taluk which adjoins the border. They were aware of the fact that Hosur taluk is not contiguous to the border and in

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the latest resolution of the Council of Ministers, they virtually concede this fact when they say, "It must be appreciated that there were Telugu villages in Krishnagiri taluk contiguous to Palamner taluk and if they are added to Andhra Pradesh, a link will be created with the Telugu portions of Hosur". We have already found that all these eleven villages are not Telugu villages. Eight of them are Telugu villages but out of them only three adjoin the border. The rest five Telugu villages are themselves enclaves and the three villages are themselves enclaves and the three villages now transferred do not create any such link. I, therefore, recommend that for want of contiguity with the State of Andhra, no part of the taluk of Hosur should be transferred to Andhra State.

I am aware of the feelings and sentiments of the Government and people of Andhra regarding the Telugu areas in the taluk of Hosur. But it must be remembered that in the matter of adjustment of boundaries of States, the principle of contiguity must be kept inviolable. It would be dangerous in the larger interests of the nation to depart from this principle.

I would once again take this opportunity of appealing to the Government and people of both the States to accept my report with the slight modification now recommended and put an end to this long drawn dispute regarding the border between the two States of Andhra and Madras.

RAJ BHAVAN, BHOPAL,
7th September 1957.

H. V. PATASKAR.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 13th November 1957.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Siddha dispensaries.

* 36^a Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Revenue be pleased to state whether there is any proposal before the Government to increase the number of Siddha dispensaries in this State?

THE HON. SRI M. A. MANICKAVELU: The answer is in the negative.

SRI A. GAJAPATHY NAYAGAR: சித்த மருந்துகளை வழங்கும் மருந்துச் சாலையாக இது வரையில் அரசியலார் அமைக்காததற்குக் காரணம் என்ன? ஏழு இடங்களில் ஆயுர்வேத மருந்துகளை விற்பவர்களுக்கு அரசியலார் உதவி செய்யும்போது, சித்த வைத்தியத் துறையிலும் அதேமாதிரி பாண உதவியை அரசாங்கத்தார் ஏன் அளிக்கக்கூடாது என்று கேட்க விரும்புகிறேன்.

THE HON. SRI M. A. MANICKAVELU: நாட்டு (இன்டிஜெனஸ்) மருந்துகளில் சித்த மருந்துகளும் அடங்கியிருக்கின்றன.

SRI A. GAJAPATHY NAYAGAR: சித்த வைத்தியம் வேறு, ஆயுர்வேத வைத்தியம் வேறு என்பதை மக்கள் இப்போது நன்கு அறிந்திருக்கிறார்கள். அடையாறில் ஆயுர்வேத வைத்தியத் துறையில் நான் குறிப்பிட்ட வசதியைச் செய்வதற்கு இடம் இருக்கிறது. அந்த இடத்தில் சித்த வைத்தியத்தையும் ஏற்றுக்கொள்ளவேண்டுமென்று அரசியலார் உத்தரவிடுவார்களா?

THE HON. SRI M. A. MANICKAVELU: அப்படிப்பட்ட டாக்டரை நியமிக்கவேண்டுமென்று ஒரு தனி டாக்டரைக் கோரினார்கள். அதற்கு யாராவது முன்வந்தால், அவர்களுக்கு உதவுவது பற்றி கவனிக்கலாம்.

SRI V. V. RAMASWAMI: இந்த மாதம் திருநெல்வேலியில் நடந்த ஒரு மகாநாட்டில், சித்த வைத்தியத்திற்குவேண்டிய ஆக்கம் கொடுப்பதாக கனம் சுகாதார அமைச்சர் அவர்கள் கூறியிருக்கிறார்கள். அதற்குப் பிறகு, இது சம்பந்தமாக சர்க்கார் என்ன நடவடிக்கை எடுத்திருக்கிறார்கள்?

THE HON. SRI M. A. MANICKAVELU: சித்த வைத்தியத்திற்கு ஆக்கம் கொடுப்பதற்கு அரசாங்கம் தயாராக இருக்கிறது என்று அங்கே நான் சொன்னபோதே, சித்த வைத்தியத்தில் ஆராய்ச்சிகள் நடத்திப் பலனடைவதற்கான ஆக்க வேலைகளைப் பொது மக்கள் செய்தால்தான், அரசாங்க உதவியும் கிடைத்து சித்த வைத்திய முறைகளின் அபிவிருத்தி ஏற்படும் என்றும் நான் சொன்னேன். ஆகவே, இந்த விஷயம் பொது மக்கள் இத்துறையில் ஆக்க வேலை செய்வதைப் பொறுத்திருக்கிறது.

SRI V. CHAKKARAI CHETTY: என்னுடைய அறியாமையினால் ஒரு கேள்வியைக் கேட்க விரும்புகிறேன். சித்த வைத்தியத்திற்கும் ஆயுர்வேதத்திற்கும் என்ன வித்தியாசம்? சித்த வைத்தியர்களும் ஆயுர்வேத வைத்தியர்களும் எந்த மாதிரியான மருந்துகள் கொடுக்கிறார்கள் என்று

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எனக்குத் தெரியாது. சாதாரணமாக, நான் எப்போதாவது நோய்வாய்ப்பட்டால், இங்கிலேஷ் டாக்டரிடம் செல்வேன். அவர் ஒரு மிக்ஸரைக் கொடுப்பார். அது என்ன மிக்ஸர் என்று தெரியாமலேயே பாட்டிலில் வாங்கிக் கொண்டு வருவேன்.

THE HON. SRI M. A. MANICKAVELU : சித்த முறை, ஆயுர்வேத முறை ஆகிய இரண்டும் நம் நாட்டு வைத்திய முறைகள். சித்த முறை ஆயுர்வேத முறையிலிருந்து பிறந்தது என்று சிலர் சொல்கிறார்கள். ஆயுர்வேதம் தான் சித்த முறையிலிருந்து பிறந்தது என்று வேறு சிலர் சொல்கிறார்கள். (சிரிப்பு.) சித்த வைத்திய முறையில் அலோகமாக பஸம் கொடுக்கிறார்கள்.

DR. A. SREENIVASAN : நான்கு வேதங்கள் இருப்பது எனக்குத் தெரியும். ஆயுர்வேதம் என்பது ஐந்தாவது வேதமா என்று கேட்க விரும்புகிறேன். (சிரிப்பு.)

THE HON. SRI M. A. MANICKAVELU : ஆயுர்வேதம் என்பது வேறு வேதம். அது நான்கு வேதங்களைப்போன்ற வேதம் அல்ல என்று சொல்லிக் கொள்ள விரும்புகிறேன். (சிரிப்பு.)

Madras Race Club.

* 36-A Q.—(Short notice) **DR. A. SREENIVASAN :** Will the Hon. the Minister for Home be pleased to state whether there is any proposal before the Government to renew the licence of the Madras Race Club and, if so, the reasons therefor?

THE HON. SRI M. BHAKTAVATSALAM : No licence is issued to the Madras Race Club to run horse-races. As the hon. Member is aware, the Government have already passed legislation to abolish betting on horse-races in this State. The question as to when it should be given effect to is under the consideration of the Government.

DR. A. SREENIVASAN : Sir, in view of the grave allegations that have been made against the so-called Managing Committee of the Madras Race Club, may I request the Hon. Minister to institute an enquiry into the working of this Race Club by appointing a special officer?

THE HON. SRI M. BHAKTAVATSALAM : I have received a communication from the hon. Member about the management of the Race Club, and that is being looked into.

SRI MOHAMED RAZA KHAN : Sir, a decision was taken in 1948 that betting on horse-races should be abolished in Madras. What is the point in the Hon. Minister now saying that the matter has been under consideration for the last so many years?

THE HON. SRI M. BHAKTAVATSALAM : Sir, the Government took a decision about five years ago that the Act need not be given effect to and that its implementation could be postponed for five years, because it was pointed out to Government—and the Government did appreciate that—that horse-racing contributed to horse-breeding and that horses were required for the army and also for research institutes. In view of this, the Government took a decision to put off giving effect to this Act for five years. When this five year period is over, the Government will have to take a decision.

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DR. V. K. JOHN : May I take it that the Government are getting some revenue from this horse-racing?

THE HON. SRI M. BHAKTAVATSALAM : Yes, Sir. The revenue for 1956-57 is Rs. 15,66,097-15-0. But this is not the main criterion for taking a decision whether betting should be permitted or not.

DR. V. K. JOHN : Is this income likely to go up?

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

DR. V. K. JOHN : Sir, do the present Ministers or past Ministers own race-horses?

THE HON. SRI M. BHAKTAVATSALAM : I can answer only for myself. I do not own any race-horse.

SRI V. V. RAMASWAMI : ரேஸ் கிளப் அதிகாரிகளிடமிருந்து ஏதோ ஒரு வேண்டுகோள் தமக்கு வந்திருப்பதாகக் கனம் அமைச்சர் அவர்கள் கூறினார்கள். ரேஸ் கிளப்பில் டாக்டராக இருந்த டாக்டர் ஸ்ரீனிவாசனுக்குப் பதிலாக 'டிரக்டர் ஆப் மெடிகல் செர்வீஸஸ்' ஆன டாக்டர் தாயுமான ஸ்வாமியை நியமித்திருப்பதாக வேண்டுகோளில் தெரிவித்திருக்கிறார்களா?

THE HON. SRI M. BHAKTAVATSALAM : அந்தமாதிரி ஒரு தகவலும் வரவில்லை. அப்படி யாரும் என்னிடம் சொல்லவும் இல்லை. அப்படி எந்தக் கடிதமும் எனக்கு வரவில்லை.

Scales of pay of Non-Gazetted Officers.

* 36-B Q.—(Short notice) **SRI T. PURUSHOTHAM :** Will the Hon. the Minister for Finance be pleased to state whether any representations have been received from the State Non-Gazetted Officers for grant of scales of pay equal to those of the Central Government servants and, if so, the action taken or proposed to be taken thereon?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir. It has been decided to await the report of the newly constituted Central Pay Commission.

SRI T. PURUSHOTHAM : Is it to be presumed that the Government have addressed the Central Government to include the question of the State Non-Gazetted Officers in the terms of reference to the present Central Pay Commission?

THE HON. SRI C. SUBRAMANIAM : No such presumption arises.

SRI T. PURUSHOTHAM : May I know, Sir, whether the Central Pay Commission's decisions will have any bearing on the question of giving Central scales of pay to our State Government servants?

THE HON. SRI C. SUBRAMANIAM : Whether any increase in the emoluments of our Non-Gazetted Officers should be given or not, which may be made by the Government, we could give any increase at

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this stage can be considered only later on. As hon. Members are aware, just now we have given an increase of Rs. 12 per mensem in the salaries of all our employees.

SRI T. P. SRINIVASAVARADAN : Sir, have our State Government represented to the Government of India that there should be no disparity between the scales of pay of the Non-Gazetted Officers here and those of similar officers of the Central Government, and also brought it to their notice that the present grievance of the Non-Gazetted Officers here is based upon this disparity in the scales of pay?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir. At every possible opportunity, this fact is being emphasised.

College of Hindu Theology at Palni.

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

(a) whether the Government have received any proposal from the Trustees of Sri Dandayuthapani Devasthanam, Palni, to start a College of Hindu Theology at Palni; and

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

THE HON. SRI M. BHAKTAVATSALAM : (a) & (b) The proposal of the Trustees to start an Arts College was not approved by the Commissioner, but an alternative scheme for imparting knowledge of Hindu Religious Philosophy is under his consideration.

Cyclone relief measures in Southern districts.

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

(a) the number of teachers who applied for advances under the cyclone relief measures in Tanjore, Tiruchirappalli and Ramanathapuram districts; and

(b) the number of teachers in each of those districts to whom such advances were given?

THE HON. SRI C. SUBRAMANIAM : (a) & (b) The particulars are given below :—

	(1)	(2)	(3)
		Number of teachers who applied for cyclone relief.	Number of teachers to whom advances were paid.
Tanjore	—	2,654	2,638
Tiruchirappalli ..	—	147	135
Ramanathapuram ..	—	1,645	908

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SRI G. KRISHNAMOORTHY : May I know, Sir, why there is so much difference between the figures in respect of Ramanathapuram and other districts?

THE HON. SRI C. SUBRAMANIAM : Only in deserving cases, after scrutiny, the amounts were paid. Evidently, there was a greater number of deserving cases in Tanjore than in Ramanathapuram.

SRI G. KRISHNAMOORTHY : Is it a fact that elementary school teachers in Karaikudi Municipality were denied this relief?

THE HON. SRI C. SUBRAMANIAM : I do not have this information with me at present.

Sylvan Yellow Fever.

* 39 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Revenue be pleased to state— 3-10 p.m.

(a) whether any cases of attack of Sylvan Yellow fever in this State have come to the notice of the Government; and

(b) if so, the measures taken to prevent the outbreak and spread of the disease (Kyasanur Forest disease)?

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

(b) Does not arise.

SRI T. PURUSHOTHAM : Sir, as it is reported that monkeys die in the various forests of Mysore State and that a sort of enteric fever is likely to spread thereby, may I know whether the Government have made due enquiries, and will they consult the Central Institute of Medical Sciences so that effective precautionary steps may be taken in our State and we may not be caught unawares as in the case of the 'flu epidemic?

THE HON. SRI M. A. MANICKAVELU : Sir, it is not known whether the "Sylvan Yellow Fever" and the "Kyasanur Forest Disease" which is now prevalent in the Kyasanur Forest in Mysore State are the same. There is some difference between the two. The yellow fever is prevailing only in Africa and Central America. According to a press report *The Hindu*, the Kyasanur Forest Disease which made its appearance first in March 1957, in a square mile area in Shimoga district in Mysore State has since spread over an area of about 470 square miles, with a population of 60,000 to 70,000. The disease is reported to be characterised by severe headache, fever, pains in the body, vomiting and constipation followed by diarrhoea. It is also reported that about 600 attacks have so far been reported and 70 of them proved fatal.

SRI T. PURUSHOTHAM : May I know what preventive steps the Government have taken to see that the spread of this disease to this State is averted?

THE HON. SRI M. A. MANICKAVELU : At present, it is the concern of the Mysore Government. Luckily, it has not made its appearance here and I hope it will not make its appearance here.

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SRI MOHAMED RAZA KHAN : May I know from what source the Hon. Minister got the information that the disease had attacked only human beings and not monkeys?

THE HON. SRI M. A. MANICKAVELU : I only referred to the Press report.

Financial aid to the Society for the Prevention of Cruelty to Animals.

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

(a) whether any financial assistance is given by the Government to the Society for the Prevention of Cruelty to Animals in Madras City and in the mufassal;

(b) if so, the details thereof;

(c) whether any control is exercised by the Government over the organisation; and

(d) if so, the nature thereof?

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

(b) The Government have authorised the payment to each branch of the Society for the Prevention of Cruelty to Animals of an annual grant equal to the total of the fines realised from the cases charged by the agents of the branch in the areas over which it has jurisdiction. In the case of the Society for the Prevention of Cruelty to Animals, Madras, sanction has been accorded to the payment of an annual grant of Rs. 10,000 subject to the condition that the amount does not exceed half of the expenditure incurred in the year on account of the Society, according to the audited accounts.

(c) Yes, Sir.

(d) The Government have directed that—

(i) Collectors or Revenue Divisional Officers should be ex-officio Presidents of branches of the Society for the Prevention of Cruelty to Animals;

(ii) Collectors should pay sufficient attention to the accounts of the branches of the Society for the Prevention of Cruelty to Animals; and

(iii) Collectors should see that the agents of the Society for the Prevention of Cruelty to Animals do not misuse their power in prosecuting offenders.

SRI T. PURUSHOTHAM : In view of the philanthropic work done by this institution, will the Government consider the liberalisation of the system of grants payable to it?

THE HON. SRI M. BHAKTAVATSALAM : I do not think it is necessary to liberalise further the aid that is offered by the Government.

SRI T. P. SRINIVASAVARADAN : Is the Hon. Minister aware of the fact that in view of the inadequate grant given to them, the Society people send hundi boxes to schools for collection of money?

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THE HON. SRI M. BHAKTAVATSALAM : There is nothing wrong in the Society collecting money through hundi boxes. The Government could give aid only up to a certain extent.

SRI T. PURUSHOTHAM : Has the Society for the Prevention of Cruelty to Animals sent definite proposals to the Government praying for increased grants being paid to them besides the present grant based on fines collected by them?

THE HON. SRI M. BHAKTAVATSALAM : Yes, Sir, the Society for the Prevention of Cruelty to Animals, Madras, has suggested that an additional grant of Rs. 250 per annum to each one of the 27 branches should be made. But, the Government have not been able to agree to that request.

Bus service between Ootacamund and Mysore.

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

(a) whether there is any direct bus service between Ootacamund and Mysore; and

(b) if not, whether there is any proposal before the Government to enter into any arrangement with the Government of Mysore to run such bus service?

THE HON. SRI V. RAMAIAH : (a) No, Sir.

(b) Yes, Sir. A reciprocal arrangement with the Government of Mysore has been recently finalized on a parity basis. According to this, five buses belonging to the existing Madras State Operators on the route Ootacamund to Gundlupet would be permitted to ply to Mysore. Similarly, five buses of the Mysore Government Road Transport Service on the route Mysore to Gundlupet would be permitted to ply to Ootacamund. Necessary instructions have been issued to the Transport Commissioner, Madras, to implement the decision. The Government of Mysore also have been requested to issue necessary instructions to the authorities concerned.

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 RECEIPT OF AMENDMENTS TO GOVERNMENT BILLS.

MR. CHAIRMAN : I have to announce to the House that I have fixed the following time-limit for receipt of amendments in respect of Government Bills :—

11 a.m. on 14th November 1957.	{	The Madras Village Panchayats (Amendment) Bill, 1957.
11 a.m. on 15th November 1957.		
4 p.m. on 15th November 1957.	{	The Prevention of Insults to National Honour Bill, 1957.
11 a.m. on 16th November 1957.		
	{	The Madras Money Lenders Bill, 1957.
	{	Other Government Bills.

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III.—GOVERNMENT MOTION.

DISCUSSION ON THE REPORT OF THE LEGISLATURE COMMITTEE ON THE
WHITE PAPER ON EDUCATION—*cont.*

Dr. A. LAKSHMANASWAMI MUDALIAR : Mr. Chairman, I must confess that I never felt so embarrassed in addressing this House as I do on this particular occasion for reasons which I shall explain. Sir, when this Report of the Legislature Committee on the White Paper on Education was presented to the House, I was under the impression that the discussion would be more or less concentrated on the facts that had been revealed in this White Paper, and I took it somewhat easily as I happened to be a Member of this Committee and through a sort of compromise formulæ I had appended my signature to that Report. Before proceeding further, however, I must say that I was surprised to note that the Hon. the Minister for Education dealt with another subject which was not included in the White Paper—of which he perhaps felt the relevancy in that connection—and dealt with that subject for a greater part of his speech yesterday afternoon. Sir, I am in an unfortunate position and I cannot speak merely as the Leader of the Opposition in this House. If I were to do so, I would have adopted a different approach to the whole subject and would not be embarrassed in replying to the many queries which the Hon. the Minister for Education has raised. Holding as I do the portfolio of Vice-Chancellorship in the University of Madras, I am not as free as the Hon. the Minister for Education to comment on the subject of University education. Because, I am controlled by the various University authorities—the Syndicate, the Academic Council and the Senate, not to speak of the Faculties, Boards of Studies, etc.—whereas when the Hon. the Minister for Education speaks, he has the whole Cabinet behind him and speaks with the authority of the Government. I cannot assume any such responsibility and reply to the various points raised by him with regard to the sphere of education. With your permission, Sir, I shall deal with them when the time comes.

Now, speaking on the White Paper, may I say, as I said at the very outset, that the proposal made was a compromise, a compromise between two opposing opinions that had been expressed? The Secondary Education Commission which considered the various aspects of the question and which toured many places found that the pattern of secondary education differed from place to place and from State to State and that whereas practically in all the South Indian States the total duration of the secondary course was eleven years—five years' primary course and six years' secondary course—in the States of Bengal and Bihar and some other places, it was ten years. How this period of 10 years is distributed is not a very material point except to note that the primary phase was five years in this State whereas it was four years in Bengal, Bihar and other places. That was the main point of difference. The Secondary Education Commission felt that it would be better if the secondary education was rounded off to a particular level of achievement, that the phase should be increased by one year, whether it be 10 years

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or 11 years, and that for this purpose, one year of the Intermediate course which was undergone in the college should be handed over to the schools in due course. There was also the question of providing the necessary equipment and other facilities that were essential, not to speak of the personnel who would be responsible for the teaching of the subjects when this one year was added. Sir, I do not want to go into the details except to say that ultimately we accepted the pattern that had been suggested by the Government, of seven years' integrated course which would be four years *plus* three years, but an integrated four-year higher secondary course. The reason why we accepted it was the assurance that in the seven years' integrated course, the whole progress would be stepped up in such a manner that it would cover virtually the attainment of the students capable of reaching the present eighth standard. For this purpose, a syllabus will be drawn up under a phased programme. But, other inconvenient facts were brought to our notice that there were some schools which had a course of five years' duration and which period could be reduced to four years without sacrificing the teaching personnel. The compromise was that the fifth year of the elementary course should correspond to the first year after the four-year primary stage and that the eighth year of the middle course should correspond to the first year of the four-year secondary course. I have no objection to such a stand being taken, provided it is worked in the spirit in which the compromise has been effected. I certainly do not share the opinion expressed somewhat strongly that our students should not be penalised to undergo a 12-year course while others will undergo only a 11-year course. Why we were sleeping all this time passes my comprehension, but still as a compromise formula has been arrived at, I accept that formula and fully support it in the reasonable hope that steps will be taken to see that proper educational facilities are provided.

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May I say, in this connection, that it is not merely a question of years of study, but that it is a question of who is to teach these boys? On this question, the Secondary Education Commission made a strong recommendation that even at the primary stage those who were to teach these boys should be well-qualified. The least that I would like to be done in view of the paucity of teaching personnel and more particularly in view of the paucity of funds is to see that matriculates are made available to teach these classes. We went further and said, "We can get a Headmaster who is a graduate to man these schools which will be all to the good of the country". I cannot say that I see clearly any picture of the possibility of this happening in the near future.

Then, Sir, with regard to the diversified courses of instruction, we felt that a four-year course was necessary because instruction in these diversified courses cannot possibly be imparted in a shorter period. The first year will be a year of trial. No student can be straightway put into the diversified course without knowing something of his aptitude, something of his capabilities and something

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of his determination to pursue the course. Therefore it was that the first year was put as a sort of preparatory year and a period of three years fixed for the diversified courses. A number of diversified courses have been suggested. Somehow or other, the diversified course pertaining to engineering seems to have received the highest amount of attention. Side by side with that, the four years would also mean an academic course. Now, I should like to make it clear that we do not expect any serious difference in the intellectual attainment of the student who passes the diversified course and one who passes the academic course. The intellectual co-efficient and capability would be approximately the same and it would not be difficult for the person who has taken the diversified course of instruction with a shorter period of training to attune himself to the academic standard if he so desires. I shall say more about the engineering studies at a later stage. There will be no difficulty, if proper engineering syllabus and teachers are available, for the student who passes the diversified course in engineering to get admission straightway into a professional college of the nature that is being contemplated by the All-India Council of Technical Education. That is so far as the broad outline of the scheme of secondary education is concerned.

Many other subjects were considered. It was stated that the attainment of the students should improve. We no doubt felt that the attainment of the students would be very much better if the medium of instruction was changed to the regional language. But, unfortunately, if we go through the number of passes which are regulated by the Secondary Education Board and not by the University, we still find that the percentage of passes is more or less 50. I was, however, taken aback when the Hon. Minister said yesterday that the syllabus should be so framed that 90 to 95 per cent of the students passed.

THE HON. SRI C. SUBRAMANIAM: I did not say that the syllabus should be revised.

DR. A. LAKSHMANASWAMI MUDALIAR: I saw a report to that effect.

THE HON. SRI R. VENKATARAMAN: What the Hon. the Minister for Education said was that 90 to 95 per cent of the pupils should be able to pass the examination.

DR. A. LAKSHMANASWAMI MUDALIAR: The question of 90 to 95 per cent of the students passing the examination is dependent upon various factors. The most important factor is the competence of the teachers who are to guide these students. It is not a question of getting a larger percentage of passes, but it is a question of providing all the necessary facilities so that a larger number may succeed. Now, Sir, the question of wastage arises undoubtedly when we come to the primary stage, because there the question is one of either literacy or illiteracy. I do not know whether the question of wastage comes up so prominently at the later stages in

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the educational field. Certainly, in my younger days when persons applied for appointment to the clerical posts under the old regime, the application ran thus: "Being given to understand that your Honour's office has got a post of clerk, I beg to apply for the post. I am a failed Matriculate of the University of Madras." Nothing is lost after a certain stage of education. 'Pass' or 'fail' is certainly not the only criterion. I can say some of our most prominent persons, leaders in various fields, businessmen and even high intellectuals succeeded because they had the wherewithal to pursue further. I do not want to quote exceptions. The late Mr. Ramanujam, the great Mathematics prodigy, failed in the Intermediate examination of the Madras University and later on he became the first Fellow of the Royal Society and the first Indian to be elected Fellow of the Royal Society.

THE HON. SRI C. SUBRAMANIAM: Let not our students try to imitate Mr. Ramanujam.

DR. A. LAKSHMANASWAMI MUDALIAR: But still there is something to be said in regard to study for study's sake irrespective of other considerations.

Then, so far as the White Paper is concerned, I have stated that as a compromise, I accepted most of the recommendations. A question was raised in the other House whether these recommendations should go into statutes and what the relevancy of the statutes was. The Hon. the Education Minister at one stage said that he hoped that these statutes would be there and that no successor or Minister would change them. As far as I can see, what the Ministry of Education can do through a Legislature is to deal with the administrative aspects of education and not with the academic aspects of education. I have here the Education Act of 1944 passed by the Parliament which deals in a very comprehensive manner with all the successive stages of education. They have divided the educational course into three stages, the primary stage, the secondary stage and the stage of further education as I call it before reaching the University education stage and I hope and trust that that will be the sort of attitude adopted. If a Bill is to be introduced, that will be passed. But so far as academic questions are concerned, there must be a certain amount of resilience and there must be a certain amount of independent thought devoted by those who are actually handling these matters, no doubt taking into consideration all the available advice that may come from whatever source, governmental or non-governmental. That is so far as the White Paper is concerned.

Now, Sir, I come to the next part of the debate which dealt with University education. As I said, I had no idea that the Hon. Minister would make the statement that he made about University education and point out to this House, as he did all the sins of omission and commission of the University of Madras in recent years. This has been dealt with on other platforms and I understand that the Hon. Minister has also referred to this ques-

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tion in the Conference of Ministers of Education that was held. As I said earlier, in the unfortunate position in which I find myself, I cannot be as frank as I would like to be and I cannot also assume the authority of the University in what I am going to state, but such quotations as I can give, I will give, so that the hon. Members may know exactly what the position is. I am sorry that differences of opinion have arisen, and many people have asked me why these differences of opinion have arisen and why the University and the Government are not seeing eye to eye with regard to some of these matters. It is not our fault but our misfortune that this situation has arisen. The Hon. Minister referred to the fact that on the 2nd May 1956 he sent a letter to me, which I placed before the Syndicate, requesting that the starting of the pre-University course should be postponed for one year. It is the Syndicate's responsibility, but I share with the Syndicate its opinion fully that at that stage, in view of what had taken place, it would have been impossible to postpone it. I shall come to the reasons presently.

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But may I, in this connection, crave your indulgence to give a history of the three-year degree course a little bit? Subsequent to the appointment of the Secondary Education Commission, several conferences were convened by the Ministry of Education at the Centre to which representatives of State Governments, Directors of Public Instruction, Chairmen of Secondary Education Boards and Vice-Chancellors of Universities were invited. At all these conferences, unanimous resolutions were passed as to the manner in which and the time at which the reorganization of University education and secondary education should be brought about. The decision to introduce the three-year degree course is not a new one. As early as 1941, the University of Delhi, under the advice and guidance of Sir Maurice Gwyer, then the Chief Justice of the Federal Court, reorganised the course of education. It introduced the three-year degree course and the pre-university course as a transitional measure and took up the reorganization of secondary education by increasing the period of study by one year and evolving a syllabus for higher secondary education. At the same time, the pre-professional course was also started which was necessary for those who wished to join the professional colleges. These conferences decided that a three-year degree course was to be introduced with, of course, the pre-University course at as early a stage as possible. At a joint conference of Vice-Chancellors of Universities and Chairmen of the Boards of Secondary Education held at New Delhi on the 8th January 1955, it was resolved that there should be a higher secondary course continued up to the age of 17 followed by a three-year integrated course leading to the Bachelor's degree. This resolution was considered at the annual meeting of the Inter-University Board of India held at Patna on the 25th January 1955. The Board recommended the implementation of the proposals, as early as possible. The opinion was also expressed that the pre-University course might be introduced, wherever possible, from the academic year 1956-57. At the meeting of the

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Inter-University Board held on the 18th and 19th January 1956, the Ministry of Education at the Centre proposed the following resolution :—

“ That the Universities in India should take immediate steps to ensure that the change-over to the new pattern of educational reorganization, that is, the higher secondary course continued up to the age of 17 followed by a three-year integrated course leading to the Bachelor's degree, is completed by 1961 at the latest.”

The Board recommended that wherever possible, as a transitional measure, the Universities should start the pre-University course from the academic year 1956-57, followed by the three-year degree course. At the joint conference of Vice-Chancellors and Chairmen of the Boards of Studies in January 1955 and at the annual meeting in 1955 of the Inter-University Board, a resolution was passed to, the same effect which was again ratified at a joint conference of the University Grants Commission and the Inter-University Board held at Aligarh in 1955. These were the circumstances in which the Madras University went ahead with the preparations necessary for the starting of the pre-University course and the three-year degree course. During the two and a half years that the University was seized of this particular topic, thirty-two meetings of committees and conferences were held. The subject was thrashed out threadbare at the meetings of the Board of Studies, the Faculties of Medicine, etc., the Academic Council and other expert committees appointed for the purpose and lastly by the Senate. On the basis of these recommendations, the Syndicate went ahead and informed the Principals of colleges of the final decision. May I say one thing here? Whatever their subsequent opinion might have been, whatever views they might have expressed after the course was introduced, as soon as the decision was communicated to them, they applied to the University for a change-over to the pre-University and the three-year degree courses. This involved in the first place certain alterations in respect of accommodation, because the strength of the pre-University class was fixed at 80 whereas in the Intermediate, it was 120. There were six batches of pre-University students to be taught and, therefore, a certain amount of extra accommodation was necessary. It was also necessary for another reason. Pre-University course included—on the basis of recommendations made by several persons—what is now spoken of as General Education which meant basic scientific education as well as education in humanities. These colleges, therefore, went to the extent of getting all the library and laboratory equipment and also the personnel needed for the course. At that stage, Sir, when everything had been completed, when, in fact, the final decision of the Syndicate had been communicated to the colleges that they could open pre-University classes, the Hon. Minister wrote the letter with the result that I have been subject to the most severe criticism from various places and also from the Hon. the Minister for Education for the so-called remissness of the University in not having complied with the request or decision of the Minister. I shall leave the matter at that.

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THE HON. SRI C. SUBRAMANIAM: I may inform the Vice-Chancellor that it was not on my own initiative that I wrote the letter. Many principals were also responsible for my writing that letter.

DR. A. LAKSHMANASWAMI MUDALIAR: I have often heard of principals being responsible for this. But when I questioned them in the Syndicate, not one principal answered me properly. Therefore, the best thing is to leave it all to the authorities concerned to decide, instead of depending on hearsay evidence of different persons who might have their own points of view to express. Nothing is possible unanimously in this country. Nothing unanimous is possible in this House in a democratic atmosphere. Will the Hon. Minister be surprised when I say that many of those sitting behind him have also expressed their views to me which are not always the views expressed by Members on the Treasury Bench? These are all inevitable phenomena. But during the year it was introduced, there was no regret expressed in any reasonable quarter with regard to the introduction of the pre-University course or the syllabus framed. The pre-University course is now running the second year of its existence. I do not suggest that we might never commit mistakes. Nobody is infallible and I would be the last man to say that the verdict of this body is sacrosanct. But there is one point which I would like to mention. All these changes were evolved by the University as a result of discussion with many authorities, many experts in the field of education. We had also a conference of the Vice-Chancellors of the southern region. Several Vice-Chancellors from Andhra, Venkateswara, Osmania, Mysore, Travancore, Annamalai and Madras were there. My friend from the Annamalai University is not here. He said that he was going to leave it to me to speak on these things. I am grateful to him for giving me that opportunity. But I think I may say that all the seven Vice-Chancellors decided to introduce the course in their respective regions. Five Universities introduced it in 1956-57: Travancore, Osmania, Madras, Baroda and one other. The Venkateswara University was ready to introduce it but it was felt by the Andhra Government that inasmuch as the Andhra University was not in a position to introduce it, the course had better be postponed for a year. On account of the Vice-Chancellor of the Andhra University being on tour at the time in the United States, he could not devote his attention to the subject. Now all the southern Universities have introduced it. Fifteen of the Universities in India have now started the course. Next year, we are given to understand at least ten more will be introducing it. I am aware that the Universities in Uttar Pradesh have got a big problem of their own, a problem that cannot possibly exist in any other part of India. The University Grants Commission and the Ministry of Education are very much concerned about it. The problem is, 900 intermediate colleges have got to be upgraded to provide the three-year degree course. The Hon. the Minister for Education was referring to the sixteen intermediate colleges which were upgraded and felt that that was probably the proper thing to do. But we will come to that question later on.

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One thing that I wish to state and that very emphatically is this. It has been suggested that there must be an integrated plan of development. To a certain extent, we all agree. But I must also say, from my experience of many Universities in other parts of the country, where the high school education system is now and again changed, that the Universities have never altered the syllabus that they have framed. In England itself, as the hon. Members know, within the last fifteen years, there have been changes in regard to secondary education and there has been a great deal of criticism with regard to secondary education. The choice of the students at the age of 11 plus to decide whether they should take to the academic course or other courses has been violently attacked, and to-day the position is that it is likely to be given up and that they may go back to the old order. But once the Universities have decided what is best from their point of view, neither the University of Oxford nor the University of Cambridge nor the London University nor any of the provincial universities have taken it as their duty to modify their regulations to suit the secondary course. I do not thereby mean that there must not be a certain standard which must be insisted on at the end of secondary education. But if, unfortunately, that standard is not reached, the usual thing is that the student who wants to join the University has got to prepare himself by tutorial aid or by other means like spending one year more in the school. I would like to bring to the notice of the Headmaster that, more often than not, the parents themselves desire their children to continue in the school for one year more. That is a consummation which may be devoutly wished for. But it may not be possible in our country where every year is of great importance to push our children through from stage to stage.

I now come to the pre-professional course. The Hon. Minister has referred to the difficulties of this course. He said that there were three examinations that the young boys had to pass successively—the School Final, the Pre-University and the Pre-professional examinations. After all, some of us know about our students. I have been a teacher myself for forty years, although it might have been only in the medical college, and I have followed the young individuals in many spheres of activity. The greater the ambition that is placed before them, the greater is the responsibility of the youngsters. I have no doubt whatsoever that our young students are as good and as receptive as the students of any other country in the world. Only this morning—this is by way of parenthesis—there appeared an article in the Press about a test conducted in the United States of America with regard to the proper expression of the English language by different nations. Whereas the Americans and the Englishmen scored 60 per cent and 67 per cent respectively, Indians, consisting of Punjabis, Bengalis and Gujaratis, score 94 per cent of the marks. We are good in certain respects; only we do not know how to utilize that to our own credit. I think there can be no difficulty in getting these very bright boys—they should be bright boys—sifted at two stages, at the end of the secondary education stage and at the end of the pre-University

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stage. When they come to the pre-professional course, I am sure they certainly will go on well. The Hon. Minister asked, 'What about those who may fail?' The University has said that a person can appear three times for the pre-professional examination. It is our hope and expectation that anybody who is reasonably worth anything will pass the very difficult professional course within three chances. Here is my distinguished colleague who was for many years a professor in the Medical College. In the Medical College, there was a course known as the Pre-registration course which was as difficult as the pre-professional course that we imagine it to be. If a student did not pass even after three chances, he was not considered good enough. He then joined the Degree course or the Chemists and Druggists course or a technological course at the level of the polytechnic. I feel that there will be no difficulty with regard to these pre-professional students getting into the professional colleges by virtue of their industry. After all, they are the pick, whether they be of the Backward Classes or the forward classes so-called. While I strongly feel that the reservation ought to be there for some time to come because of other difficulties, once the Backward Class students are taken in and trained properly without the teacher attributing to them the quality of inferiority just because they belong to a backward community, those students get on very well. I can show by the marks in the University that they get on very well if properly handled.

Now, Sir, I want to say that this annual examination, about which some of our headmasters are very much agitated and concerned, is a regular feature in the Scandinavian and German Universities. The high grade of expectation in German Universities is something which we can only dream of, and we cannot get to those standards. The German Universities expect a very high standard from all students who join the Universities. I said already that the pre-registration course in the Medical College was an example to the pre-professional course. The question was asked, 'If the number of students who pass the pre-professional course is not exactly the number that will have to be taken into the colleges, what happens?' Somehow or other, the Report of the Secondary Education Commission, which I venture to suggest has to be closely studied by all Members of this House, has answered all these points. Our suggestion is that in the first two or three years, the candidates for the vacancies that arise should be selected from those who are either Intermediates or B.A.'s or who are reading in the Degree Class. The Hon. Minister asked how we could take these boys if they failed twice or thrice. In the selection for any of the professional colleges to-day, the Government have laid down that a candidate can appear for a second time if he is not successful in the first time. It means that they are still candidates who could well be thought of for selection. The Government Order itself provides for this. Not only that. It is well-known that in the professions certain number of Graduates come in and it is good for the profession that they come in. There are certain highly developed features of professional education and professional research

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and it will materially be to the advantage of the profession if some Graduates also come in. The University has never concerned itself with the method of selection; it is concerned only with the standards to be reached for eligibility for selection. My hon. Colleague will tell you that in the medical profession expedition-wallas are not the exceptions that we think of. I know of one gentleman who started in the year 1895 and passed in 1916. Let me tell you that it was not the University that was at fault. When he did pass in 1916 and the result was announced, he proposed three cheers for the examiners on the spot.

It was said that about 2,000 to 3,000 students were joining the professional colleges in other States and that, on account of this step, it might not be possible for them to do so. In the first place, may I say that, as nearly 15 Universities have already started the pre-University course and will be starting the pre-professional course, this will not really be a serious difficulty that it was expected to be? I received a letter from the Secretary of the Department of Education wherein he made certain suggestions and wanted to know whether I would take action on them or whether I would want the Government to address me. Being a nervous man, always trying to avoid any Governmental dictum to me, I said that I would take action and place the letter before the authorities concerned. I did place it before the Expert Committee which dealt with professional education. That Expert Committee has decided that so far as these students are concerned, if they have finished the first year of the three-year degree course and the Principal certifies that they have finished it, they will be eligible to sit for the admission test conducted by most of the engineering colleges and take their chance. If they have not taken these subjects in the first-year degree course, they can take these as additional subjects. Generally mathematics and physics are compulsory and it is good for them to take chemistry. Just as students who are in the degree course sometimes attempt the I.A.S. examination, so also these bright boys, lest they should be left in the lurch, the resolution says, should be allowed to appear for the admission test if only the Principal of the college certifies that they have undergone a course for one year in the three subjects, mathematics, physics and chemistry either as regular subjects under the course or as additional subjects.

Sir, I received a reminder to the letter from the Secretary Education Department, but I must confess that I have not yet replied to it, the reason being that so far as this recommendation is concerned, it is being placed before the Co-ordinating Committee of the All-India Council of Technical Education which is meeting on the 3rd of December and that it is expected that it will be ratified. As soon as it is ratified, Principals of all colleges will be informed of this provision and there will be no occasion for any student who has studied in the first year of the three-year degree course, if he is so minded, to find that he is denied admission by

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virtue of that one factor. But I must also say that the Vice-Chancellor of the Roorkee University—it is a technological University—tells us that he had no use for such students because he would prefer to take Graduates in his University. That is a situation which we cannot help. If that is so, it is quite another matter.

THE HON. SRI C. SUBRAMANIAM: What is the position with regard to the Banares University?

DR. A. LAKSHMANASWAMI MUDALIAR: The All-India Council of Technological Education is going to circularise the Universities which have not started the pre-professional courses to allow such students from those Universities which have the three-year degree course, if they have finished the first year of the three-year degree course, to sit for the competitive examination for admission to the engineering courses.

THE HON. SRI C. SUBRAMANIAM: I am anxious to know the position. I have received a communication asking for information regarding the number of Intermediate students who would be appearing for the examination so that they might provide seats in the Banares University. I suppose, when the circular referred to by the hon. the Leader of the Opposition is issued, it will be changed.

DR. A. LAKSHMANASWAMI MUDALIAR: Yes. That is what the Secretary of the Scientific and Industrial Research Council said; that is what the Secretary of the Ministry of Education said. This suggestion has been heartily supported. There will be no difficulty in regard to that. I am attending the meeting of the Committee. I shall communicate it to Government as soon as the Committee arrives at a decision.

The Hon. the Minister for Education referred to the fact that the pre-professional course would be a costly one and that if that had to be integrated with the four-year engineering course, it would raise the cost still further from Rs. 4,000 by another thousand rupees. May I say something which has happened in the meantime because these are things which are continuously being thought about and Universities and those in responsible positions are not actually sleeping over the matter? We are considering these questions. I am referring to the Expert Committee which met in Madras recently. In regard to this course, the Committee agreed with the note of the Government. Let me read the resolution as it is because it is self-explanatory: 'The Committee agreed with the note of the Ministry of Education that the study of basic science is a necessary foundation for engineering and that technology should be an integral part of the professional course itself and should not be regarded as a separate preparatory stage. Having regard to the deficiencies in the science subjects in the higher secondary course as compared to the I.Sc., as also in view of the need for better scientific preparation, the Committee suggested that the first-year degree course of engineering and technology should be part of a five-year integrated course after the higher secondary

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stage and it included at least six months' practical training. The first year of the five-year curricula should be devoted to the study of basic science, workshop practice and engineering drawing. The other four years should be broad-based and should provide for a gradual building up of the scientific knowledge. Not only have they stated these but also passed a resolution that the cost involved in integrating this one-year course should be shared by the Central Government, the University Grants Commission and, if possible, the State Government. In fact, the Secretary of the Scientific and Industrial Research Council said that in view of the paucity of funds and the disinclination of some State Governments to incur this expenditure, he would strongly press that the whole of this expenditure should be met by the Central Government and the University Grants Commission. Now, I may say that if this is done, as I am sure it will be done, there will be no additional strain on the finances of the State Government. There may be no strain at all, I hope, and that is the position that some of us would like to take in view of all that has happened and all that has been stated here. Not only that. Since the resolution was passed, I have been in touch with the private managements who have started engineering colleges. Our State holds the key position in regard to the number of private engineering colleges that have been started in any State in India. We have to-day four private engineering colleges, as against two Government engineering colleges. I am glad to say that three of the private engineering colleges have already got some plans and are implementing the plans for integrating the courses. One may ask why this is being done. In this age of engineering and technology, there is greater and greater emphasis on the basic sciences, physics and chemistry, without which no technological progress is possible. It was felt strongly in the Committee that a high-grade professor of physics and chemistry as also mathematics would be an essential requirement not merely for basic science but for correlating the development of engineering studies and for any research that might be carried out in the engineering studies. Therefore it is that this resolution has been passed. I hope and pray that on the 2nd of December, a notable day for technological education, this will also be completed.

THE HON. SRI C. SUBRAMANIAM: Just for clarification, may I know one thing? Will there be the pre-professional course as well as the other, namely, the recognition of the first year of the three-year B.Sc. course or will both be combined in the first year of the B.Sc. course?

DR. A. LAKSHMANASWAMI MUDALIAR: The first year of the B.Sc. course will be recognized wherever there is an admission test for engineering college, but where there is no admission test, the selection to the engineering college of the number of students necessary will be made from the higher secondary stage

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or the pre-University stage and they will have an integrated programme of study for five years. That is what has been decided upon.

THE HON. SRI C. SUBRAMANIAM: Perhaps I have not understood it properly. Now, after the pre-University course or the higher secondary course, they have to do one more year. We call it pre-professional course. You may or may not integrate it. If admissions are made only at the pre-professional stage, that is, the first year of the integrated course, then the B.Sc. students, as far as our State is concerned, will have no opportunity to apply for admission to the second-year course of that integrated course after passing through the first year.

DR. A. LAKSHMANASWAMI MUDALIAR: No, then it will be like the position to-day where a Graduate applies for admission to the engineering college or the medical college and only the marks obtained in the Intermediate examination are taken into consideration. These students will be in the same position. If they want to join the engineering college, they have to make their applications and take their chance along with others.

THE HON. SRI C. SUBRAMANIAM: To be admitted in the first year of the present course.

DR. A. LAKSHMANASWAMI MUDALIAR: No, unless the All-India Committee on Technical Education is prepared to make any change about which I cannot say anything. But the resolution as it stands is for this purpose.

4 p.m. Sir, I now come to the chief criticism that has been levelled against the University. A great deal of emphasis has been laid on the fact that the authorised strength in the colleges was 10,000 for the three-year degree course, as against a poor actual strength. Sir, you are familiar with the subject. As many of our hon. Colleagues may not be aware of the details, it would be advantageous if I explained the whole position.

When a college asks for affiliation, it generally sends its proposals for the courses and for the strength which it would like to have. These proposals first go before a committee, the Affiliation Committee, and then an Inspection Commission, consisting of experts in the particular subjects in which affiliation is sought by the college, goes to the college, examines the set-up of the various classes, the laboratory and the library, also decides, in consultation with the management, what staff is expected and ultimately what should be the staff appointed, and then sends up a report. The report is received by the Affiliation Committee. It scrutinises the report and, in the light of various reports, evolves a uniform formula as to what should be done. For, many inspections may have to be carried out, because it is not unnatural especially in a country which is noted for "Thatchinyam", that one Inspection Commission which might have been comfortably lodged and well looked after might have a little more sympathy for the college

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authorities, and if my hon. Friend Sri V. V. Ramaswami is on the Commission, it is all the more difficult to resist the desire to do this and that with particular strength. But I can assure the House that it comes up for the cold and calculated examination of the Affiliation Committee and that all these things are avoided.

Now, Sir, so far as Science subjects are concerned, the University has got its own specific rules—50 square feet should be available for laboratory; in whatever subject it may be, not more than 48 students should be admitted; only one batch can be trained in science. These rules are strictly followed and, as a matter of fact, for the Bachelor of Science Degree, we have authorized admission only up to 24, 16 or 32 seats. Only in very rare cases 48 students are allowed to be admitted and that too in very big colleges like the Loyola, Pachaiappa's and the St. Josephs Colleges. (Interruption.) We have not yet taken up the Presidency College, but I am sure that will be one of the colleges for obvious reasons like availability of a big laboratory, etc. In all other colleges, I can tell the House from the statement recorded in the University Office that admission is only for 16 to 32 seats.

So far as the Humanities are concerned, the sanctioned strength, maximum is 100. It is said to be a strength which should not be exceeded for colleges so that if a college wants to start Economics course and all that, the Syndicate states, 'the utmost number you can admit is only 100 in the course of years'. Therefore, the sanctioned strength is not the actual strength in any particular year. In fact, looking over the previous years, I find that if we take the total sanctioned strength and the number of seats in all the colleges, the deficit is 1,500 to 2,000. This year, although the sanctioned strength was 10,000, it could not be reached because of the paucity of the teaching element which the colleges could not get, and because many colleges could not introduce particular subjects which they had asked for.

Now, I do not profess to know much about the Grant-in-aid Code, and I do not know on what principles grants are given. But I do feel that the number of students in a college is not the factor that influences the sanction of the grant, but that it is based on the professorial element; the teaching grant is based on the deficit in the fee income, the amount that has to be given to the teaching staff and such other incidental expenses. There is a big formula in this regard and I will not go into the details. If there are more students, if the sanctioned strength is more, i.e., the more the students, the less will be the deficit and the less the grant. I can assure the House that it is not at all correct to say that the increased authorized strength has resulted in a greater amount of financial liability. It is rather the increase in the number of subjects that have been allowed that might be said to . . .

THE HON. SRI C. SUBRAMANIAM: I am sorry to contradict the Vice-Chancellor. It has increased the financial liability. Because we have uneconomic classes spread over four or five

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colleges, there is increase in financial liability. If they had been confined to two colleges with more number of students, we would have had maximum strength. Now they have been spread over four or five colleges and we have to sanction grants in respect of four or five colleges instead of two colleges. Therefore, the statement that it has not increased the financial burden by arguing the other way round ignores this point. We have now to give grants to many more institutions which we need not have to if the strength had been restricted.

DR. A. LAKSHMANASWAMI MUDALIAR: I am sorry the Hon. Minister has not caught my point. That was what exactly I was saying. Whether we have 100 in the Economics classes or 30 in the Economics classes, the professorial element has to be the same.

THE HON. SRI C. SUBRAMANIAM: That is my point too. You might have five colleges full, which might have 100; but you have 10 colleges with less strength.

DR. A. LAKSHMANASWAMI MUDALIAR: That is a point that the Hon. Minister may raise. How this has to be done is a matter that must necessarily engage the attention of the University. I shall have something to say about it later on.

I want to say this: A lot of figures were given which were not based on all the relevant information that ought to have been available. I am not surprised at that. I want to refer to one thing more and that is this. It was suggested that there was a poor strength in the B.A. class as compared with the B.Sc. class. The simple fact is that subjects like Mathematics, Statistics in the Faculty of Arts and many science subjects in the Faculty of Science under the old regulations are now grouped together and included in the Bachelor of Science course. Apart from that, I do not see how, when a college asks for affiliation, we can refuse affiliation. What we have to do, in the light of what the Hon. the Education Minister has stated about finance, is a thing that has to be considered by the Affiliation Committee. We shall go to the Syndicate and tell them that a number of applications for new affiliation have come in. Very probably this is all that the University will say, namely, that unless the management is in a position to stand on its own legs with regard to finance, no further affiliation will be given to new colleges and old colleges seeking affiliation. It seems to me that this is the manner in which the problem should be approached. We may not always be guided by what the Ministry or the Secretariat feels about it or the manner in which it wants this or that college to be helped. The University's position is exceedingly difficult. Supposing half a dozen colleges ask for affiliation in Statistics, am I to say that the Syndicate should select only two and omit the other four? If, with the concurrence of the Syndicate, we throw the entire onus to supply the funds necessary on

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the managements, as proposed, then the question of finance will not arise and the colleges will then have to consider for themselves whether it is worth while starting the courses.

Now, Sir, I would like, in this connection, to acquaint the House with what the University has been doing for the last ten years to solve the difficulties of finance. Realizing as early as 1947 that the Exchequer of the State Government might not be just as we would want it to be, we took the first step in this direction. We insisted that any college which wanted to be a first grade college should give an endowment of Rs. 5 lakhs, yielding an interest of at least Rs. 15,000 and on its having Rs. 5 lakhs worth of complete buildings. We insisted that a college that was given recognition for the Intermediate, should within five years, raise itself to the Degree standard. Why did we do that? We did that because at that time—and I speak of the year 1947—the pressure was so great that the University had to adopt the shift system to increase the number of students in the colleges and to meet the demand that was so insistently made in the editorials of our Press, and that saved the situation. Forty-five colleges have been started in the Madras University (old area) and there are several colleges now. Not only did we do this, but we also insisted that these colleges should not all be crowded in Madras to the detriment of the students. We said that no college should be started in Madras unless it had a fifty-acre extent of plot—an easy method by which we kept the colleges out of municipal bounds. The result was that colleges came into existence in Meenambakkam, Virudhunagar, Sivaganga, Tuticorin, Uthamapalayam, Adirampatnam, Mayuram and other places. We had no need to establish rural universities. Karaikudi, of all places, as everybody knows, was a sort of bush forest, but that has been converted into smiling pastures with a large number of educational institutions. The Hon. the Education Minister is connected with the Trust Board, and I need not say more about Karaikudi and its influence on civilization. This is what has been done to stop the shift system. At the same time, we have limited the number of students.

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p.m.

The question has been raised about the Intermediate Colleges. It is asked, 'Why not allow them to continue?' The Syndicate has given the direction that they should be raised to first grade colleges. It would not be possible for us to go back. If the Government are not in a position to help them, then the Intermediate Colleges will have to close down. If they can get the funds or if they have the funds, they can continue somehow or other. Simultaneously with what the University did, may I say that the Government give half-grants for buildings? Subject to the approval of the plans by the department concerned, the maximum grant is restricted to Rs. 75,000 for first grade colleges, Rs. 50,000 for second-grade colleges, and Rs. 35,000 for high schools. Hon. Members who are connected with educational institutions know what the present cost of the development of an

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institution is. My hon. Friend Sri Ramaswami Nadar and others connected with colleges know that they had to spend five times or ten times this amount on college buildings. The Lady Doak College in Madurai, the Fatima College, Madurai, the V.O.C. College, Tuticorin, and the College at Virudhunagar, have all spent large sums on buildings. I am not now speaking of missionary colleges. Every college, in fact, has spent large sums on buildings. Criticized as we have been, I have some little consolation that visitors who have come from other parts of India, including responsible statesmen, have somehow or other found that the state of development of education here seems to be a little different from—I would not say 'more than'—what it is in other parts of the country.

THE HON. SRI C. SUBRAMANIAM: I may give the information to the Vice-Chancellor that the grant is not limited to Rs. 75,000. The managements submit separate schemes and they get twice or thrice this Rs. 75,000. They get the first Rs. 75,000, then a second Rs. 75,000, and again the third Rs. 75,000.

SRI T. P. SRINIVASAVARADAN: Does this apply to secondary schools?

DR. A. LAKSHMANASWAMI MUDALIAR: I am very grateful for this.

We have also taken up the question of hostels and insisted upon fifty per cent of the seats being available to the students. No University has got better provision for hostel accommodation than this University. I must not speak as if I were trying to blow the trumpet of the University, but when questions are asked, I am bound to speak about these things. From the loans given by the Central Government and the University Hostel Co-operative Construction Society, and thanks to the Government of Madras giving us all the facilities, the Virudhunagar College has constructed a hostel, Karaikudi has constructed some hostels, Tirunelveli has constructed some hostels, and Madurai has constructed hostels. Several others also have constructed hostels. I am only speaking about all these by the way. Some progress is being made.

Now, Sir, I come to another point, and that is a very serious matter. We have been told that this University was not fulfilling its functions, because it was not meeting the needs of the higher branches of education, particularly, the post-graduate and research education. Three years ago, I got a communication from the Ministry of Education giving me statistics as to the number of people who had post-graduate qualifications and research qualifications and asking why they were so limited. The University immediately consulted several of the Principals. We drew up a scheme and sent it to the Ministry of Education and the University Grants Commission, with copy (as we always send) to the Ministry of Education at the State level. As a result of this, I am glad to say

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that the Ministry of Education has given a sum of Rs. 5 lakhs to some of the colleges in the City of Madras including the Presidency College to develop their post-graduate instruction. They give two-thirds grant and they expect the one-third non-recurring grant to be met by the State or the institution. I am going to have a conference in this matter. I say these post-graduate courses can be started only if the institutions are able to give a definite assurance that they can run them even though the State is not able to find the resources. I am going to Madurai on the 18th of this month, because fortunately the University Grants Commission has accepted the scheme to start these courses as a pilot project in Madurai. I selected Madurai for the reason that it happens to be not merely the second biggest city in Tamil Nad but it also happens to have the largest number of colleges which have come to the degree stage. There are seven colleges. There is going to be an engineering college started. There is the Teachers' College. They have stated that they are prepared to help the University to run these post-graduate courses. I want to start these courses. I will make it clear to the managements concerned that the University will be responsible only if they give the guarantee that they can finance these courses without the help of the State Government. In this respect, I do not want to be misunderstood. We know the difficulties of the State Government in implementing their own plans for primary education and for higher elementary education. Therefore it is that I have felt and made the position clear that it may be necessary for University education to look up to the Ministry of Education and more particularly to the University Grants Commission and see what they can do.

A proposal has recently come from the University Grants Commission. The question of the pay of teachers is one of absorbing interest. Not merely in the primary schools, not merely in the high schools, but in the colleges as well, to attract persons with good qualifications and to retain them has been a great difficulty. Fortunately, the University Grants Commission have come to the rescue, and they are prepared to pay fifty per cent of the excess expenditure involved in adopting the scale that they have suggested. This scale seems to me a very reasonable one. The other fifty per cent should be met by the management. If the State is generous enough to find the finances, it may give. But those colleges which can afford it, will be given preference in getting these additional funds, on application, from the University Grants Commission.

I am mentioning these facts merely to show that the University cannot have a stalemate position in regard to the development of higher education. We have already lost a good deal of initiative and in these days when science and technology are progressing so much, it is only reasonable for the Central Ministry of Education and the Prime Minister to expect the Universities to do all they can in this matter of higher education. This is the reason why we are requesting the managements to see how far they can

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shoulder the burden themselves. I have enough faith in the philanthropy of my countrymen to appeal to them to do this. We know that the finances of the State Government are crippled by their many commitments. Even in the sphere of primary education, they are finding it difficult to fulfil their programme. While the managements will, of course, be grateful to the Government, they must also realise that if they are not in a position to receive grants from the State, it is up to them to see whether they can find the money themselves. The University cannot possibly interfere in this matter.

4-20 p.m. It has been suggested that the University should not waste public funds. I entirely and wholeheartedly associate myself with this sentiment. If there were to be an enquiry into the manner in which public funds are utilized by the University and by other organizations, the State or other, I shall be the first to submit all relevant information to such an enquiring authority. We are very grateful that, in spite of all these difficulties, the Ministry of Education and the Cabinet have given us an increased block grant on the Centenary occasion. They increased the amount by Rs. 3.55 lakhs. This has helped me materially in certain respects to institute new courses like architecture, business management, etc. We have not come to the State Government for any of these courses, because we felt that having got this generous grant, we should not expect the State Government to spend more on the University. I fully agree with the Hon. the Minister for Education that he has to be responsible to the Legislative Assembly and I do not agree with him if he says that he has to be responsible to the Legislative Council, because so far as financial matters are concerned, the Legislative Council will count for nothing.

THE HON. SRI C. SUBRAMANIAM: It does count and it counts more though it may not have voting rights.

DR. A. LAKSHMANASWAMI MUDALIAR: Sir, I am glad the Hon. Minister has given this assurance. All that I wish to point out is that we fully realize the position of the Hon. the Minister for Education particularly when he combines in him the portfolio of Finance also and has to be responsible to an elected Assembly. That is why, wherever possible, we have not approached the Government. We have tried to cut our coat according to the cloth that we have. As for the increased allowances that we have given to our teachers and the *pro rata* quota that we have to spend, we have met them ourselves. We have pleaded with other organizations like the University Grants Commission to increase their grants. I have particularly pleaded that in regard to additional expenditure on women's colleges, they should be more considerate and I am glad to say that the University Grants Commission have considered this question very favourably and in regard to scales of salary, I think they will help us to the extent of 80 per cent in the case of women's colleges. Thus, we have tried our level best to do the maximum that is possible.

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With regard to technical education, the Hon. Minister knows that through the efforts of the University Grants Commission and the All-India Council of Technical Education, a sum of Rs. 1½ crores has been given to the State for the different engineering colleges. It is not as if we were going out with a begging bowl. Sir, the only thing I wish to plead is, "Please do not think that the University is going on doing things as it likes and in any manner it likes." I may, in this connection, tell this House that its restrictions are far more than the restrictions of a democratic set-up. We too have to deal with 240 members of the Senate, we have to deal with 255 members of the Academic Council and we have to deal with a Syndicate of 19 members not all of whom hold the same view or possess the same temperament. We have our own difficulties. Therefore, I thought that a little trust in the University would beget trust.

Sir, one more submission and I would have done. At this stage, I do not think I need go into the details of the language problem as it has been called. The views of the University have been expressed before the Official Language Commission fully and frankly and I do not think that the University has changed its views. We believe that it is not possible or necessary for language to be uniformly treated as the language for all areas. The expression in the Constitution is 'official language' and not 'national language'. Somehow or other, the expression 'national language' has come into vogue. As for national language, we can think of only two national languages—in the Dravidian side Tamil and in the Aryan side Sanskrit—which are known from Cape Comorin to the Himalayas, from Calcutta to the farthest corner. But, somehow or other, the number of people who speak Hindi has been quoted against us. I should like to know how many of them could read, write and speak Hindi well. The percentage of people who can read, write and speak Malayalam will be more than those who can do so in Hindi. That is another question. Anyway, the Parliamentary Committee is there and it has before it all the opinions that we have expressed.

The Hon. Minister has also referred to the regional language. Sir, I have come to the conclusion that at this stage anyone who prefers to have a change in the medium of instruction must bear a tremendous responsibility, 'tremendous' because it will radically affect generations of students. The chief difficulties must be fully understood. On the ideal plane, nobody is going to question the mother-tongue being the proper medium at all stages of instruction, but on the practical plane, in view of the urgency of development in this country in many fields of activity, what will be the best method to achieve this? That is the question that has got to be considered. The Hon. Minister has made some suggestions and I understand from the archives of the Secretariat that certain solutions are being offered and that they will be placed before the University authorities. But, I can say that the University authorities are not jumping to conclusions nor is their mind petrified in this respect. If only a certain amount of latitude is given and

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a certain amount of choice is given in the initial stages with this condition that there will be no difference made between one set of students and another whatever be the medium of instruction, that will go a long way. In all official appointments, you may give some preference to the regional language. I can say that it is not as if the University has not done anything in the matter. If the reorganized courses of instruction are taken into consideration, one will find that a fundamental change has been made in the Degree courses. Formerly, for the B.Sc. course, the regional language was never taken. They had only English and the Science subjects. To-day, whether it is B.A. or B.Sc., the regional language is not only compulsory but is given the same number of hours of teaching and the same position as English is given. The result of that will be enjoyed by the future generation. I have no doubt about the fact that a combination of these two languages and their study at the same high level will produce a number of scholars whose familiarity with expression in one language or the other would be far more than it is to-day or than it was before. If the Government, however, have any ready-made solution, obviously that will be placed before the University authorities for their consideration.

4-30
p.m. Mr. Chairman, I shall conclude with a note of depression and sorrow. I have reached an age when it is not possible for me to enter into any pugilistic contest with anyone who holds different views. Nor is it right for me to take such a step in the evening of my life. All my ambition is to see that the work that has been going on in the University for the last 30 years and more—30 years is not a small period—is completed. I only want that some chance should be given to the University. I do not want any autonomy as it is called. In fact, if the truth were to be told, only the wearer knows where the shoe pinches. It is not autonomy at all in any sense of the word. Directives are being received from the Central Government and the Ministry of Education in many spheres. Secretaries after Secretaries are telling us that we must introduce this course or that course. Whether it is Wild Life Preservation, Planting of Trees or Soil Conservation, we are receiving communication after communication from the Central Government that we must introduce courses of study covering these subjects. In fact, the communication that we received from the Central Ministry of Education is such that if we are to follow their example, we shall get into the position of what is described in the famous Aesops Fables of the man, the ass and the little child.

Thank you, Sir.

SRI T. P. SRINIVASAVARADAN : Mr. Chairman, Sir, the White Paper has been placed before this House for giving out our views. The Hon. the Minister for Education, while presenting the White Paper, gave us the minute details of the various recommendations contained therein. I should like to thank both the Hon. Minister and the Secretary of the Department for the excellent manner in which it has been prepared.

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The Hon. Minister, during the first half of his speech, was all for implementing the recommendations contained in the White Paper. In the later half of his speech, he posed a number of problems confronting the University. He created a doubt in our minds at one time as though he wanted a *de novo* examination of the whole question, but luckily at the end, he said that steps must be taken to implement the recommendations of the Legislature Committee. Sir, this Committee, as has been pointed out, consisted of eminent educationists—two Vice-Chancellors and also a retired Director of Public Instruction Sri Ranganatha Mudaliar and other public men—and the recommendations are unanimous. In fact, it is stated that none of the Members of the Committee has any separate minute to add. So, it is gratifying to note that the recommendations have been unanimous.

Now, Sir, I am coming to the main recommendation, viz., the total duration of secondary education. The Vice-Chancellor of the Madras University stated that as a compromise 11-year period was accepted as the duration. We accepted it not only as a compromise but from other points of view also. We wanted that one more year should be added to secondary education, taking into account the present set-up in the elementary, primary, middle and higher elementary schools. We accepted this 11-year course because it was divided into two parts—seven years of integrated course and four years of higher secondary course. Seven years of integrated course will go a long way in improving the standard of elementary education and so also the four years of higher secondary course will improve the standard of secondary education. At present, we have got only three years and if the duration is increased to four years, the pupils will have the advantage of being taught by graduate trained teachers. This is one advantage. Another advantage is that these pupils will be in the higher secondary school for four years. So, combining these two courses, i.e., seven years of integrated course and four years of secondary course, we thought that in a period of 11 years the students could attain the pre-University level.

There is also one other important factor to be taken into consideration. Now, the Legislature Committee has accepted the age of 5 *plus*, as the age of entry to the first standard. That is a very important recommendation. Both at the Headmasters' conference and at the meeting of the South Indian Teachers' Union, we stated that the age of admission should be 5 *plus*. We also stated that in the second standard it should be 6 *plus*, in the third standard 7 *plus* and so on. Now, what actually happens is this. A boy, who is aged only 8 years, seeks admission to the first form. We have a slipshod test and then we admit him. This is one of the reasons why the boys are unable to attain the required standard. Now, if this age of admission to the various classes is strictly applied at every level—I hope that is the intention of the Government—the standard would be better.

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THE HON. SRI C. SUBRAMANIAM : That is the intention of the Committee.

SRI T. P. SRINIVASAVARADAN : Sir, if that is not done, I am afraid the standard at the end will not be as we want it to be. Another factor which made us accept this recommendation was that as far as possible, qualified teachers should be appointed to handle the classes. Now, if we take the higher elementary schools, only secondary grade teachers are handling the eighth standard. If it is an integrated course, such things will not happen and only graduates will be handling the eighth standard. Sir, we have also increased the number of school days from 180 to 200. Schools will have, therefore, more working hours and with this additional time, it will be possible to have the intensified course from the first standard to the 11th standard.

The next point I would like to bring to the notice of the House is this. So far as the 3-year degree course is concerned, we have accepted that because at present we find that in the Intermediate classes, each class contains more than 100 pupils and those who pass the Intermediate examination have no guarantee that they will get seats in the degree courses in the same college. The 3-year degree course will help the students to spend the three years in the same college. That is also one of the main reasons for accepting this pattern of education at the University stage.

Now, Sir, whether the students can reach, at the end of 11 years, the pre-University level is a question posed by many. As I said at the beginning, it is possible if we have the following conditions fulfilled. The first is that the age of admission should be strictly applied and the second is that we must have qualified teachers. The third is that in the last four years of the integrated course, we must have only trained graduate teachers. If these conditions are not fulfilled, it is not possible to reach that standard. At present, nearly 30 to 40 per cent of the boys are having regular systematic education only for six or seven years. Unless they have this systematic regular education at least for nine years, it is not possible to attain the standard of the pre-University. Therefore, I am quite sure that with the increase in the number of school days and consequently in the number of working hours and with more trained teachers, it will be possible for the students to attain the pre-University standard.

Now, with regard to the diversified courses, I should like to point out certain things. If the Hon. Minister studies the history of secondary education, he will find it for himself. A criticism has been levelled for a long time that these secondary schools are catering to the needs of the University alone and that they are leaving out of consideration those who leave at the Secondary School-Leaving Certificate stage who form nearly 70 per cent. Only about 30 per cent of the students enter the colleges and the remaining 70 per cent do not enter the portals of the University. Therefore, it is said that there should not be only one course leading

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to the University course but that there should be a number of courses. In 1948, in our own State diversified courses were introduced long before the Report of the Secondary Education Commission. We have introduced diversified courses in agriculture, engineering, home science, secretarial methods, etc. All these courses were introduced only to divert the students to different channels. That is the main object of secondary education. There was also another reason. In order to carry out the various schemes laid down in the First and Second Five-Year Plans we required a large number of semi-skilled and skilled workers and that was why the engineering, agricultural and other courses were introduced. In this connection, I would like to point out that the engineering course is a very good one. If students do not pursue that, it is not their fault but it is because of the absence of facilities for them to pursue it further. Now, what happens to an engineering student is that he does not get any seat at all in the polytechnics. Only a few students are taken in there. Unfortunately, in the polytechnics they do not give preference to students who have taken engineering in the school course but to those who have taken the academic course. Most of the students do not get admission with the result that they only go to the Arts colleges. Unless this is changed, it is not possible for us to have more students in the engineering courses and all our plans will be only a failure.

There is one other recommendation, namely, that after the four-year diversified course, the student can join the second year of the polytechnic course. It is a very good recommendation. Sir, the Professors from the Engineering College, who came to our school for examining our boys in the practical examinations, told us that our boys did very well and that they compared favourably with the students of the first year of the B.E. class. What I would suggest is that two things are required. One is that these students should be admitted to the polytechnic course. The other is that one year of the polytechnic course should be cut down to enable these boys to pursue this course most successfully. Now, this change-over can be effected in high schools. For instance, if a boy takes engineering in the diversified course in the IV Form and if he subsequently finds that he is not fit to take that subject, he can change over, with the permission of the Director of Public Instruction. But the boy who takes up the academic course cannot change over. He must go back to the IV Form. The change-over cannot be made in the 11th standard, but if he wants to have it, he must have it only in the 9th standard. So, a provision must be made that the change-over can be effected in the case of boys of both categories.

Regarding the new syllabi, committees have been formed and they have finalised the syllabus for the various courses. While the Hon. Minister was making his speech, I wondered how he was able to go into even minute details. The Hon. Minister has been

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kind enough to refer to all details. On the basis that the standard in the 11th year should be equivalent to the pre-University level, we have drawn up the syllabus. It was published in the *Fort St. George Gazette*. Opinions were called for, and very recently we have finalised the syllabus. I am glad to say that all the suggestions have been incorporated and that the Teachers' Associations and the teachers have approved the syllabi drawn up by the Committee. It is a good syllabus and if that is followed, I am quite sure that the standard at the end of the 11th year would be equivalent to the pre-University level.

Now, I am coming to the study of languages. So far as the higher secondary course is concerned, the language in Part I is the regional language. The language in Part II is Hindi or any other language not included in Part I. The language in Part III is English or any other non-Indian language. One bright feature of the scheme is that the study of Hindi is not made compulsory in view of the present political set-up. For the present we have to drop this idea. Even though Hindi is not made compulsory, a student has got to study three languages. If he does not want Hindi he should study any other Indian language not included in Part I. Naturally students would prefer English to any other non-Indian language like Greek or French. Now, what I would like to point out in this connection is that Sanskrit is voted against Hindi. I am pleading the cause of the students who want to study both Hindi and Sanskrit. At present, it is not possible for students to study both Hindi and Sanskrit. The scheme that has been placed before us is a very good one, but, unfortunately, it has not taken into consideration those students who want to study both. I have not got two solutions to remedy this feature. I shall place them before this House for its consideration as well as for the consideration of the Hon. Minister. The first thing is that we can reduce the number of periods so far as the regional language is concerned, if that is possible. Instead of having six periods, we can have four periods. The second solution is that instead of the languages in Part II, we can have it like this. In Part II, we can provide a number of languages and ask the boy to take two—Hindi and any other Indian language or intensive study of the regional language. So, in the first part I have suggested, he takes the regional language—four periods—and in the second, he takes two languages. It may be Hindi or Sanskrit. A Sanskrit boy can take Sanskrit or Hindi. It is possible to group these. But one lacuna is that we have reduced the number of periods for the regional language. So far as English is concerned, it is all right. If that is not possible in the present political set-up—I am emphasising the words 'political set-up'—I would be sorry. At present, we have made it four periods in the case of students taking the diversified course.

SRI T. PURUSHOTHAM: If he does not take intensive Tamil, he has to study only three languages. What is the alternative the hon. Member suggests?

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SRI T. P. SRINIVASAVARADAN: The other scheme I am now suggesting is this. In the case of students taking the diversified course, there are only four periods for the regional language.

(At this stage, the Deputy Chairman sounded the gong.)

SRI T. P. SRINIVASAVARADAN: I hope I am not . . .

DEPUTY CHAIRMAN: I am not disturbing you.

SRI K. BALASUBRAMANYA AYYAR: You are disturbing the people who are speaking here. (Laughter.)

SRI T. P. SRINIVASAVARADAN: Sir, we can have six periods for the regional language. We shall have Hindi or any other Indian language and also English. Then, we must see whether we cannot give three more periods for Sanskrit for those boys who want to study it. It is possible to give three more periods. I know the time-table can be adjusted. As a member of the committee for drawing up the syllabus, I know the periods allotted to the various subjects. We will find that in the case of diversified course, physical education is put down outside school hours. In the case of a student taking the academic course, it is within school hours. These two periods can be utilised for Sanskrit and the Sanskrit boys can be asked to have physical education outside school hours just like the 'diversified' course boys. There is one period allotted to moral instruction and citizenship training. I want to know whether we cannot make some provision for the study of Sanskrit within school hours. I am pleading with the Government to consider whether such an arrangement cannot be made.

About the study of English, the Committee has rightly suggested that it should commence from the V standard. We have now got more working days. But I would like to point out, in this connection, that we will have more periods on account of the increase in the number of working days. I would request the Government to see that only teachers who are competent to teach English are posted for teaching this subject. In our training colleges, we take persons who have secured 25 and 30 per cent marks in the examination. Even if these people teach for ten years, at the end of ten years, we will find the standard very low. We should see that competent men teach. Of course, the Grant-in-aid question will then arise. But it does not matter if trained Graduates are asked to handle English even in the V standard. For a small school, one teacher will do.

I may point out one other thing in this connection. Reference was made to the medium of instruction in educational institutions. In high schools, we have adopted Tamil as the medium of instruction. Here it is possible to have the regional language as the medium. But I request the Hon. the Minister for Education to pause and consider for a moment one fact. I am, of course, an ardent supporter of the regional language being the medium of instruction in the University courses also. I put the question to

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various University professors why they did not adopt Tamil. They gave very good reasons why they did not do so. I am a teacher of science myself and I know that if I do not read foreign books even to-day. I cannot be an efficient teacher of Science. All the streams of knowledge which flow enormously from the West can be had through the medium of English. English is very handy. We have been having it and we can easily follow it. As an ardent supporter of Tamil, I am saying that we should not introduce Tamil as the medium of instruction at the University stage. Though introduction of Tamil should be our ultimate goal, I am afraid it will take some time. If we introduce Tamil, our standard at the end of the engineering course or any other technical course or even at the end of the University course will considerably go down.

THE HON. SRI C. SUBRAMANIAM : I have not made that suggestion with regard to scientific and technical subjects.

SRI T. P. SRINIVASAVARADAN : If the Hon. the Minister for Education agrees with me in that respect, it is all to the good.

SRI A. GAJAPATHY NAYAGAR : I ask whether Tamil is not good enough even for Humanities.

SRI T. P. SRINIVASAVARADAN : One who is a scholar in Tamil cannot translate into Tamil the English books on Humanities. One must have a huge fund of general knowledge to undertake the translation. One may be proficient in Tamil. But he need not necessarily be proficient in Science or Mathematics or any other subject. Please excuse me when I say that the present-day pandits, even very eminent pandits, have very little general knowledge.

I am glad that the Hon. the Minister for Education has agreed that for some years to come, the teaching of Science and Mathematics subjects should be through the medium of English. Even now though we are allowed the option of teaching Composite Mathematics through the medium of English or Tamil, many schools have retained the English medium.

About the transition programme, it was originally thought we could have this introduced in the eighth standard next year. Anyhow it is going to be introduced and it does not matter if we wait for one more year.

There is wastage in elementary schools and that is due to two factors. One reason is poverty. On account of poverty, students do not attend school regularly; they stop away in the middle. We have made provision for the supply of midday meal to poor students and that may mitigate the evil to a certain extent. There is wastage not only from the point of view of attendance, but also from the point of view of money. I know how some of the elementary schools are working. The Government are spending crores of rupees on elementary education. The Government must tighten

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their control and supervision over elementary schools. In this connection, I will make one suggestion, the feasibility of which may be considered by the Government. When I was a student in 1905 or 1907, we used to have a teacher as supervisor. He used to supervise 10 or 15 schools, and he used to visit every school at least once in every week. Now the Deputy Inspector of Schools supervises the schools and he has got jurisdiction over 70 or 80 schools. He can inspect the schools only at long intervals. If an allowance of ten rupees or so is given to a senior teacher and he is asked to supervise 15 or 20 schools within a compact area, this wastage can be avoided.

In the note it is said that the Government are giving five naye paise per meal per pupil. I suppose that this is a matching grant and that there is an equal contribution by the management. The total comes to 10 naye paise which is less than two annas. I do not know how it is possible to give one meal for two annas. In the school of which I am the Headmaster, I am giving midday meal to one hundred boys. Luckily, I am not getting any grant. If a grant is given, there is very great trouble on account of the very many restrictions. I have to spend four annas per meal. If the money is to be usefully spent, there is no use of giving the work to contractors. The managements must employ cooks to prepare food and the teachers must be made to take active interest in the matter. In England, teachers are asked to co-operate in the supply of midday meals and they are given some remuneration for the supervision they do. I think five naye paise is too small a sum. The Government expect voluntary effort. I am sure that voluntary effort will be forthcoming and it will be a good thing if people of the locality take interest and relieve the Government of their contribution towards the supply of midday meal.

About pupil—teacher ratio, I agree that at least for ten years to come, we must have a higher ratio. The Government want to bring into the school all children of school-going age and an adequate number of teachers are not readily available. Therefore, we cannot avoid a higher pupil-teacher ratio for at least ten years to come. Teachers cannot be got from the shops; they have got to be trained and the trainees have to come from the high schools. This is a long-term process and so, we cannot immediately give up the present pupil-teacher ratio of 40 : 1. I have received several letters from responsible teachers, from Mr. Albert of the Bishop Heber High School, Madurai, and also from Tiruchirappalli that the Department is not permitting the opening of another section even after the strength has gone up to 50. The Government will have to consider whether they cannot permit division of a class into two sections when the strength has gone up to fifty. I am now supporting the 40 : 1 ratio, and the teachers in general are saying that I should not support it. When the strength of a class exceeds 42 or 43, the class must be divided. I hope the Hon. the Minister for Education will look into this.

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About the pay of teachers, I do not want to say anything, because the Hon. Minister has said that the legitimate and just demands of the teachers would be met as and when funds are available.

I now turn to the multiplicity of pay-scales. There are the Government scale and the local body scale and the aided institutions can adopt either of these scales. The Government should see that there is a uniform scale applicable to all schools. On account of the disparity in pay-scales, there is migration from one service to another.

(Mr. Chairman in the Chair.)

The Government want to develop elementary education and bring under instruction all the children of school-going age. For this we require additional accommodation and teachers. Perhaps, we may be able to solve the problem of accommodation. But how are we going to get the teaching personnel? It is not possible to get them immediately. What is the harm in raising the age of retirement of teachers to 60? Without making it a rule, the Department is granting exemption to the teachers up to the age of 60. Power has been given to the Director of Public Instruction to grant exemption in such cases. If a teacher is hale and healthy even after the age of 60, why should not his services be utilized? Under the Beveridge Scheme in England, every able-bodied man, irrespective of his age, contributes to the wealth of the country. When a teacher is most experienced, he is asked to quit the service. The Government may kindly consider the question of raising the age-limit for retirement of teachers, especially in view of the need for expansion of elementary education. Even now, what happens in district board schools? A Headmaster is retired, and the next day he is appointed as either a Science teacher or Mathematics teacher; he is no longer the Headmaster. When there is dearth of teachers, the Department puts all sorts of questions: Did you advertise, how many applications were received, how many were interviewed and so on. By the time we get the final reply of the Department, it takes six months. Are we to keep the post vacant during the interval? This is one of the drawbacks in district board schools and Government schools. The hon. Member Mr. Ranganatha Mudaliar also pointed out that vacancies remained unfilled for a long time in Government schools, whereas they were filled up immediately in aided schools. We have been getting permission for filling up vacancies by the appointment of superannuated men. I hope the Government will consider my suggestion.

Why should not the Government permit the appointment of married women as part-time teachers if they are otherwise qualified? The Secondary Education Commission also has made this recommendation. I had some connection with B.T. colleges. I asked the Principal of St. Anne's Training College how many students passed last year and how many of them were employed. The reply that I received was that 30 students passed, that 4 were

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employed as teachers and that the remaining 26 got married. This is a big waste. I know in the City of Madras there are a number of qualified married women who are not teachers. I am coming to the very end practically.

MR. CHAIRMAN: There are many more speakers.

SRI T. P. SRINIVASAVARADAN: I will finish in two or three more minutes, Sir. Now, I am coming to one important thing, over which I have difference of opinion with the Government, and that is the publication of text-books. From the reports I read I found that the Hon. the Minister for Education made a moderate speech in the Assembly. I should say that it was practically a compromising speech that he made in the other House. But his speech here yesterday seemed to indicate that he was more or less firm and determined on this question of publication of text-books. I know the disadvantages of the present system. I know there are defects and room for corrupt practices in the present system. But the way to remove the existing difficulties is not to create new and more difficulties. Publication of text-books by Government would lead to regimentation and indoctrination, however much the Government may assure us to the contrary. So long as the present Party continues in power, I know things will go on well. Let not the Hon. Minister think that I am flattering him. So long as he continues to be Minister in charge of Education, things may go on all right. But we must recognise that only a Party Government is in power. Therefore, we do not know what will happen in the future. That is one disadvantage in the Government publishing the text-books.

The other point is this. The Government seem to think that all minds are of the same ability and standard. We have seen in our schools boys with different standards of ability. The Government are going to prepare text-books for the normal, average children. But there are, as I said, pupils in certain classes with different standards of ability. I do not know which standard the Government are going to adopt in the preparation of these text-books. If the Government prescribe a text-book, there is no choice left to the school authorities to prescribe books according to the needs of the students.

THE HON. SRI C. SUBRAMANIAM: Do you prescribe many text-books for boys in the same class?

SRI T. P. SRINIVASAVARADAN: Yes, we do. We prescribe two or three non-detailed books. For boys who study through English medium we have different text-books altogether. That is how we encourage boys who are clever. On that account, we don't neglect boys of average ability. But if we put them together, there is disadvantage for both.

THE HON. SRI C. SUBRAMANIAM: Leave alone the boys with English medium. For boys with Tamil medium, do you prescribe different text-books for boys of the same class?

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SRI T. P. SRINIVASAVARADAN : We have boys coming from Delhi who do not know Tamil. We have to prescribe different books for them because they do not know much of Tamil.

Then, Sir, the Government will invite some seven or eight authors, ask them to write the text-books and then choose from among them. Do the Government think that there are only seven or eight authors?

THE HON. SRI C. SUBRAMANIAM : I did not say that only seven or eight authors would be invited. Everybody will be invited to write.

SRI T. P. SRINIVASAVARADAN : Though the Government might invite all to write, they will choose from seven or eight authors. Now, what happens at present is this. These authors are not third-rate persons. They have patrons. The publishers publish dramas, books of a literary nature all those things. When some of their books do not find a sale in the market, from out of the profits they get out of publishing text-books, they publish excellent books. These patrons will go if the Government take up publication of text-books. Again, I may tell the House that one gets enlightened by reading more books. Teachers now read more books. If the Government prescribe the text-books, they will confine themselves only to the particular text-books. If the Government want money, let them get royalty just as the authors get royalty from the publishers.

THE HON. SRI C. SUBRAMANIAM : It is not for money that we are taking it up.

SRI T. P. SRINIVASAVARADAN : If it is not for money, why then do the Government want to take it up? Take the S.S.L.C. books published by the Government and the other books published by private publishers. The latter are full of pictures.

THE HON. SRI C. SUBRAMANIAM : Let us wait and see and then decide.

SRI T. P. SRINIVASAVARADAN : Then, Sir, there will be rigid uniformity. As I said, education requires an atmosphere of freedom. It requires intellectual variety. The Government are shutting out both these things, by undertaking the publication of text-books. (Interruption.) Since the Hon. Minister differs from my view, let me leave it at that (Mr. Chairman sounded the gong.) I shall take only one more minute and resume my seat. After approval by the Legislature—a very guarded statement—the Government want these recommendations to be implemented. If the Government want that the recommendations should be implemented, then the machinery should do things as quickly as possible. Now, we find that there is inordinate delay in the Department of Education. The staff are overworked. That is how I take it. Some powers should be delegated to the District Educational Officers and the Divisional Inspectors. Unless the Government do

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that, it is not possible to implement the recommendations with expedition. It will take months and months to implement them. I earnestly plead with the Hon. Minister that there should be decentralisation of power. Government should give more powers to the District Educational Officers and the Divisional Inspectors.

Lastly, let me refer to one more point. Yesterday the Hon. Minister said that a Standing Committee would be constituted. I welcome that proposal. The Government will then know the difficulties experienced at various levels. They can take necessary action to meet them from time to time. It is a very good thing to have such a committee. We had a Provincial Advisory Committee during the time of Mr. Avinashilingam Chettiar. I do not know why it was subsequently abolished. I suppose, though the composition of the committee might be a little bit different, it will be just like the Provincial Advisory Committee. On more than one occasion, I pleaded for the constitution of such a committee. Then the Hon. Minister was not inclined to accept the suggestion. I am glad that in some form or another this committee is coming. I hope the Hon. Minister will pursue the proposal and see that the Standing Committee is appointed which will post the Government with the necessary information then and there.

Thank you, Sir.

MR. CHAIRMAN : I reduce the time-limit to 15 minutes for each hon. Member. I would request hon. Members to confine their speeches to this time-limit.

SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, Sir, with all respect to you, I must say that it is not possible for me to say all that I want to say within the 15 minutes allotted to me so kindly by you. I am not a very eminent educationist. But it does not very much matter. I will obey your ruling and confine myself to the time-limit of 15 minutes.

At first, I want to express my appreciation of the very weighty document presented by the Hon. the Minister for Education. In the long period of my life, I do not think, I have seen a document of this kind prepared with full facts and, at the same time, setting out impartially both sides of the question so that those of us who are inclined to take a different view from that of the Government are able to find arguments for it also in the document. The Government have decided the matter in one way. Therefore, if I should take a different note at times, it does not mean that I disagree with the Government, but my inclination is that way. That is the only way in which I could express it. With this preface, I would immediately go to the question of duration of the school course, namely, whether it should be 11 years or 12 years. That is one of the questions on which I differ from the Hon. Minister. I will refer to it later.

Let me now refer to one point about which my hon. Friend Sri T. P. Srinivasavaradan also spoke. That is about the place of Sanskrit in the scheme of education at all stages. The present

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position is that the students can take the regional language or a combination of the regional language and a classical language. Then there is only English. That is the position taken from the year 1950 when Sri Madhava Menon was the Education Minister. When he was Education Minister, all of us went to him and had a discussion on this question. Finally, he came to the conclusion—Sri R. K. Shanmukham Chetty was also there representing the claims of the regional language that it was necessary and should be made compulsory and all that—that that scheme would be a workable scheme. The scheme was that those who wanted to take Sanskrit could also study the regional language with composition, prose, poetry and all that, but not intensively. That was how it was decided then. I found that in the first White Paper the Government suggested that any student might take the regional language or a combination of the mother-tongue and the regional language. The Secondary Education Commission has also stated in its Report that the regional language or a combination of the regional language and a classical language can be taken. I also saw in the *Indian Express* a circular issued by the Central Government. They have also mentioned there that a combination of the mother-tongue and a classical language may be considered. There are all these documents in which that view has been taken. As a matter of fact, that is the position obtaining in our State now.

About Hindi, I certainly know that there is some difficulty. The extreme view has been taken by many that so far as Hindi is concerned, that should be the official language of the Union. So far as our State is concerned, the official language will be Tamil. But so far as the official language of the Union is concerned, it will be Hindi. Therefore, it is for the purpose of those people who want to enter Government service and those who appear for competitive examinations that Hindi may be necessary. Why should we not ask these people to appear for a competitive test? I am talking of the old days when such a test was held for the I.C.S. Officers. They had just some knowledge of the regional language.

SRI A. M. ALLAPICHAJ: A little smattering of it only.

SRI K. BALASUBRAMANYA AYYAR: Presently I wanted to say that. Still, many I.C.S. Judges of the High Court were able to read and understand manuscripts in Tamil and Telugu which some of us were not able to do. (Interruption: Europeans?) Yes, I am talking of Europeans; they did that. They may not speak the language in the usual way we do. Still they knew the language. I can testify to that fact: I have been at the Bar in the High Court for many years. (The Hon. Sri C. Subramaniam: Exceptions may not prove the rule.) Not exceptions, many, many I.C.S. Officers have even published dictionaries for the use of I.C.S. Officers. Of course, that is a different point. I am only stating that a knowledge of Hindi also may be acquired for appearing for these competitive tests. That is a matter which may not be a hardship. Whatever it is, the Central Government want that

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Hindi should be learnt by all. According to a circular of theirs, it seems that Hindi has been made a compulsory subject of study everywhere except in the Madras State. That is a different matter. But it is rather difficult when we say 'Hindi or any other Indian language other than that in Part I'. Unfortunately, all students learn languages and study with the prospect of a career. Not that they all love the language. Of course, they should study the language for the love of it. That should be the ideal. But it is not so practically. The difficulty is that many parents, apart from the students, have to decide. The difficulty in these things is that there are three scripts and all the three scripts are compulsory. It is not only a question of learning the languages, but a question of learning the different scripts. I would, therefore, suggest that Sanskrit may be studied even in lower standards. Because in younger age, a pupil is able to acquire knowledge of the script much better than when he becomes older. That is what the Prime Minister also has stated the other day. I would, therefore, appeal to the Hon. the Minister for Education to consider whether the students cannot take up the study of Sanskrit earlier. Fortunately, Hindi and Sanskrit have common scripts and it is known from experience that many students are able to learn Sanskrit easily; they can decide afterwards whether to change to Hindi and when. I can assure the Hon. Minister from my experience that persons with knowledge of Sanskrit are able to acquire knowledge of Hindi very easily and that they are able to pass the Rashtrapasha and Praveen Examinations within three months. Most of the words are very common, except some Urdu words in Hindi. Therefore, I have found from experience that many students who are Sanskrit scholars are able to become Hindi teachers within three or four months. They get appointments not as Sanskrit Pandits but as Hindi Pandits. Therefore, it will be good if Sanskrit is taught from a lower level. But in this Committee's Report, it has been stated that English should be taught from the V Standard. It will be a hardship to learn more languages and perhaps that is one of the reasons why Sanskrit has been relegated to the 8th and upper standards. So far as Sanskrit is concerned, I can assure the House that students will be able to take to its learning, as they do now, even in younger ages. In some of the families, at a very tender age they are taught *Stotras* and are able to know words. Therefore, it will be possible for them to acquire knowledge of the script also. In the circumstances, I would request the Hon. Minister to consider that question.

MR. CHAIRMAN: Ten minutes over.

SRI K. BALASUBRAMANYA AYYAR: Oh! For this one matter, ten minutes are already over?

Saint Appar has said: 'The Lord has become all these things'—all these languages, Sanskrit, Tamil, Nanmaraigal, etc. This has been said by Saint Appar who lived in our age and who has given magnificent outpourings for the consolation of our people.

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These languages have flourished in this great land of Tamil Nad. That is why I am anxious that our Tamil lovers should learn Sanskrit also and that the Sanskrit lovers should learn Tamil also. I would insist that all of them should know both these languages. Some people imagine that the Sanskrit language is associated with caste and all that. It is not so. Jains and Buddhists knew Sanskrit; even Charvakas knew that language. Therefore, the language need not be associated with any particular ideas or ideologies. I would appeal to our hon. Friends not to neglect Sanskrit. In this report I was afraid that it might be a casualty. That was what I was feeling. Of course, I knew that the Hon. Minister would not do like that. He himself is studying Sanskrit, if I may refer to a private affair, and I have myself recommended a Pandit to him. Therefore, I am perfectly sure that he will not have any prejudices in his mind.

SRI MOHAMED RAZA KHAN: When are we to know the progress? (Laughter.)

SRI K. BALASUBRAMANYA AYYAR: If you will allow him to study, he will show better progress.

SRI A. M. ALLAPICHAJ: He is a very intelligent student. We need not worry about his progress.

SRI K. BALASUBRAMANYA AYYAR: There are two matters of importance which I will only mention and not dilate upon.—An impartial study of this Report shows that 12 years of schooling is quite all right on the whole. I know the financial difficulties. But still even in this period there is financial difficulty. If we want to upgrade all the standards from the 8th standard, always we require graduate trained teachers and pay them much more than the secondary grade trained teachers. Certainly, the cost will be much more even under the present scheme. In this Report it is very cautiously mentioned at page 33 that they will look into the whole thing after some time, because other States like Mysore, Andhra and Kerala have got a scheme of 12 years' schooling. Therefore, they have cautiously put it here that they would consider this aspect some time later and that if necessary, they would revert to it. Therefore, I say that they are not very much against it.

5-20 P.M. One other thing is that when the Secondary Education Commission mentioned about this 12 years' schooling, they took first the junior basic as the standard. What they felt was that the diversified course should be taken into consideration. In this arrangement, there will be one year less, because they have got now the three-year degree course. The only thing is that the secondary course will be for four years instead of three years. But now you have got an integrated course of elementary education including basic education. There is very great difficulty in this process. Basic education is for eight years. Though originally, they stated in the Wardha Scheme that it was for seven

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years, as a matter of fact, when basic education was introduced here, it was introduced in two stages, namely, junior basic and senior basic. Both these stages covered a total period of eight years. Now, we have to compress this course of eight years into one of seven years. According to me, this is going to be a difficult process unless we leave basic education entirely out of consideration, which we will not do. Government themselves are committed to this basic education. Basic education is not of the old pattern as in the Wardha Scheme. But still they have started this basic education in our State. There are certain important characteristics in basic education which cannot be left out of account. We have made much progress in basic education. In the Universities we have got a training course for basic education at the express request of the Director of Public Instruction. There will be basic teachers. We cannot completely annihilate basic education. There is this one difficulty. We cannot upgrade this course from the first year onwards till the eleventh year. We cannot dovetail this basic education with the other one. We cannot dovetail the basic school with the elementary school. This is a very difficult process. I would not suggest that basic education should be entirely neglected or changed into higher elementary education. This will result in a great loss of all the ideas that are contained in basic education. It may not be self-sufficient, or it may not be self-supporting as it was originally intended to be. But still it will give the student who has gone out of the basic school an earning and livelihood. Any education should not be considered merely from the point of view of academic courses. There is a special paragraph devoted to this aspect in the Secondary Education Commission Report, and that paragraph contains, according to me, great wisdom. There it is stated that vocational training and also training in diversified courses are as much important as general education and academic course. According to this Report, diversified courses come into the picture, and therefore it is we have to state that there should be an integrated course of 11 years. In the transition stage, some of these students will have to study for twelve years, and even afterwards too, unless we upgrade basic education. I would very much prefer, after having read the Report, that the Hon. Minister had come to the conclusion that we could have twelve years.

* SRI A. M. ALLAPICHAJ: Mr. Chairman, Sir, I was not here when the Leader of the Opposition spoke. I always feel very happy to hear him. I felt really that I missed something very important.

Sir, I am not an expert, and I do not know much about education though I am a double graduate of the Madras University. There has been a very exhaustive discussion on the White Paper on Education, and several hon. Members have spoken on all aspects in a detailed manner. I heard the Hon. Minister's speech with all attention. It was a very good case he put forth before us. There is only one matter over which I do not feel happy. I am well acquainted with the feelings of the people of our State.

THE MADRAS LEGISLATIVE COUNCIL

Thursday, the 14th November 1957.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Hospital for Women and Children at Vaniyambadi.

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

(a) whether there is any proposal before the Government to open a Hospital for Women and Children at Vaniyambadi; and

(b) whether any contribution for the purpose has been offered by the people of the town?

THE HON. SRI R. VENKATARAMAN (on behalf of the Hon. the Minister for Revenue): (a) The Vaniyambadi Municipal Council has proposed to hand over to Government the newly constructed building for running a Hospital for Women and Children. In this connection, the question whether the existing Women and Children dispensary at Vaniyambadi may be transferred to the new building with its present staff and converted into a Hospital for Women and Children with certain additional staff and to be run by the Municipality itself is under examination.

(b) For the construction of the new building the public had donated a sum of Rs. 25,000 and one acre of land. The hon. Member is presumably referring to this contribution.

SRI T. PURUSHOTHAM: As Vaniyambadi is a third-class Municipality with limited finance, will the Government reconsider their proposals and take steps to run a Women and Children Dispensary under the Government and not request the municipality to run it?

THE HON. SRI R. VENKATARAMAN: Sir, the suggestion of the hon. Member will be duly conveyed to the authorities.

Removal of Pallava Sculpture.

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

(a) whether it is a fact that a private art collector removed a Pallava Sculpture from Perangiyur village, Tirukoilur taluk, South Arcot district, last year; and

[Sri A. M. Allapichai] [13th November 1957]

There is some feeling here as far as 'Hindi' is concerned. I am aware of this. If we in the Madras State wish to have an equal share and an effective share in the administration of our country, I think we should be highly efficient in the Hindi language. It is not a secret—it is a well-known fact—that to-day in Delhi we see a large number of South Indians occupying very high positions in the Government of India as Secretaries, Under Secretaries, etc. There is something like a Tamilian colony in Delhi. Should we, in the future set-up of things, lose this advantage which we now possess? I view this question from two points. One is from the point of view of enlightened self-interest of the Tamil people. It is not wisdom to lose the advantages which we possess. The view is this. Suppose our people do not learn the . . . What will be the position? The Central Government will be deprived of the advantages of our intellect. Should we deprive the Central Government of the advantages which they can derive from the extraordinary intellect of the South? That will be a very bad day when Delhi is deprived of the advantages of the intellect of the South. What will be the result? As a matter of fact, we have shown a step-motherly attitude to the question of Hindi language. I do not have anything special either in favour of Hindi or against it. As a Mussalman, I may have a prejudice against Hindi, because I know some of the great lovers of Hindi are more or less fanatics. I am not viewing the whole thing from this point of view. Hindi language is the official language of India. We do not call it 'national language', because all the fourteen languages mentioned in our Constitution are national languages. But it is the official language of India. To-day we are occupying a high position in world affairs. Why? It is because we are very efficient in English. But, in course of time, whatever persons may feel about it, English will go away from our country. It will lose its hold on our country. It may be that it goes out in 20, 30, or even 50 years.

SRI T. P. SRINIVASAVARADAN: Only as the medium of instruction, it will go.

5-30 p.m. * SRI A. M. ALLAPICHAJ: Somehow or other, Hindi will have to take the place of English, if not within 10 years or 20 years, at least within a period of 30 years. If we do not take sufficient interest in the study of Hindi in our State, we will be the losers. I am viewing the whole thing from that point of view. People in North India say, 'Oh, you Madrasis are brainy people and you can learn any language'. Even now they are jealous of Madrasis, because Madrasis are really intellectual people and they are doing a lot of service to the Government of India. If we take this kind of step-motherly interest in the development of Hindi and allot only four years for its study, what will happen? We will have no knowledge of Hindi at all and practically we will know nothing of it. When we are prepared to give seven years for the study of English, we are not prepared to give the same number of years for the study of Hindi. What will be the result?

[13th November 1957] [Sri A. M. Allapichai]

I may tell you as a Mussalman that Mussalmans are today regarded as a very backward class. They were never backward, I may tell you, in the history of the world. They have always been holding the torch of learning aloft for the last 700 or 800 years. To-day they are called backward. Why? It is merely because during the regime of the Britishers, Mussalmans said, 'We shall have nothing to do with English language as it is the language of the foreigner, the language of the rulers, the language of somebody with which we should not associate ourselves'. Thus, for a period of about 100 years, they sat quiet without learning that language. I do not want any such thing to happen to the people of the South at the present time also. I am a Tamilian by birth, my mother-tongue is Tamil, I know Tamil and I have got affection for Tamil. What I say is that with all this love, affection and regard for Tamil, it is quite consistent with our tradition to learn Hindi and become very, very efficient in that language. If we do not do so, I may tell you definitely that we shall be the losers. We shall have no share in the administration of our country. We may have something here. The hon. Member Sri Narayanaswamy Pillai said that it was a pleasant sight to see our young men speak beautiful Tamil very eloquently, nicely and clearly, which I cannot do in spite of my knowledge. That is really a happy thing. But, let us not stop with that. We must also learn Hindi. If we want to be learned in our own language, we must also learn other languages, particularly, Hindi, because it is the official language of India. In all humility, I wish to draw the attention of the Government, and do it emphatically, to the fact that this sort of step-motherly treatment to Hindi will not help us in the long run and that it will do us considerable harm.

SRI T. P. SRINIVASAVARADAN: Under the present scheme, it is provided that the students may take up the study of Hindi or any other Indian language. So, the students will not take to the study of Telugu, Kanarese or Malayalam or any such thing, but will take to the study of Hindi only. Thus, 90 per cent of the students will, in fact, take up Hindi.

* SRI A. M. ALLAPICHAJ: I understand that. But, I would have urged the Committee to take a more bold attitude in regard to Hindi. I am not saying anything against the present proposals. I only ask, 'Why have you given only four years for the study of Hindi'? Out of the 11 years, at least seven years should have been given for its study. We have given seven years for the study of English. I am not saying anything against English. I can express myself very clearly in English and I have devoted so much time to its study and I have nothing to say against English. I know that it is one of the very, very beautiful languages, an almost perfect language, and I have nothing to say against it. But, Sir, however beautiful somebody else's mother may be, will she become our mother? Can we claim her as our mother? She will continue to be somebody else's mother. Therefore it is I say that Hindi should take the place of English.

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SRI T. P. SRINIVASAVARADAN : Suppose she adopts?

* SRI A. M. ALLAPICHAH : It is not possible.

SRI T. P. SRINIVASAVARADAN : It is only said that it may be continued for some more time.

* SRI A. M. ALLAPICHAH : I do not object to the principle. Our Constitution says that Hindi is our official language. We are big men, wise men and farsighted men. I do not want to say anything more than that. But, we must remember that it is stated to be the official language though not the national language. Whatever it is, we must not lag behind the other people in the race. Let us defeat and let us beat the other people in North India, as we have done in the past, in the study and mastery of Hindi. Surely, we are a set of intellectual people. Given sufficient opportunities, we could definitely learn Hindi and master it too. From two points of view—a highly patriotic point of view and an enlightened self-interest point of view—I say that Hindi should be given better treatment than has been given in this White Paper. With these words, I conclude my speech and thank you for giving me the opportunity to speak on this occasion.

*SRI A. GAJAPATHY NAYAGAR : மதிப்பிற்குரிய தலைவர் அவர்களே, நான் தமிழில் பேசுவது தலைவலியாக இருந்தால், ஆங்கிலத்தில் பேச வேண்டுமென்றால், ஆங்கிலத்திலும் பேசவேண்டும். ஆனால் தமிழ் நாட்டில் தமிழ் மொழி சட்டப்படி அட்சிமொழியாகச் செய்யப்பட்டது என்பதை நினைவுபடுத்துகிறேன். அதே நேரத்தில் இந்தியன் யூனியனில் ஹிந்தி மொழி அட்சி மொழியாக வந்திருப்பதையும் நினைவுபடுத்துகிறேன். இந்த இரண்டு மொழிகளையும் வைத்துக்கொண்டுதான் நாம் பேசவேண்டும். தமிழ் நாட்டில் தமிழ் மொழியை அட்சிமொழியாகக் கொண்டுவருவதற்கு சட்டம் கொண்டுவந்துள்ளோம். அதேமாதிரித்தான் சட்டப் பிரகாரம் அரசியல் சட்டத்திலும் ஹிந்தி மொழி அட்சிமொழியாக இருக்கவேண்டும் என்று சொல்லப்பட்டிருக்கிறது. இந்த இரண்டையும் வைத்துக்கொண்டு பார்க்கும் பொழுது, தமிழ் நாட்டில் இனியும் தமிழ் மொழி நீடிக்கவேண்டும் என்பது தான் என் கருத்து. இப்போது 11 வருடப் படிப்பு என்று உயர்தரப் படிப்புக்குச் சொல்லப்பட்டிருக்கிறது. உயர்தரப் படிப்பில் “அக்கடமிக் படிப்பு” என்றும், “டெக்னிகல் படிப்பு” என்றும் இரு முறைகளில் நன்றாக அமைந்திருக்கிறது. ஆனால் ஒரு ஐயப்பாடு தோன்றுகிறது. -40 உயர்தரப் படிப்பில் ஒரு பையன் போவதற்கு முன் ஆரம்பப் படிப்பை ஐந்து ஆண்டுகளில் முடித்துவிடவேண்டும். பிறகு மேல் படிப்பு (அக்கடமிக் கல்வி) வருகிறது. இங்கே மாணவன் தமிழ் கற்பான். அங்கே மேல் படிப்பில், வேறு மொழி கற்பான். இந்தவாறு வகுப்பில் ஆங்கிலம் கற்றுக்கொடுத்தால், டெக்னிகல் கல்வி படிக்கப்போகும் மாணவனுக்கு அந்த ஆங்கிலப் படிப்பு உதவமா? தொழில் கல்லூரிக்குச் சென்று தொழில் கல்வி படிக்கப்போகும் மாணவனுக்கு ஏதாண்டு ஆங்கிலப் படிப்பு கொடுப்பதைக் காட்டிலும் ஏதாண்டும் ஹிந்திப் படிப்பு கொடுப்பது மிகவும் நல்லது. அந்த ஏதாண்டுகளில் அவன் ஹிந்தியைப் படித்தால், அதில் நல்ல தேர்ச்சிபெற்று பாழ்ச்சையில் பலனை வான். பத்து வயதில் அவனுக்கு எதற்காக ஆங்கிலப் படிப்புக் கொடுக்கவேண்டும்? அப்போது அவனுக்கு ஹிந்திப் படிப்பு கொடுக்கலாமே!

மேலும், தமிழ் மொழி விஞ்ஞானத்தைப் போதிப்பதற்கு உதவாது என்று சொல்லப்படுகிறது. உயர்தரக் கல்வியில் மாணவன் தன் விஞ்ஞானப் பாடங்களைத் தமிழில் கற்கிறான். அதற்கடுத்தாற்போல் கல்லூரியிலும் அவன் விஞ்ஞானப்பாடங்களைத் தமிழில் கற்கமுடியும்தான் என்று நான்

[13th November 1957] [Sri A. Gajapathy Nayagar]

கேட்கிறேன். விஞ்ஞானப் புத்தகங்களைத் தமிழில் எழுதுவதும் விஞ்ஞானப் பாடங்களை ஆசிரியர்கள் தமிழில் நன்றாகப் போதிப்பதும் கடினம் என்று கனம் கல்வி அமைச்சர் அவர்கள் சொல்கிறார்கள். தமிழில் போதிப்பதற்கு நாம் சீக்கிரம் முயற்சிக்கவேண்டும். நாம் முன்னேற்றவேண்டும். தமிழ் விஞ்ஞான மொழியாக இருக்கவே முடியாது என்று சொல்வது சரியல்ல.

SRI T. P. SRINIVASAVARADAN : அப்படி ஒருவரும் சொல்ல வில்லை.

* SRI A. GAJAPATHY NAYAGAR : இப்போது முடியாது என்றால், பிறகு எப்படி முடியும் என்று கேட்கிறேன். இன்னும் முப்பது ஆண்டுகள் வரை ஆங்கிலம் இருக்கவேண்டுமென்று சொல்லப்படுகிறது. அப்படியானால், 30 ஆண்டு காலம் வரையிலும் விஞ்ஞானக் கல்லியின் தமிழ் போதனையும் காத்துக்கொண்டிருக்க வேண்டுமா? ஏன், அடுத்த வருஷமே கல்லூரிகளில் விஞ்ஞானப் பாடங்களைத் தமிழில் போதிக்கலாம். ஏன் இரண்டாவது ஐந்து வருஷத் திட்ட காலத்திற்குள்ளேயே கல்லூரிகளில் விஞ்ஞானக் கல்வியைத் தமிழில் போதிப்பதை ஆரம்பிக்கக் கூடாது? இதற்கு சீக்கிரம் முயற்சிக்க வேண்டுமென்று சொல்லிக்கொள்கிறேன்.

ஆங்கிலத்தை நாட்டில் புகுத்தினால், தமிழ் மொழி வளர்வதும் ரொம்பக் கஷ்டமாகி விடும், ஹிந்தி வளர்வதும் ரொம்பக் கஷ்டமாகி விடும். ஆங்கிலத்தை வளர்க்கவேண்டுமென்று சொல்லும்போது, அதை இந்தியப் பேரரசு மொழிகளில் ஒன்றாக நிர்ணயிக்கவேண்டும். ஆங்கிலத்தைக் கைவிடுவதற்கு 30 ஆண்டுகள் ஆகும் என்று ஒருவர் சொல்கிறார்; 20 ஆண்டுகள் ஆகும் என்று ஒருவர் சொல்கிறார்; 15 ஆண்டுகள் ஆகும் என்று மற்றொருவர் சொல்கிறார். இப்படிப்பட்ட நிலையில்லாத ஆங்கிலத்தை வைத்துக்கொண்டு என்ன பயனைத் தான் அடையப்போகிறோம்? முதல் ஸ்தானம் கொடுக்கப் படுவண்டியு மொழி வட்டார மொழி. இரண்டாவது நிலைக்குரியது ஹிந்தி மொழி. மூன்றாவது நிலை தான் ஆங்கிலத்திற்குக் கொடுக்கலாம்; அதிகமாகப் படிப்பவர்கள் ஆங்கிலத்தைப் படிக்கட்டும். செல்வம் படைத்தவரும், படித்தவர்களைக்கொண்டதுமான குடும்பங்களில் படிக்கும் பிள்ளைகளுக்கு ஆங்கிலத்தைச் சொல்லிக் கொடுப்பதற்கு பாட்டனாரோ வேறு யாராகிலுமோ இருப்பார்கள். அத்தகைய குடும்பங்களைச் சேர்ந்தவர்கள் ஆங்கிலம் படிக்க முடியும். அவர்கள் அந்த மொழியில் நல்ல தேர்ச்சியை அடைவதற்கு சௌகரியம் இருக்கிறது. ஏழைக் குடும்பத்தைச் சேர்ந்த மாணவனுக்கு தமிழைத் தவிர வேறு எந்த மொழியைச் சொல்லிக் கொடுப்பதற்கு வீட்டில் ஆட்கள் இருக்கிறார்கள்? ஆகவே, பள்ளிக் கூடத்தில் நன்றாகத் தமிழைச் சொல்லிக் கொடுப்பதற்கு வகை செய்ய வேண்டும். உயர்தரப் பள்ளியில் தமிழ் இருக்கிறது. கல்லூரியிலும் தமிழ் இருக்கட்டும். மாணவர்கள் ஹிந்தியும் படிக்கட்டும். (குறுக்கீடு) சமஸ்கிருதம் தெரிந்தவர்கள் ஹிந்தியைச் சுலபமாகப் படிக்கலாம். சமஸ்கிருதத்தைக் காதாலேயே கேட்காதவர்களுக்கு ஹிந்தி எப்படி வரும்? ஆகையால், ஹிந்தியைக் கல்லூரிகளில் அதிகமாகப் போதிக்கவேண்டும். 5-வது வகுப்பில் எதற்காக ஆங்கிலத்தைப் போதிக்கவேண்டும்? 5-வது வகுப்பில் ஹிந்தியை வேண்டுமானால், போதிக்கலாம். அங்கே ஆங்கிலத்தைப் போதிக்கவேண்டாம். 5-வது வகுப்பு மாணவன் 10½ வயதுள்ளவனாக இருப்பான். அவனுடைய மூளை எப்படி இருக்கும்? அந்த வயதில் அவனுக்கு இரு மொழிகளைக் கற்றுக்கொடுப்பது நியாயமா? பத்தாவது வயதில் ஒரு மாணவன் இரண்டாவது மொழியைக் கற்றுக்கொள்வது கடினம். 12-வது வயதிலாவது 13-வது வயதிலாவது வேறு மொழியைக் கற்றுக்கொடுக்கலாம்; இப்போது ஹிந்தி, ஆங்கிலம் ஆகிய இரண்டு மொழிகளையும் கூட வைத்துக்கொள்ளலாம். இரண்டில் ஒன்றைப் படிக்கலாம் என்று நிர்ணயித்துவிடலாம். 5-வது வகுப்பிலேயே இரண்டாவது மொழியைப் போதிக்கக்கூடாது. அந்த வகுப்புக்கு, அதாவது 10½ வயதுக்குள், தமிழை நன்றாகப் போதித்தால் பலர் மிகவும் பயனடைவார்கள். உபாத்தியாயங்கள் குறைவ என்ற பிரச்சனை நீடித்தால், தமிழறிவை மாணவர்கள் பெறமுடியாது. இந்தப் பிரச்சனை இருந்தால் தமிழும் வளராது, ஆங்கிலமும் வளராது.

[13th November 1957]

THE HON. SRI C. SUBRAMANIAM : வேறு என்ன பண்ணலாம் என்று கனம் அங்கத்தினர் சொல்லவேண்டுமென்று கேட்டுக்கொள்கிறேன்.

* SRI A. GAJAPATHY NAYAGAR : 10½ வயதில் இரண்டாவது மொழியைக் கற்றுக்கொடுக்கவேண்டாம். நான்கு வருஷ நடுத்தரக் கல்வியில் ஆங்கிலத்தையும் ஹிந்தியையும் கற்றுக்கொடுக்கவேண்டும். 10½ வயதில் மாணவன் இரு மொழிகளைப் படிப்பது கஷ்டம். அப்போது தமிழை நன்றாகக் கற்றுக் கொடுக்கவேண்டும்.

மாணவர்களுக்கு ஹிந்தியைக் கற்றுக்கொடுக்கவேண்டும். ஹிந்தி மொழியை நமது ராஜ்யத்திலுள்ளவர்கள் பயிலாவிட்டால், அவர்களுக்கு மத்திய அரசாங்க உத்தியோகம் கிடைக்காது. “ஹிந்தி வேண்டாம், வேண்டாம்” என்று சிலர் இப்போது சொல்லிக்கொண்டிருக்கிறார்கள். அவர்கள் தமிழ் அன்பர்கள். மற்றவர்கள் ஹிந்தியை மாணவர்கள் கட்டாயம் படிக்கவேண்டுமென்று வற்புறுத்துகிறார்கள். இப்போது நமது ராஜ்யத்தில் ஆயிரக்கணக்கானவர்கள் ஹிந்தி படித்திருக்கிறார்கள். பள்ளிக் கூடங்களில் ஹிந்தியைப் போதித்து மாணவர்கள் அதில் தேர்ச்சியடையும் படி செய்யாவிட்டால், வருங்காலத்தில் அவர்களுக்கு மத்திய அரசாங்க உத்தியோகம் கிடைக்காது; மத்திய அரசாங்க உத்தியோகம் புறியோய் விடும். மேலும், அவர்களுக்கு ஹிந்தியைப் போதித்தால், அவர்கள் வருங்காலத்தில் ஹிந்தியாவின் பொதுவான அபிவிருத்திக்கான காரியங்களில் ஈடுபடுவார்கள்; அதற்குரிய மனோபாவத்தை அடைவார்கள்.

SRI N. ANNAMALAI PILLAI : ஆந்திராவிலும் கேரளத்திலும் ஹிந்தியைக் கட்டாயம் பாடமாக வைத்திருக்கிறார்கள்.

* SRI A. GAJAPATHY NAYAGAR : தமிழுக்கு முதலிடம் கொடுக்க வேண்டும். அடுத்த இடம் ஹிந்திக்கு உரியது. அதற்கடுத்த இடத்தை ஆங்கிலத்திற்குக் கொடுக்கலாம். அப்படியின்றி ஹிந்தியையும் ஆங்கிலத்தையும் வைத்துக்கொள்ள வேண்டுமானால், அவ்விருவற்றிற்கும் ஒரே இடத்தை அளிக்கலாம். தமிழுக்கு முதலிடம் கொடுக்கவேண்டும். தமிழுக்கு ‘Win’ கொடுத்து விட்டு, ஆங்கிலத்திற்கும் ஹிந்திக்கும் ‘Place’ கொடுக்கலாம். ஆங்கிலத்திற்கோ, ஹிந்திக்கு, எதற்கு வேண்டுமானாலும், ‘first place’ கொடுக்கப்பட்டும், நம் ராஜ்யத்தில் மூன்று குதிரைகள் ஒரேவதாக வைத்துக்கொள்வோம். (சிரிப்பு). தமிழ், ஹிந்தி, ஆங்கிலம் என்ற மூன்று குதிரைகள் ஒரேகின்றன. தமிழ் என்ற குதிரைக்கு ‘Win’ கொடுக்கவேண்டும். ஹிந்தி, ஆங்கிலம் ஆகிய இரண்டு மொழிகளில் ஒரு மொழிக்கு ‘first place’-ம் மற்றொன்றிற்கு ‘second place’-ம் கொடுக்கவேண்டும்; சர்க்கார் தங்கள் இஷ்டம் போல் எதற்கு வேண்டுமானாலும் ‘first place’-ஐக் கொடுக்கட்டும். குதிரை ஒட்டப் பந்தயத்தைப்பற்றி எல்லோருக்கும் நன்றாகத் தெரிவதால், இந்த உபமானத்தைச் சொன்னேன். இந்த சந்தர்ப்பத்தில் என்னுடைய இன்னொரு கருத்தையும் தெரிவித்துக்கொள்கிறேன். இந்த நாட்டில் நிறையப் பேர் ஆங்கிலம் படித்திருக்கிறார்கள். ஹிந்தி அல்லது ஆங்கிலம் படிக்கலாம் என்று ஏற்பாடு செய்தால், ஆங்கிலம் படிப்பவர்கள் ஆங்கிலத்தையும் பிராந்திய மொழியையும் படிப்பார்கள். அவர்கள் ஹிந்தியைப் படிக்காத காரணத்தால் பிறகு கஷ்டப்பட வேண்டும். அவர்களும் ஹிந்தி கற்பதற்கு வசதி செய்யவேண்டும். எனக்கு ஒரு யோசனை தோன்றுகிறது. ஹிந்திக்கு “நாகரி” எழுத்து இருக்கிறது. ஆங்கிலத்திற்கு “ரோமன்” எழுத்து இருக்கிறது. ஹிந்தியைப் போதிக்கும்போது, “நாகரி” எழுத்து, “ரோமன்” எழுத்து ஆகிய இரண்டு எழுத்துக்களிலும் என் போதிக்கக் கூடாது? அப்படிச் செய்தால், ஆங்கிலம் படித்தவர்கள் ஹிந்தியை “ரோமன்” எழுத்தில் கற்றுக் கொள்ளலாம். எத்தனை மொழிகள் வேண்டுமானாலும் கற்றுக்கொள்ளலாம் என்று திரு. சுப்ரமணியம் அவர்கள் சொன்னார்கள். ஆனால், பல மொழிகள் கற்றுக்கொள்ளவேண்டுமென்றால், அவர்களின் எழுத்துக்களைக் கற்றுக் கொள்வதிலே கடினம் இருக்கிறது. ஐரோப்பா தேசத்தில் ஆங்கிலம் பரவலாகப் பேசப்படுவதற்குக் காரணம் அந்த மொழியில் 26 எழுத்துக்களை இருப்பதும், அந்த எழுத்துக்கள் எல்லாம் ரோமன் ஆல்பபட்டுகளாக இருப்பதும் ஆகும். ரோமன் மொழியில் இருக்கும் விஞ்ஞானச் சொற்

13th November 1957] [Sri A. Gajapathy Nayagar]

களையெல்லாம் வைத்துக்கொள்வதால், ஜெர்மன்போன்ற மொழிகளில் உள்ள விஞ்ஞானக் கருத்துக்களையெல்லாம் பயன்படுத்திக்கொள்வதில் அவர்களுக்குக் கஷ்டம் ஏற்படவில்லை. விஞ்ஞானச் சொற்களுக்கு ரோமன் டர்ம்களையே வைத்துக்கொண்டால், அதாவது பண்டமெண்டல் இண்டர் நாஷனல் டர்ம்களையே வைத்துக்கொண்டால், நாமும் விஞ்ஞான அறிவை வளர்த்துக்கொள்ள முடியும். அப்படியில்லாமல், எல்லாவற்றையும் மொழி பெயர்த்துத்தான் ஆகவேண்டும் என்று சொன்னால், காலதாமதம் ஏற்படும். அப்படிச் காலங்கடத்தாமல் ரோமன் ஆல்பபட்டுகளில் உள்ள இண்டர்நாஷனல் டர்ம்களையே வைத்துக்கொண்டால், வெகு எளிதாக விஞ்ஞான அறிவைக் கல்லூரிகளில் போதிக்கமுடியும். ஆகவே, தமிழ் மொழியிலோ இந்தி மொழியிலோ விஞ்ஞானச் சொற்களையெல்லாம் மொழிபெயர்க்கவேண்டுமென்று குழப்பிக்கொள்ளாமல், இண்டர்நேஷனல் ரோமன் ஆல்பபட்டுகளையே வைத்துக்கொள்வது நல்லது. இந்த நல்ல காரியத்தை ஏற்றுக்கொண்டால், விஞ்ஞான வளர்ச்சிக்கு உதவியாக இருக்கும்.

இந்தியும் இண்டர்நாஷனல் நிலைமை அடையவேண்டுமென்றால், அதையும் ரோமன் ஆல்பபட்டுகள் மூலமாக

THE HON. SRI C. SUBRAMANIAM : தமிழுக்கும் அப்படியே வைத்துக் கொள்ளவேண்டுமா?

* SRI A. GAJAPATHY NAYAGAR : தமிழ் இண்டர்நாஷனல் மொழியாக இஷ்டப்படவில்லை. சதேசமித்திரன் வேண்டா வெறுப்பாக ஏதோ செய்தார்கள். தமிழ் இண்டர்நாஷனல் மொழி ஆகவேண்டுமென்றால், தமிழுக்கும் ரோமன் எழுத்து இருக்கவேண்டுமென்று பத்திரிகையில் வந்திருக்கிறது. இந்தி மொழியைக் கற்றுக்கொள்ளவேண்டுமென்றால், அதை இரண்டுவிதமான எழுத்துக்களின் மூலம் கற்றுக்கொள்ளலாம். நாகரி எழுத்திலும் கற்றுக்கொள்ளலாம். ரோமன் எழுத்துக்களிலும் கற்றுக்கொள்ளலாம். நாகரி எழுத்தின் மூலம் சம்ஸ்கிருத மொழியும் கற்றுக்கொள்ளலாம், இந்தி மொழியும் கற்றுக்கொள்ளலாம். ரோமன் எழுத்தின் மூலம் ஆங்கிலமும் கற்றுக்கொள்ளலாம், இந்தியும் கற்றுக்கொள்ளலாம். என்னுடைய அபிப்பிராயத்தை மற்றவர்கள் ஏற்றுக்கொள்ளவேண்டும் என்று நான் சொல்லவில்லை. ஆக, இரண்டு எழுத்துக்களை வைத்துக்கொண்டு, மூன்று மொழிகளைக் கற்றுக்கொள்ள வேண்டிய வகையில் திட்டம் வகுக்கவேண்டுமென்று கேட்டுக்கொண்டு, இவ்வளவு நேரம் பேசுவதற்குச் சந்தர்ப்பம் அளித்த தலைவர் அவர்களுக்கு வணக்கத்தைக் கூறி என்னுடைய வார்த்தையை முடித்துக்கொள்கிறேன்.

MR. CHAIRMAN : There is no time for another speech. The House will now adjourn and meet again at 10 a.m. to-morrow.

The House then adjourned.

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

* 100. Notification issued with G.O. Ms. No. 2663, Industries, Labour and Co-operation, dated the 9th August 1957, regarding amendments to certain rules framed under the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932).

† 101. The Madras Village Panchayats (Amendment) Bill, 1957 (L.A. Bill No. 16 of 1957), as passed by the Legislative Assembly.

‡ 102. The Prevention of Insults to National Honour Bill, 1957 (L.A. Bill No. 19 of 1957), as passed by the Legislative Assembly.

* Laid on the Table of the House on 11th November 1957.

† Sent by special messengers on 9th November 1957.

‡ Sent by special messengers on 11th November 1957.

[14th November 1957]

(b) if so, the circumstances in which he was permitted to do so?

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

(b) The Collector's report in the matter revealed that the sculpture in question was a discarded stone idol found on the bund of a pond and that it was removed by a private art collector who is an advocate, for his private Museum at Mahabalipuram. It was also stated that the art collector had obtained the permission of the villagers before removing the sculpture and that it was secured with the *bona fide* intention of being preserved in his private Museum. The District Collector further reported that the art collector had requested permission to retain the sculpture till his lifetime. This has been agreed to. Afterwards, it will be transferred to the Government Museum. It is considered that the stone idol cannot be construed as 'treasure' for the purposes of the Treasure Trove Act, 1878.

SRI T. PURUSHOTHAM : As it is an unauthorized removal, why is the stone idol allowed to be retained by the art collector and under what conditions is he permitted to keep the sculpture?

THE HON. SRI C. SUBRAMANIAM : Sir, I thought that I indicated in the last sentence of the answer that it did not come within the scope of the definition of 'treasure' in the Treasure Trove Act, 1878. Therefore, there is no question of his having contravened the provisions of any of the existing Acts. But we do agree that it is an important sculpture and that is why we have come to an agreement with him that he may keep it till the end of his lifetime and that afterwards it should be transferred to the Government Museum.

SRI V. CHAKKARAI CHETTY : Has it been desecrated and, if so, have not the Government power to prevent such a thing?

THE HON. SRI C. SUBRAMANIAM : Desecration happened long long ago and it remained on the bund of a pond. From there it was removed to a private museum. Therefore, the question of desecration at present does not arise.

SRI T. PURUSHOTHAM : What precautionary steps will be taken against the replacement of the original sculpture by a duplicate one as it is quite possible for the art collector to do so?

THE HON. SRI C. SUBRAMANIAM : I do not expect that such a thing will happen with reference to that. Anyhow, I shall pass on the idea brought out by the hon. Member to the Superintendent of the Government Museum.

SRI T. PURUSHOTHAM : Will the Government kindly tell us what sort of guarantee or deed has been obtained from the art collector to ensure the return of the sculpture by his heirs after his lifetime?

[14th November 1957]

THE HON. SRI C. SUBRAMANIAM : It has been suggested that a written undertaking should be obtained from the person concerned. It has also been further suggested that a photograph of the sculpture in its present condition may also be obtained for our records.

SRI T. PURUSHOTHAM : May I presume that this will be treated as a special case and not as a precedent, for disposal of such cases of removal of sculptures?

THE HON. SRI C. SUBRAMANIAM : Sir, we will have to consider whether under the existing provisions of any law, we can compel anybody to hand over such sculptures to the Government. As at present advised, it is not possible to do so. But, certainly, we shall try to find out whether any amendment is necessary in this regard, so that all these sculptures and allied materials could be taken charge of by the Government.

SRI T. PURUSHOTHAM : In view of the remarks of the Hon. Minister, may I know what measures have been instituted by the Government to protect such pieces of ancient art of historical interest from removal, disposal or export with reference to the Directive Principles in Article 49 of the Constitution?

THE HON. SRI C. SUBRAMANIAM : Now, Sir, the export of any piece of ancient monument is prohibited and I know that it is a little bit difficult to enforce that prohibition. But still action is being taken in many cases to see that it is not exported. I do not think that it would be possible to do more than that at this stage.

DR. V. K. JOHN : May I tell the Hon. Minister that this finding of the art remained on the bund of a pond neglected, that in removing it to his private museum the art collector did a service and that he deserves to have it?

THE HON. SRI C. SUBRAMANIAM : I do not think the hon. Member Sri Purushotham objects to this being taken by anybody. The only thing is that it should not become a matter for sale to some private art collector. That is the only anxiety which the hon. Member has got in his mind. As far as that is concerned, this sculpture is being kept in a private museum at Mahabalipuram.

DR. A. SREENIVASAN : May I know the nature of the wonderful sculpture to which so much importance is being attached?

SRI T. PURUSHOTHAM : It is a beautiful Vaishnava stone image belonging to the Pallava Age.

THE HON. SRI C. SUBRAMANIAM : The hon. Member is not interested in all these wonderful things and that is why he has used the word 'wonderful'.

[14th November 1957]

SRI A. GAJAPATHY NAYAGAR: Are not these sculptural arts called 'சர்க்கார் சொத்து', that is, property belonging to the Government and is it not a fact that no person can possess such properties? Therefore, why not the Government take possession of the property?

THE HON. SRI C. SUBRAMANIAM: That is why we have now come to an agreement with the individual that it should be returned to the Government after his lifetime and I do not think that any further step need be taken as far as that is concerned. With regard to the suggestion that such sculptures and other ancient monuments should be properly preserved and should be taken charge of by the Government, we shall consider it separately.

DR. A. SREENIVASAN: Is it not a fact that, according to newspaper reports, the idol is a mutilated one and that according to 'Agamas', a mutilated idol is not fit for any form of worship?

THE HON. SRI C. SUBRAMANIAM: This is not intended for worship but is to be preserved as a piece of ancient sculpture. As a matter of fact, in some places a mutilated sculpture has greater value than the whole sculpture.

DR. V. K. JOHN: Is the private museum open to the public?

THE HON. SRI C. SUBRAMANIAM: Yes, Sir, with the permission of the person concerned, anybody can go and see it.

Tamil Nad Siddha Vaidya Conference.

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

(a) whether the Government have received copies of the resolutions passed at the Tamil Nad Siddha Vaidya Conference held at Madras on 7th July 1957; and

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

THE HON. SRI R. VENKATARAMAN (on behalf of the Hon. the Minister for Revenue): (a) Yes, Sir.

(b) The matter is under examination.

SRI T. PURUSHOTHAM: Will the Hon. Minister tell us what steps have been taken by the Government to start a research centre for the Siddha system with a view to developing the same?

THE HON. SRI R. VENKATARAMAN: Sir, that is one of the resolutions passed at the conference. The comments of the Director of Medical Services have been received and they are under examination by the Government.

SRI T. PURUSHOTHAM: May I know whether the Government would revise their attitude towards Indian indigenous system of medicine in view of the latest pronouncement of the President of India on the efficacy of the Indian systems?

[14th November 1957]

THE HON. SRI R. VENKATARAMAN: This question of general principle cannot be answered in an interpellation.

SRI A. SUBRAMANYAM: எந்தவிதமான கருவியும் இல்லாமல், நோயாளியின் நாடியைப் பிடித்துப் பார்த்து, வியாதியைக் கண்டுபிடிக்கும் ஆற்றல் சித்த வைத்திய நிபுணர்களுக்கு இருப்பதால், அவர்களுக்கு ஊக்கம் கொடுப்பதற்கு சர்க்கார் ஏன் முன்வரக்கூடாது என்று கேட்க விரும்புகிறேன்.

THE HON. SRI R. VENKATARAMAN: சர்க்கார் அதைத்தான் கவனித்துக்கொண்டிருக்கிறார்கள்.

DR. A. SREENIVASAN: May I know whether the previous speaker has requisitioned the services of doctors who practise indigenous system of medicine or modern medicine?

THE HON. SRI R. VENKATARAMAN: No question can be put to another hon. Member.

Sharing of Palar Waters.

* 45 Q.—**SRI T. PURUSHOTHAM:** Will the Hon. the Minister for Public Works be pleased to lay on the table of the House the copy of the report of the Expert Committee that went into the dispute about the sharing of Palar waters with the Mysore State?

THE HON. SRI P. KAKKAN: The report of the Expert Committee is under consideration of the Government and no final decision has so far been taken in the matter. A copy of the report cannot, therefore, be laid on the table of the House. The hon. Member may perhaps be aware that his recent request to the Government for the supply of a copy of the report was not complied with for the same reason.

SRI T. PURUSHOTHAM: As the Hon. Minister stated in reply to a previous question on this subject that the State Government would carry on further high level discussion on this question, may I know whether the Legislature would be given an opportunity to discuss this matter before a final decision is taken?

THE HON. SRI P. KAKKAN: It is not possible.

Communication of Government Orders, etc., to the Village Officers.

* 46 Q.—**SRI T. PURUSHOTHAM:** Will the Hon. the Minister for Revenue be pleased to state the procedure adopted by the District Collectors for communicating important Government Orders, Board's proceedings and other matters of revenue and general interest to the Village Officers?

THE HON. SRI R. VENKATARAMAN (on behalf of the Hon. the Minister for Revenue): Important Government Orders,

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Board's Proceedings and other matters of revenue intended to be communicated to the village officers are translated into Tamil by the Tahsildars and communicated to the village officers direct or through the Revenue Inspectors.

SRI T. PURUSHOTHAM : Will the Government consider the question of issue of a monthly revenue bulletin by the Board of Revenue extracting important Government Orders, B.P.Os., etc., similar to the Panchayat Bulletin issued by the Inspector of Municipal Councils and Local Boards?

THE HON. SRI R. VENKATARAMAN : That is a suggestion for action which will be considered.

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* MESSAGE FROM THE ASSEMBLY.

10-10 a.m. **MR. CHAIRMAN :** I have to announce to the House that I have received the following message from the Hon. the Speaker, Madras Legislative Assembly, dated the 13th November 1957 :—

“ In accordance with rule 138 of the Madras Assembly Rules, I transmit a copy of the motion passed to-day by the Madras Legislative Assembly desiring to obtain the concurrence of the Council in setting up a Joint Select Committee of the two Houses to consider the Madras Bhoodan Yagna Bill, 1957 (L.A. Bill No. 15 of 1957).

Motion.

“ That the concurrence of the Legislative Council be obtained for setting up a Joint Select Committee of both the Houses consisting of 24 members (16 members from the Assembly and 8 members from the Council) to consider the Madras Bhoodan Yagna Bill, 1957 (L.A. Bill No. 15 of 1957), and that the following Members of this House be selected to serve on such a Joint Select Committee :—

1. The Hon. Sri M. Bhaktavatsalam.
2. Sri P. G. Karuthiruman.
3. (Srimathi) Dr. T. S. Soundaram Ramachandran.
4. Sri A. Vedaratnam.
5. Sri A. Senapathi Gounder.
6. Sri S. Lazar.
7. Sri M. P. Periaswami.
8. Sri M. William.
9. Sri R. Krishnaswami Naidu.
10. Sri T. Manavalan.
11. Sri M. G. Sankar.

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12. Sri V. K. Kothandaraman.
13. Sri P. S. Chinnadurai.
14. Sri P. Veerappa Kounder.
15. Sri D. S. Authimoolam.
16. Sri M. Karunanithi.”

III.—GOVERNMENT MOTION.

DISCUSSION ON THE REPORT OF THE LEGISLATURE COMMITTEE ON THE WHITE PAPER ON EDUCATION—*cont.*

MR. CHAIRMAN : We will now continue discussion on the White Paper on Education. There are ten Members to speak to-day and we have just over a hundred minutes available. Hon. Members should, therefore, confine their speeches to ten minutes each.

DR. V. K. JOHN : The Hon. Minister may reply in the afternoon. The Panchayat Bill may take just half or one hour in the afternoon.

THE HON. SRI C. SUBRAMANIAM : But I should be free.

DR. V. K. JOHN : I want to know whether you would be free. Because there are ten Members to speak, there may not be time for reply in the forenoon.

THE HON. SRI C. SUBRAMANIAM : We cannot go on extending the time. After all, the scope of discussion is now limited particularly after the speech of the hon. the Leader of the Opposition. We can finish even in the morning our discussion on the Report. If necessary, we will sit till 1-30 p.m.

SRI M. ETHIRAJALU : கனம் தலைவர் அவர்களே, கல்வி சம்பந்தப்பட்ட வெள்ளை அறிக்கை நம் முன்னால் இருக்கிறது. அந்த அறிக்கையில் நாடு செழுமையாகவும், சுமுகமாகவும், வளமாகவும் இருப்பதற்குத் தகுந்தவாறு அறிவை அடிப்படையாகக் கொண்டு சிறந்த கல்வி முறை அமைத்துக் கொடுக்கப்பட்டிருக்கிறது. வல்லுனர்கள், நிபுணர்கள், கட்சிக்கு அப்பாற்பட்ட அறிவின் அடிப்படையில் நமக்கு இந்த முறையை வகுத்துக் கொடுத்திருக்கிறார்கள் என்பதை நாம் சிந்திக்காமல் இருக்க முடியவில்லை. இந்நாட்டின் கல்வி ராஜ்யத்தில் இருக்கக்கூடிய மாணவர்களை உத்தியோகங்களுக்கு இறையாக்கிய காரணங்களால், நம் கல்வி முறை அடிக்கடி மாற்றப்பட்டு வந்தது என்பதை நாம் எல்லோரும் அறிவோம். சுமார் இருபது ஆண்டு காலமாக வந்த கல்வி அமைச்சர்களால் கூட காலத்திற்கு ஏற்றபடி கல்வி முறை மாற்றி வகுக்கப்பட்டு வந்தது நமக்கு நன்றாகத் தெரியும். அதன் காரணமாகத்தான் நீதி, நேர்மை நிறைந்த முறையில் கல்வி முறையை வகுக்க வேண்டுமென்பதற்காக, இந்நாட்டில் எந்த அரசு ஏற்பட்ட போதிலும் அல்லது எந்த மந்திரி சபை ஏற்பட்ட போதிலும், கல்வி முறை மாற்றப்படாமல் இருக்க வேண்டும் என்ற நோக்கத்துடன் இந்த சட்டசபையில் ஒரு பொறுக்குக் கமிட்டி அமைக்கப்பட்டது. அதில், திறம்படச் செயல் ஆற்றியவர்களும், கல்வி நிபுணர்களும், பல்கலைக் கழகத்தில் பதினாந்து ஆண்டுகள் துணை வேந்தராக இருந்து பணியாற்றியவரும் எதிர்க் கட்சித் தலைவரும் அங்கம் வகித்தார்கள். நமது கல்வி முறை மாற்றப்படாமல் இருக்கவேண்டுமென்ற நோக்கத்துடன் நமக்கு அந்தக் கமிட்டி ஒரு முறையை அமைத்துக் கொடுத்திருக்கிறது. கட்சிக்கு அப்பாற்பட்டு கொள்கையில் மாறுபட்ட கருத்துக்கள் இல்லாமல் இந்தக் கமிட்டி ஒரு முறையை வகுத்துக் கொடுத்திருப்பதை நாம் எல்லோரும் தெரிந்துகொண்டிருக்கிறோம். அந்த அறிக்கை

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மேலும் சில விஷயங்கள் சொல்ல விரும்புகிறேன். ஒரு கல்லூரியில் படித்து அங்கேயே பரீட்சையில் தேறிய மாணவனுக்கு மறு வருஷத்தில் அந்தக் கல்லூரியில் தொடர்ந்து படிப்பதற்கு இடம் கிடைப்பதில்லை. இதை அரசாங்கத்தின் கவனத்திற்குக் கொண்டுவர விரும்புகிறேன். மேலும் ஒரு பள்ளிக்கூடத்தில் 4-வது வகுப்பில் படித்த மாணவன் மற்றொரு பள்ளிக் கூடத்தில் 4-வது வகுப்பில் சேருவதற்குக் கூட லாயக்கில்லை என்ற நிலைமை இருக்கிறது. இந்த நிலையை மாற்ற வேண்டும். பயத்தைக் கொடுப்பதாகக் கல்வி முறை இருக்கக்கூடாது. பேசுவதற்கு இந்த சந்தர்ப்பத்தைக் கொடுத்த தங்களுக்கு என் நன்றியைத் தெரிவித்துக்கொண்டு என் வார்த்தையை முடித்துக்கொள்கிறேன்.

SRI V. CHAKKARAI CHETTY : Mr. Chairman, I am thankful to you for giving me this opportunity to speak on this Report. I am not going to traverse the multitudinous recommendations made by the Committee on the White Paper on Education. It seems to me something like this. After all, what is it that we are doing? It is something like preparing 'dosai'. What do we do when we want 'dosai'? We turn the 'dosai' one side or the other but the composition is the same—the same rice and the same flour. Similarly, the Committee's recommendations are mere turning of education from one side to the other. Whether we should have a three-year course or whether we should have a five-year course pertains to matters which do not radically revolutionise the present system of education. It is something like this. I had a friend who told me a story. Once a certain person met another and greeted him thus : ஹனுமந்தராயரே ! செளக்கியமா ! The other asked him how he knew his name and the man replied " அது தான் உன் முகத்தைப் பார்த்தால் தெரிகிறதே. " Ever since the time Lord Macaulay wrote his minute on Education nothing has changed in our country. The same bias and the same principles continue to this day. My idea is, unless there is a radical and revolutionary change in the very basis and aim of education, nothing can be achieved. We are now talking about introducing Tamil as medium of instruction in colleges. Do we mean that the mere introduction of Tamil will bring about any radical change? Again, it is something like this. The Tamil equivalent for the word 'rice' is 'சோறு'. But certain dignified people use the words 'அன்னம், பிரசாதம் அல்லது சாதம்'. Once I was present in the house of a Vaishnavite Brahman leader in Madras. His servant came and said, 'தனிகை ஆகி விட்டது. சாதம் தயார்' My little experience of Tamil tells me that this word means the kind of rice offered to 'Perumal' in temples. And I wondered whether this man constituted himself as the very God in the temple. So, all these things mean the same thing over and over again. My idea is that the present system of education is purely literary and will not take our country forward in any way. Since Macaulay wrote his minute on Education, things have not changed in our country whereas other countries like China and Soviet Russia have advanced far more during the last forty or fifty years. The reason for their advance is that the basis of education there has been radically altered. Their main education relates to modern science. I believe these recommendations do not contain even the flavour of science in them. We are going to read the same old books as I was subject to in

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my days. I read in English certain poems and in the college especially we used to read some poetry by various authors like Cowper, Longfellow and so on. I read one drama of Shakespeare. I read the Merchant of Venice in the Intermediate and the Midsummer Night's Dream or Othello in B.A. No doubt, the teachers were great men and they taught us. I read Abbot's English Grammar, Mahalinga Ayyar's Grammar in Tamil and later on Nannool. I do not want to go into all these matters which are fading away from my memory. My point is that these recommendations will not bring about any real change. There should be a radical change in the spirit and the basis of education. My own view is that it must be on the basis of modern science. By 'modern science', I mean the most recent discoveries in science. I read science in the school and college courses, and what little of science I read, I had to supplement later on. But that is of no use. Unless the teachers are imbued with the spirit of science and research, our country will not make any progress. Russia has now astounded the world by releasing the earth Satellite and the Sputnik. Our country has been longer in the field of education than Russia. What have our scientists done? They have no opportunity for research, no laboratory. No allowance is given to science students. They become clerks in firms or in the Accountant-General's office. No opportunity is given to them to improve and pursue their knowledge of science. If we ask them what is meant by the Hydrogen Bomb and nuclear tests, they say that they have very little knowledge about them and that they do not know anything about them beyond what they read in the newspapers. It seems to me that the whole system of education should be based upon modern science so that our people may advance in science and scientific research and make our country not only prosperous but also great in the comity of nations. With these words, I want to say that my attitude towards these recommendations is one of supreme indifference. I do not care whether you introduce Tamil or English. You may call rice by so many names, but the rice remains the same. Similarly, the man remains the same whether you call him Kandaswami or Govindaswami. The system remains the same unless you radically alter the spirit and basis of education which was started by Lord Macaulay's minute and has been continuing for centuries. I do not know for how long it will go on. I think it may go on till Angel Gabriel comes and blows his trumpet. Even the few scientists who are there in this country are not given any allowance, and they have got to maintain their families. I do not think we will be able to make any advance in scientific research if this situation continues. Unless the whole spirit and atmosphere of our education is radically altered into one of joyous acceptance of modern science and its methods, I do not think any number of recommendations are going to take our country in the path of further progress. My remarks are not pertinent to the recommendations, because I go to the root of the matter and say that I do not believe in these recommendations. You may do whatever you

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a.m. please with these recommendations. You may have three year or five years or whatever number of years you please. But the same old thing will be taught. In these days, look at America standing in amazement before a country regarded as savage, the Soviet Russia, because Russia has started the earth satellite. Even America with her millionaires and big laboratories is standing aghast and wondering. This is because in Soviet Russia people have been made to understand the methods of science. The whole spirit of the country is scientific and scientific research goes on leaps and bounds. Russians say that very soon they will be able to send the satellite to the moon itself. You, Mr. Chairman, may be transported to the moon and we may have to hold the meeting of the Legislative Council in the moon, and we may be transformed to the conditions prevailing in the moon. I ask the Members of this House to think deeply over this question. I myself have been a victim of the present system of education, and we are all victims. Therefore, the victims are voicing their grievances.

SRI MOHAMED RAZA KHAN: Sir, I have the least justification to intervene in this debate except for the fact that in reply to a query of mine, the Hon. the Minister for Education was pleased to say that I could raise the point in my speech so that he could answer it in the course of his reply to the debate.

There is a section of people in the Madras State whose mother tongue is not Tamil. Speaking about Mussalmans, I may say that there are about 20 lakhs of Mussalmans in this State. Their mother-tongue of a majority of them is Tamil. But there is a section among them, numbering between 4 lakhs and 5 lakhs living mostly in the City of Madras and in North Arcot and Tiruchirappalli, whose mother-tongue is Urdu. My only object in bringing this to the notice of the Minister for Education is that in the new pattern of education that is being evolved, the Government should appreciate the difficulties of the people whose mother tongue is not the regional language and make suitable provision for them. While I am saying this, I am not oblivious of the fact that those of us whose mother-tongue is not Tamil will have to make a serious attempt to learn Tamil, as otherwise we will be out of place. Therefore, the parents of boys whose mother-tongue is not Tamil are trying their best to make their boys and girls learn Tamil, as otherwise they will be left far far behind. I bring this to the notice of the Government so that they may appreciate our difficulties and help us. I do not like to go into the details. I leave them to the Government.

We heard the very brilliant speech of the Minister for Education for more than one hundred minutes. His exposition of the educational pattern, starting from elementary education, passing through secondary education and ending with University education, was thrilling. It was really a treat. Not being an educationist myself, I was wondering where the occasion was for

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bringing in the controversy about the University here. In fact, as I was hearing the speech of the Hon. Sri Subramaniam, I found in him an educationist combined with a politician. I do not want to get involved in this controversy. It is for the Government to reply. It is not as though the Government of Madras and the Minister for Education were not following all the developments which were taking place at the University level. The Minister for Education should consider this point whether the change at the University level was necessary, and whether there was a demand from the educationists. As was said by the Leader of the Opposition, there was a discussion on this matter not at the State level but at the All-India level, and they thought that the standard of students who came to the colleges was not as high as it was expected to be. Therefore, the proposal was made that they should either have one more year's education after the secondary education so that they might come up to the proper level or in between the degree course and the secondary education course as a transitional measure, they must have a one-year Pre-University course. This is purely a temporary phase for five or ten years after which this will be added to the secondary course. These developments were taking place for three years and when once it is decided that it should be introduced, there are bound to be consequences, such as financial difficulties and other difficulties connected with shifting from one stage to the other. That being so, am I to understand that the Hon. the Minister for Education had no knowledge of all these things happening these three years? Moreover, I understand that the Government themselves have their nominees on the Syndicate of the Madras University. There is the Director of Public Instruction representing the Government. He knows and watches all these developments. It was his duty to apprise the Hon. the Minister for Education of the day-to-day developments in respect of this matter and of what was happening. Therefore, if the Hon. Minister felt that these changes would involve certain financial commitments and difficulties, he could have brought them to the notice of the University and said, 'These are going to be our difficulties. Will the University consider them and agree to postpone the introduction of the scheme for another year?'

THE HON. SRI C. SUBRAMANIAM: I may inform the hon. Member that financial difficulties were not in the picture at that time. It was the other difficulties which were in my mind that made me ask for a postponement.

SRI MOHAMED RAZA KHAN: The Hon. Minister can take his stand on one of two grounds—on the ground that the whole scheme is not in the interest of University education and whatever changes are introduced things are not going to improve, or that the introduction of these changes would involve unnecessary financial strain and that, therefore, it should be given up. If he had taken his stand on one of these grounds, I can understand. But he cannot take his stand on both these grounds.

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a.m.

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Sir, granting that such a stand would be correct, it would have been much better if the Hon. the Minister for Education had asked the University or requested it—I do not know the usual procedure adopted by the Government in these matters concerning the University—at a much earlier stage of the consideration of the scheme to postpone it. But when the scheme had been finalised, when all the Principals had been informed that the scheme should be given effect to from the next academic year, when all the management had agreed to give effect to it whatever be the difficulties, I feel the Government were a little bit late in asking for the postponement of the introduction of the scheme. Granting that the University had agreed to postponement for one year, whatever difficulties faced the Government in that year would still be there at the commencement of the next year. Instead of asking for postponement, they ought to have met and solved the difficulties. I am not defending the hon. the Leader of the Opposition or the Vice-Chancellor of the Madras University. As a layman, not being connected with education, I only feel that postponement of the scheme for one year would not have made much difference.

With regard to the financial aspect of the scheme also, I would like to know from the Hon. the Minister for Education the additional expenditure which the Government have incurred on this account. So far, nothing has been spent. In fact, yesterday when a point was raised regarding the amount sanctioned to the second grade colleges and first grade colleges by the Government of Madras, the Hon. the Minister for Education said that they were getting Rs. 50,000 or Rs. 75,000. He also added that there were two or three methods of getting the grant. If I can get into touch with the Hon. the Minister for Education and know what are the methods of getting the grant. . .

THE HON. SRI C. SUBRAMANIAM: No use of getting into touch with me. You must get into touch with others.

SRI MOHAMED RAZA KHAN: Anyhow, I would like to get into touch with them.

Sir, philanthropic people and private managements have done their best under very difficult circumstances to bring the colleges into existence. I do admit that the Hon. the Minister for Education has got the desire to understand their difficulties and to help them. Even though the scheme was put into effect more under the influence of the Central Government on an All-India level—as was pointed out by the hon. the Leader of the Opposition, 15 Universities in India have given effect to the scheme—the Central University Grants Commission, having understood the difficulties in the matter of changeover, said that they would give financial assistance. For that purpose, this year itself, the Hon. the Minister for Education was kind enough to have Rs. 10 lakhs called the matching grant. It is a matter of detail into which I need not go at present. We do not know when the money would come from the Government of India or the University Grants Commission. When

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any changes are made in the existing system or when new schemes are initiated, during the transition period there are bound to be difficulties. Having understood the difficulties, the Government and the authorities concerned should sit together and see that those difficulties are solved. That would be a better way of doing things than merely enumerating the difficulties. When the Hon. Minister raised the issue—I don't say that he did it with a view to raise a controversy over it—and detailed the difficulties, I felt that it was not his job merely to mention difficulties. It was his job to understand them and meet them.

Sir, much was made of the fact that the colleges had increased their strength enormously, and that the actual admissions had been much less than the sanctioned strength. But taking an overall view of the entire set-up, has the number of admissions fallen so low? It may be that this year—thanks to the Government opening more polytechnic schools—many who passed out of the S.S.L.C. joined the polytechnics. But there are bright prospects of more people joining the arts colleges. Therefore, the Hon. the Minister for Education should make out a case that by the introduction of this change the number of admissions to the arts colleges has fallen appreciably. If you analyse the whole thing, you will find that the number is not so low, as has been pointed out by the Hon. the Minister for Education.

THE HON. SRI C. SUBRAMANIAM: You are making the case worse.

SRI MOHAMED RAZA KHAN: I am not. My point is this. If we take the total number of students who have joined the colleges in the City of Madras, has it appreciably fallen compared to last year's figures?

We know and appreciate the desire of the Hon. Minister. But when all is said and done, he is more a politician than an educationist. By saying so, I do not want to level any charges against him. What I say is, there may be difficulties, there may be problems. We should all sit round a table and discuss these difficulties and problems and see whatever policy we formulate is the best. After all, the desire of the University and the desire of the Government is the same, the idea is the same, and the thing should be done in the best way possible.

THE HON. SRI C. SUBRAMANIAM: Is it the charge of the hon. Member that I am playing politics in the field of education?

SRI MOHAMED RAZA KHAN: Now that the Hon. Minister has dragged me into it, I might say that the Hon. Minister could have avoided a discussion on the Pre-University scheme. Just imagine the impression created outside. The impression is that there seems to be a lot of controversy between the Government on the one side and the University on the other. It would have been very good, if there had been no room for such an impression. Now

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that impression has been created and we cannot help it, except by saying that there is no controversy, and that we had a sort of discussion so that we could come to proper conclusions on the subject.

THE HON. SRI C. SUBRAMANIAM : I hope it is only the hon. Member's personal opinion and that it does not reflect the opinion of his leader.

* DR. V. K. JOHN : Mr. Chairman, Sir, I take it that the object of education is diffusion of knowledge. Therefore, it is of universal importance and everybody, laymen and the experts, should think of education and concentrate on it. I am satisfied, Sir, after hearing the very eloquent speeches, if I may say so, the orations delivered by the Hon. the Minister for Education and the hon. the Leader of the Opposition who in the matter of education is an expert, who is not only an All-India figure but an international figure, that the problem of education should be left to the experts. It should be left to the experts to decide what the pattern of elementary education, secondary education and University education should be.

Sir, the Hon. the Minister for Education made a claim that the Government must have a voice in the decisions of the University in regard to University education because much money was spent by the Government on University education.

THE HON. SRI C. SUBRAMANIAM : I did not make that claim. If the hon. Member wants to say that I made such a claim, he may do so.

* DR. V. K. JOHN : I thought I heard the Hon. Minister saying that he was responsible to the Legislature, to this House as well as the other House to explain how the money was spent. I should like to suggest to the Government that Government spend money on various persons and institutions but do not interfere with them. Take, for instance, the expenditure on the Supreme Court and items of expenditure like the Governor's pay and allowances, which are not voted upon. Take again the expenditure on the Public Service Commission. Take the case of the Accountant-General. These are institutions to which Government contribute but, Government leave the decisions to be taken by those institutions.

THE HON. SRI C. SUBRAMANIAM : No doubt, we do not interfere with the judicial decisions of the High Court. But certainly we see how it is administered, and whether there is wastage or not. That does not mean that we interfere with the judicial decisions of the High Court.

* DR. V. K. JOHN : But the Government have nothing to do with the question whether the University must have the pre-University course introduced this year or next year. That kind of interference must go. The autonomy of the University in such matters must be kept up. The Government of India, private

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agencies, the Madras Government, the University Grants Commission, all these contribute to the Universities. That does not mean that everyone of these bodies should come and say, 'We contribute funds, and therefore, we must have a voice in the administration'. Universities must be absolutely autonomous if we want University education to prosper. 10-50 a.m.

Now, I want to refer to another aspect of the matter. University education and also secondary education must be on an All-India pattern. We heard from the hon. the Leader of the Opposition how decisions had been arrived at at many All-India conferences, and the matter must be left to them. Even primary education must be on an All-India pattern. I would even go further and say that education is so important to the human race that primary, secondary and university education must be of a human pattern, of an international pattern, of a world pattern. 10-50 a.m.

Sir, we are living in the Sputnik Age and to-morrow we may hold this meeting of the Council in the Moon. We have advanced so fast that in two days' time we can reach any part of the world and in a few hours we can reach any part of India. Therefore, it is all the more important that education should concern the whole human race. It is not anybody's private concern at all. The diffusion of knowledge should be of a human pattern. We are interested in how education is imparted in the United States of America, Africa, Japan and in other parts of Asia. Others are interested in us. Therefore, our education in the country must be on an All-India pattern and on a world pattern if we can have it. Our nationalism must be rooted in internationalism and particularly in this Age we must acquire knowledge of other countries.

Now, it will be the responsibility of this generation to find out a common script for all languages. We must agitate for it. Instead of having narrow loyalties to Hindi as the national language, we must think in terms of a language which is of universal importance. We have to learn a language which is most useful to us. If English is a language which is most useful, then learn that language and have education through that language. What is the difference between the people of Africa, America, Europe and India? We are all members of the human race. If I had had my University education in Malayalam or Tamil, I would not have been admitted to the London University. After all, knowledge must be obtained. I am definitely of the opinion that there must be inter-emigration of students and professors from one University to another, not only in this country but also all over the world. Students must be kept for a certain term in one University and for certain other terms in other Universities and then should be asked to appear for the examination in the last University where they should complete their term. They must go to America, Germany, France, England, Russia and other countries. Why are we backward in education? Why cannot we invent Sputniks, satellites, aeroplanes and other things?

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THE HON. SRI C. SUBRAMANIAM: In spite of 100 years of English education!

* DR. V. K. JOHN: Because our pattern of education is wrong. We must send our students abroad and we must not be moved by the narrow loyalties that students must learn in Tamil. In this connection, I would suggest to the Hon. Minister to have a college to teach University subjects through Tamil and see whether the parents send their children there or students go there. In that way, the Government could see whether public opinion demands teaching through a language which is known to them. Now, we have aeroplanes and railways invented in some other places but still we are using them. After all, the world is one and wherever we can get knowledge, we must be able to go. How can we go to those countries unless we learn a language which is of universal importance? Perhaps, English may be a language which is good for us. We must learn English but there is no objection to learn Tamil and Hindi. But University education must be through a language which is most useful to get knowledge and which will enable students to go from one University to another not only in this country but all over the world.

Another point which I would emphasize is talent. Talented students should be sent abroad for scientific training. Are we doing it? Not at all. But we are thinking in terms of a student being a Brahmin or a Non-Brahmin or a Mudaliar or a Naidu or a Nadar. This is a wrong attitude. Talent must be developed wherever it is found. I want this Government to select students of talent whatever be the caste or community or nationality to which they belong—take even an African if he is in Madras—and give them all opportunities to attain proficiency in the subject in which they have got talent. But such a thing is not considered at all. That is why this country is backward in scientific development and we do not catch up with the talent in Russia. In Russia, if a boy of ten years has got talent, he goes up and he is the property of the State. The State takes him over and looks after him. But here we do not want such people. We ask whether a student is a Brahmin.

THE HON. SRI C. SUBRAMANIAM: The hon. Member is repeating the same thing. Since I know his way of talking, I do not want to interrupt him. If he alleges that only 'community' consideration is taken into account in regard to educational advancement, he is making a serious charge against the Government and I protest against it.

* DR. V. K. JOHN: I am glad that the Hon. Minister felt the point in my statement.

THE HON. SRI C. SUBRAMANIAM: I generally never take note of the allegations made by the hon. Member. Since he is repeating the charge, it should be understood that caste or community consideration has nothing to do with this matter of educational advancement.

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* DR. V. K. JOHN: I am glad that this is taken note of. I again repeat that talent must be the only consideration which should be taken into account in the matter of educational advancement.

Then, I want to refer to another matter. As I went through the Committee's Report, I noticed that at no place was there any mention about whose responsibility it was to impart elementary, secondary and University education. Sir, there must be somebody who is responsible for education. Of course, there are private agencies. I am told that many elementary schools, high schools and even colleges are run by the Missionaries. But they are not bound to start schools. The Government must have agencies responsible for elementary education and secondary education. I am suggesting again and again that Government should develop local bodies. It should be the responsibility of the local bodies, the panchayats, to impart elementary education to everybody. It must be the responsibility of the Corporation of Madras to impart elementary education to every boy and girl in the City.

Sir, we are going to have Unions of Panchayats. These Unions can take up the responsibility for imparting secondary education. It must be the responsibility of somebody to cater to the needs of University education. There are many students who are unable to join the professional colleges. When thousands of applications come in, only a few are admitted. I say it is a crime. Anybody who wants to have education—whether it is elementary, secondary or University education—must have it and it is a crime to tell a boy who wants to enter the engineering college or any other technological college that he would not be admitted. The State should give priority to the subject of education. There must not be even one boy who is denied admission, for he may be a talented boy and he may be a gem. We must push him up. One great defect in the policy adopted by Government in educational matters is that boys and girls, who want to be admitted to colleges, are not admitted at all.

I should like to refer to one other point. Though the Hon. Minister is in order in bringing in the subject of University education as it is correlated with secondary and primary education and discussing it on the floor of this House, what is wanted to-day is the fixing up of responsibility on somebody or other who will be in charge of the various stages of education. That is not mentioned in this White Paper and I hope the Government will fix up the agency which will be responsible for elementary education, secondary education and University education. Let no boy or girl, who seeks admission, be denied admission.

* SRI A. SUBRAMANYAM: கனம் சபாநாயகர் அவர்களே, கல்வி பற்றிய அறிக்கை சம்பந்தமாகப் பேசுவதற்கு எனக்கு சந்தர்ப்பம் கிடைத்ததற்கு, நான் மகிழ்ச்சியடைகிறேன். கல்வி சம்பந்தமாக பல கனம் அங்கத்தினர்கள் பேசினார்கள். குறிப்பாக, சில கனம் அங்கத்தினர்கள் படிப்பு விஷயத்தில் முன்னேற்றமடைந்தவர்கள், பின்னடைந்தவர்கள், ஹரிஜனங்கள் என்ற பாகுபாடுகள் இருக்கக்கூடாது என்று கூப்பச் சிலர்

11
a.m.

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பேசினார்கள். இந்த சபையில் நம் மதிப்பிற்குரிய எதிர்க்கட்சித் தலைவர் டாக்டர் லக்ஷ்மணஸ்வாமி முதலியார் அவர்கள் வெளியிட்ட கருத்துக்களை நான் மிகவும் வரவேற்கிறேன். அவர் கல்வித் துறையில் மிகுந்த தேர்ச்சி பெற்றவர். தம் சொந்த அனுபவத்தில் தாம் கண்டதையும் அவர் குறிப்பிட்டுள்ளார்.

பிற்பட்ட இனத்தவர்கள் என்று வித்தியாசம் கற்பிக்கப்படுவதாகக் கூறப்பட்டது. நான் ஒன்று சொல்ல ஆசைப்படுகிறேன். டாக்டர் ஜான் அவர்களை எடுத்துக்கொள்வோம். அவர் பெரிய வழக்கறிஞர். அவர் தம் பிள்ளைகளையும் குமாரிகளையும் கல்லூரி வரையில் படிக்கவைக்க முடியும். அவர்களை அவர் மேல் நாட்டுக்கு அனுப்பிப் பெரிய பட்டம் பெறவும் செய்ய முடியும்; அதற்கு வேண்டிய பொருளாதார வசதியையுடையவராக அவர் இருக்கிறார். ஏழை விறகு வெட்டி முனியாண்டியின் மகன் சின்ன சாமிக்கு அது சாத்தியமா? அவன் மேல்படிப்பிற்குப் போக முடியாது. அப்படிப்பட்டவர்களுக்கு அரசாங்கத்தால் சில சலுகைகள் கொடுக்கப் படுகின்றன: இது நியாயமானது. அந்தச் சலுகைகள் கொடுக்கப்படாவிட்டால், அவர்கள் 4-வது வகுப்புடனே அல்லது 11-வது வகுப்புடனே நின்றுவிட வேண்டியிருக்கும். அதற்கு மேல் அவர்களால் படிக்க முடியாது. அதன் காரணமாக அவர்கள் பெரிய உத்தியோகங்களுக்குப் போக முடியாது. இப்படிப்பட்ட நிலையில் அரசாங்கத்தாரால் இந்தச் சலுகைகள் கொடுக்கப்படும்போது, அவைகளைப் பெறத் தகுதியுள்ளவர்களைப் பல பிரிவினர்களாக அரசாங்கத்தார் பிரித்திருக்கிறார்கள். "அதாவது அவர்கள் இன்னினை வகுப்பினர் அல்லது ஜாதியினர் என்று குறிப்பிடுகிறார்கள். இப்படிச் சலுகைகள் கொடுப்பது நியாயமானது. ஒரு உதாரணம் சொல்கிறேன். ஒருவன் தினசரி ஐந்து வேளை சாப்பிடுகிறான்; மற்றொருவன் ஐந்து நாட்கள் பட்டினி கிடக்கிறான். அரசாங்கம் உதவி கொடுக்கும் போது, ஐந்து வேளை சாப்பிடுபவனுக்கு உணவு கொடுக்க வேண்டுமா அல்லது ஐந்து நாட்கள் பட்டினி கிடப்பவனுக்கு உணவு கொடுக்க வேண்டுமா? ஐந்து நாட்கள் பட்டினி கிடப்பவனுக்கு அரசாங்கம் உணவு கொடுத்தால், "என் அவனுக்கு உணவு கொடுக்கிறீர்கள்" என்று கேட்கலாமா? ஐந்து வேளை சாப்பிடுபவனுக்கு இன்னும் அதிகமாக அரசாங்கம் உணவு கொடுத்தால், அவனுக்கு அஜீர்ணம் ஏற்படும். அப்படிச் செய்யாமல், ஐந்து நாட்கள் பட்டினி கிடப்பவனுக்கு அரசாங்கம் உணவு கொடுத்தால், அதைப் பாராட்டவேண்டும். அரசாங்கம் தேவைப்படும் பிற்பட்ட இனத்தவர்களுக்குச் சலுகை அளிப்பதை நான் பாராட்டுகிறேன். பிற்பட்ட இனத்தவர்களுக்குத் தேவையான சலுகைகளை அரசாங்கம் மேலும் மேலும் கொடுக்க வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

அடுத்தபடியாக, கல்லூரிப் படிப்புக்கு வேண்டிய பாடப் புத்தகங்களை அரசாங்கமே தயாரித்துப் பிரசுரிக்கப்போவதாகச் சொல்லப்பட்டிருக்கிறது. இதை நான் முழு மனதுடன் வரவேற்கிறேன். மேலும், தற்போது எங்கு பார்த்தாலும் தமிழில் பேச வேண்டுமென்ற ஆர்வம் இருக்கும்போது, கல்வித் துறையிலும் இம்மாதிரியான நிலை ஏற்பட்டிருப்பது யாவராலும் போற்றத்தகுந்தது.

இன்னொரு முக்கியமான விஷயம் சொல்ல விரும்புகிறேன். தொழில் நுட்பக் கல்லூரிகளில் படிப்பவர்களில் சிலருக்குக் குறிப்பாகத் தியாகிகளின் பிள்ளைகளுக்குக் கல்விச் சலுகை கொடுக்கப்பட்டது. ஏழைத் தியாகிகளின் பிள்ளைகளுக்கெல்லாம் இலவசமாகக் கல்வி அளிப்பதற்கு உத்தரவிடப்பட்டிருக்கிறது. இந்த உத்தரவு தொழில் நுட்பக் கல்லூரிகளுக்கும் அனுப்பப்படவில்லை. கல்லூரிப் பிரின்ஸிபால்கள் அந்த உத்தரவு தங்களுக்கு வந்து சேரவில்லை என்று சொல்கிறார்கள். இது பிற்பட்ட நிலையிலுள்ள மாணவர்களுக்கும் தியாகிகளுடைய குழந்தைகளுக்கும் மிகவும் பாதகமாக இருக்கிறது. ஆகவே அந்த உத்தரவை உடனடியாகத் தொழில் நுட்பக் கல்லூரிகளுக்கு அனுப்பி வைக்க வேண்டுமென்று சர்க்காரைக் கேட்டுக்கொள்கிறேன்.

அடுத்தபடியாக, செகண்டரிக் கல்வியில் ஹிந்தியைப் போதிக்க வேண்டுமென்று கமிட்டியினர் சிபாரிசு செய்திருக்கிறார்கள். இது ஒரு விதத்தில் வரவேற்கத்தக்கது தான். இருந்தாலும், இந்த விஷயத்தில் பிராந்திய

[Sri A. Subramanyam] [14th November 1957]

மொழி முதன்மையானது. நாம் தமிழையே முதன்மையாகக் கற்க வேண்டுமென்பது நியாயமானது. அதை வரவேற்க வேண்டியது நம் எல்லோருடைய கடமையும் பொறுப்பும் ஆகும். அதற்குத்தகுடியாக இந்தியாவிற்குரிய பாஷையைப் படிக்கவேண்டியது நியாயமானது. இந்தியாவின் பாஷை ஹிந்தி என்பது எல்லோராலும் ஒப்புக்கொள்ளப்படக் கூடியது. உலகம் இருக்கும் நிலையில் மூன்றாவது மொழியாக ஆங்கிலத்தைக் கற்கவேண்டியதும் மிக அவசியமாகும். இருந்தாலும், ஹிந்தியைக் கட்டாயப் பாடமாக வைத்தால், அதை ஏற்க முடியாது. ஏனென்றால், அதைப் படிப்பதில் தமிழர்களுக்கு எத்தனையோ கஷ்டங்கள் இருக்கின்றன. மலையாளிகளுக்கும் தெலுங்கர்களுக்கும் கூட பல கஷ்டங்கள் இருக்கலாம். மலையாளத்திலும் தெலுங்கிலும் கூட "க" "ச" முதலிய எழுத்துக்களில் நான்கு விதமாக உச்சரிக்கப்படும் நான்கு எழுத்துக்கள் இருக்கின்றன. தமிழில் அவைகள் ஒவ்வொன்றுக்கும் ஒரே எழுத்துத் தான் இருக்கிறது. ஹிந்தியில் "க" "ச" முதலியவைகளில் நான்கு விதமாக உச்சரிக்கப்படும் நான்கு எழுத்துக்கள் இருக்கின்றன. அப்படிப் பட்ட சப்தங்கள் தமிழில் கிடையாது. தமிழில் அ, ஆ, இ, ஈ என்றுதான் தனித்தனியாக இருந்துவருகிறது. ஆகையினால் தமிழில் கஷ்டமும், சிரமமும் இருக்கிறது. அதனால் தமிழ் நாட்டில் பதினாறு வருஷத் திற்கு இந்தியைக் கட்டாயப் பாடமாக வைக்காமல், அதை இஷ்டப் பாடமாக படித்துக்கொண்டு வரக்கூடிய நிலைமையை ஏற்படுத்தவேண்டும். அதற்கு வேண்டியதை இந்த அரசாங்கம் செய்ய முன்வரவேண்டும். நமது அரசாங்கம் இந்த விஷயத்தை நல்லமுறையில் நேர்மையான முறையில் மத்திய அரசாங்கத்திற்கு எடுத்துக்காட்டி, அதை அவர்கள் ஒப்புக்கொள்ளும்படி கூறவேண்டும் என்பதை நான் இந்த சந்தர்ப்பத்தில் தெரிவிக்க ஆசைப்படுகிறேன். இம்மாதிரியான விஷயங்களில் அரசாங்கம் நன்கு சுவனித்து வேண்டியதைச் செய்யவேண்டும் என்பது தான் என்னுடைய கருத்து.

கனம் கல்வி அமைச்சர் குறிப்பிடும்போது, திருநெல்வேலி ஜில்லாவில் கல்வி முன்னேற்றமடைந்திருக்கிறது என்றும், ஆனால் சேலம் ஜில்லாவில் கல்வித்தரம் கீழே போய்க்கொண்டிருக்கிறது என்றும் சொன்னார். அது வாஸ்தவம் தான். அங்கு கல்வி விஷயத்தில் மட்டும் அல்ல, எந்த வகையிலும் மக்கள் அங்கே பின்னடைந்தவர்களாகத்தான் இருக்கிறார்கள். அங்கே அநேகமாக பள்ளிக்கூடங்கள் இல்லாமலேயே பல கிராமங்கள் இருந்துவருகின்றன. சேலம் ஜில்லாவிலுள்ள கல்வித் தரத்தையும் மற்ற ஜில்லாக்களில் இருக்கக்கூடிய கல்வித் தரத்தையும் எடுத்துக்கொண்டால், சேலம் ஜில்லா கல்வித் தரமே உயரவில்லை என்று சொல்லலாம். அங்கே பள்ளிக்கூடங்களே அதிகம் இல்லை. ஆகவே எந்தெந்த ஜில்லாவில் எலிமெண்டரி பள்ளிக்கூடங்களும், ஹைர் எலிமெண்டரி பள்ளிக்கூடங்களும், ஹைஸ்கூல்களும் அதிகமாக இல்லாமல் இருக்கிறதோ, அங்கேயெல்லாம் அதிகப்படியான பள்ளிக்கூடங்களை அமைக்க அரசாங்கம் முன்வரவேண்டும். அதைப்போலவே எங்கேயெல்லாம் அதிகப் படியான பள்ளிக்கூடங்கள் இருக்கின்றனவோ, அங்கேயெல்லாம் அதிக கவனம் செலுத்தாமல் இருக்கவேண்டும். அப்படிச் செய்தால்தான், எல்லா இடங்களிலும் பள்ளிக்கூடங்கள் இருக்கும்படியான ஒரு நிலைமை ஏற்படும். அப்பொழுதுதான் கல்வித் தரம் எல்லா இடங்களிலும் ஒரே மாதிரியாக இருக்கும். ஆகவே பள்ளிக்கூடங்கள் இல்லாத ஜில்லாக்களுக்கு முதல் சலுகை கொடுக்கவேண்டுமென்று அரசாங்கத்தைக் கேட்டுக்கொள்கிறேன். இப்படிப்பட்ட விஷயங்களைப் பேசுவதற்கு சந்தர்ப்பம் அளித்ததற்கு என்னுடைய வணக்கத்தைத் தெரிவித்துக்கொண்டு இத்துடன் முடித்துக்கொள்ளுகிறேன்.

* Sri V. V. RAMASWAMI: மன்றத் தலைவர் அவர்களே, இப்பொழுது விவாதத்தில் இருக்கக்கூடிய கல்வி சம்பந்தப்பட்ட வெள்ளை அறிக்கையை, இந்த சட்டசபையால் தேர்ந்தெடுக்கப்பட்ட கமிட்டியாருடைய முடிவை, அபிப்பிராயங்களைப்பற்றி விவாதிக்க முன்நிற்கிறேன். அந்த முடிவுகள் அநேகமாக எல்லோராலும், ஏகமனதாக ஏற்றுக்கொள்ளப்பட்டிருப்பதால் இந்த சட்டசபைக்கு அதிகம் கவனிக்கவேண்டிய பொறுப்பு இல்லாமல்

[Sri V. V. Ramaswami]

[14th November 1957]

படித்த தமிழர்கள் ஒருவரையொருவர் பார்த்தால், ஆங்கிலத்திலேயே பேசிக்கொள்கிறார்கள். ஆனால் தெலுங்கர்களும் கன்னடியர்களும் அப்படியில்லை. அவர்கள் தங்கள் தாய் மொழியில் அபிப்பிராயங்களைப் பரிமாறிக்கொள்கிறார்கள். உத்தியோகத்திற்காக ஹிந்தியைப் படிக்கும்போது, தமிழ் உணர்ச்சியைத் தமிழர்கள் மறந்துவிடக் கூடாது என்பது தான் என் விருப்பம்.

வியாபாரத் துறையை மனதிற்கொண்டு ஹிந்தியைப் படிக்கவேண்டுமென்றும் சொல்லப்படுகிறது. வடநாட்டு வியாபாரிகள் தென்னாட்டவர்களுக்கு ஆங்கிலத்தில்தான் கடிதம் எழுதுகிறார்கள். அவர்கள் தங்கள் தாய்மொழியில் கடிதம் எழுதுவதில்லை. கடிதப் போக்குவரத்து அந்த மொழியில் இருக்கும்போது, இனிமேலும் அந்த மொழியிலேயே என் இருக்கக்கூடாது என்பதே பொருத்தமான வாதமாக எனக்குத் தோன்றுகிறது.

கனம் நண்பர் ஸ்ரீ நாராயணஸ்வாமி பிள்ளை அவர்கள், தாம் ஹிந்தி சங்கத்தின் தலைவராக இருந்ததாகச் சொன்னார்கள். எங்கள் ஊரில் கூட ஹிந்தி சங்கத்தில் நாடக விழாக்கள் நடக்கும்போது, எல்லோரும் ஹிந்தியில் நடிப்பார்கள். ஆனால் விழாவிற்குத் தலைமை தாங்குபவர்கள் மாத்திரம் ஆங்கிலத்தில்தான் பேசுவார்கள். அவர்கள் தமிழிலும் பேச மாட்டார்கள்; ஆங்கிலத்தில்தான் பேசுவார்கள். ஆகவே, ஹிந்தி வந்தால், தமிழ் பாழாகிப்போய்விடுமோ என்ற அச்சத்தால்தான் நான் முன்பு கூறிய அபிப்பிராயங்களைத் தெரிவித்தேன். ஒரு மொழியின் மீதுள்ள வெறுப்பினால் நான் அப்படிச் கூறவில்லை.

அடுத்தபடியாக, கல்லூரிகளில் போதனா மொழி எந்த மொழியாக இருக்க வேண்டுமென்பதுபற்றி சர்ச்சை நடக்கிறது. 'ஹயுமானிடீஸ்' என்ற நம் வரலாற்றுப் பாடங்கள் எல்லாம் தமிழிலும் மற்றவை ஆங்கிலத்திலும் இருக்கலாம். பாடப் புத்தகங்கள் தமிழில் தயாரிக்கப்படுமென்று சொல்லப்பட்டது. அவைகளைத் தயாரித்து, கட்டாயம் கூடிய சீக்கிரம் தமிழைப் பேரதனா மொழியாகக் கொண்டுவர வேண்டுமென்று சொல்லிக்கொள்கிறேன். தமிழ் பாடப் புத்தகங்கள் ஆசிரியர்களுக்கும் மாணவர்களுக்கும் மிகவும் அனுகூலமாக இருக்கும்.

மேலும், மாணவர்களுக்கு நண்பகல் உணவு கொடுப்பது வரவேற்கத்தகுந்தது. புதிதாக ஏற்படும் நண்பகல் உணவுக் கமிட்டிகளால் இந்தக் காரியம் நிரந்தரமாகச் செய்யப்படுமா என்று கவனிக்கவேண்டும். அப்படிப் பார்த்துவிட்டு ஸ்தாபனங்களுக்கு அரசாங்கத்தால் இந்த விஷயத்தில் அங்கீகாரம் கொடுக்கப்பட வேண்டுமென்று கேட்டுக்கொள்கிறேன். இது சம்பந்தமாக, புதிய காசைப்பற்றிச் சொல்ல விரும்புகிறேன். சர்க்கார் உதவி 5 புதிய காசுகளோ என்று கருதப்படுகிறது. ஆனால் உத்தரவில் ஆறு புதிய காசுகள் என்று சொல்லப்பட்டிருக்கிறது. உதவித் தொகை சம்பந்தமாக இருக்கும் 'கராண்ட்-இன்-எய்ட்-கோட்'-ஐப் புதிதாக எழுதி சீக்கிரம் அமலுக்குக் கொண்டுவர வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

கடைசியாக, ஒரு வார்த்தை சொல்ல விரும்புகிறேன். கல்வி சம்பந்தமாக மிகவும் வருந்தத்தக்க ஒரு விஷயத்தைப்பற்றி மாத்திரம் சுருக்கமாகச் சொல்ல விரும்புகிறேன். இந்த வெள்ளை அறிக்கையை நமது சட்டசபையில் சென்ற 1956-ம் ஆண்டு ஏப்ரல் மாதம் 6-ம் தேதி சமர்ப்பித்தபோது, கனம் அமைச்சர் அவர்கள் 'பிரீ-யூனிவர்ஸிடி கோர்ஸ்' சம்பந்தமாகப் பேசுகையில், "With reference to the introduction of this new scheme I have to lodge a protest which may be a gentle protest" என்று சொன்னார்கள். மேலும், "The Education Minister is also the Pro-Chancellor and at least in that capacity he could have been kept informed of the various steps which the University was taking in this respect" என்றும் அவர் கூறினார். அப்பொழுதே என் மனதில் சஞ்சலம் ஏற்பட்டது. நான் மிகவும் பணிவுடன் ஒன்று சொல்லிக்கொள்ள விரும்புகிறேன். கனம் கல்வி அமைச்சர் அவர்கள், தமக்கு எது நியாயமானது என்று தெரி கிறதோ, அதை உறுதியாக நின்று நிறைவேற்றும். ஆற்றல் படைத்தவர்

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என்பது எல்லோருக்கும் தெரியும். அவர் நல்ல வாலிபர்; 47 வயது நிரம்பியவர்; நல்ல ஆற்றல் படைத்தவர். இன்னும் நல்ல நிலைமைக்கு வரக்கூடியவர். பதக்கத்தில் நடுநாயகமாக இருக்கும் வைரம்போல், நிர்வாக அமைப்பில் நல்ல ஒளியுடன் பிரகாசிக்கிறவர். அவர் கூறிய எல்லாவற்றையும் நாம் ஆதரிக்கும் நிலைமையில் இருக்கிறோம். அதே சமயத்தில் 70 வயது நிரம்பிய சென்னைப் பல்கலைக்கழகத் துணைவேந்தர் அவர்கள் சொன்ன விஷயங்கள் பூராவும் சரியானவை என்றும் தோன்றுகிறது. அவரும் பெரியவர். கனம் கல்வி அமைச்சர் அவர்களும் ஆற்றல் படைத்த வாலிபர். துணைவேந்தர் அவர்கள் இன்னும் எல்லோருக்கும் வழிகாட்டக்கூடிய முதியவர். அவர்களிடையேயுள்ள அபிப்பிராய பேதத்தின் விளைவாக கல்விக்கோ கல்வி நிர்வாகத்திற்கோ பாதகம் ஏற்படக் கூடாது என்று விரும்புகிறேன்; பாதகம் ஏற்படாது என்று தெரியும். இருந்தாலும் ஒரு சஞ்சலம் எனக்கு இருக்கிறது. பொறுப்புள்ள இரு தலைவர்களிடையே அபிப்பிராய பேதம் வந்துவிட்டால், நல்ல முறையில் முடிவெடுக்கப்பட வேண்டுமே என்று பொது மக்கள் சஞ்சலப்படுகிறார்கள்; அவ்வளவுதான். அவர்கள் நல்ல முடிவிற்கு வருவார்கள் என்ற நம்பிக்கை எனக்கு இருக்கிறது. கூடிய சீக்கிரம் நல்ல முடிவிற்கு வர வேண்டுமென்று நான் விரும்புகிறேன். 27-ம் தேதி நடக்கும் கூட்டத்தில் தமிழைப் போதனா மொழியாக்கும் விஷயத்தில் நல்ல முடிவிற்கு வர வேண்டுமென்று கேட்டுக்கொண்டு, அவர்கள் இருவரும் எந்நாளும் நன்றாக இருக்கவேண்டுமென்று என் ஆசையைத் தெரிவித்துக்கொண்டு என் வார்த்தையை முடித்துக்கொள்கிறேன்.

SRI JOHN ASIRVATHAM: Mr. Vice-Chairman, Sir, before I proceed to discuss the Report of the Legislature Committee on the White Paper on Education, I would like to make a few prefatory remarks.

Since Independence, there has been too much of tinkering with education, much to the detriment of the well-being and education of children, which has caused very great concern to parents. This must be avoided in future. Again, the child, the poor child, has been experimented upon often and I hope and trust that this Report on the reorganization of secondary education will be the last word on the subject. Let not politicians meddle or interfere with education in future. Leave education entirely in the hands of the educationists.

Coming to the Report itself, first I will deal with primary 11-30 education. I must say that the proposal to make primary education a seven-year course in a realistic and good one which all of us must welcome.

(Mr. Chairman in the Chair.)

For the success of the scheme of the primary course, certain conditions must be observed. First, the age-limit of 5 plus must be strictly adhered to. Secondly, the strength of the classes should be limited to 40; the teacher-pupil ratio of 1 to 40 must be maintained. I am glad the Government propose to introduce English from Standard V. Personally I would like English to be introduced in Standard III itself. I am working in an Anglo-Indian school and I have been in the field of Anglo-Indian education for the last quarter of a century. There the mother-tongue of the pupils, namely, English, is taught from Standard I and the regional language, namely, Tamil, from Standard III. So also, I would suggest

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that the second language, English, be taught from Standard III. Of course, that is my personal opinion. For the successful teaching of English in primary schools, the best teachers must be attracted, teachers who know English very well. There is no use of leaving the fifth standard children in the hands of higher elementary or S.S.L.C. trained teachers. Best teachers, teachers who are thoroughly conversant with English, must be attracted to teach not only in primary schools but also in secondary schools. The salaries of primary school teachers should be raised so that they may get a living wage. What is the condition obtaining to-day? The labourers in factories are getting much more than the teachers in primary schools. In the neighbouring State of Madras the salaries of primary school teachers have been raised of late with an aid from the Government of India. I would suggest to the Government of Madras to go ahead boldly, get some help from the Union Government and give a living and satisfactory wage to the primary school teachers so that the work in our primary schools may be carried on efficiently.

I also welcome the proposal of the Government to unify basic and non-basic schools. All that is good in basic schools must be adopted and all that is sheer fat in basic schools must be thoroughly eliminated.

Proper text-books must be published for primary schools and refresher courses must be organized from time to time for primary school teachers.

Now, I come to secondary education. In addition to multi-purpose schools, there should be ample provision for trade schools and technical schools. In fact, the provision of these schools should receive a very high priority. It will be very good to make the tenth standard a terminal stage with the S.S.L.C. Examination at the end of the tenth year course, for this will eliminate a number of candidates who will be unfit to proceed to the eleventh standard, that is, the present Pre-University course which will later on be attached to the secondary school.

I would like to know from the Government if it is worth while to continue these 'bias' schools after the tenth standard. Those who finish the tenth standard with a certain vocational bias can go into the technical schools or trade schools or seek employment in offices or companies. Those who take the academic course, of course, will go to the University classes. Personally, I am not in favour of an examination at the end of the tenth standard, at the end of the eleventh standard and at the end of the twelfth standard or the Pre-Professional class examination for three years consecutively. The learned Vice-Chancellor of the Madras University said yesterday that he had been a teacher for forty years, so also was the hon. Member Dr. M. R. Guruswami Mudaliar, and that he found that the boys were receptive and could stand the strain. I have been a teacher for the past thirty years. The Vice-Chancellor and Dr. Guruswami Mudaliar were dealing with full-fledged adults.

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But I have been dealing with teen-agers. Sitting for public examinations for three years consecutively will be definitely a strain on these teen-agers. The average age of a boy appearing for the S.S.L.C. Examination will be 16, for the Pre-University Examination 17 and for the examination at the end of the Pre-Professional course 18. But the average age of the students of the Madras Medical College would be from 20 to 25. They pass the teen-age limit. So, I make a special plea whether any way can be found to obviate this difficulty.

As regards languages, my personal opinion is that the regional language should have high priority. But, at the same time, English and Hindi should be compulsorily studied. During my first visit to Delhi, I felt I was like a fish out of water. Even 30 years ago when I started life as a teacher and when I had to mingle with my Muslim students, who talked Hindustani, I could not make head or tail out of what they were talking. Even in those days, thirty years ago I had a feeling that this Hindi or Hindustani should be learnt by every South Indian, if he wants to move about the whole of India. Just consider the utilitarian value of Hindi language. Sooner or later, it is going to be the official language of India. Rajaji says, 'Do not for another hundred years impose Hindi as the official language of the Union'. I say for another 25 years at least by which time all of us would be conversant with the language and by which time I would have lied, (An hon. Member: You would have retired from service.) Hindi should not be forced. But I must stress the point that Hindi must be compulsorily studied at least for its utilitarian value. I would say particularly, 'Don't disregard that great international language, English'. If you disregard English, I may say on the floor of this House that in another 20 or 25 years India will become the hundredth-rate nation in this world. To-day Sri V. K. Krishna Menon is able to fight the battles of India in the United Nations because of his knowledge of English. English has great potentialities, has great value. It opens the windows of our minds to the outside world. So, please take my advice. Don't disregard English.

Sir, my hon. friend Sri V. V. Ramaswami who spoke immediately before me condemned English like anything. (Sri V. V. Ramaswami: ஆண்டவனே! அப்படி ஒன்றும் சொல்லவில்லையே.) I was hearing from the lobby. (The Hon. Sri R. Venkataraman: Something wrong with the loudspeaker. It should have transmitted something quite different.)

Sir, for scientific and mathematical terms, international technical terms should be used. Of course, regional language terms could be used for them. But side by side with language terms, I would suggest the use of international terms.

Sir, I welcome the idea of constituting a Standing Committee on Education. I am thankful to the Hon. the Minister for Education for telling us that the grant of house-rent allowance to

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teachers is under the consideration of the Government. I would once again request him to see that the pension scheme is extended to graduate teachers also.

Finally, Sir, I would like to know from the Hon. Minister the place that the Anglo-Indian schools will occupy in the future set-up or pattern of education.

Thank you, Sir.

SRI T. G. KRISHNAMOORTHY: Mr. Chairman, Sir, the Report of the Legislature Committee on the White Paper on Education is a very ambitious and impressive document. But as is the case with any ordinary hypothesis, it has been killed by an ugly fact. The Government from start to finish seem to feel the pinch of finance and they want to modulate their schemes accordingly. The difficulty with the whole Report is that there seems to be a tendency both at the Centre and in the State to legislate for all generations to come. Such is the present education scheme. Future generations unborn we want to legislate for. Especially we, who are in the present generation, are in a complete state of flux. The country is changing, ideologies are changing, everything around us is changing and knowledge is fast growing and accumulating, so much so that nobody can, however great an expert he may be, come forward and claim that he knows what exactly is needed by society now and say, 'I am going to do this'. So, my advice to Government will be to take it easy.

Sir, we have the directive principle of the Constitution saying that children up to 14 years of age must be given free elementary education. Try to realize it, first of all. Instead of having this elementary course as a seven-year course, make it a eight-year course. By shunting on this 8th year to the high school, you are making it a bit more costly for the students. Up to this higher elementary course, it is free education. If you do away with the 8th standard in the higher elementary school and shunt it on to the high school, you are going to collect fees for the 8th standard. First of all, let the rural people have a compact, homogeneous and self-contained education before they think of high school education and University education. So, let them have eight years' schooling in the rural areas first. The higher elementary schools are not properly distributed now. In crowded areas, there are more higher elementary schools. But in the backward rural areas there are only lower elementary schools up to the 5th standard and the higher elementary schools are not easily accessible to the rural people. If you think it will be a bit more costly, I may even suggest that for Standards VI, VII and VIII you can collect fees from children whose parents pay a land cess of hundred rupees and more per annum. Collect these fees and gradually try to reach the objective of free elementary education to all children up to 14 years of age. People may not grudge to pay this. You are collecting some surcharge for some other purpose. This additional charge can easily be borne by the rural people. My ambition is that the

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Government should provide such education to the rural people as they could be satisfied with and could go back to their profession. Let us be satisfied with this for a few more years to come. The generation next to ours will know better what is required for them. We should not arrogate to ourselves the duty of saying what the next generation and the generation after that should do and should learn.

Then, Sir, by this sort of experimentation, the people are kept always in suspense. Parents do not know what is coming next and what reform another Education Minister will introduce in the field of education. So, once for all do away with the feeling of suspense and have only three years' course for the high school education. I will even go so far as to say, 'Make it 12 years if you want but do away with the pre-professional course. Why are you going on prolonging the number of years of education? It is not absolutely necessary. It is not done in the Western countries. If you want higher and specialized studies, introduce another course for four years' University training.'

Then comes the question of language. The advantage of teaching the subjects in the regional language is this. Instead of the student being called upon to master a foreign language and then learn the new subjects, we can have the subjects taught through the mother-tongue. If that is done, the student can make rapid strides. A high school student in England has much better knowledge than a college student here. Why is it so? Because the former learns everything through his mother-tongue but we have to master the foreign tongue. So, everything should be taught in the mother-tongue. This is all my suggestion so far as elementary education is concerned.

As regards University education, mention was made about it and the Leader of the Opposition stated what he was doing in the University. So far as Universities are concerned, my opinion is that they are good apples. I will not say rotten to the core but rotten somewhere. A student emerging from the University or the college finds himself nowadays in the position in which the ancient Tamil poet found himself:

“அட கெடுவாய் பல தொழிலுமிருக்கக் கல்வி அதிகமென்றே
கற்று விட்டோம் அறிவில்லாமல்,
திடமுள மோகன மாட களைக் கூத்தாட செப்பிடு வித்தை
களாடத் தெரிந்தோமில்லை,
தடமுலை வேசியராகப் பிறந்தோமில்லை தையலர் தமிழ்
மிருந்து தூது சென்று பிழைத்தோமில்லை
என்ன சென்மம் எடுத்து இருக்கின்றோம் கச்சி ஏகம்பனே.”

That is the plight in which our college students find themselves now. What is rotten? This seems to be an age where knowledge keeps on accumulating and wisdom keeps on decaying. Philosophy, which ought to have been given greater importance than what is being given to-day, has been neglected. Philosophy as it is being taught in our colleges, is nothing but metaphysics. Only a very few colleges are having this subject too. Philosophy integrates

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all knowledge and interprets it. Take, for instance, Sputnik No. 2. In spite of these marvellous achievements, destroying the anthropomorphic constitution of man and telling the man what an utterly insignificant being he is in the comity of the Universe, only aggressiveness is taught.

MR. CHAIRMAN : The hon. Member's time is up.

SRI T. G. KRISHNAMOORTHY : Sir, I will take two more minutes. So, aggressiveness is taught. It has created mutual suspicion. Russians claim that the dog 'Laika' in the Sputnik has died and that they are not having any means to bring it down to the Earth. But the American scientists say that 'Laika' is not dead and that it has been brought down to the Earth. They say, "It is somewhere in Russia. The Russians are deliberately hiding it because it is a secret that might be concerned with war." So an element of suspicion has been created. Sir, in our ancient Universities of Taxila and Nalanda, people were trained to be leaders of the masses. They were taught philosophy. Knowledge accumulated and it was made use of by the masses. But our Universities speak a language which is not intelligible to the people at all. That is the tragic position in which we are to-day. Sir, in Great Britain when the University Act was being enacted by the then Labour Government, there was a hue and cry raised by the Universities there but the Government stuck to their guns on the plea that the man who pays the piper must have the right to call the tune. Somebody mentioned that politicians dabbled in education. No; politicians do not want to dabble in the technical side of education. They have got only the right to lay down policies on education. How the pupils should be taught, the curriculum, syllabus and other matters are left to the experts. So, with this end in view, we must reorganize University education also. We are not able to understand this pre-University course. The pre-professional course passes my comprehension. We must make these courses simpler.

Sir, I was really appalled by the statement of the Hon. the Minister for Finance that the Government intended to publish text-books. In the present-day India, the ruling Party must not be in possession of such a dangerous weapon. If they go ahead with their plans, I am sure, there will be a very great agitation in the country. I am not holding any brief for any private publisher. If only hon. Members will peruse the 'Madras Information' published by the Government of Madras, they will find that there is a tendency to develop the cult of personality and almost all the pages refer to the activities of the Hon. the Chief Minister of Madras. The Opposition Parties and their activities are not mentioned. But if we see the news bulletins issued by the British Information Service and the United States Information Service, we will see that the activities of the Opposition also are mentioned. So, if the Government usurp the power of publishing the text-books also, whatever be the best intentions and whatever be the motives, ultimately it will result in indoctrination or regimentation.

[Sri T. G. Krishnamoorthy] 14th November 1957]

That would be bad for the country. That would be bad for the future students of India. So, I request the Government to desist from their idea of publishing text-books. Thank you, Sir.

SRI V. S. BALASUNDARAM : கனம் தலைவர் அவர்களே, இந்தச் சீர்திருத்தம் ரொம்பவும் விஸ்தாரமானது. இதை எதிர்க் கட்சித் தலைவரும், இன்னும் இங்கே பேசிய அங்கத்தினர்கள் எல்லோரும் வரவேற்கிறார்கள் என்றுதான் சொல்ல வேண்டும். ஏதோ சில விஷயங்களில் அபிப்பிராய பேதம் இருந்ததேயல்லாமல், பொதுவாக எல்லோரும் இதை ஆதரித்துத் தான் பேசினார்கள். முதலாவதாக, கனம் அங்கத்தினர் ஸ்ரீமான் நாராயண சாமி பிள்ளை அவர்கள் பேசியபோது இதில் ஏதாவது உருவத்தில் வேறு விதமாகச் செய்யலாம் என்ற யோசனையைக் கூறுவார் என்று எதிர்பார்த்தேன். ஆனால், முதலிலிருந்து கடைசி வரையில் அவர் ரிப்போர்ட்டை ஆதரித்துத்தான் பேசினார். அதிலிருந்தே இந்த ரிப்போர்ட்டு எவ்வளவு நல்லதாக அமைந்திருக்கிறது என்பதும் எவ்வளவு விரிவாக இருக்கிறது என்பதும் நன்றாக விளங்கும். தலைவர் அவர்கள் நாள் பைசுவதற்கு பத்து அல்லது பதினேந்து நிமிஷங்கள்தான் கொடுத்திருக்கிறார்கள். அதனால் நான் அதிகமாகப் பேசாமல் குறிப்பாகச் சொல்ல வேண்டியதைச் சொல்லிவிட்டு என்னுடைய சொற்பொழிவை முடித்துக்கொள்ளுகிறேன்.

முதலாவதாக, பாஷை விஷயமாக இரண்டொரு வார்த்தைகளைச் சொல்ல விரும்புகிறேன். "ரீஜனல் லாங்குவேஜ்" அதாவது நம்முடைய பிரதேசத் தமிழ் மொழியில் எல்லாப் பாடங்களும் போதிக்கப்பட வேண்டும் என்றும், தமிழ் மொழியையே இண்டென்சிவாக வைக்க வேண்டும் என்றும், அதையேதான் எல்லாப் பிள்ளைகளும் கற்க வேண்டும் என்றும் குறிப்பிடப்பட்டிருக்கிறது. அதோடு கூட, ஹிந்தியையும் சொல்லிக்கொடுக்க வேண்டும் என்றும் குறிப்பிடப்பட்டிருக்கிறது. அத்துடன் ஆங்கிலத்தையும் ஏழு வருஷம் பிள்ளைகளுக்குக் கற்பிக்க வேண்டும் என்றும் குறிப்பிடப் பட்டிருக்கிறது. தமிழ் பாஷையை, அதாவது ரீஜனல் பாஷையை, பிள்ளைகளுக்குக் கற்பிக்கும்போது, இரண்டாவது க்ளாப்பில் ஹிந்தி அல்லது வேறு ஏதாவது இந்திய மொழி என்று இருப்பதுடன் சம்ஸ்கிருதத்தையும் ஏன் சேர்த்துக்கொள்ளக் கூடாது? இரண்டாவது க்ளாப்பில் சம்ஸ்கிருதத்தையும் பிரியப்பட்டுப் பாடமார்க் படிக்கலாம் என்று இருந்தால், நன்றாக இருக்கும். எல்லோரும் இப்பொழுது தமிழ் படிக்கப் போகிறார்கள். அதையும் இண்டென்சிவாகப் படிக்கப் போகிறார்கள். அத்துடன் சம்ஸ்கிருதத்தையும் படிக்க வேண்டும் என்று ஏற்பாடு செய்தால், நல்லதாக இருக்கும் என்று கூறிக்கொள்ள விரும்புகிறேன். தமிழ் பொதுவாக எல்லோருக்கும் இருக்கட்டும். அதோடு 'இண்டென்ஸிவ் ஸ்டடி ஆப் பமில்'-க்கு—அதை ஆழ்ந்து படிக்க விரும்புகிறவர்களுக்கு—வகை செய்ய வேண்டும். அதற்குப் பிறகு சம்ஸ்கிருதம் படிக்க விரும்புகிறவர்கள் அதைப் படிப்பதற்கு வகை செய்தால், நல்லதாக இருக்குமென்று கூற விரும்புகிறேன்.

முன்பு மாணவர்கள் ஏழு வருஷங்கள் ஆங்கிலம் படித்தார்கள். சில பள்ளிகளில் மாணவர்கள் 8-10 வருஷங்கள் கூட ஆங்கிலம் படித்தார்கள். மூன்றாவது வகுப்பிலிருந்து ஆங்கிலம் கற்றுக் கொடுக்கப்பட்டதாகக் கனம் அங்கத்தினர் ஸ்ரீ ஜான் ஆசீர்வாதம் அவர்கள் சொன்னார்கள். எத்தனை வருஷங்கள் ஆங்கிலம் படித்தாலும், அதில் முழு அறிவு ஏற்படுவதில்லை. இப்போது ஏழு வருஷங்கள் ஆங்கிலம் படிப்பது சரிதான் என்றாலும், அதில் முழு அறிவும் பெற முடியவில்லை. ஹிந்திக்கு முக்கியத்துவம் கொடுக்கப்பட்டிருக்கிறது. ஹிந்தி தேசிய பாஷையாக விளங்குகிறது. நான்கு வருஷங்கள் ஹிந்தி படித்தால், அதில் நம் பிள்ளைகள் எப்படி முழு அறிவைப் பெற முடியும்? நான்கு வருஷங்கள் ஹிந்தி படித்தவர்கள் மத்திய அரசாங்க உத்தியோகத்திற்கு இந்தியா பூராவிலுள்ள பிள்ளைகளுடன் போட்டியிடும்போது, அது அவர்களுக்குக் கஷ்டமாக இருக்கும். ஹிந்தி படிப்பது கஷ்டமாக இருக்கிறது என்பதற்காக இப்போது அதை நான்கு வருஷங்கள் கற்பித்தால் போதும் என்று நிர்ணயித்துவிட்டால், பிறகு மத்திய அரசாங்க உத்தியோகத் துறையில் ஹிந்தி

[Sri V. S. Balasundaram] [14th November 1957]

யில் பிற்போக்கான வகுப்பினருக்குச் சலுகை கொடுக்க வேண்டுமென்ற நிலை ஏற்படும். அந்த மாதிரி 'கம்யூனல் ரெபரென்ஸென்டேஷன்' வேண்டுமென்று கூக்குரல்கள் பின்னர் வராமல் இருப்பதற்காக ஹிந்திக்கு இன்னும் முக்கியத்துவம் கொடுத்து அதை நான்கு வருஷங்களுக்கும் அதிகமாகக் கற்பிக்க வேண்டுமென்று நான் அபிப்பிராயப்படுகிறேன். எட்டாவது வகுப்பில் ஹிந்தியைக் கொண்டுவர வேண்டுமென்று கமிட்டி யாரின் அறிக்கையில் சிபாரிசு செய்யப்பட்டிருக்கிறது. அதற்கு முந்திய வகுப்பாகிய ஏழாவது வகுப்பிலேயே ஹிந்தியை எழுத்து மூலமாகக் கற்பிக்காமல் சம்பாஷணை மூலமாகக் கற்பிக்கலாம். சாதாரணமாக, கான் வெண்ட் அல்லது நர்ஸெரி பள்ளிக்கூடங்களில் ஆரம்பத்தில் ஒன்றிரண்டு வருஷங்கள் புல்தகமில்லாமல்—எழுத்து மூலமாக இல்லாமல்—சம்பாஷணை மூலமாக ஆங்கிலத்தைக் கற்பித்திருக்கிறார்கள். அங்கே சேர்க்கப் பட்ட பிள்ளைகள் ஒன்றிரண்டு வருஷங்களில் ஆங்கிலத்தில் நன்றாகச் சம்பாஷணை செய்வதைப் பார்க்கிறோம். குழந்தைகளுக்கு ஆரம்பத்தில் எழுத்து மூலமாக இல்லாமல் சம்பாஷணை மூலமாகப் பாஷையைச் சொல்லிக் கொடுத்தால், அவர்கள் பாஷையை ஒருவாறு புரிந்துகொள்வார்கள். அதன் பிறகு எழுதுவதற்குச் சொல்லிக் கொடுத்தால், பிள்ளைகள் நன்றாகப் புரிந்து கொள்வார்கள் என்று நான் தெரிவித்துக்கொள்கிறேன். இந்த முறையை ஹிந்தி போதனையிலும் கடைப்பிடிக்கலாம் என்று நான் சொல்லிக்கொள்கிறேன்.

அடுத்தபடியாக, கல்லூரிகளில் தமிழை என் போதனை மொழியாகக் கொண்டுவரக்கூடாது என்ற பிரச்சனை எழுகிறது. இது சம்பந்தமாக நமது மதிப்பிற்குரிய அமைச்சர் அவர்கள் தெரிவித்தபடி 'ஹ்யுமானிடல்', சரித்திரம் முதலிய பாடங்களைத் தமிழில் போதிப்பதில் யாதொரு கஷ்டமும் இருக்காது என்று அபிப்பிராயப்படுகிறேன். இந்தமாதிரியான சீர்திருத்தங்களுக்கு எதிர்ப்பு எப்போதும் இருக்கும். முன்பு ஹைஸ்கூல்களில் பிராந்திய மொழியைப் போதனை மொழியாகக் கொண்டுவர ஆரம்பித்த சமயத்தில், உபாத்தியாயர்கள் கூக்குரலிட்டார்கள். அது அனுஷ்டானத் திற்கு வரமுடியாது என்று அவர்கள் சொன்னார்கள். அவை தமிழில் போதிக்கப்பட்டால் பிள்ளைகள் எதையும் புரிந்துகொள்ள முடியாது என்று சொன்னார்கள். தமிழில் போதிப்பது உபாத்தியாயர்களுக்குக் கஷ்டமானது. ஆங்கிலத்திலேயே அவர்கள் பழகி வந்திருப்பதால், தமிழில் போதிப்பது அவர்களுக்குக் கஷ்டமாக இருக்கிறது. கல்லூரிகளில் கூட 'ஹ்யுமானிடல்' போன்ற பாடங்களைத் தமிழில் போதிப்பது பொருத்தமாக இருக்கும். அவைகளை மாத்திரமின்றி, விஞ்ஞானப் பாடத்தையும் தமிழில் போதிக்கலாம். ஹைஸ்கூல்களில் விஞ்ஞானப் பாடத்தைத் தமிழில்தான் போதிக்கிறார்கள். மற்ற பாஷையைச் சேர்ந்த விஞ்ஞானப் பதங்களைத் தமிழில் அப்படியே எழுதிக்கொள்ளலாம். கனம் கல்வி அமைச்சர் அவர்கள் சொன்னபடி, முக்கியமாக 'ஹ்யுமானிடல்' போன்ற பாடங்களைத் தமிழில் போதிப்பது நல்லது என்று நினைக்கிறேன். இதில் அவசியமானது பல்கலைக் கழகத்தின் மனமாற்றம்தான். பழைய முறையையே சிந்தித்துக் கொண்டிருக்கும் மனோபாவம்தான் இந்தச் சீர்திருத்தத்தைக் கொண்டுவருவதற்குத் தடையாக இருக்கிறது. புதிய சீர்திருத்தத்திற்குத் தகுந்தபடி பல்கலைக்கழகத்தினர் தங்கள் மனோபாவத்தை மாற்றிக்கொண்டால், நன்றாக இருக்கும் என்று நான் சொல்லிக்கொள்ள ஆசைப்படுகிறேன்.

ஆசிரியர்-மாணவர்கள் விகிதத்தைப்பற்றிச் சில வார்த்தைகள் சொல்ல விரும்புகிறேன். நான் உபாத்தியாயராக இருந்ததால், இது சம்பந்தமான கஷ்டங்கள் எனக்குத் தெரியும். நாற்பது மாணவர்களை ஒரு உபாத்தியாயர் தலையில் கட்டினால் அது அவருக்கு மிகவும் கஷ்டமாக இருக்கும்; அவர் ஒவ்வொரு மாணவனிடத்திலும் அக்கறை (இண்டிவிஜுவல் அட்டென்ஷன்) காட்ட முடியாது. ஆகவே 30 மாணவர்கள் போதும் என்று நினைக்கிறேன். ஹைஸ்கூல்களுக்கு 780 மாணவர்கள் போதும். இந்த எண்ணிக்கைக்கு மேல் இருப்பது கஷ்டத்தை உண்டாக்கும்.

மாணவர்களுக்கு ஆண்டு இறுதிப் (ப்ளிக்) பரீட்சைகள் வைக்கப்படுகின்றன. பரீட்சைக்கு எல்லா மாணவர்களுக்கும் ஆசிரியர்கள் பயிற்சி கொடுத்துத் தயார் பண்ண வேண்டியிருக்கிறது. இதில் ஆசிரியர்களை

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மிகவும் கஷ்டப்படுகிறார்கள். அந்தக் கஷ்டங்களை நானும் அனுபவித்திருக்கிறேன். இது சம்பந்தமாக கனம் அங்கத்தினர் ஸ்ரீ ஜான் ஆசீர்வாதம் ரொம்ப நன்றாகச் சொன்னார். எஸ்.எஸ்.எல்.ஸி., பரீ-யுனிவர்ஸிடி வகுப்பு, பரீ-ரொபெஷனல் வகுப்பு ஆகிய மூன்று வகுப்புகளுக்கும் ஆண்டு இறுதியில் (ப்ளிக்) பரீட்சை இருக்கிறது. மாணவர்கள் தொடர்ந்து மூன்று வருஷங்கள் பரீட்சை எழுத வேண்டியிருக்கிறது. சிறிய வயதில் மாணவர்களுக்கு இத்தகைய பரீட்சைகளை மூன்று வருஷங்கள் தொடர்ந்து வைத்தால், அவர்கள் ரொம்பக் கஷ்டப்படுகிறார்கள். குறிப்பாக, பெண்கள் ரொம்பக் கஷ்டப்படுகிறார்கள்; அவர்களுடைய முகமெல்லாம் மாறி அவர்கள் வேறு உருவமே அடைந்து விடுகிறார்கள். பையன்களுக்கு மட்டுமின்றி பெண்களுக்கும் இந்தப் பரீட்சைகள் ரொம்பக் கஷ்டமாக இருக்கின்றன. இந்த விஷயத்தில் வேறு ஏதாவது ஒரு வழியைக் கண்டுபிடித்து கஷ்டத்தை நிவர்த்திக்க வேண்டுமென்று நான் கேட்டுக்கொள்கிறேன்.

பள்ளிக்கூடங்களை மேற்பார்வையிடுவதைப்பற்றி சில வார்த்தைகள் சொல்ல விரும்புகிறேன். பள்ளிக்கூடங்களை நல்லபடியாக நடக்கச் செய்வதன் பொருட்டு அவைகளை நன்றாக மேற்பார்வை செய்வதற்காக, நிறைய இன்ஸ்பெக்டர்களை நியமிக்க வேண்டுமென்று கேட்டுக்கொண்டு என் வார்த்தையை முடித்துக்கொள்கிறேன்.

THE HON. SRI C. SUBRAMANIAM: Mr. Chairman, Sir, when making the opening speech, I started with the preface that I was moving the Resolution with a certain amount of satisfaction. May I say now that I am replying to the debate with a greater amount of satisfaction? This debate marks the final phase of one of the greatest and most important enterprises which the State is taking upon itself. We are settling the future pattern of school education with reference to its expansion and improvement. We have tried to settle that framework on the basis of an agreement by all the parties concerned. This is an achievement which we can be proud of and from which we can derive a certain amount of satisfaction. In this respect, if I may say so, we are leading as far as India is concerned and for the successful culmination of this effort, if I have to allot individual responsibility, the first place should go to our Vice-Chancellor Dr. A. Lakshmanaswami Mudaliar. It is mentioned in many places that I combine in myself the happy position of being the Finance Minister and Education Minister. But I consider that the happier combination is that of the Vice-Chancellor and Leader of the Opposition. He struck a touchingly sad note towards the end of his speech making reference to his age, but, Sir, even though he is aged seventy, in spirit and particularly the adventurous spirit in the field of education, I do not think that any young person can come anywhere near him. It has always been a source of strength for me that he was associated with the various efforts, which the Government were making, in framing the basis of educational progress in our State.

In this House we saw the pleasant spectacle of a Minister moving the Resolution and an important Member of the Opposition moving an amendment seeking the concurrence of the House to the whole proposals put forward in the Legislature Committee's Report. The same thing happened in the other House also. There, the Leader of the Opposition himself moved the amendment

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seeking the concurrence of the House to the proposals. I am particularly grateful to the Leader of the Opposition here and the Leader of the Opposition in the other House for having taken a very helpful attitude in regard not only to the consideration of the various problems which arose for decision at various stages but in regard to enabling the two Houses to come to a unanimous decision on the whole Report itself. I am also indebted to the Members of the Legislature who participated in the debate when the White Paper was considered here last year and also in the present debate on the Report on the White Paper, and also those who served on the Committee and made it possible for it to finalise its Report as early as possible with complete unanimity. In settling these various problems, the teaching profession was associated with the Committee at every stage and I am happy that the teachers also played their part nobly. It was because of their assistance and helpful suggestions that we were able to get over many of the knotty problems which at one time we thought it would not be possible for us to find a solution to. The magnitude of our achievement can be fully understood only when we look at the educational problem as a whole. When we do so, we have to start from the I standard which is to end at the post-graduate and research levels. At the present time, we find that there is a certain amount of wastage in respect of provision for the first five classes. I have already mentioned about this in this House. Even if we avoid this wastage, we find, after the V standard, only one-third of those passing out of the V standard will proceed to the VI standard. This is even after we make provision for compulsory and free education up to the V standard. So, for those who leave the school at the end of five years, we have to make education as complete as possible at that level so that it may be useful to them as far as possible. As I said, at the same time, one-third of those who pass out, go to the VI standard. Therefore, both these aspects have to be considered in drawing up the syllabus for the first five standards and also for the next two or three or whatever they may be. Then, coming to secondary education, we will find that out of the persons who pass out of the VIII standard, only one-third pass on to the high school. Therefore, at the higher elementary stage, we have to take into account, two-thirds drop out and would not prosecute their studies further. So, we must make education as complete as possible at that level also, besides making provision in the secondary school for the one-third that may join the course. Similarly, if we look into collegiate education, we will find, only one-fifth of those who pass the S.S.L.C. examination pass on to the college. Here again, we have to see that persons who drop out after the S.S.L.C. course get the full benefit of their education. Therefore, the syllabus will have to be framed suitably, keeping this point in view. At the same time, we have to bear in mind that some will have to proceed to the various colleges. The syllabus should be drawn up in such a way as to meet their requirements also. It is only from these students that the colleges will have to be fed and,

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therefore, the College or the University cannot function in isolation. It has to depend upon the students coming from the various schools and that is why, I feel, as far as the education pattern is concerned, it has got to be an integrated and co-ordinated one. While we may take into account the needs of the persons who may drop out at the various stages, we have to keep in mind the requirements of students proceeding to the higher level. Unless we prepare the students from the I standard, we will not find proper material at the collegiate level, not to speak of the post-graduate level and of persons who may occupy the various chairs. Therefore, I have looked upon the problem in this way. Even though various authorities may be responsible for the various stages of education, I have considered it as an integrated one. When we make changes at one stage or another, we find ourselves in difficulties and this is because we have not thought of it as an integrated one. If I may quote an example, we introduced the regional language as the medium of instruction at the secondary stage. By itself it is a very good step. We all welcomed it. But, unfortunately, that change was not co-ordinated with University education. The necessary changes at the latter level were not made. Therefore, even this very good change in the secondary stage has created more problems and difficulties and has done some harm also as far as University education is concerned. That is why, I thought that when we tried to make changes, they should not be made without reference to the other stages of education. One is interlinked with the other. Therefore it is that when we were considering the whole set-up of secondary and University education, we thought the changes contemplated should be co-ordinated and planned so that one might fit into the other and there might not be any conflict. That was why I took the liberty of writing to the Vice-Chancellor, "After all, we are considering the entire scheme of secondary education; cannot you wait for one more year?". If that request on my part is considered an act of impudence or imprudence, I plead guilty to the charge. Sir, still I feel that if we make changes in the educational set-up without reference to each other, we will create more problems than can be solved. It is only in that spirit that I made the suggestion to the Vice-Chancellor that he might wait until greater consideration was given to various other problems, that might arise out of the introduction of the Pre-University course. For example, by this change, the University wanted to institute a three-year degree course. It was considered by the University that this Pre-University course in the University should only be a temporary phase and that it should be attached to the secondary stage later on. Therefore, a decision on the point whether that course should get absorbed in the secondary education stage became necessary. But, suppose the Committee had come to a different conclusion and said that the present position in respect of secondary education be maintained. Then where would we have been? Then, what would be the position of the change which we have made at the University stage? I wanted to avoid all these conflicts and not that I was opposed to

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the three-year degree course. I do not claim to be an educationist to speak about the merits or demerits of the three-year degree course. I thought that in making the change, there should be co-ordination between the secondary stage and the University stage. It is only in that spirit that I made an appeal to the Vice-Chancellor that he should wait for another year. But that has been taken as interference with the autonomy of the University. Unfortunately, the hon. Member Mr. Mohamed Raza Khan said that I was trying to play politics in this. I am sure he did not know what he was speaking about. I do not think the Vice-Chancellor would have made that charge. Even now, when the Vice-Chancellor was pleased to make references to the various directives he was receiving, I am sure he could not quote even one instance in which I had issued a directive to the University that this or that course should be followed. Simply because the hon. Member is sitting on the Opposition side, it is not fair on his part to level the charge that the Education Minister was trying to play politics in education. I am afraid that charge has been made without understanding the entire situation. I hope he will correct himself.

Now that we are finalizing the pattern of secondary education and that the pattern of University education has been finalized, I found there were certain loose ends which had to be co-ordinated. That was why I thought it necessary to place before this House, before the public and before various authorities the problems arising out of the changes which we were trying to make in secondary education and University education. Some people seem to think that I do not like the three-year degree course. Far from it, I can give this assurance to the Vice-Chancellor and to the other Members of this House that I was interested in seeing that this scheme was a success. But, for the purpose of making it a success, a co-ordinated effort, a planned effort was necessary. That was what I was pleading for. Therefore, nobody need be under the impression that I am opposed to this course or that course. As was put by the hon. Member Mr. Mohamed Raza Khan, I am not an educationist and I may not be in a position to judge the merits or demerits of any particular scheme. But, being in charge of the portfolio of education, I thought that the various conflicts arising out of the changing patterns should be avoided and I was only suggesting methods for avoiding them. If in the course of the discussion here to-day I referred certain problems, it is not in a spirit of criticism but in a spirit of making known those problems which I consider important and which need solution. That was why I wanted that the University should postpone the action that it intended to take for one year. It is not in a spirit of opposition to the scheme, but in a spirit of trying to resolve the various problems and conflicts arising out of the changes in the school sector and the college sector. Unfortunately, the impression has gained ground, and I think some of the hon. Members have added strength to that impression, that there is some difference of opinion between the Vice-Chancellor and the Education Minister. If there is any

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difference, I may tell the hon. Members that it is absolutely impersonal. I am sure the Vice-Chancellor himself realizes the regard and respect I have for him and how I look up to him for guidance in respect of many matters. If there is any conflict or difference, it only reflects the general situation in the country, a conflict which is inevitable in the present situation.

In the fast-changing times of to-day, we find that we are inevitably led to a planned economy. One essential of planned economy is trying to get the maximum benefit out of the slender financial resources available to us. That should always be borne in mind. Therefore, as Education Minister, and unfortunately combining in myself the Finance portfolio also, I had to look at the problem not only from the educational aspect but also from the aspect of deriving the maximum benefit from the expenditure we were incurring on the various types of education—primary, secondary, collegiate, technical, etc. That has got to be borne in mind particularly at this juncture when we are passing through a financial crisis as far as the developmental activities of our country are concerned.

When we think of the educational programme, we have to take into account the expansion we have got to make and, at the same time, the quality of education, to see that there is no unnecessary deterioration in the process of expansion. In that process, we have got to find out the resources available and allocate those resources to the various sectors. Some mention was made about the private sector, particularly in the field of collegiate education. I am sure everyone of us is aware of the fact that the private sector has played a noble part in the development of collegiate education. When only a few persons were coming forward for higher education, when the desire for higher education was limited to a particular sector alone, the opening of new colleges was left entirely to the University. If the University was satisfied that the conditions laid down had been fulfilled, it permitted private parties to start colleges. It would have been all right in a set-up in which there was no planned activity. But what is happening now? Not only in the educational sector, but also in the food sector, health sector, industrial sector, agricultural sector and in every other sector, there is a demand for greater and greater development. With the increased tempo of development and the shortage of resources available, it became necessary for the State Government and the Union Government to come together and make out a plan, finding out the resources available not only with reference to Government but also with reference to the private sector and allocating those resources for the developmental activities in the various sectors. In the olden days, the University was free to give affiliation to any college provided it was satisfied that the sponsors of the college satisfied the requirements of the University, and anything else did not matter. That might have been all right a few years ago. But to-day it cannot be so. We have got to assess the resources available and arrive at decisions as to how much we should spend at the primary

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education level, secondary education level and the University education level. With great respect to the Vice-Chancellor, I should say that it is not merely the Government that are involved in it but that it is people's money and that the entire resources available in the country ought to be taken into consideration. Therefore, whether the Government come into the picture or not, we have got to see that whatever resources are available in the country, with the community, are utilized to the best advantage possible. Nobody can say, 'It is my money and it should be my individual pleasure to waste the resources in whatever way I like.' It is only on that aspect that the conflict arose between the Vice-Chancellor and the Education Minister-cum-Finance Minister, and not in any other light.

Sir, I have already explained why I wanted a postponement of the introduction of the Pre-University course. In the present context the conflict arose in expansion without planning as far as the University was concerned and as far as I was concerned, it should be done within the orbit of the plan. If it is absolutely necessary that we should increase the educational facilities at the University level, then the whole plan will have to be changed and further allocations will have to be made. (The hon. Member Dr. V. K. John rose.) Please wait for a minute and allow me to complete the idea. Even in spending the money we have got to see that we derive the maximum benefit from the money we spend. Therefore, if we engage professors, lecturers and so on, it should be possible to get out of them the maximum benefit that we can. If a certain set of staff will be sufficient to teach a class of 40 pupils, and on account of certain circumstances only ten pupils join the class, then to that extent the appointment of staff for a class of 40 pupils becomes a waste. It may be a transition period. But even during that period we cannot afford to waste our resources. This is the problem which we have been facing and which I am trying to bring out. Sir, this problem is not peculiar to the Madras State alone. This problem has arisen or is likely to arise very soon in other States also. The only thing is that we are taking necessary steps to solve this problem ahead of others. That is why this so-called conflict has arisen. It is good that it has arisen and that it has been publicly discussed. As far as I am concerned, I can give this assurance to the Vice-Chancellor that it is in the spirit of finding solutions to the various problems that I have placed before the House all these problems and difficulties. It was not with a view to score a debating point that I placed them before the House. As far as debating points are concerned, I am sure, the Vice-Chancellor will always score a victory over me. But I want the House and the Vice-Chancellor also to take into account the present circumstances prevailing in the country, the various activities that we have undertaken and the various difficulties which we are facing in solving the various problems. If the matter is viewed in that light, from that standpoint, I have absolutely no doubt that not only the Vice-Chancellor, not only the hon. Members of the House, but even those who are under the impression that

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there is a personal conflict between the Vice-Chancellor and the Finance-cum-Education Minister will realize that there is absolutely no such conflict. It is only a conflict arising out of the developmental activities that we have undertaken and the pace of progress we are making. These conflicts are inevitable if we are to effect changes in the present system and make any progress. In stagnation we do not come across problems. Only when we progress, problems arise. My only appeal to this House and to everybody else is not to take this as a matter of personal prestige or personal conflict. It is a problem which arises out of the great enterprise which we have undertaken, the enterprise of building up a new society, a new nation. Therefore, if anybody is under the impression, under the mistaken impression that there is some sort of rivalry and conflict between the Vice-Chancellor and the Education Minister, I would like to give it a quietus at least from to-day. These are hard facts, hard problems which are facing us and which call for a solution. How we are going to solve them is the thing that should concern us and not whether they were put forward by the Vice-Chancellor or the Education Minister. They should be solved in the best way possible so that the educational atmosphere may not be spoiled. What I am most concerned with to-day is not the fact who deals with University education, who deals with elementary education, who deals with primary education or who deals with secondary education but the students who ultimately are concerned with the various stages of education. It is the student who has got to go through all the phases of education that I am concerned with. That is why I am very particular that this passage from stage to stage should be made as smooth as possible so that instead of placing hindrances in the way of the student progressing, we will make it easy for every student to move step by step and, even if a wrong step is taken, to correct it at the appropriate time. It is only from that standpoint that we have to consider the various problems and arrive at certain conclusions. These conclusions have been placed before the House.

Sir, so far as the changes which have got to be made at the University level and the problems which have got to be solved at the University level are concerned, if I had made known to the authorities concerned the problems facing them and if they had realized, 'Yes, here are problems which require some solution', it would have served my purpose. As far as the actual solutions are concerned, I am prepared to leave the matter entirely to the Vice-Chancellor, to the Syndicate, to the Senate and to the University authorities to find the best solutions under the existing circumstances.

The hon. Member Dr. John wanted to get some information from me. He can now say what he wants.

DR. V. K. JOHN : The Hon. Minister referred to that point. I wanted to know the position in other States.

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THE HON. SRI C. SUBRAMANIAM: Therefore, Sir, when I talked about University education, some people thought that I was bringing in irrelevant proposition before the House and some others thought that I was dragging an unnecessary controversy into this House. It is not unnecessary. It is absolutely essential that we should know the entire problem and unless we know the entire problem, we may not be able to find the correct solution to the problem. It is in the light of our resources, our means and our desire to progress, that we have tried to formulate the various proposals in the Legislature Committee.

Some people pleaded for 12 years of school education. I know 12 years of education compared to only 11 years of education will be much better, because the students will have one more year of education. But we had to consider the financial burden involved in it not only on the student but on the parents as well. It is not only the well-to-do that go to the schools. Even very poor students have got to go to schools and they have got to be maintained in the school by their parents even though some assistance may be given by the State or by some philanthropic persons. It is ultimately the responsibility of the parent to see that his children are kept in the school. Can we ask under the present circumstances all the parents—there are about 60,000 students in the school-final class—to give another year of education to their children, or have we to take into consideration the difficulties involved in it and try to see how far they could be minimised? It is only in that spirit that we approached the question whether we should have 11 or 12 years of schooling and came to the conclusion that 11 years' schooling would be better than 12 years' schooling. As far as we are concerned, taking into consideration the hard realities, 11 years' schooling will be a practical solution to the problem.

Then we tried to allocate the years for primary education and secondary education. The Vice-Chancellor particularly felt that unless we had four years of secondary education with better equipment, better laboratories and better teaching personnel, the students won't be able to reach the standard which we wanted them to reach. It is only with that object that four years of secondary education was decided upon. As a natural consequence of this decision, we had to allocate seven years for primary education.

Then regarding the problem whether a student should have only seven years of compulsory education and then drop off, or whether a student should have the 8th year education also, that is a matter which we have left over for consideration in the future. I am sure in a better atmosphere we will be able to find a better solution to that problem also. This was how we tried to approach the problems and find solutions to them.

12-40 p.m. Then, the language problem is the most vexed one. Even though we have taken decisions, I have absolutely no doubt that this will continue to be a controversial subject for some time to come. In considering that, we have to take into account not only one restricted sphere but also the fact that we have to function

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as one State here, as one of the States within India and as one of the countries in the world. All these aspects will have to be taken into consideration. We cannot ignore the country and give greater importance to the world. We cannot ignore the State and say that the country is all-important. Every aspect has got its own importance and giving due importance to every aspect, we have to find a solution. It is from that standpoint that we approach the problem and I am glad to say that in spite of the various divergences of approach we made, we have been able to come to the correct conclusion and even unanimous conclusion—some may say that it is not a correct conclusion. Whatever the conclusion may be, it may have its own imperfections, as long as it is a human conclusion. Therefore, within the limited sphere, we are able to arrive at a unanimous conclusion that this should be the order of preference for study with reference to various languages. The regional language should get the first place of pride. I do not think that there is any difference of opinion with regard to this. Then, with reference to English and Hindi, it is not as if we want to attach more importance to English or to Hindi or any other Indian language. We took into account which language would take greater time to learn. If we want to learn English in a satisfactory way so that we may have at least a working knowledge, three or four years would not do but at least seven years would be needed. It is that sort of practical consideration that compelled us to make a suggestion that its study should be started in the fifth year, and not that we wanted to give greater importance to English than to Hindi or any other Indian language. If English is not taught for at least seven years, we would not be able to give that kind of education which would be useful in life. But Hindi is comparatively an easy language to learn. I say this from my own personal experience. Therefore, four years of Hindi education will be more than sufficient to get a working knowledge of Hindi. So, one need not be under the impression that we have attached greater importance to English. That is why we have said that the teaching of English should be started from the fifth year onwards. We have complaints that step-motherly treatment is given as far as Hindi is concerned and that that is why its study has been relegated to the eighth year. I am sorry the hon. Member Sri Gajapathy Nayagar is not here. I love Tamil much more than he does, if I may say so. He will pardon me for saying that. But loving is one thing and taking a correct decision with regard to educational problems is quite a different thing altogether. Sometimes we spoil our children because of our love. That should not happen. Because of our love for Tamil, for our own language, we should not get prejudiced against other languages. We should not have a distorted vision. It will disable us from taking a correct decision in this matter. Viewed from that aspect, I have absolutely no doubt that what we have laid down in the Legislature Committee's Report is the most practicable and wisest decision which could be taken under the circumstances, I will not say for all time and under all circumstances. I am sure that this will be accepted

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not only by the people of our State but also by other people concerned in other parts of our country. Unfortunately, this fanaticism, whether it be Tamil fanaticism or Hindi fanaticism, stands in the way of taking a correct decision and looking at things properly. Therefore, I appeal to our lovers of Tamil and also to the lovers of Hindi—I do not want to say fanatics of Hindi—that in looking at the solution which we have found to the language problem here, they should not look at it from the angle of what they would like to have or what they would consider to be a correct decision, but should take into consideration what we think about the languages here, what the conditions prevailing here are and under those conditions, what the most practicable and correct decision would be. If only they look at it from that angle, I have no doubt, they will accept the formula which we have evolved. I do not find fault with those who say that we have not made the study of Hindi compulsory when all the other States have made it compulsory. I do agree from one point of view that we have taken a slightly different decision from that of the other States. But what is more important is agreement of all parties. There should be a proper atmosphere for the growth of any language or for the progress of education. On account of small differences of opinion, can we wreck the entire educational programme? Can we create confusion in the entire educational sector? Sir, unfortunately, language is a thing in regard to which emotions are aroused easily. In this connection, I may give one piece of information—not that I want to make much of it. A few days ago I received a letter from a person in Tuticorin, saying that I would be shot dead if Hindi were introduced even as an optional language. I really believe in his sincerity but that sincerity cannot go to the extent of fanaticism. I am not blaming him but, unfortunately, we have created that atmosphere. So, I am blaming only those who are responsible for creating that atmosphere. Particularly youths, young men, are moved by passion or emotion and that emotion is utilized for certain purposes by political parties or by other interested parties. Certainly, it is very easy to exploit them but, where it will lead us I would ask them to ponder over for a while and then do it. Therefore, I would appeal not only to this House but also to the various political parties functioning in the country to-day not to have this campaign of hatred, whether it be on the basis of language or on the basis of caste. This campaign of hatred will always lead us, if I may say so, to destruction. It will only lead us to further degradation. Therefore, whatever be the basis for this campaign of hatred, it should stop here and now, if we have got to progress and to live as human beings. So, in approaching this language problem, we have to approach it in a civilized way and in a cultured way as civilized human beings. We should not function within the narrow sphere of our State, as has been pointed out, in the narrowing world of to-day. If only we take that aspect into consideration, I have absolutely no doubt that even persons who are taking a narrow view of things will look at things with greater clearness and with greater vision. In arriving at a solution, I do realize that certain

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valid objections would be raised by persons who are interested in other languages, particularly Sanskrit and Urdu. As far as I am concerned, I have been trying my best to find a solution acceptable to all. I do not think that we should disturb the framework which we have settled on an all-party basis which is found in the Legislature Committee's Report. But I have absolutely no doubt that if we are sincere about it, we could find a solution. Therefore, I would suggest to those who want to study Sanskrit as another language and also Urdu not as the mother-tongue but as any other language, that those languages can be taught outside the curriculum. So far as the Government are concerned, they will recognize that also for the purpose of giving grants. I am placing this suggestion before those who are interested in the development of Sanskrit, in the development of Urdu and in the development of other classical languages. After all, we find time for various other activities and if only we are sincere about our attitude to Sanskrit or Urdu or any other language, I have no doubt that we will be able to find sufficient time for its study. As far as the resources are concerned, it should be the responsibility of the Government to share the financial burden as we share that burden with reference to other subjects. How it should be fitted into the examination programme and all those things are matters of detail which could be discussed and decided upon later. But I would request hon. Members to consider whether this suggestion could be accepted and if it could be accepted, how it could be worked upon. I am able to find a solution only in this way and not by raking up the already settled problem once again, which may create further and greater difficulties. That is one aspect which we have got to bear in mind.

Then, there is the problem of persons residing in our State whose mother-tongue is not Tamil. We have formed linguistic States. Now we should see what the position is after the formation of linguistic States. Before the formation of linguistic States, so far as our State was concerned, a Kannada gentleman, whose regional language was Kanarese, could claim that it was the language of the State. So also, in respect of Malayalees and Telugus, Malayalam and Telugu were the State languages. But, after the formation of linguistic States, we have created the problem of linguistic minorities. A Kannada gentleman living here is no longer a person who is entitled to have his language recognized for all purposes here. The same is the case with regard to Malayalees and Telugus. Therefore, when we think in our wisdom we are solving some problems, we should also realize that, at the same time, we are creating new problems, and those problems have been created. Perhaps, life will be dull if those problems are not there. In my view, life is worth living because of the very problems. If there are no problems, there would be no life at all. If new problems have arisen, it is our duty to find a solution to them. I may inform the hon. Members that in the Zonal Council one of the subjects which we discussed was the rights and safeguards which the linguistic minorities would require in the changed pattern. A Committee has been formed with one Minister

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from each State and I happen to be the Convener of the Committee. We are hoping that ere long we will be discussing the subject. But I may assure the hon. Members and the public also that the existing facilities for education through the various languages as medium of instruction, leave alone the question whether they would be taught as subjects or not, would be continued till we take a final decision with reference to this and that decision will have to be taken at a regional level so that there may be reciprocal arrangements in the other States also. The safeguards and rights which we would be giving to the linguistic minorities here should be available to the linguistic minorities, that is, our own Tamilians, living in Mysore, Andhra and Kerala. Those who are fighting for pure Tamil and Tamil alone for the various purposes should ponder over the fate of Tamilians, who are living not in thousands but in lakhs and millions in our neighbouring States. What we expect to be done to them, we should be prepared to do for the other linguistic minorities residing in our State. Therefore, people who seem to think that they are real Tamilians and, therefore, are pledging for Tamil and Tamil alone in the various branches of administration and in the various parts of the educational sector, if I may say so, are short-sighted. They do not see beyond the border where our own Tamilians are living and where they have got to live. They will not be coming over here, creating further problems to us and I do not think that even if we invite them, they will come over here. Therefore, when we try to solve the problem of linguistic minorities, we have to take into consideration our own brethren who are living in other States and I would ask them to consider the rights and duties which the other persons will have to perform in their own States where Tamil will not be the regional language, however much we may wish it to be. Therefore, in solving this problem, there is no use of taking a narrow view of our own State and the residents of our own State. We have got to take a much broader view. If we look at the question from that angle, I have no doubt that we will be able to arrive at solutions which will be satisfactory to all concerned. In this connection, the Government of India have circulated a paper making suggestions for giving facilities to the various linguistic minorities for their educational and cultural progress. These proposals are being examined now. But one thing is clear so far as I am concerned. That is, if any persons—and if they are sufficient in number—want that they should be given education through the medium of any particular language, the wise thing would be to allow them to have their education through that medium. I do not think that we should interfere and say, "This is Tamil Nad and, therefore, there should be no other medium of instruction in our schools." That would be a narrow view to take. But, at the same time, persons who want to have their mother-tongue as the medium of instruction, should realize the disadvantages arising out of it, particularly in the administrative sector and in the life of the community. Whether Hindi is taught compulsorily or as an optional subject, I have

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absolutely no doubt that Hindi or some other common language will have to function here. Therefore it is I am saying that simply because we are allowing some persons to be taught in other languages or we are studying another language, it is not going to affect the position of Tamil or its development or growth. If only we have no faith in ourselves, we should be afraid of these other languages existing and functioning amongst us. As far as I am concerned, I have absolutely no such fears and even though Hindi and other languages may be taught here, in the general life of the community and in the general life of the State Tamil will have to play a predominant part and to the extent that they do not have sufficient proficiency in that language, those studying other languages will be at a disadvantage. If realizing those disadvantages, people come forward and say that they should be given education through a particular language, as I have already said, provided we have got sufficient strength, as far as I am concerned, I will be prepared to run institutions wherein that medium of instruction will be used for imparting education. These are the various points which we have to take into consideration in safeguarding the rights of persons whose mother-tongue is not the regional language. In regard to that also I can assure the hon. Members that it is the intention and policy of the Government to arrive at decisions acceptable to all concerned—not decisions which are acceptable to the majority section or the minority section only—but which are acceptable to all.

Finally, I will take up the vexed problem of the medium of instruction in the colleges. The Vice-Chancellor pleaded that we should move slowly in the matter. I do agree, but I want 'movement', whether it is slow or fast. But we do not make any movement. That is the real difficulty and that is the problem which we are facing to-day. If you give me a phased programme and say, "This is the thing which is good for our State and good for our students. Let us not make haste", as far as I am concerned, I am prepared to look into that programme and accept it also. But not to make any move towards the solution of the problem is a thing which is causing me some concern. That was why, Sir, I mentioned with a certain amount of, if I may say so, unnecessary passion and unnecessary emotion, about the Expert Committee which had been formed. I leave it to the Vice-Chancellor. I am prepared to leave it to the University to give me a programme. Let it say, "This is our programme but the pace of implementation should be slow". Let it give a programme after full and mature consideration by the Vice-Chancellor and all other bodies connected with the University. But, unfortunately, we are not prepared to formulate even a programme for the purpose. That was why I thought that the Government should come into the picture and take steps with reference to the preparation of text-books. Sir, the opinion was expressed that the Government should be the last authority to prepare the text-books. It may not be correct at the University level for the Government to step in and prepare text-books. But if the University

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is prepared to consider the question and give me a programme with reference to the preparation of text-books, I am prepared to leave the whole responsibility to the University, myself bearing only the financial burden of it. No action was being taken at any other place. So, instead of feeling stagnated and frustrated, I thought that I should take a positive step which would take us towards the goal of introducing the regional language as medium of instruction in the colleges. Therefore, it is not the intention of the Government that they should monopolise this business of publishing text-books in various subjects like science, philosophy, history, geography, psychology, etc. The University would be a better authority for this job but it is not prepared to do it. Even now, I make this offer to the Vice-Chancellor and through him to the University. If the University is prepared to do it and give me a programme for the publication of text-books, I shall leave the responsibility to it. In the absence of any response, however imperfect they may be, the Government have to take steps. It is only in this spirit that I am trying to prepare a scheme for the preparation of text-books.

Then, Sir, some people have been saying that English should continue to play an important role in the affairs of our State in the future. As far as I am concerned, I realized the importance of English and I do not think anybody who had to deal with the subject during the consideration of the pattern of school education would accuse me of slighting the importance of English language. On the other hand, I wanted that it should be taught in a better way and more effectively. That is why I made the suggestion that, instead of starting teaching English from the VI standard, we should have it from the V standard. It is for this purpose that I said that a committee should be formed for evolving a method of teaching English. It is not only a question of training teachers for teaching English, but it is also a question of evolving a new and better method of teaching, including the audio-visual method. If such a method could be evolved, I have no doubt the standard will improve. And the standard must be improved because however much we wish to live within our own country, we have to deal with world affairs and to deal with world affairs, we must know a world language and learn it in a perfect way. Of course, all this means a lot of expenditure. But I do not mind it if we can produce the proper teaching personnel and evolve a better type of teaching in order that the standard of English at the various levels may be raised. Difficulty arises only when it is stated that the medium of instruction in colleges should continue to be in English for ever. Sir, in that respect, there is a conflict not only between Tamil and English, but there is a conflict between Hindi and Tamil also which will have to be solved. We cannot afford to delay the solution to this problem. There is a fear, as was expressed by the hon. Member Mr. V. V. Ramaswami, which haunts certain people that if Hindi is accepted by us, the regional language will suffer. It is haunting not only the hon. Member Mr. Ramaswami but others also. But it should go. Otherwise,

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Hindi cannot progress whatever expenditure we incur on its spread and whatever action we take for its spread. It should be made clear, as far as Tamil is concerned, that it will be the language for purposes of teaching in the schools and that, if a change has got to be made in the medium of instruction at the University level, it should be the regional language and not Hindi as it is sought to be made by some. (Sri V. V. Ramaswami: Hear, hear.) If the fear that Hindi is trying to take the place of English—a place assigned to it by foreign rulers—is to be removed from the minds of the people whom it haunts, then it could be done only by a magnanimous acceptance of the places that should be assigned to the various languages at the various levels. What the places of Hindi, English and the regional language should be is a problem which has to be settled to the satisfaction of everybody. There is no question of majority or minority in this. Even though we may be a minority of one State in this respect, still we have to be satisfied because we are one of the limbs of the Union. The Union cannot ignore us by saying, 'After all, other States have adopted Hindi as a compulsory subject for study.' We have got certain uniqueness as far as our State is concerned. If the State is to function as one of the limbs of the Union, then that uniqueness has to be taken into consideration. In trying to find a solution to the question, there is no use of saying, 'Andhra has done it; Kerala has accepted it as a compulsory subject for study at every stage; therefore, Tamil Nad should fall in line.' There is no use of brushing aside the uniqueness we have. If all this is ignored, then that would be the surest way of wrecking the unity of the country; that would be the surest way of helping those people who are propagating the idea of a separate State for Tamils. So, in the interests of the unity of the country, we must have a correct perspective of the existing state of things. Language is said to be a unifying factor. But it can play the opposite role also. Therefore, unless we are sure of our ground and unless we are sure that it will be acceptable to every section of the country, any solution found on the basis of majority or minority will only land us in greater difficulties. While I appeal to the people in my State to learn Hindi, I have to make it clear that if people have to accept Hindi and its place in our national life, the position of regional language in all its aspects will have to be decided and once a decision is taken, this fear that Hindi will obliterate or dominate every other language will vanish. That is why I say, if there is to be a change—I feel there is to be a change—in the medium of instruction in colleges, it has got to be Tamil and not Hindi.

The hon. Member Dr. John was making a very eloquent speech with extensive references. As he was speaking, I was wondering whether he was speaking as a man on the earth or on the moon. He was making various pleas and levelling wild charges.

DR. V. K. JOHN: Not against you.

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MR. CHAIRMAN : I shall put the motion, as amended, to vote. The question is—

‘ That the Report of the Legislature Committee on the White Paper on Education be taken into consideration, and on such consideration, this Council gives its general concurrence to the recommendations made by the Committee.’

The motion, as amended, was put and carried.

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

The House then rose.

(After lunch—3 p.m.)

IV.—GOVERNMENT BILL.

THE MADRAS VILLAGE PANCHAYATS (AMENDMENT) BILL, 1957
(L.A. BILL NO. 16 OF 1957)

THE HON. SRIMATHI LOURDHAMMAL SIMON : Mr. Chairman, Sir, I move—

‘ That the Madras Village Panchayats (Amendment) Bill, 1957 (L.A. Bill No. 16 of 1957), as passed by the Legislative Assembly, be taken into consideration.’

The question of reform and development of Panchayat Organization has been engaging the attention of this Government for some time past and proposals in that regard have been included in the White Paper on the Reform of Local Administration in Madras State including the Madras City Corporation which has been referred to the Joint Committee of the Legislature constituted to advise me in finalising the scheme for the reform of Local Administration. This Bill deals with certain specific matters about which the Government find it necessary to make statutory changes in advance of the general reform of Panchayat administration.

The first of these matters relates to delimitation of areas for which panchayats are to be constituted. Prior to the passing of the Madras Village Panchayats Act, 1950, which came into force on the 1st April 1951, panchayats could be constituted for any local area—whether it is a revenue village or part of a revenue village or more than one revenue village. In 1950 an element of rigidity was introduced in this provision. Section 3, read with section 2 (22) of the 1950 Act, makes it obligatory to constitute a panchayat for every revenue village or a hamlet thereof which was in existence on 1st April 1951 and which is declared by the Inspector of Municipal Councils and Local Boards as a revenue village. As a result, it is obligatory to constitute a panchayat for a small revenue village with a population just exceeding 500, even though it may be administratively convenient and also free from local objection to group together two such villages to form a panchayat village with a population exceeding 1,000. Another difficulty has also been experienced. The law permits the separation of a hamlet from a revenue village and the constitution of a

ed as Appendix on pages 242-245 infra.

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panchayat for such a hamlet. But there is no express sanction for the exclusion of a hamlet of a revenue village for which a panchayat has already been constituted and for grouping the hamlet with another revenue village for purposes of forming a panchayat. It is necessary that this element of rigidity first introduced in 1950 should be removed and a flexible provision made as in the present Bill.

The 1950 Act provides for the constitution of panchayats for every village in the State within a reasonable time. Cases have occasionally arisen such as, for instance, certain industrial or labour colonies or places of health resort like Courtallam where the ordinary pattern of panchayat organization is found to be unsuitable. At the same time, some arrangements have to be made for the civic administration of such areas so as to be adapted to special conditions and needs of such areas. It is, therefore, proposed to take power for the exclusion of industrial, labour or institutional colonies or health resorts from the jurisdiction of Panchayats and for the constitution of township committees for such areas on the lines of township committees of Courtallam, Mettur and Bavani-sagar. The provision made in the Bill will obviate the need for undertaking special legislation every time it is proposed to constitute township committees of a pattern different from the ordinary pattern of panchayat organization. In order, however, to ensure that the Legislature retains an opportunity of satisfying itself about the suitability of the special arrangements for civic administration for such areas, it is provided in the Bill that a notification excluding an area for constituting a township committee in such cases should be approved by the Legislative Assembly. It is also provided that no area may be excluded in this manner, if the Assembly disapproves; it is further provided that, for each such excluded area, a separate township committee shall be constituted, on the basis of suitable adaptation of the relevant provisions of the Panchayat Act, or by application of the provisions of the Municipalities Act, so as to suit the special circumstances which necessitate the exclusion of the area.

The most important of the changes, for which provision is made in this Bill, relates to the election of Presidents of Village Panchayats. The normal system in all other local authorities is for the members of the governing body to elect the Chairman or the President, as the case may be. This is so in the case of all municipalities in the district, all district boards and also in respect of the Mayor of the Madras City Corporation. This was the case in respect of all panchayats also for a number of decades before 1950. In 1950, it was for the first time provided that the President of a Village Panchayat should be directly elected by the entire electorate of the village. He became an ex-officio member of the panchayat automatically. Other members of the panchayat elected by different wards of the village were rendered ineligible to become President. Further, the candidates who stood for election as President and failed to secure election were rendered

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1-10
p.m.

THE HON. SRI C. SUBRAMANIAM: They were not against me but against my people. If he makes such charges, wild charges, they will yield no result. As a matter of fact, in the initial stages of my membership of the Legislature, I used to get irritated when the hon. Member Dr. John spoke. His speech used to have some effect on me. Now, it has ceased to have any effect on me. I would appeal to him as a lawyer and say that there is no use of his speaking for himself. He must speak to the judge. His speech is not for his own self. It has to appeal to the people and convert people. If he wants to make an impression on other people, he has to adopt other methods. As a lawyer, he knows how to adapt himself to the judge and to the audience, to which he is making an appeal. I want to say that he made a very unhelpful speech here. If I have got upset by that, I do not think I will be able to make this speech here to-day.

We have to take into account practical considerations. Can we ignore our State? Can we ignore our country? Each has got to play its part. Any problem will have to be viewed from this large perspective and I do hope that it will be possible ere long to solve this problem at least for our generation so that there may not be any conflict or confusion created in the country because of this language problem. We had one confusion when we had the reorganization of the States. I don't think we can afford to have another confusion in our country on the ground of language. Therefore, I am sure that those who have to take decisions will realize the responsibility which is placed on them in coming to a correct decision in the matter.

There is one other matter to which I shall refer and conclude within a few minutes. That is with regard to the preparation of text-books for the first three standards which the Government have undertaken. I know weighty opinions have been expressed against the attempt which the Government are just now making. The plea of indoctrination was also put forward for the purpose of arguing against the Government publishing the text-books. I have already indicated that it is not the intention of the Government to have a permanent body of officials, pandits, professors or anybody else for the purpose of preparing books. We are going to depend on private authors for preparing the books. We will be coming into the picture only with regard to publication and with regard to choice of the best books. I would like to ask the hon. Members whether within the first three years indoctrination will be possible. As far as I am concerned, I fail to see how there can be any indoctrination at that stage. As I have already stated in the other House, I am making only an experiment. Let us see how we fare with reference to quality, price, output and distribution. If we do make a success of it, it is not my intention to jump into the other sectors also. My immediate objective is to take it up for two more standards, up to the fifth standard. It is not an ambitious scheme for the publication of text-books for all the classes. I am trying to see whether the various injurious practices which are prevalent to-day with reference to the publi-

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cation and prescription of text-books could not be avoided by the Government taking up the work. I may assure the House that this is only an experiment. If the experiment creates greater problems than what it tries to solve, I will not hesitate to go back upon that. We are intending to go step by step. I may assure the Members of this House and also the public who are very much concerned over this that we will try to maintain the quality and, if possible, even improve it. This arrangement will incidentally remove the several injurious factors which are playing a great part in the public life of to-day with regard to the publication and prescription of text-books. Therefore, there need not be unnecessary criticism with reference to the experiment which the Government are taking up. After all, we have to make experiments, even though we may have to take some risk. I do not think we are taking much of a risk when we have this experiment as a phased programme.

Finally, I would refer to a statute with reference to the various educational problems about which I made mention. This was referred to by the hon. the Leader of the Opposition, by the hon. Member Mr. T. M. Narayanaswamy Pillai and even by Rajaji. I don't think there is any difference of opinion between me and the Vice-Chancellor or Rajaji or Dr. C. P. Ramaswami Ayyar. As far as that is concerned, the question is whether there should be a statute containing the framework of the educational pattern. Within that framework, we have got to provide a safeguard to see that there is no amateurish tickling with academic matters. I want to provide by statute that Committees consisting of qualified persons and experts alone can make any change in academic matters. I have agreed to the constitution of a Standing Committee. The Bill can be placed before the Standing Committee, public opinion can be elicited and all the objectionable features can be removed. I don't think there is anything wrong in having a statute. On the other hand, my own view is that all the advantages will be in favour of having such statute.

When we are on a big project like this, the project of educating all our children from the primary to the secondary and collegiate levels and then up to the post-graduate and research level, I think it should be possible for us to create persons of creative thinking which we do not find here today. For what reasons, I do not know. My own view is that it is because of the burden of the foreign language. But I may be wrong. We have to create persons of high calibre in the various sectors so that we may be able to launch another 'Sputnik'—that may be a small matter—and so that we may be able to show how to live in a better way and how to live in a brotherly way. Thank you, Sir.

MR. CHAIRMAN: I shall put the amendment of the hon. Member Sri T. M. Narayanaswamy Pillai to vote. The question is—

'Add the following at the end:—

"and on such consideration, this Council gives its general concurrence to the recommendations made by the Committee".

The amendment was put and carried.

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ineligible to become members. Even at that time when these changes were debated in the Legislature, there were sharp differences of opinion. Experience, during the last six years, has, in the opinion of Government, shown that the new system is defective and that the old system is preferable. The Bill provides for reversion to the old system, which, as I said, is the normal system applicable to all local authorities. In making a general statement that the new system is defective, I realise the need for avoiding erroneous influences. It is true that numerous instances can be pointed out of directly elected presidents of village panchayats who have worked the system successfully. This, however, is not the merit of the system but of the man. Success was attained not because of, but rather in spite of, the system. In such cases, the Presidents were usually able and good men, whose leadership was undisputed in the village. Such men would have found themselves elected as Presidents even under the old system. The problem arises only for those villages where there are no leaders at all, or, where there are too many leaders, or, where the leaders cannot be described as able and good men. In such cases, the direct election of the President is attended by bitterness and ill-feeling, which affect not merely individual wards, but the entire village. The village being a small area, where every voter knows everybody else, the ill-feelings thus generated last longer than in larger constituencies. As the unsuccessful candidate is precluded from holding office as even a member of the panchayat, no chance is given for reconciliation. Generally, the President begins to consider himself to be a superior being possessing authority independent of the other members of the panchayat. Frequently, the members cease to take interest in the affairs of the panchayat. If, as is not infrequently the case, the person who wins a contested election is not competent to manage the affairs of the panchayat without assistance, the panchayat languishes and becomes moribund. A system that produces such results must be held to be defective and discarded. This change has now become a matter of urgency, because as many as 6,000 panchayats have to be reconstituted by conducting elections in the next few months. The Government do not wish to postpone elections still further. Nor do they wish to take the risk of creating and aggravating factions and disputes and thereby prejudicing the atmosphere necessary for embarking on the scheme of reform and development of panchayat organization, which Government have proposed in the White Paper.

The Bill also seeks to raise the term of office of Members and Presidents of panchayats from three years to five years. One reason is that a five-year term will enable the members to chalk out necessary programme for all-round development of the village and see to the fulfilment of the programmes before laying down their office. An even more important reason is the need for avoiding the holding of too many elections in quick succession. Every election, we should remember, involves public expenditure as well as interference with the normal life of the people and the normal working of district administration.

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The Bill also makes provision for a routine amendment to section 112 (2) of the Act. A rule-making power provided in the 1950 Act is proposed to be deleted because it is found to be superfluous.

The Bill, as passed by the Legislative Assembly, provides also that all rules and notifications issued under the Act shall be placed before the Legislature.

I, therefore, move that the Madras Village Panchayats (Amendment) Bill, 1957, be taken into consideration.

MR. CHAIRMAN : Motion moved—

'That the Madras Village Panchayats (Amendment) Bill, 1957 (L.A. Bill No. 16 of 1957), as passed by the Legislative Assembly, be taken into consideration.'

* SRI T. PURUSHOTHAM : Mr. Chairman, Sir, this Bill comes to us, as passed by the Assembly, after scrutiny by a Select Committee of the Legislative Assembly. Though this Bill has been stated to be an unimportant Bill, I hold that a Joint Select Committee would have given us an opportunity to scan the measure more thoroughly. The main features of the Bill as just now enunciated by the Hon. the Minister for Local Administration are bestowal of unrestricted powers on the Inspector of Local Boards to constitute and alter panchayat villages, constitution of village townships, indirect election of the Presidents of the Panchayat Boards and extension of the term of the panchayats from three to five years.

3-10
p.m.

Some of these problems were already discussed in detail by us when we considered the White Paper on the Reform of Local Administration in our State. Opinion was divided in this House about the extension of the term of the panchayat members from three to five years. Some of us felt that it was not necessary. But as democracy is Government by the will of the majority, I think, we should accept this extension proposal as the majority seems to favour such an extension.

It was announced that the Government proposed to introduce secret ballot for the election of members of the Panchayat Boards. This is a costly affair and as just now pointed out by the Hon. Minister, too frequent elections would make it still more costly. This is certainly an important and weighty consideration and I feel that the extension of the term of the panchayat members from three to five years is a reasonable move, in the altered circumstances providing for elections by secret ballot.

The next important change in the Bill is the provision for election of president of the panchayat board by the members of the panchayat. The direct election of president provided in the old Chandramouli Act passed soon after our Independence is to be abandoned. There is a State-recognized body known as the 'State Panchayat Presidents' Association'. This Association has expressed itself against this measure that has been now introduced providing for indirect election of the President of the panchayat

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board. Hon. Members of this House are aware that this Association has programmed to have a State conference towards the end of this month. The real democratic approach would be to consult such public bodies before making such changes. But I believe the present Bill is at best an emergency measure in view of the impending panchayat elections. The term of the present members of the panchayat board has been extended from time to time and we have been insisting on the Government that the panchayat elections ought not to be postponed any longer and that the elections should be held inasmuch as the panchayats have had no elections for the last five years. I take it that the Government hold the view that a change is called for in the light of the experience gained in the working of the system of direct election of the President and this may be accepted for the present in the hope that the Legislature Committee appointed to advise the Government on the comprehensive panchayat reform would take the opportunity to study the problem in greater detail and make their recommendations in consultation with the representative bodies such as the State Panchayat Presidents' Association.

I do not propose to go into other aspects of this Bill as the whole scheme of panchayat administration is in the melting pot and there would be ample opportunities to discuss this question at a later stage.

I have given notice of an amendment and I wish to say a few words about it. In fact, after I went through the Bill, it was with a general feeling of depression and a sense of frustration that I rose to speak on this Bill. Time and again, we have been pressing that the Legislative Council should not be treated as an unwanted fifth wheel in the coach. In the proviso to sub-clause 2-A of clause 3 it is stated—

'Provided that before issuing such notification, a draft of the same shall be placed before the Legislative Assembly and such draft shall be subject to such modifications as the Assembly may make, within fourteen days of the date on which the draft was so placed . . .'

I contend that this is against the latter and spirit of the Constitution. Except in regard to Money Bills, both Houses of the Legislature of the State have equal powers and equal responsibilities. Draft rules, notifications and regulations should be subject to sanction and revision by the Legislative Assembly and the Legislative Council.

3-20 p.m. THE HON. SRI C. SUBRAMANIAM: All rules made and all notifications issued under the Act will be placed on the table of both the Houses of the Legislature.

* SRI T. PURUSHOTHAM: Here it is not stated even like that. Hon. Members would bear me out, that Rajaji accepted my contention and made a categorical statement in this House that he would issue peremptory instructions to the Law Drafting Officers of the State to adopt this principle in all future legislations.

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A reference to the District Municipalities Act would show that the executive orders of Government under Schedule IV of the Act are subject to the approval of both Chambers of the Provincial Legislature. Those are the words in that enactment. It was passed even before Independence. We had such resolutions under the District Municipalities Act and other Acts coming before both the Houses. It is worthy of note in this connection that the Hon. the Finance Minister, who presided over the Select Committee of the Assembly on this Bill conceded that all such notifications would be placed on the Table of the Legislature. That is exactly the expression used by the Hon. the Minister for Local Administration also just now. But somehow 'Legislative Assembly' alone is mentioned in the Bill before us. I request the Government to note the feelings of this House in this matter and I would appeal to the Hon. the Leader of the House to kindly take up this matter and prescribe a model formula for adoption in all such cases. As I said, there could be no objection to accept this small amendment proposed by me to substitute 'both Houses of Legislature' for 'Legislative Assembly' in the Bill. The Assembly is sitting and the Bill could be remitted to them and I hope that with the kind offices of the Hon. the Leader of the other House, the Assembly would not object to this amendment. On principle, I would press this for the consideration of the Government. I am reminded that this piece of legislation is an *interim* measure and I hope that the legalistic position of this House will be accepted and that at least in the comprehensive Bill this will be rectified.

DR. V. K. JOHN: Then, is the hon. Member withdrawing his amendment?

* SRI T. PURUSHOTHAM: I do not propose to move this amendment. I wanted to give expression to the feelings of this House with regard to this matter and I have done so. There is no purpose in moving the amendment except to point out that the defect in the drafting of the Bill should be rectified. The Report of the Select Committee says, "The Chairman said that provision would be made for placing all the rules framed under the Act on the table of the Legislature by inserting a new clause to that effect". But, in the Bill, they have stated "Legislative Assembly". I hope this will be rectified in the comprehensive Bill on Panchayat Reform. I believe the hon. Members will agree with me in all that I said in this connection and I hope there won't be any necessity to raise such a question in future. With these few words, I support this Bill.

* SRI V. V. RAMASWAMI: கனம் தலைவர் அவர்களே, கிராமப் பஞ்சாயத்து அமைக்கும் விஷயமாக அமுலில் இருக்கும் 1950-ம் ஆண்டுச் சட்டத்தைத் திருத்தி அமைக்கும் மசோதாபற்றி இப்பொழுது விவாதம் நடக்கிறது. பொதுவாக ஸ்தல ஸ்தாபனத்தைத் திருத்தி அமைப்பதற்கான வெள்ளை அறிக்கை இரு சட்டசபைகளாலும் விவாதிக்கப்பட்டு அதன் பின் ஒரு கமிட்டியின் பரிசீலனையில் இருப்பதாலும் அதனுடைய முடிவு தெரிவதற்கு முன் சில நடவடிக்கைகளை அவசரமாகவும் அவசியமாகவும் எடுக்க வேண்டி இருப்பதாலும் இந்த மசோதா

[Sri M. Ethirajalu]

[14th November 1957]

இப்பொழுது விவாதத்திற்கு வந்திருக்கிறது. அதில் பல மாறுபட்ட கருத்துக்கள் இருந்த போதிலும், எல்லோரும் கடைசியில் ஒரு முடிவுக்கு வந்தது வரவேற்கத்தக்கதாக இருக்கிறது.

நம்முடைய கல்வித் தரம் எப்படி உருவாகியிருக்கிறது என்று பார்க்கும் போது, இப்போது நடைபெற்று வருகிற எலிமெண்டரி ஸ்கூல், ஹைஸ்கூல் எலிமெண்டரி ஸ்கூல், ஹைஸ்கூல் ஆகியவற்றில் சொல்லிக் கொடுக்கப்படும் பாடங்கள் நல்லபடியாக இல்லாத காரணத்தால், ஹைஸ்கூலில் படித்த மாணவர்கள் அப்புறம் உயர்தரக் கல்லூரிக்குப் போகும்போது அவர்களுக்குத் தகுதி இல்லை என்று சொல்லும் நிலைமை ஏற்பட்டிருக்கிறது. அது இன்றும் நீடித்து வருகிறது என்பதை யாரும் மறுக்க முடியாது. இதற்கெல்லாம் காரணம் யார் என்று குறிப்பிட்டுச் சொல்ல வேண்டுமானால் நம்மிடத்தில் இருக்கும் ஆசிரியர்கள்தான் என்பதும், அவர்களின் பேரில்தான் குறை கூற வேண்டியதாக இருக்கிறது என்பதும் என்னுடைய கருத்து. நம்மிடத்தில் ஆங்கிலம் படித்த, ஆங்கிலத்தில் தேர்ச்சி பெற்ற ஆசிரியர்கள் இருப்பதால், நாம் இப்பொழுது தமிழ் வேண்டும் என்று சொல்லுகிறபோது, அந்த ஆசிரியர்களிடத்தில் தமிழில் சொல்லிக் கொடுக்க புலமை இல்லாமல் இருக்கிறது என்பது ஒரு காரணம்.

இரண்டாவதாக, எழுவது வகுப்பு வரை படித்துவிட்டு பதினாவது வயது முடிந்தவுடன் மாணவர்கள் ஆசிரியர் பயிற்சிக்குப் போகிறார்கள். அப்பொழுது அவர்களுக்கெல்லாம் ஆண்பால் பெண்பால் என்பதும், ஒருமை பன்மை என்பதும் தெரிவதில்லை. அவர்கள் ஆசிரியர்களாகத் தகுதியற்றவர்களாக இருக்கிறார்கள். அந்த நிலைமையதான் இப்பொழுது ஏற்பட்டிருக்கிறது. இந்த மூன்று நீடித்துக்கொண்டே போனால், எதிர்காலத்தில் நமது மாணவர்கள் மிகவும் பாதிக்கப்படுவார்கள் என்பதை நிச்சயமாகச் சொல்லலாம். இப்பொழுதுள்ள நிலைமை, ஒருவன் பி.எஸ்.சி. படித்து விட்டு எஸ்.எஸ்.எல்.சி.க்குப் பாடம் கற்பிக்கச் செல்லுகிறான். அவன் ஆங்கிலம் போதிக்கக் கூடிய நிலையில் இல்லாமல் இருக்கிறான். பி.எஸ்.சி. படித்த ஆசிரியர்களை எஸ்.எஸ்.எல்.சி.க்குப் பாடம் கற்பிக்க நியமிப்பதுதான் இந்த நிலைமை ஏற்படுவதற்குக் காரணம். இன்றைக்குக் கல்வித் தரம் மாறிக்கொண்டே போகும் காலத்தில் மாணவர்களுக்குக் கல்வி போதனை போதாது. அப்படிப்பட்ட ஆசிரியர்களை நியமிப்பதால் அவர்களால் மாணவர்களுக்குச் சொல்லிக் கொடுக்க முடியாதபடி இருக்கிறது என்பதை நாம் ஒருவாறு நிச்சயமாக உணருகிறோம்.

அது மட்டுமல்ல. இப்பொழுது நமது அரசாங்கத்தார் பதினாறு வருஷங்களில் மாணவர்கள் கல்வியை முடிக்கவேண்டும் என்று சொல்லியிருக்கிறார்கள். நான்கு வருஷங்கள் பட்டப்படிப்பாக இருந்தது. இப்பொழுது அது மூன்றாகக் குறைக்கப்பட்டிருக்கிறது. பல்கலைக்கழகம் இப்பொழுது நூற்றாண்டு விழா கொண்டாடிய பிறகு இந்த மூன்று வருஷப் படிப்பு போதும் என்று துணை வேந்தர்கள் ஒன்று கூடி நிச்சயித்து விட்டார்கள் என்பதை நாம் அறிவோம். இன்றைக்கு குறிப்பாக நமது ராஜ்யத்தில் சுமார் 65 கலைக் கல்லூரிகள் இருக்கின்றன. அந்த 65 கல்லூரிகளிலும் சென்ற வருஷம் 17 ஆயிரம் மாணவர்கள் படித்திருக்கிறார்கள். அதில் ஒன்பதாயிரம் மாணவர்கள் தேர்ச்சி பெற்றார்கள். அதில் 25 சதவிகித மாணவர்கள் கல்லூரிக்குப் போவதில்லை. 1,200 மாணவர்கள் பொறி இயல் கல்லூரிக்கும் தொழில் கல்லூரிக்கும் போகிறார்கள். மீதம் 5,500 மாணவர்கள் இந்தக் கல்லூரிக்கு லாயக்குள்ளவர்கள் என்று சேர்ந்து படிக்கிறார்கள். இதை ஒருவரும் மறுக்க முடியாது. அப்படிப் பார்க்கும்போது, 65 கல்லூரிகளிலும் 100 மாணவர்களைச் சேர்த்துக்கொண்டால்கூட எல்லாக் கல்லூரிகளிலும் அவர்களுக்குச் சமமாக இடம் கிடைக்கும் என்று நாம் அறிகிறோம். அப்படி இருந்த போதிலும், சென்ற வருஷம் மாணவர்கள் தேவை என்ற நிலை ஏற்பட்டபோது, நமது கல்வி அமைச்சர் அவர்கள் ராஜ்யத்திலுள்ள எல்லா பல்கலைக் கழகத்துணை வேந்தர்களையும் சம்பந்தப்பட்ட மற்றவர்களையும் கூப்பிட்டு இதற்குக் காரணம் கேட்டது நமக்குத் தெரியும். அப்படிப் பார்க்கும்போது, 10-20 a.m. ஒரு கல்லூரியில் இண்டர்மீடியட்டில் 480 பிள்ளைகளும் பட்டப்படிப்பிற்கு 100

[14th November 1957]

[Sri M. Ethirajalu]

பிள்ளைகளும் இருந்தால் கல்லூரியில் படிக்கும் மொத்த மாணவர்கள் 1,160 என்று தான் கணக்கிட முடியும். அதைப் போல் ஒரு கல்லூரியில் பி.யுனிவர்ஸிடி வகுப்பில் 480 பிள்ளைகளும் பட்டப்படிப்பில் நூறு பிள்ளைகளும் படித்தால் அந்தக் கல்லூரியில் மொத்தம் 780 பிள்ளைகள் தான் இருக்க முடியும் என்று கணக்கிட முடியும். இந்த நிலையில் கல்லூரிகளில் 380 பிள்ளைகள் வர முடியாது என்று குறை கூறும் நிலைமை ஏற்படுகிறது. முன்னூற்றைப்பது பிள்ளைகளைச் சேர்க்க முடியாத காரணத்தால், கல்லூரிகளின் பொருளாதாரமும் வருமானமும் குறைந்து போகும் நிலைமை ஏற்பட்டிருக்கிறது. கல்லூரி வைத்து நடத்துபவர்களை ஒன்று கேட்க விரும்புகிறேன். நாட்டின் முன்னேற்றத்தைக் கருதி நாட்டில் நல்லதொரு கல்வி பரவ வேண்டுமென்பதற்காகப் பொருளாதார நிலையைக் கல்லூரிகளில் அபிவிருத்தி செய்துகொள்ள மாட்டார்களா என்று அவர்களைக் கேட்க விரும்புகிறேன். இப்போது பல மாணவர்கள் கல்லூரியில் சேர முன் வருவதில்லை. நாட்டில் வருமை நிலை காரணமாக ஏதாவது தொழில் கல்லூரிகளில் சேர்ந்து படித்தால் போதும் என்று மாணவர்கள் நினைக்கிறார்கள். எஸ்.எஸ்.எல்.சி.-ஐயும் பி.யுனிவர்ஸிடி படிப்பையும் படித்த பிறகு தொழில் கல்லூரிக்குச் சென்று படிக்கிறார்கள். இந்த நிலை நீடித்துக்கொண்டிருப்பது நமக்குத் தெரிந்திருக்கிறது. ஆகவே இந்த மூன்று வருஷப் பட்டப் படிப்பில் ஒரு பயமும் பீதியும் கூட ஏற்பட்டது. இந்த நிலையில் நான் ஒன்று சொல்கிறேன். இந்த ராஜ்யத்தில் சுமார் 65 கலைக் கல்லூரிகள் இருப்பதாக அறிகிறேன். கலைக் கல்லூரிகள் எல்லா வற்றிலும் பி.யுனிவர்ஸிடி வகுப்பைப் புகுத்திவிட்டால், இந்தமாதிரியான நிலைமையையும் நெருக்கடியையும் சமாளிக்கலாம்.

ஏழை மாணவர்களுக்கு நமது அரசாங்கம் நண்பகல் உணவு அளிப்பதாகத் தெரிகிறது. சுமார் 60,000—70,000 மாணவர்களுக்கு நண்பகல் உணவு கொடுக்கப்படுகிறது. இவர்களுக்கு இலவசக் கல்வியும் கொடுத்தால் மிகவும் நன்றாக இருக்கும் என்று சொல்லிக்கொள்கிறேன்.

அடுத்தபடியாக, தமிழ் கல்வியைப்பற்றி சில வார்த்தைகள் சொல்ல விரும்புகிறேன். மொழியைக் கற்றுக்கொடுக்கும்போது, இலக்கியமும் இலக்கணமும் போதிக்கிறார்கள். மேல்நாட்டு ஷேக்ஸ்பியர் போன்றவர்களை உதாரணம் காட்டுகிறார்கள். நம் மொழியில் பிற மொழி வார்த்தைகள் எவ்வளவு சேர்கின்றனவோ அவ்வளவுக்கவ்வளவு நம் மொழி சிறப்புற்று விளங்கும் என்று அவர்கள் சொல்வதாகச் சொல்கிறார்கள். நமது தமிழ் மொழியில் இலக்கணமும் இலக்கியமும் தனியே இருக்கின்றன. இந்த மொழியில் பிற மொழிகளைக் கலக்க வேண்டாமென்று கேட்டுக்கொள்கிறேன். தமிழ் மொழி தனியாக, தனித்து நின்று பெருமையடையக்கூடிய சக்தியுடையது என்று நான் சொல்வது மட்டுமல்லாமல், பல புலவர்களும் பெரியோர்களும் மொழி ஆசிரியர்களும் சொல்லியிருக்கிறார்கள். ஆகவே, இந்தத் தமிழ் மொழியில் வேறு எந்த மொழியும் கலக்கவேண்டிய அவசியமில்லை. தூர திஷ்டவசமாக நம் தமிழ் மொழியில் சங்க காலத்திற்கு முன்பு ஆயிரத்திற்கு மூன்று வார்த்தைகள் வீதம் பிற மொழி வார்த்தைகள் சேர்க்கப்பட்டன என்று சொல்கிறார்கள். அதற்குப் பிறகு, அதாவது பல மன்னர்களின் ஆட்சிக்கு நம் நாடு இறையான பிறகு, 10 சதவிகித வார்த்தைகள் தமிழில் கலக்கப்பட்டன என்று சொல்லப்படுகிறது. அதற்குப் பிறகு ஆழ்வார்கள் காலத்திலும் நாயன்மார்கள் காலத்திலும் தமிழ் மொழியில் 20 சதவிகித வார்த்தைகள் கலக்கப்பட்டன என்று சொல்லப்படுகிறது. அப்படியிருந்தாலும், இன்றும் நம் தமிழ் மொழி தனித்துச் சிறப்புற்று விளங்கக் கூடியதாக இருக்கிறதென்பதை நாம் காண்கிறோம். கல்லூரிகளிலும் அந்த முறையில் தமிழ் மொழியை நன்றாகப் போதிக்க வேண்டுமென்று சொல்லிக்கொள்கிறேன்.

கல்லூரிகளில் தமிழைப் போதனை மொழியாகக் கொண்டுவருவதை பொறுமையுடன் செய்ய வேண்டுமென்று சொல்லப்பட்டது. தமிழைப் போதனை மொழியாகக் கல்லூரிகளில் உடனடியாகக் கொண்டுவந்தால், எந்தவிதமான எதிர்ப்பும் இருக்காது. அதை உடனடியாகச் செய்யலாம். ஆகவே, கல்லூரிகளில் தமிழைப் போதனை மொழியாக சீக்கிரம் கொண்டுவர வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

[Sri V. V. Ramaswami] [14th November 1957]

அடுத்தபடியாக, பஞ்சாயத்து போர்டு தேர்தல்களையெல்லாம் இன்னும் ஒத்திப்போட்டுக்கொண்டே போகக்கூடாது. சட்டம் நிறைவேற்றப்பட்டவுடன் பஞ்சாயத்து போர்டு தேர்தல்கள் எல்லாவற்றையும் நடத்துவதற்கு ஏற்பாடு செய்யப்படும் என்று கனம் அமைச்சர் அவர்கள் சொன்னார்கள். அப்படியே நடக்கும் என்று நான் நம்புகிறேன்.

இறுதியாக, கனம் அங்கத்தினர் ஸ்ரீ புருஷோத்தம் அவர்கள் குறிப்பிட்ட விஷயத்தை நானும் சொல்ல விரும்புகிறேன். இந்தக் கவுன்சிலுக்குக் கொஞ்சம் மரியாதை கொடுக்க வேண்டும். இப்போதைய சட்டத்தை விளக்கிச் சொல்லிய கனம் அமைச்சர் அவர்கள் "the Legislature should be satisfied" என்று ஆரம்பித்து "on the resolution of the Assembly" என்று முடிக்கிறார்கள். ஆகவே அவருடைய உள்ளக்கிடக்கை "லெஜிஸ்லேசர்" தான். ஆனால் அலுவலகத்தைப் பொறுத்தவரையிலும், அஸெம்பிளி யாக இருக்கிறது. கனம் அமைச்சர் அவர்களின் உள்ளக்கிடக்கை இரு சபைகளையும் சேர்த்துத்தான் இருக்கிறது. சென்னை மாநிலத்தில் இரு சட்டசபைகள் இயங்குகின்றன என்பதை சட்ட நிபுணர்கள் மறந்துவிடாமல் இருக்கும்படி செய்யவேண்டும். அஸெம்பிளி என்பதை மறந்துவிட்டு "லெஜிஸ்லேசர்" என்பதை மனதில் கொள்ளவேண்டும். மேலும் பிரதேச டெவலப்மெண்டு கமிட்டிகளில் எம்.எல்.சி.-க்களையும் அங்கத் தினர்களாக நியமிக்கவேண்டுமென்று செக்டர்டிகளிடம் சொன்னேன். அது ஆலோசிக்கப்பட்டது. எம்.எல்.சி.-க்களைத் தவிர எம்.பி.-க்களும் இருக்கிறார்களே என்ற பிரச்சனை எழுந்தது. அந்த அந்தப் பிரதேசத்திற்கு நிரந்தரமாக இருக்கும் எம்.எல்.சி.-க்களைக் கமிட்டியில் நியமிக்கலாம் என்று சொன்னதை ஏற்றுக்கொண்டுவிட்டார்கள். இரு சபைகள் இருப்பதை மனதில் வைத்துக்கொண்டு, அஸெம்பிளி என்றே கவுன்சில் என்றே குறிப்பிட்டாமல் "லெஜிஸ்லேசர்" என்ற வார்த்தையை உபயோகிக்க வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

இது கனம் ஸ்தல ஸ்தாபன அமைச்சர் அவர்களால் இங்கே கொண்டு வரப்படும் முதல் மசோதாவாபடியால், இந்த சந்தர்ப்பத்தில் அவர்களுக்கும் எனது வாழ்த்துக்களைத் தெரிவித்துக்கொண்டு என் வார்த்தையை முடித்துக்கொள்கிறேன். வணக்கம்.

SRI K. BALASUBRAMANYA AYYAR: Sir, my first point is that we have referred the whole question of local administration to a joint committee and that committee, I am sure, will consider all the aspects of panchayat administration, viz., extension of the period of office of the president from three to five years, constitution of panchayat committees, direct and indirect elections, etc. It will consider these thoroughly and well. I, therefore, submit that it is unnecessary to bring in this urgent legislation. Of course, the explanation was given by the hon. Member Sri Purushotham that the tenure of office of the panchayatdars had expired and that the Government were anxious to have elections as early as possible. But the original Act is there and elections may take place even under that Act. I suppose the Government do not want direct election and, therefore, have brought in this Amending Bill. Anyhow, it is not such an urgent matter and I leave it at that.

The other matter that I wish to refer to is a very important one. It was referred to by a Communist Member in the other House and it does not mean on that account that I should not refer to it. That is about formation of special township committees. Under the proposed sub-section (2-A) the Government may, by notification, exclude from a village any specified area which is an industrial, labour or institutional colony or a health resort. All these should not come under panchayats but should come under

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special township committees. No special reason has been given . . . (Sri A. M. Allapichai: They are special things.) Every panchayat is a unit of self-Government and why not an industrial area be also a unit of self-Government? I do not think a health resort can be so because it stands on a separate footing since development may take place and the State Government may look after its development. Therefore, there is no principle which will justify the Government to make a distinction between these areas and others. This is the point made by the Communist Member in the Assembly. (Sri A. M. Allapichai: So, you agree with him?) Not with his ideology but with this particular point. I only stated that what I was saying was nothing new. I am not agreeing with what he mentions every time.

At any rate, no convincing explanation has been given for treating these areas differently from the other areas. We have the directive that every panchayat shall be a unit of local self-Government. Why should not the panchayat be the unit of local self-Government in these areas also? I feel some explanation is necessary from the Hon. Minister who is in charge of this Bill for treating the industrial, labour or institutional colony or a health resort differently from the other areas. (Interruption by Sri A. Gajapathy Nayagar.) But the panchayat has been in existence even from ancient days. After the passing of the 1950 Act, it has been in existence for seven years. This is an important matter and here I agree with the Deputy Chairman. This is a matter which was hotly contested in the Assembly. I leave the matter there and shall see what the explanation of the Hon. Minister is.

As regards direct or indirect election of the president, as I already said, there are disadvantages in both. If the majority decides one way or the other, I will accept that decision so far as this matter is concerned. If there is election by the members, there will be a lot of intrigue. Every member holds a fairly important place in the village. He was already some Party behind him, as otherwise he would not have become a member of the panchayat. When there is election by the members, Party spirit will prevail. The argument against direct election is that it may give rise to all sorts of feelings. Prevalence of Party spirit cannot be avoided in a democracy. We must get on with democracy and somehow eradicate these evils. The elections being confined to a small local area, it will be very difficult to eliminate Party spirit. Between direct election and indirect election, it is difficult to make a choice. If collective wisdom says that there should be indirect election, I bow to it.

I have given notice of an amendment to clause 8. I shall refer to it also here so that I may not take up the time of the House when the Bill is discussed clause by clause. Item (iii) of clause 8 reads as follows:—

'For sub-section (5), the following sub-section shall be substituted, namely:—

"(5) During the interval, if any, between the dissolution and the reconstitution of a panchayat or during the period of its

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supersession, as the case may be, the Inspector may appoint a person to exercise the powers and discharge the duties of the panchayat and of its president including where the president is also the executive authority, his powers and duties as such until the reconstitution of the panchayat. Any person other than the executive officer who is so appointed may, if the Inspector so directs, receive payment for his services from the panchayat :

Provided that any person to be appointed under the provisions of this sub-section shall be a person in the service of Government not below the rank of a Revenue Inspector."

The proposed sub-section (5) is the same as in the existing Act, except for the fact that the presidentship goes with the membership because the president is elected from among the members. But the proviso is a new addition. It provides that no non-official can be appointed to do the duties of the panchayat and of its president, when a panchayat is dissolved or superseded. This matter was discussed very strongly in this House at the time when the White Paper on the Reform of Local Administration was discussed. In this particular matter at least, the Government can wait till the Legislature Committee submits its Report. Let the Government ascertain the view of the Committee and then decide. According to the provision in the existing Act, it is within the discretion of the Inspector to appoint an official or a non-official. The Government could have left the provision as it is, and the Inspector can go on appointing only Government servants. But, by the introduction of this proviso, they want to see that no non-official is appointed even during the interim period between the implementation of this Act and the implementation of the recommendations of the Legislature Committee. This is a very important matter. That is why I gave notice of the amendment to omit the proviso. People may differ on the question whether the person to be appointed should be an official or a non-official. Under the 1950 Act, the Inspector had power to appoint 'a person' which term included a non-official also.

SRI A. M. ALLAPICHAI : All of us are non-officials.

SRI K. BALASUBRAMANYA AYYAR : All of us are officials in the sense that we co-operate with the Government in the good things they do and criticize them when we feel that they are not doing the right thing. Lawyers say that they are officials inasmuch as they are co-operating with the Court in the administration of justice. Similarly, we, the Members of the Legislature, are part of the Government even though some of us may be, technically speaking, in the Opposition. We are all here to see that the governance of this country is carried on according to rules, laws and regulations. The hon. Deputy Chairman is perfectly right when he says that we all are non-officials. We are not officers paid by the Government. But this fact also is there that we receive a remuneration of Rs. 150 per month.

I say that the proviso is unnecessary.

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SRI A. GAJAPATHY NAYAGAR : Which is better under the circumstances?

SRI K. BALASUBRAMANYA AYYAR : I am not saying one way or the other. Even without this proviso, the Inspector has the power to appoint a Government Officer. That is all that I am saying.

* DR. V. K. JOHN : This Bill is a measure which, in my humble opinion, is retrograde and ill-timed. I am not in the least cowed down by the observations from the Treasury Bench that the Treasury Bench should not be criticized. I shall criticize them so long as I am a Member of this House as vigorously, as boldly and as freely as I think it is my duty to criticize the Government.

Sir, the Members on the Treasury Benches were compared to judges and it was said that the Opposition Members appearing before these judges must know how to move the judges and persuade them. I ask, Sir, 'Can the Treasury Bench be persuaded at any time by the Opposition or even by Members sitting behind the Treasury Benches?' They are not in the position of judges. Therefore, I regret to say that so long as I am a Member of this House, I shall criticise the Government and criticise them strongly, when they go wrong.

I say, Sir, this measure is a retrograde and ill-timed one. I am sorry to make this criticism particularly because the Hon. the Lady Minister has introduced this Bill. Unfortunately, it is her lot that she should introduce measures like this which are retrograde and ill-timed.

This measure is a very important measure and no Joint Select Committee was appointed to scrutinize the provisions of the Bill. If I had the control of the Opposition, Sir, in every case in which a Joint Select Committee was not appointed to consider a measure like this, I would say the Opposition ought not to take any part in the discussion of the Bill in this House. It is a slight to this House. There should have been a Joint Select Committee to consider this Bill. Even the hon. Member Sri Purushotham who always supports the Government felt rather bitterly about this question although he sugarcoated the criticism of the Government measure. A Joint Select Committee ought to have been appointed and that Joint Select Committee ought to have assisted the Government in drafting this Bill.

What is this Bill, Sir, and at what time is it brought in? Only the other day, the other House and this House passed a measure appointing a committee to go into the question of the reorganization of local self-governing bodies. That Committee is yet to function. That being so, why should there be this hurry to bring in an amendment to this Panchayat Act of 1950? The other day the Government brought in an amendment that all elected elements in the district boards ought to be abolished and that the district boards should be manned and worked by Special Officers appointed by the Government and paid out of the district board funds. To-

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p.m.

[Dr. V. K. John]

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day the Government are bringing in a Bill which, instead of permitting self-governing institutions to function as enjoined by the Constitution, takes a retrograde step.

First of all, the Bill says that there should not be election to the office of the president by the voters direct. Now, Sir, in my opinion, the Government should introduce in panchayats, a system according to the counterpart of the system obtaining in America. There the President is the Executive Officer. He is elected by the voters direct and not by the two Houses. And he is independent, in a way, of the Legislature, at least for the term he is elected, so that he can do executive work. Why should not the Government adopt that system of direct election to the office of president in the case of local bodies. We had that method before. But now the Government say, 'No, No; let us go back; let us not have that democratic basis or foundation for the election of the president'. The Government ought to give the president the executive authority. Last time I remember when the original Bill was discussed, many Members spoke saying that the president should be given executive authority and that the Government should not appoint Commissioners for panchayats as provided for in section 28 of the Panchayat Act. The Government could have amended this section and said: 'Well, Government do not want to control the panchayats and Commissioners will be appointed by these panchayats themselves'. Sir, the Government want to take away that structure, the more democratic structure of the people directly electing the president. I do not see the reason at all behind this move. The Government ought to have retained the old provision because that would have helped in making the panchayat a unit of self-Government. The Government are taking a retrograde step in bringing in this measure. Why should the Government bring in this measure particularly at this time when the whole question of reorganization of local bodies is under consideration? There must be something behind it. I know, Sir, when elections are held by the council what corruption there is. Is a man of merit elected? Or, is a man with a long purse elected? Knowing full well how the elections to the office of President by a few persons are likely to be, the Government ought to have postponed this measure for some time at least. On the basis and foundation of a democratic structure, the Government ought to have allowed and provided for election of the president direct by the voters and not by a council which might come into existence on Party lines. The other day I pleaded and many hon. Members also pleaded that in respect of local bodies we must avoid party tickets in elections. Therefore, there is no need to bring in this measure which takes a retrograde step.

Then, Sir, the Government have extended the term of panchayats to five years. What for? After all, we must know what the public opinion is in the villages. Certainly, the people know the representative character of the members within a few years' time. In a panchayat it might be known earlier than in the State as a whole. For the State Assembly Members only a five-year term

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is given. Why? The idea behind it is that within five years' time the Member may cease to be a real representative of the people, because his election was five years before. I think the Government would have done well if they had retained the three-year term or followed at least the American pattern and made the term four years, if they really wanted to give powers of self-Government to these local bodies.

Then, Sir, an hon. Member criticised the appointment of Government officers. It is all on the lines of patronage. Government can't forget in introducing any measure that they must have at least some patronage. It is always in their minds. Therefore, even in an innocent measure like this for conferring local self-Government on panchayats, Government seem to have thought, 'Where is patronage, the chance, the opportunity for conferring patronage? Let us provide that in persons who would take charge of these panchayats. They must be Government officers, appointed by Government and paid out of the panchayat funds.' Of course, they will certainly pay everyone of them, because the Government officer must be paid and the panchayat funds should be utilised for the patronage. I submit, Sir, this is not taking us along the true road of democracy and establishment of panchayats as units of self-Government as provided for in Article 40 of the Constitution of India. If the Government wanted to bring in a measure, why should they not bring in a measure enlarging the functions of the panchayat? Let the Government give them the responsibility for compulsory education and for doing a number of other things to create and promote a Welfare State. To do that the Government ought to enlarge the powers of the panchayats. Is there anything of that kind in this Bill, enlarging the powers of the panchayats and giving powers to the elected president to run a unit of self-Government? Nothing at all. If they wanted to bring in an amendment to the Panchayats Act, they should have brought in an amendment providing for an agency for creating panchayats. The Government want to create panchayats all over the State. But where is the agency for the creation of these panchayats? It is not there in the Panchayats Act of 1950. Is it in this Bill? No. Do they really want then that panchayats should be established all over our State? They do not care at all. It is not in their minds. The other day they paid only lip sympathy to Article 40 of the Constitution. If it is in their minds to have units of self-Government in the villages, the first thing to provide for in an amendment to the main Act would be to create an agency which will be responsible to establish these panchayats. Then, the Government must provide larger powers for the panchayats so that they may be real units of self-Government. But Government are not interested in all these and so, they have brought in this Bill which is retrograde in character, which will break the very foundations of democracy, giving no more powers to the elected representatives of the people, excluding non-officials if they possibly can, and appointing Government officers to control the affairs of the panchayats. Anybody who reads this Bill will only say that it is a retrograde measure and that it is untimely. 4 p.m.

[Dr. V. K. John] [14th November 1957]

Now, Sir, this House has been neglected according to clause 10 (4) which says—

'All rules made and all notifications issued under this Act shall . . . be placed on the table of both the Houses of Legislature and shall be subject to such modifications by way of amendments or repeal as the Legislative Assembly may make within fourteen days . . .'

I do not know why the Government have forgotten the existence of the Council. Why not the Council also be given power to modify rules and notifications? Deliberately the Government have discriminated against this House. Why should the right to modify or amend rules be given only to the Assembly? The hon. Member Mr. Purushotham has very rightly brought forward an amendment and I would have supported it very strongly but for the fact that it has become a practice in this House for a Member to bring in a useful amendment and then withdraw it at the behest of the Government. It is wrong to do so.

SRI T. PURUSHOTHAM: There is no question of behest of the Government. I have not moved my amendment and, therefore, there is no use of referring to it. I only referred to the subject covered by my amendment.

* DR. V. K. JOHN: There is an amendment in the name of the hon. Member. If it is not moved, it is still worse. If it is moved and withdrawn, I will protest against it. Even if it is not moved, I will protest against it. That is not the correct thing to do.

Why has this House been neglected and discriminated against? Is it due to oversight? In the previous legislation, the words 'both Houses of the Legislature' were mentioned but here in this Bill only this House is not mentioned. We have to think over this matter very seriously. Not even a Joint Select Committee has been constituted to consider this Bill. Just to bring to the notice of the Government that this House has been discriminated against, the Opposition may consider that it is not worth while to take part in the discussion on this Bill.

* THE HON. SRI R. VENKATARAMAN: Mr. Chairman, Sir, I wish to intervene at this stage of the debate only to clarify one or two points which have been raised. My hon. Friend Sri Purushotham said that this House had been ignored and in a more powerful and effective language the hon. the Deputy Leader of the Opposition underscored that thought. Sir, I wish to say, at the very outset, that the Government welcome criticism not only from the Opposition but from all sections of the House. We consider that criticism is the very salt of life but our appeal to Dr. John is, 'Do not make it too salty'. (Laughter.) Sir, I am afraid that when we show more enthusiasm than is necessary or more enthusiasm than the subject warrants, we are liable to err on the side of exaggeration.

DR. V. K. JOHN: In whose opinion—yours or mine?

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* THE HON. SRI R. VENKATARAMAN: I think the hon. Member himself thought that he had exhibited a lot of enthusiasm.

As I said, it is erring on the side of exaggeration when we say that this Bill breaks the very foundations of democracy. The rule which my esteemed Friend Sri Purushotham brought to the notice of the House referred to sub-clause (2-A) of clause 3 of the Bill. Actually, Sri Purushotham has overlooked sub-clause (4) of clause 10, which has been pointed out by the hon. the Deputy Leader of the Opposition. It is a well-established convention that all rules and notifications issued should be placed on the table of both the Houses. But if he says that both the Houses should have the right to modify them, it would lead to a lot of confusion and considerable waste of time. Therefore it is as if there is division of labour in the same Legislature. If we regard ourselves as two facets of the same Legislature, then certain functions are given to one House and the other part of it concentrates more on the revision of the somewhat democratic haste liable to be exhibited by what is known as the 'Lower House'.

DR. V. K. JOHN: May I point out that there is no division of labour and that it is a one-sided affair?

* THE HON. SRI R. VENKATARAMAN: Therefore, no slight is intended nor is it ever taken as a slight when the notifications and rules made are placed on the table of both the Houses.

Then, Sir, another matter of procedure, in regard to which the hon. the Deputy Leader of the Opposition gave expression to very strong views, relates to the appointment of Joint Select Committees. Sir, I would think that the Legislative Council not only in Madras but also the Upper Houses all over India and all over the world take pride in the feeling that they are the revising Chamber and they always want to revise, correct and modify the somewhat hastily legislation that may be passed in the popularly elected Houses. Therefore, I would like hon. Members themselves to ponder and decide whether it is worthwhile to ask for this House to be associated with the Joint Select Committee on every Bill. So far as this Bill is concerned, it is a simple one and no controversial matter has been put in. This is in the nature of a tentative stop-gap arrangement till the Legislature Committee meets, discusses and comes to a final decision and the final Bill is introduced. Therefore, I do not think that there is any great point in the criticism that because the Joint Select Committee has not been appointed for each and every one of the Bills, however small it may be, the Opposition should decline to participate in the debate. The hon. the Deputy Leader of the Opposition would not be supported by his own followers in respect of this matter and much less by Dr. John himself on second thought.

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DR. V. K. JOHN : May I take it that it is the intention of the Government to repeat what they did in respect of this Bill, that is, not appointing a Joint Select Committee at all?

* THE HON. SRI R. VENKATARAMAN : In all matters in which the wisdom of this House is necessary, there will be Joint Select Committees.

4-10 P.M. Then, Sir, another matter to which he gave strong expression related to the appointment of Government servants above the rank of the Revenue Inspector. Sir, this, as I said, is only a temporary measure and it is intended that no place should be given for local factions. In order to allay any suspicion of party people being put in charge of executive functions of panchayats, it has been made abundantly clear that during the temporary period, until the Legislature Committee comes to some conclusion, the persons appointed would be Government servants. My esteemed Friend Sri K. Balasubramanya Ayyar asked, "Why is it that the labour colonies have been excluded?" Sir, labour colonies are very often provided with all the amenities and sometimes more than what the panchayats can provide. They provide lighting, sewage cleaning, etc., and all such amenities are provided either by the Co-operatives or something of the kind. To subject them to further jurisdiction of the panchayats would only bring about another conflict of authority.

As regards the election of the president by direct vote, I wish to bring to the notice of the Deputy Leader of the Opposition that certain conflicts have arisen between the directly elected president and the members of the panchayats elected from the Wards. The president feels that he having been elected by the entire panchayat, his views should prevail, while the other members representing the Wards by a majority decide otherwise, and very often conflicts arise. In the balance of consideration, certainly, the Deputy Leader of the Opposition Dr. John would agree that it is better to have a smooth working of the panchayats rather than provide for something which would increase conflicts and lead to deterioration in the relationship between the president and the members.

SRI MOHAMED RAZA KHAN : When the same question was raised in 1950, the Government did not agree. It has taken seven years for them to come to this decision.

DR. V. K. JOHN : They have become wiser now.

* THE HON. SRI R. VENKATARAMAN : Sir, we live and learn (Laughter). The next question is with regard to the term. The question is asked why the life of the panchayat should be increased to five years. People fail to realise that a panchayat election is another general election. While a municipal election relates to a few centres in the State, the panchayat election amounts to a general election and is, in fact, a general election. It is unnecessary to incur all the expenditure of a general election just for the

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purpose of managing a territorial area with limited powers. I am afraid I have trespassed into the territory of my esteemed colleague, but I hope Dr. John would appreciate the points of view expressed by me. We not only welcome his criticism but we will profit by it and he need not have any fears that the Treasury Benches arrogate to themselves the position of Judges. After all, Dr. John knows that in these days of democracy, nobody is immune from criticism and the greater a man is criticised, the more popular he becomes. (Laughter).

* SRI T. V. DEVARAJA MUDALIAR : கனம் தலைவர் அவர்களே, பஞ்சாயத்துகள் பற்றிய வெள்ளை அறிக்கையை கனம் அமைச்சர் அவர்கள் இந்த சபையில் சமர்ப்பித்திருக்கிறார்கள். நல்லவர்கள் செய்வதைவிட நல்ல நாள் நல்லதைச் செய்யும் என்று சொல்வது உண்டு. இன்று தலைவர் நேருஜியின் பிறந்த நாள். ஆகவே இன்று ரொம்ப நல்ல நாள். இந்த தினத்தைக் குழைந்தைகள் நாளாகக் கொண்டாடவேண்டுமென்று நேருஜி சொல்லியிருக்கிறார். வெள்ளை எண்ணம் படைத்த குழந்தைகளின் நாளில் வெள்ளை அறிக்கையை இந்த சபையில் கொண்டு வந்திருக்கிறார்கள். இந்த வெள்ளை அறிக்கையை நான் முழுமனதுடன் ஆதரிக்கிறேன். ஸ்தல ஸ்தாபனங்களுள் குழந்தைகளைப் போலுள்ள பஞ்சாயத்துகளை முன்னேற்றமடையச் செய்வதற்கு முயற்சி எடுத்து வருகிறோம். ஸ்தல ஸ்தாபனங்களைக் கவனித்து அவைகளைச் சீர்திருத்த வேண்டும். இல்லாவிட்டால், அவை சீரழிந்துவிடும். "பார்க்காத வயலும் கேட்காத கடலும்" என்பது போல், ஸ்தல ஸ்தாபனங்களைக் கவனிக்காவிட்டால், அவை சீரழிந்துவிடும். பஞ்சாயத்துகளை முன்னேற்றமடையச் செய்ய வேண்டுமென்ற நோக்கத்துடன் இந்த வெள்ளை அறிக்கை கொண்டுவரப் பட்டிருக்கிறது. இதில் எல்லாம் நன்றாக இருக்கிறது. ஆனால் ஒரே ஒரு விஷயம் ஆட்சேபிக்கத்தக்கதாக இருக்கிறது. அதாவது, மறைமுகத் தேர்தல் பஞ்சாயத்துகளில் கொண்டு வர வேண்டுமென்று வெள்ளை அறிக்கையில் சிபாரிசு செய்யப்படவில்லை. மறைமுகத் தேர்தல் முறை இருந்தால் பஞ்சாயத்தில் மக்களிடையே ஒற்றுமை இல்லாமல் இருந்தாலும் தேர்தல் காலத்தில் ஒற்றுமை ஏற்படுகிறது. அபேக்ஷராக நிற்பவர் பஞ்சாயத்திலுள்ள எல்லா மக்களையும் கண்டு வோட்டுக் கேட்க வருவதால், எல்லா மக்களும் ஒற்றுமையடைகிறார்கள். தினசரி வாழ்க்கையில் அவர்கள் ஒரு வருக்கொருவர் விரோதமாக இருந்தாலும் தேர்தல் காலத்தில் ஒற்றுமையடைகிறார்கள். ஆகவே நேரடித் தேர்தல் முறை இருந்தால் பஞ்சாயத்தில் விரோத மனப்பான்மை வரும், பஞ்சாயத்தில் விரோத மனப்பான்மை நீடித்தால், அங்கே நல்ல காரியங்களைச் செய்யமுடியாது; பஞ்சாயத்து மக்கள் நல்வாழ்வு வாழ முடியாது. மறைமுகத் தேர்தல் இருந்தால், பஞ்சாயத்தில் ஒற்றுமையை ஏற்படுத்துவதற்கு அது ஏதுவாக இருக்கும். மறைமுகத் தேர்தல் இல்லாவிட்டால், யார் "பவர்" உள்ளவராக இருக்கிறாரோ அவர்தான் வெற்றி பெறுவார்.

பஞ்சாயத்து போர்டு மெம்பர்களின் பதவிக் காலத்தை ஐந்து வருஷங்களாக நிர்ணயித்திருப்பது வரவேற்கத் தகுந்தது. இப்போது நாட்டில் ஐந்தாண்டுத் திட்டங்கள் நடந்துவருகின்றன. இந்த நிலையில் பஞ்சாயத்து போர்டு மெம்பர்களின் ஆயுள் காலத்தையும் ஐந்து வருஷங்களாக நிர்ணயித்திருப்பது மிகவும் நல்லது. மூன்று வருஷ காலத்தில் பஞ்சாயத்துக்களில் எந்த நல்ல காரியத்தையும் செய்ய முடிவதில்லை. ஐந்து வருஷ காலம் இருந்தால் பல நல்ல காரியங்களைச் செய்ய முடியும். ஆகவே இந்த சிபாரிசை நான் மிகவும் வரவேற்கிறேன்.

நான் ஒன்று சொல்ல விரும்புகிறேன். குற்றம் சொல்வதாக நினைக்கக் கூடாது. நீண்ட பரிசீலனைக்குப் பிறகு சர்க்காரால் கொண்டுவரப்படும் வெள்ளை அறிக்கையிலும் சிறு குற்றங்கள் இருப்பது சகஜம். சிறு குற்றமில்லாத மனிதனே; சிறு குற்றமில்லாத பொருளோ உலகில் இல்லை. பஞ்சாயத்தில் மறைமுக வோட்டு முறை வேண்டும். பஞ்சாயத்துத் தேர்தல்

[Sri T. V. Devaraja Mudaliar] [14th November 1957]

முறையை அப்படி மாற்றியமைத்தால், நன்றாக இருக்குமென்று சொல்லிக் கொள்கிறேன். மறைமுக முறைதான் நன்மையை விளைவிக்கும். சரித் திரத்தைப் பார்த்தால் விக்ரமாதித்தன், காடு ஆறு மாதமும், நாடு ஆறு மாதமும்மாக் காலங் கழித்துப் பல நன்மைகளைச் செய்தான் என்பது தெரிகிறது. ஆறு மாதங்கள் மறைமுகமாக இருந்து பல நன்மைகளைக் கிராமங்களுக்கு விக்ரமாதித்தன் செய்தான். விக்ரமாதித்தன் கதையில் ஒரு சம்பவத்தைக் குறிப்பிட விரும்புகிறேன். ஒரு தடவை விக்ரமாதித் தன் தன் மந்திரியுடன் குதிரையில் ஏறி ஒரு பாலைவனத்தில் போய்க் கொண்டிருந்தான். அப்போது அங்கே ஒரு பையன் மாட்டை ஓட்டிக் கொண்டு போய்க்கொண்டிருந்தான். பாலைவனத்தில் மழை பெய்திருந் தது. அந்தப் பையனை விக்ரமாதித்தனும் மந்திரியும் பார்த்தபோது அவனுடைய வேஷடி நனையாமல் இருந்தது. “நல்ல மழை பெய்திருக் கிறதே! ஆனால் பையனின் வேஷடி நனைய வில்லையே! காரணம் என்ன?” என்று விக்ரமாதித்தனும் அவனுடைய மந்திரியும் யோசித் தனர்.

SRI T. PURUSHOTHAM : பாலைவனத்தில் எப்படி மழை பெய்தது?

***SRI T. V. DEVARAJA MUDALIAR :** மழை எங்கும் பெய்யும், பாலைவனத்தில் செடிகொடிகளும் மரங்களும் இருக்காது; அவ்வளவுதான். அங்கேயும் மழை பெய்யும். பையன் மாட்டை ஓட்டிக்கொண்டு போய்க் கொண்டிருந்தான் என்று நான் சொன்னேனே தவிர, மாடு மேய்த்துக் கொண்டு போய்க் கொண்டிருந்தான் என்று சொல்லவில்லை. மரம் இல்லா மல் இருந்தால் அதற்குப் பாலைவனம் என்று சொல்வது வழக்கம். அங்கே மாட்டை ஓட்டிக்கொண்டு வந்தான். (ஒரு அங்கத்தினர்: பாலைவனத் தில் எப்படி மாட்டை மேய்ப்பது?) மாட்டை ஓட்டிக்கொண்டு வந்தான் என்றுதான் சொன்னேன். மாட்டை மேய்த்தான் என்று சொல்ல வில்லை. அப்படி சரித்திரத்தில் இருக்கிறது, நான் சொல்லவில்லை. விக்ர மாதித்தனும், பட்டியும் இதைக் கவனித்துக்கொண்டு வந்தார்கள். மாடு மேய்ப்பவனுடைய வேட்டி நனையவில்லை என்பதைப் பார்த்தார்கள். இதன் காரணம் அவர்களுக்குத் தெரியவில்லை. மழை பெய்திருக்கிறது, வேட்டி என் நனையவில்லை என்று ஆச்சரியப்பட்டார்கள். இதைக் கேட்டுத் தெரிந்து கொள்ள வேண்டும் என்று ஆவலடைந்தார்கள். பயம் வந்து விட்டது. வேட்டி நனையாமல் இருப்பதற்குக் காரணத்தைத் தெரிந்து கொள்ள வேண்டும் என்று அவனிடம் சென்றார்கள். அவனைக் கண்டு “மழை பெய்திருக்கிறது, நீ மாட்டை ஓட்டிக்கொண்டு வருகிறாய், உன்னுடைய வேட்டி என் நனையவில்லை. அதற்குக் காரணம் என்ன?” என்று கேட் டார்கள். முதலில் அவனால் ஒன்றும் சொல்ல முடியவில்லை. பிற்பாடு கையில் ஒரு தவிலையைக் காண்பித்து, “வேட்டியையெல்லாம் மழை பெய்யும்போது இதில் வைத்திருந்தேன், மழை நின்றவுடன் அதை எடுத்துக் கட்டிக்கொண்டுவிட்டேன், அதனால்தான் வேட்டி நனையவில்லை” என்று பதில் சொன்னான். அதைப்போலவே தேர்தலும் மறைமுகமாக நடைபெறவேண்டும். அப்படிச் செய்து சீர்திருத்தம் செய்ய வேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். “ஒன்றுபட்டால் உண்டு வாழலாம்” என்பது போல் இருக்கவேண்டும், மறைமுகத் தேர்தல் முறை வைத்தால், மிகவும் நலமாக இருக்கும் என்று நான் நினைக்கிறேன். நான் சொல் வதில் ஏதாவது தவறுகள் இருக்கலாம். இருந்தாலும் அதை நீக்கிவிட வேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். எனக்கு சபையின் முன் பேசுவதற்கு வாய்ப்புக் கொடுத்ததற்கு நன்றியைத் தெரிவித்துக்கொண்டு நான் பேசியதில் தவறுகள் இருந்தால் அதையெல்லாம் விட்டுவிடவேண்டும் என்று கேட்டுக்கொண்டு முடித்துக்கொள்ளுகிறேன்.

THE HON. SRIMATHI LOURDHAMMAL SIMON : Mr. Chairman, I have already explained in my opening speech the object of, and the urgency for, the measure now under discussion. My Hon. Colleague, the Leader of the House, also intervened in

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the debate and explained some of the points raised by hon. Mem bers. So, I do not think it is necessary for me to explain all those points again. Still, I would say a few words in reply.

My hon. Friend Sri Purushotham referred to secret ballot in election. As I have stated elsewhere, secret ballot would be intro duced during the forthcoming election.

I am extremely happy to see that the hon. Member Sri V. V. Ramaswami has under stood the real situation and welcomed the idea of rearranging the panchayat areas for the convenience of the local people. He has also expressed his acceptance of the term of office of the president being fixed at five years and the several good things provided in the Bill. He only wanted that the elections should be speeded up. Surely this good advice coming from the other side will be given all consideration and weight. The Govern ment are planning to have elections as early as possible.

Another hon. Gentleman Sri Balasubramanya Ayyar referred to difficulties arising on account of elections but ultimately agreed that it was necessary to have elections in order to avoid greater troubles and difficulties. I am happy about it. He pointed out that the Government were anxious to prohibit the appointment of non-officials to panchayats. I wish to say that the provision regarding this was not in the original Bill but was introduced in the Assembly by way of an amendment which was accepted by the Government. Of course, due consideration will be given to his point later.

Then Dr. John criticised the Bill. He is not here now and perhaps he does not want to hear me.

SRI MOHAMED RAZA KHAN : We will convey your reply.

THE HON. SRIMATHI LOURDHAMMAL SIMON : Criticism has become his only duty. It is very difficult to convince such a person. But still I would try to convince him by seeing to it that the reforms are speeded up and that elections are held very early for the convenience of the people. I am sorry he is not here and I can not personally convince him now. I am glad to hear, however, that his friends will convey my reply to him (Sri A. M. Allapichai. The Whip on the other side will convey it.) He was persistent in his attack that the Government were trying to take away the democratic structure of panchayats by having indirect election of president. I hope I can soften his heart a little but he is not here. What exactly he meant I could not understand but one thing was clear. He wanted to attack the Government and he did it. We want to preserve the democratic structure and I said this in the beginning. I hold fast to it even now and stand by it.

The hon. Member Sri Devaraja Mudaliar wanted secret ballot to be introduced. I have already said that it would be introduced. My Hon. Colleague referred to all other matters like appointment of Government servants as special officers for superseded pancha yats, direct election, term of office of panchayatdars, etc. I am

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sure hon. Members will accept the position stated by the Government and I may assure them that all their suggestions will be considered when we bring in the permanent legislation here next year.

MR. CHAIRMAN : The question is—

'That the Madras Village Panchayats (Amendment) Bill, 1957 (L.A. Bill No. 16 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 3.

MR. CHAIRMAN : Is Sri Purushotham moving his amendment?

* SRI T. PURUSHOTHAM : In view of the assurance given by the Hon. Minister just now and in the absence of the hon. the Deputy Leader of the Opposition who said that he would emphatically support my amendment, I feel I am not in a position to move it. (Laughter).

Clauses 3 to 7 were separately put and carried.

Clause 8.

MR. CHAIRMAN : The motion is—

'That clause 8 do stand part of the Bill.'

Mr. Balasubramanya Ayyar will move his amendment. He has already spoken on it.

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

'Omit the proviso to the proposed sub-section (5) in item (iii) of clause 8.'

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

MR. CHAIRMAN : The question is—

'Omit the proviso to the proposed sub-section (5) in item (iii) of clause 8.'

The amendment was put and lost.

Clause 8 was put and carried.

Clauses 9 to 11 were separately put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

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THE HON. SRIMATHI LOURDHAMMAL SIMON : Sir, I move—

'That the Madras Village Panchayats (Amendment) Bill, 1957 (L.A. Bill No. 16 of 1957), as passed by the Legislative Assembly, be passed.'

MR. CHAIRMAN : The question is—

'That the Madras Village Panchayats (Amendment) Bill, 1957 (L.A. Bill No. 16 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 10 a.m. to-morrow.

The House then adjourned.

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

Notification issued with G.O. Ms. No. 2995, Public (Services-A), dated the 25th October 1957, regarding amendment to the Madras Public Service Commission Regulations, 1954, including within the Commission's purview temporary posts of Statistical Assistants in the Department of Statistics. [Laid on the Table of the House under Article 320 (5) of the Constitution of India.]

* Laid on the table of the House on 13th November, 1957.

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APPENDIX.

[Vide item IV on page 220 supra.]

L.A. BILL NO. 16 OF 1957.

(As passed by the Assembly.)

A Bill further to amend the Madras Village Panchayats Act, 1950.

WHEREAS it is expedient further to amend the Madras Village Panchayats Act, 1950 (Madras Act X of 1950), 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 Village Panchayats (Amendment) Act, 1957.

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

2. *Amendment of section 2, Madras Act X of 1950.*—In clause (22) of section 2 of the Madras Village Panchayats Act, 1950 (Madras Act X of 1950) (hereinafter referred to as the principal Act), the words “and includes a hamlet in existence at the commencement of this Act and notified by the Inspector to be a revenue village for the purposes of this Act”, shall be omitted.

3. *Amendment of section 3, Madras Act X of 1950.*—For sub-sections (1) and (2) of section 3 of the principal Act, the following sub-sections shall be substituted, namely :—

“(1) The Inspector shall, as soon as may be after the commencement of this Act, by notification, declare every local area comprising a revenue village or villages or any portion or portions thereof to be a village for the purposes of this Act and specify the name of such village :

Provided that no area shall be declared to be a village unless it has a population of not less than five hundred.

(2) (a) The Inspector may, by notification, exclude from a village any local area comprised therein, provided that the population of the village, after such exclusion, is not less than five hundred.

(b) In regard to any area excluded under clause (a), the Inspector shall by notification under sub-section (1) declare it to be a village if it has a population of not less than five hundred or if its population is less than five hundred include it in any contiguous village under clause (c) (i).

(c) The Inspector may, by notification,—

(i) include in a village any local area in the vicinity thereof; or

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(ii) cancel a notification issued under sub-section (1);

or

(iii) alter the name of any village specified under sub-section (1).

(d) Before issuing a notification under clause (a) or under clause (b) read with sub-section (1) or under clause (c), the Inspector shall give the panchayat or panchayatdars which will be affected by the issue of such notification a reasonable opportunity for showing cause against the proposal and shall consider the explanations and objections, if any, of such panchayat or panchayats.

(2-A) (a) The Government may, by notification, exclude from a village any specified area which is an industrial, labour or institutional colony or a health resort :

Provided that before issuing such notification a draft of the same shall be placed before the Legislative Assembly and such draft shall be subject to such modifications as the Assembly may make within fourteen days of the date on which the draft was so placed and if the Assembly disapproves of the issue of such modification, it shall not be issued.

(b) In regard to any area excluded under clause (a), having a population of more than five hundred, the Government shall by notification, constitute a township committee.

(c) A notification issued by the Government may direct that any functions vested in a panchayat by or under this Act shall be transferred to and performed by the township committee and shall provide for—

(1) the total number of members of the township committee;

(2) the persons who shall be members of the township committee or the manner in which they shall be chosen;

(3) the person who shall be the Chairman of the township committee or the manner in which he shall be elected or appointed;

(4) the term of office of members and Chairman;

(5) the restrictions and conditions subject to which the township committee may perform its functions; and

(6) the procedure of the township committee.

(d) The Government may, by notification, direct that any of the provisions of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), or of any rules made thereunder or of any other enactment for the time being in force elsewhere in the State of Madras, but not in the area excluded under clause (a), shall apply to that area to such extent and subject to such modifications, additions and restrictions as may be specified in the notification.”

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4. *Amendment of section 6, Madras Act X of 1950.*—In sub-section (1) of section 6 of the principal Act, the words, “ exclusive of its president ” shall be omitted.

5. *Amendment of section 10, Madras Act X of 1950.*—In sub-section (1) of section 10 of the principal Act, for the words “ three years ”, the words “ five years ” shall be substituted.

6. *Substitution of new sections for sections 21 and 22, Madras Act X of 1950.*—For sections 21 and 22 of the principal Act, the following sections shall be substituted, namely :—

“ 21. *Election of president and vice-president.*—The president and vice-president shall be elected by the panchayat from among its members in accordance with such procedure as may be prescribed.

22. *Procedure when no president or vice-president is elected.*—If at an election held under section 21, no president or vice-president is elected, a fresh election shall be held for electing the president or vice-president as the case may be.”

7. *Amendment of section 36, Madras Act X of 1950.*—In section 36 of the principal Act, the brackets and words “ (other than the president) ” shall be omitted.

8. *Amendment of section 48, Madras Act X of 1950.*—In section 48 of the principal Act—

(i) sub-section (2) shall be omitted;

(ii) in sub-section (4), for the words “ as well as its vice-president ”, the words “ as well as its president and vice-president ” shall be substituted;

(iii) for sub-section (5), the following sub-section shall be substituted, namely :—

“ (5) During the interval, if any, between the dissolution and the reconstitution of a panchayat or during the period of its supersession, as the case may be, the Inspector may appoint a person to exercise the powers and discharge the duties of the panchayat and of its president including where the president is also the executive authority, his powers and duties as such until the reconstitution of the panchayat. Any person other than the executive officer who is so appointed may, if the Inspector so directs, receive payment for his services from the panchayat :

Provided that any person to be appointed under the provisions of this sub-section shall be a person in the service of Government not below the rank of a Revenue Inspector.”;

(iv) in sub-section (6), the words “ other than the president ” shall be omitted.

9. *Amendment of section 112, Madras Act X of 1950.*—In sub-section (2) of section 112 of the principal Act, clause (x) shall be omitted.

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10. *Amendment of section 113, Madras Act X of 1950.*—In section 113 of the principal Act, after sub-section (3), the following sub-section shall be added, namely :—

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

11. *Amendment of section 122, Madras Act X of 1950.*—In section 122 of the principal Act—

(i) in sub-section (2), the words “ and of the president ” and the words “ and the president ” shall be omitted;

(ii) in sub-section (3), the words “ and of the president ” shall be omitted.

THE MADRAS LEGISLATIVE COUNCIL

Friday, the 15th November 1957.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Statues on Mount Road in Madras City

* 47 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Home be pleased to state whether the Government are aware of any attempt by the public to break some of the statues on Mount Road in Madras City and, if so, the action taken thereon?

THE HON. SRI M. BHAKTAVATSALAM: The Government are not aware of any such attempt. I may, however, add, for the information of the hon. Members, that a certain person named Kannan attempted to explode a country bomb near the Munroe Statue on the night of 6th July 1957. He was arrested and questioned. During the interrogation, he gave out that it was his intention to blow up the statues of foreigners in Madras City. The accused was charged under section 19 (F) of Indian Arms Act and under section 5 of Indian Explosives Act and was convicted to undergo rigorous imprisonment for one year on each count (the sentences to run concurrently) by the Chief Presidency Magistrate, Madras, on 21st August 1957. There have been no other attempts to destroy any of the statues on Mount Road.

SRI V. CHAKKARAI CHETTY : நம் கோட்டை வாழலின் முன்புடல் ஸ்டாப்பிற்குப் பக்கத்தில்—ஸ்டாப் என்ற வார்த்தைகளுக்கு எனக்குத் தமிழ் தெரியவில்லை—வெல்லிங்டன் சிலை இருக்கிறது. (பல சனம் அங்கத்தினர்கள் : அது மாண்டேகு சிலை.) அந்தச் சிலையை ஏன் கோட்டை மியூனியத்திற்குக் கொண்டுபோகக்கூடாது? நான் அதைப் பார்க்கும்போதெல்லாம், எனக்கு ஆவேசம் வருகிறது. அதைப் பார்க்கும்போது என் கையில் சுத்தியல் இருந்தால், அதன் தலைமேல் அடித்திருப்பேன். அவர் நமது சுதந்திர இயக்கத்திற்கு விரோதமாக இருந்தார். நான் அந்தக் காலத்தில் சுதந்திர இயக்கத்தில் பங்கெடுத்துக்கொண்டு பிரசங்கங்கள் நிகழ்த்தியதெல்லாம் அவருக்குப் பிடிக்காமல் இருந்தது.

THE HON. SRI M. BHAKTAVATSALAM : நம் சட்டசபைக் கட்டிடத்திற்கு முன் வெல்லிங்டன் சிலை இருப்பதாக எனக்குத் தெரியவில்லை.

SRI T. PURUSHOTHAM : Will the Hon. the Minister indicate to us the general arrangement made for the protection and proper maintenance of statues on public roads and may I know whether it is the duty of the Corporation or the Public Works Department?

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THE HON. SRI M. BHAKTAVATSALAM : Necessary attention is being paid to this, but I would like to have notice as to the authority who is attending to this. But I may also tell the hon. Member that no special protection or arrangement is needed to have these statues properly safeguarded.

SRI T. PURUSHOTHAM : Will the Hon. the Minister take steps to issue instructions for the proper maintenance and cleaning now and then of these statues, as most of them are dirty and have got to be kept beautiful?

THE HON. SRI M. BHAKTAVATSALAM : That is being done periodically.

SRI V. V. RAMASWAMI : மவுண்டு ரோடில் இருக்கும் சிலையை அப்பறப்படுத்தும் விஷயமாக யாராவது முன் எச்சரிக்கையாகக் கடிதம் எழுதியிருந்தார்களா? அப்படி எழுதியிருந்தால், முன் எச்சரிக்கையாக நடவடிக்கை எடுக்கப்பட்டதா?

THE HON. SRI M. BHAKTAVATSALAM : முன் எச்சரிக்கையாக யாராவது கடிதம் அனுப்பியிருந்தார்களா என்பதற்குத் தனிக் கேள்வி போடவேண்டும். எத்தனையோ பேர் எத்தனையோ விதமாகக் கடிதம் எழுதுகிறார்கள். அதற்கெல்லாம் முன் எச்சரிக்கை நடவடிக்கை எடுக்க வேண்டுமென்று எதிர்பார்ப்பது சரியல்ல.

MR. CHAIRMAN : We will skip over question number 48 for the present.

Sudarsanam Oil Mills, Limited, Katpadi

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

(a) the amount of loan granted to the Sudarsanam Oil Mills, Limited, Katpadi, under the Madras State Aid to Industries Act;

(b) whether the same has been recovered in full; and

(c) if not, the balance amount still due and the steps taken to recover it?

THE HON. SRI R. VENKATARAMAN : (a) Rs. 10 lakhs.

(b) The entire loan is still due. Only a sum of Rs. 1,21,425 was credited to Government and adjusted towards interest.

(c) The entire loan has been foreclosed and the assets of the company have been brought to sale. The matter is now pending in Court.

SRI T. PURUSHOTHAM : Has the oil mills building been taken over by the Government and has it been sold in public auction or otherwise?

THE HON. SRI R. VENKATARAMAN : Government have not taken over anything. Joint Receivers have been appointed to represent the Government and the debenture-trustee-holders and they are trying to bring the properties to sale.

SRI T. PURUSHOTHAM : Has a civil suit been filed for the recovery of the amount due to the Government?

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THE HON. SRI R. VENKATARAMAN : No civil suit is necessary in this case. Actually the proceedings are in the stage of the properties being about to be sold.

Punishment of village officers for participation in their recent agitation for enhancement of pay, etc.

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

(a) whether any cases of punishment of village officers for participation in their recent agitation for enhancement of pay, etc., have been brought to the notice of Government; and

(b) if so, what orders have been issued in the matter?

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

(b) Does not arise.

SRI T. PURUSHOTHAM : The Hon. the Minister may be aware that a general assurance was given to these people that they would not be penalized. As there are still a few cases in Tindivanam and Bhavani taluks, may I request the Hon. Minister to enquire into the matter and see if any amnesty order could not be issued in respect of these cases?

THE HON. SRI M. A. MANICKAVELU : I think instructions have already been issued that the strikers will be let off with a warning.

* 51 Q.—

MR. CHAIRMAN : Question No. 51.

THE HON. SRI R. VENKATARAMAN : May I request that this question also may be passed over as the Minister concerned seems to be engaged in the other House?

MR. CHAIRMAN : Yes.

Use of Khesari dhall

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

(a) whether the Government are aware of the fact that the use of Khesari dhall is highly injurious to public health; and

(b) if so, the measures taken by the Government to prohibit the sale or use of this dhall by the public?

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

(b) The Government have issued instructions to the Heads of Departments to give wide publicity to the harmful effects of the consumption of 'Khesari Dhall' and to discourage its cultivation, through the normal channels of the Agriculture Department and

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the Public Health staff. The Government have also given publicity through the Press to the poisonous effects of the consumption of the Khesari dhall and warned the public not to consume it.

SRI V. CHAKKARAI CHETTY : “கேசரி டால்” என்பது என்ன பருப்பு? துவரம் பருப்பு, உளுந்தும் பருப்பு முதலிய பருப்புகளைப் பற்றித்தான் எனக்குத் தெரியும். கேசரி டால் பற்றி எனக்கு ஒன்றும் தெரியாது. அது என்ன என்று கனம் அமைச்சர் அவர்கள் சொல்ல வேண்டுமென்று நான் கேட்டுக்கொள்கிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : “கேசரி டால்” என்பது என்ன என்று சொல்கிறேன்.

The Khesari dhall is obtained from an annual herb botanically known as ‘Lathyrus sativus’ cultivated all over India, particularly in the Northern States. It is similar to redgram (thuvurai) and is grown as a cold weather crop on lands which will raise no other kind of pulse. This pea is cultivated principally as a fodder, but being very cheap and easily grown, it is considerably used to adulterate thoor dhall (thuvurai) from which it can scarcely be distinguished.

SRI T. PURUSHOTHAM : Cannot the provisions of the Public Health Act or the Prevention of Food Adulteration Act be invoked for penal action in this case?

THE HON. SRI M. BHAKTAVATSALAM : All necessary steps are being taken to prevent people from growing this and also to prevent people from consuming this dhall.

SRI T. PURUSHOTHAM : In view of the admittedly injurious nature of the stuff, could not the Government consider the desirability of bringing in a special legislation to prohibit the cultivation of such poisonous stuff?

THE HON. SRI M. BHAKTAVATSALAM : So far, Government have not considered it necessary to bring in special legislation regarding this.

SRI V. V. RAMASWAMI : மற்ற மாஜிகளில், உதாரணமாக பம்பாயில், கேசரிப் பருப்பு காராளமாக விற்கப்படுகிறது என்பதும், அதை மக்கள் உபயோகிக்கிறார்கள் என்பதும் நமது அரசாங்கத்திற்குத் தெரியுமா?

THE HON. SRI M. BHAKTAVATSALAM : அதை உட்கொள்ளலாம். ஆனால் அதை உட்கொண்டால் எந்த விபாதையும் வருவதில்லை என்று அரசாங்கத்திற்கு அறிவிக்கப்படவில்லை.

The continuous use of this dhall produces paralysis and if used occasionally in small quantities, produces constipation, cold and some other digestive disorders. The bad effects of consuming this pulse manifest themselves in the younger part of the population from the age of thirty downwards. The victims are deprived of the use of their limbs below the waist by sudden paralytic strokes and normally it is impossible to recover the use of such affected limbs.

அந் சம்பருப்பினால் இதற்கைய வியாதிகள் ஏற்படுகின்றன என்பது சர்க்காருக்குத் தெரிந்தது.

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Educational concessions

* 48 Q.—**SRI V. V. RAMASWAMI :** Will the Hon. the Minister for Finance be pleased to state whether there is any proposal under the consideration of the Government to extend all the educational concessions applicable to members of backward communities to members of those communities converted to other religions?

THE HON. SRI C. SUBRAMANIAM : There is no proposal under consideration of the Government to extend all the educational concessions applicable to members of backward classes to members of those communities converted to other religions.

SRI V. V. RAMASWAMI : பிற்பட்ட இனத்தைச் சேர்ந்த மாணவர்கள் வேறு மதத்திற்கு மாறிய பிறகும் அவர்களுடைய ஏழ்மை நிலை அப்படியே இருக்கும் காரணத்தால், அவர்களுக்குக் கல்விச் சலுகை அளிக்க வேண்டுமென்று கோரும் விண்ணப்பங்கள் கல்வி இலாகா அதிகாரியின் மூலம் அரசாங்கத்திற்கு வந்திருக்கின்றனவா? அப்படி வந்திருந்தால், அவைகளை அரசாங்கத்தார் இரக்கத்துடன் கவனிப்பார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI C. SUBRAMANIAM : இந்த விஷயத்தில் முக்கியமானது நிதி நிலைமை. இந்தச் சலுகைகளை அதிகமாகக் கொடுத்துக்கொண்டே போவது நிதி நிலைமையைப் பொறுத்திருக்கிறது. ஆகையால், இன்னும் அதிகமாக இந்தச் சலுகைகளை விஸ்தரிப்பது நிதி நிலைமையைப் பொறுத்திருக்கும் என்று நான் சொல்லிக்கொள்கிறேன்.

SRI A. SUBRAMANYAM : 52 இன பிரிவுகொண்ட மிகவும் பிற்பட்ட இனத்தவர்கள் மிகவும் குறைவான எண்ணிக்கையில் இருப்பதால், அவர்களுக்கு இந்தச் சலுகைகளை விஸ்தரிப்பதையாவது அதிக அக்கறையுடன் அரசாங்கத்தார் கவனித்து ஆவன செய்வார்களா?

THE HON. SRI C. SUBRAMANIAM : இப்போதாவது அவர்களுடைய எண்ணிக்கையைக் குறைத்துக்கொள்வதைப்பற்றி நான் மிகவும் சந்தோஷப்படுகிறேன். வன்னியர்கள் 1½—2 ரோடிப் பேர்கள் இருப்பதாகச் சொல்லிக் கொண்டிருந்தவர், இப்போதாவது அவர்கள் குறைந்த எண்ணிக்கையில் இருக்கிறார்கள் என்று சொன்னதற்காக நான் சந்தோஷப்படுகிறேன்.

SRI A. SUBRAMANYAM : வன்னியர்கள் குறைந்திருக்கிறார்கள் என்று நான் சொல்லவில்லை. அவர்கள் எப்போதும் உள்ள எண்ணிக்கையில் தான், ஸென்ஸஸ் கணக்குப் பிரகாரம் தான் இருக்கிறார்கள். பொதுவாக மிகவும் பிற்பட்ட இனத்தவர்களாக இருப்பவர்களைப்பற்றி நான் கேள்வி கேட்டேன். கனம் அமைச்சர் அவர்கள் மிகவும் பிற்பட்ட இனத்தவர்கள் சம்பந்தமாக நான் கேட்ட கேள்விக்கு தயவு செய்து பதில் சொல்வார்களா?

THE HON. SRI C. SUBRAMANIAM : அவர்களுக்கு இப்போது சலுகைகள் கொடுக்கப்படுகின்றன.

SRI V. V. RAMASWAMI : ஜாதி மத பேதமின்றி, குறைந்த வருமானம் பெறுபவர்கள் எல்லோருடைய குழந்தைகளுக்கும் கல்விச் சலுகை கொடுக்கவேண்டுமென்று அரசாங்கத்தார் ஆலோசித்து வருகிறார்களா? இது சம்பந்தமாக அரசாங்கத்தார் எப்போது முடிவுக்கு வரக்கூடும்?

THE HON. SRI C. SUBRAMANIAM : அந்த அடிப்படையில் தான் இந்தச் சலுகைகள் கொடுக்கப்பட வேண்டுமென்று நான் கருதுகிறேன். இது சம்பந்தமாக நன்றாக ஆலோசித்து முடிவு செய்ய வேண்டியிருக்கிறது. இன்றைக்கு, ஒரு குறிப்பிட்ட பிரிவினருக்கு மட்டும் சலுகைகள் என்று

[Sri V. V. Ramaswami] [14th November 1957]

இருக்கிறது என்பதை ஒப்புக்கொள்ளுகிறேன். பொதுவாக, எல்லா சிக்கல்களையும் நன்கு ஆராய்ந்து பார்த்து நல்ல முடிவுக்கு அவர்கள் வந்திருக்கிறார்கள் என்றால், அந்த அறிக்கையை வெளியிட்டவர்களுக்கும் அந்த அறிக்கையைத் தயாரிப்பதில் ஒத்துழைத்த உறுப்பினர்களுக்கும் அதிகாரிகளுக்கும் நாம் கடமைப்பட்டிருக்கிறோம். ஆகவே, நான் இதைப்பற்றிப் பொதுவாக மாதிரம் பேசவேண்டும் என்று நினைத்து, சில வார்த்தைகளைச் சுருக்கமாகச் சொல்லப் பிரியப்படுகிறேன். விவரமாக, ஆழமாக எடுத்துச் சொல்ல முடியாத நிலைமையில் நான் இருக்கிறேன். ஏனென்றால் நான் கல்வி கற்பிக்கும் ஆசிரியராக இருந்ததும் இல்லை, அப்படி ஆசிரியராக இருக்கவும் தகுதி இல்லாதவனாக இருக்கிறேன். மேலும், படித்துப் பட்டம் பெற்ற பட்டதாரியாகவும் இல்லாத காரணத்தால், பொதுவாக மக்களுடைய மனதில் என்னப்படுகிறதோ, மக்கள் என்ன நினைக்கிறார்களோ அதை மாதிரம் எடுத்துச் சொல்லலாம் என்று நினைக்கிறேன். தமிழகத்தில் தமிழ் இலக்கியங்கள் இருக்கின்றன. தமிழில் தமிழ்த் திருமுறையைத் தந்த திருவள்ளுவர் இயற்றிய குறளில் “எண்ணென்ப ஏனை யெழுத்தென்ப இவ்விரண்டும் கண்ணென்ப வாழும் உயிர்க்கு” என்று கூறப்பட்டிருக்கிறது. அதைச் சுருக்கமாக ஒளவைப் பிராட்டியார் “எண்ணும் எழுத்தும் கண்ணெனத் தரும்” என்று சொல்லியிருக்கிறார். தமிழ் நாட்டில் மக்கள் எல்லோரும் பயன் அடைவதற்கு, அவர்களுக்கு எண்ணும், எழுத்தும் தெரிய வேண்டும். ஆகவே மாணவர்களுக்கு எழுத்தும் தெரியவேண்டும், எண்ணும் தெரியவேண்டும். அவர்கள் உத்தியோகம் பெற வேண்டுமென்பதற்காகக் கல்வி பயிலக் கூடாது. அவர்கள் படிப்பு முடிந்து வந்தவுடன், ஏதாவது தொழிலில் அமையும்படி கல்வி முறை அமையவேண்டும். அது மட்டுமல்லாமல், மக்கள் அறிவு வளருவதற்குத் தக்கபடி படிப்பும் அமைய வேண்டிய தவசியமாக இருக்கிறது. அவர்கள் மனம் பக்குவமடைவதற்கு வேண்டிய படிப்பு இருக்க வேண்டியதும் அவசியம். அந்தப் படிப்புக்குத் தக்கபடி கல்வி முறை அமைய வேண்டும் என்பது என்னுடைய அவா. ஆகவே இந்தக் குறிக் கோளை மனதில் வைத்துக்கொண்டு, பாடப் புத்தகங்களையும் பாட முறைகளையும் அமைக்கவேண்டும். இந்த லட்சியங்களை மனதில் வைத்துக்கொண்டு மாணவர்களுக்குத் திட்டங்களை வகுக்கவேண்டும் என்று நான் மிகவும் விரும்புகிறேன்.

சிறு வயதிலேயே மாணவர்கள் பாடங்களைப் படிப்பதற்கும் எழுதுவதற்கும் கற்றுக்கொள்ளுவது எளிது. கணக்குப் போடுவதற்கும் மற்றவைகளைத் தெரிந்துகொள்வதற்கும் திட்டங்களை அமைக்கவேண்டும். பழைய காலத்தில் ஏற்படுத்தியது போல் பாடங்களை மனப்பாடங்களாகப் படிக்கும் முறையை வைத்தால், வெகு லகுவாக இருக்கும். அதன் மூலம் மாணவர்கள் எல்லாப் பாடங்களையும் கற்றுக்கொள்ளலாம். ஆகவே, பழைய காலத்தில் இருந்ததுபோல், ஆத்திசூடி, கொன்றைவேந்தன் முதலிய பாடங்களை மனப்பாடம் செய்துகொள்வதற்கான ஏற்பாடுகளையும் செய்து கொடுக்கவேண்டும். அடுத்ததாக குறள் முதலிய இலக்கியங்களையும் கற்றுக்கொள்ளும்படியான ஏற்பாட்டையும் செய்யவேண்டும். இப்படிப் பழைய கால முறைப்படி பயிற்சி கொடுக்க ஏற்பாடு செய்தால், பிற்காலத்தில் மாணவர்களுக்கு நன்மைகள் ஏற்படும்.

(Sri Mohamad Raza Khan in the Chair.)

சிறு வயதிலேயே வாய்ப்பாடு முதலியவைகளை மனப்பாடம் செய்து கொள்வதற்கும் வழி செய்யவேண்டும். சிறு வயதில் மனப்பாடம் செய்தால், அந்தப் பாடங்கள் கடைசி வரையிலும் மறப்பதில்லை என்பதை எல்லோரும் அறிந்திருப்பார்கள். ஆகவே, வாய்ப்பாடு முதலியவைகளை மனப்பாடம் செய்துகொள்வதற்கு இப்பொழுதே ஆரம்பிக்கவேண்டும். அப்படி இப்பொழுது இல்லாமல் இருப்பதால் பிற்காலத்தில் பின்னரோடு கணக்குப் போட்டால் தெரிவதே இல்லை. சிலருக்கு வட்டிக் கணக்குப் போட்டால், அதைப் போடுவதற்கும் தெரியவில்லை. ஆகவே, புராதன காலத்தில் நடந்து வந்ததைப்போல், பழக்கத்தில் இருந்து வந்ததைப் போல், மாணவர்கள் மனப்பாடம் செய்யவேண்டும் என்ற

14th November 1957] [Sri V. V. Ramaswami]

கொள்கையை வகுத்தால், அவர்களுக்குப் பிற்காலத்தில் எவ்வளவோ நன்மையாக இருக்கும். இதற்கு வேண்டிய ஏற்பாட்டைக் கல்வி நிபுணர்களும் மந்திரிகளும் செய்யவேண்டும் என்று கேட்டுக்கொள்கிறேன். சிறு வயதில் இலக்கியங்களையும் இலக்கணங்களையும் நாம் கற்றுக்கொடுக்காமல் இருப்பதால், பிற்காலத்தில் மாணவர்கள் கணக்குகளைக் கையாள முடியாமல் இருக்கிறார்கள். இதை மனதில் வைத்துக்கொண்டு, இந்த முறையைக் கையாளவேண்டும் என்றும் அதை ஆராய்ந்து பார்க்கவேண்டும் என்றும் கேட்டுக்கொள்கிறேன்.

“அறஞ்செய விரும்பு; ஆலயந்தொழுவது சாலவும் நன்று” என்ற பாடல்களைப்போன்ற ஆத்திசூடி, கொன்றைவேந்தன் முதலியவைகளை மனப்பாடம் செய்வதால் மாணவர்களுக்கு உயிர் மெய் எழுத்துக்களைக் கூடச் சொல்லிக்கொடுப்பதாக இருக்கிறது. உயிர் மெய் எழுத்துக்களைப் படிப்படியாகத் தெரிந்துகொள்வதற்கும் இதனால் வசதி ஏற்படுகிறது. ஆகவே, இந்த விஷயத்திலும் பழைய முறையையே கையாளவேண்டும் என்று கேட்டுக்கொள்கிறேன்.

இப்பொழுது கல்வி முறையில் தேர்ச்சி பெறுவதைப் பார்த்தால், மாணவர்கள் எந்த விதத்திலும் பயனடைவதாக இல்லை. கேள்விகளைக் கேட்டு “இது” சரியா அல்லது “அது” சரியா என்று கேட்டு மார்க்குப் போடுகிறார்கள். அந்த முறையும் சரியாகத் தோன்றவில்லை. அத்துடன் இடையில் கோடுகளை அமைத்து விட்டு அதாவது “டாஷ்” போட்டுவிட்டு அதைப் பூர்த்தி செய்யவும் சொல்லுகிறார்கள். இந்த முறையும் சரியாகத் தோன்றவில்லை. ஆகவே இந்த முறைகளிலும் மாற்றம் ஏற்பட வேண்டும் என்று கேட்டுக்கொள்கிறேன்.

அடுத்தபடியாக, மொழி விஷயமாகப் பேச விரும்புகிறேன். நமது தாய் மொழியாகிய தமிழ் மொழியைக் கட்டாயமாகப் படிக்கவேண்டும் என்றும், இரண்டாம் பாடமாக ஹிந்தியோ அல்லது வேறு ஏதாவது இந்திய மொழியோ படிக்கவேண்டும் என்றும், மூன்றாவதாக ஆங்கிலம் அல்லது வேறு ஏதாவது அந்நிய மொழி படிக்கவேண்டும் என்றும் சொல்லுகிறார்கள். அப்படி வகுத்திருப்பது நல்லது என்றே நான் ஒப்புக்கொள்ள வேண்டும். எந்த நபரும் தன்னுடைய தாய் மொழியை மறக்கவும் முடியாது, மறக்கவும் மாட்டான். நல்ல பாண்டித்தியம் அடைய சிறு வயதிலிருந்தே தமிழ் மொழியைப் பயிற்றுவிக்கவேண்டும் என்பதை மறந்துவிடக் கூடாது.

அடுத்தபடியாக, ஹிந்தி அல்லது வேறு பிராந்திய மொழி என்று சொல்லப்பட்டிருக்கும் பிரிவில், ஹிந்தியைப் படிக்க விரும்பாத தமிழ் நாட்டு மாணவர்கள்—எப்படியாவது ஹிந்தி ஒருவேளை ஆட்சி மொழியாக வருவதாயிருந்தாலும் இல்லாவிட்டாலும்—தெலுங்கைப் படிக்க வேண்டுமென்று விரும்புகிறேன். தமிழ் நாட்டில் தெலுங்கு பேசுபவர்கள் அனேகம் பேர் இருக்கிறார்கள். நாயுடுகளுக்கும் ரெட்டியார்களுக்கும் தாய் மொழி தெலுங்கு. ஆகவே ஹிந்தியைப் படிக்க விரும்பாதவர்கள் தெலுங்கைப் படிக்கவேண்டுமென்று விரும்புகிறேன்.

ஆங்கிலத்தை 5-ம் வகுப்பிலிருந்து கட்டாயம் படிக்க வேண்டுமென்று வெள்ளை அறிக்கையில் சொல்லப்பட்டிருக்கிறது. ஆங்கிலம் உலக மொழியாக இருக்கிறது. மாணவர்களிடையே ஆங்கிலக் கல்வியின் தரத்தை உயர்த்த வேண்டுமென்று விரும்பும்போது, அதை 5-வது வகுப்பிலிருந்து கட்டாயப் பாடமாக வைத்திருப்பதை எல்லோரும் வரவேற்கவேண்டும்.

இந்த சந்தர்ப்பத்தில் கட்டாய முறையைப்பற்றி ஒன்று சொல்ல விரும்புகிறேன். கட்டாயமாக ஹிந்தியைப் போதிப்பதற்கு என்னைப் போன்றவர்கள் மறுப்புச் சொல்லும் காரணம் ஹிந்தியைப் படிப்பதால், மக்கள் தங்கள் தமிழ் உணர்ச்சியை மறந்துவிடக் கூடாது என்பது. நண்பர் ஸ்ரீ கஜபதி நாயகரைக் கண்டால், “சாலவும் வணக்கம்” என்பார். அமைச்சர் கணம் ஸ்ரீ சுப்பிரமணியம் “நமஸ்காரம்” என்பார். தோழியர் மஞ்சபாஷிணி அம்மையார் “நமஸ்தே” என்பார். ஆங்கிலம் அவசியம் என்றால், எங்களை “நீங்கள் எல்லோரும் பழைய நோக்கத்தைக் கொண்டவர்கள்” என்று எல்லோரும் ஏளனமாகப் பேசுகிறார்கள். ஆங்கிலத்தைப்

11-20
a.m.

[15th November 1957]

நிர்ணயித்தால், வேறு சிலரும் தாங்கள் அந்தப் பிரிவினர் என்று சொல்லிக்கொண்டு அந்தச் சலுகைகளைப் பெற முன்வருகிறார்கள். உதாரணமாக, சாணர்கள் மிகவும் பிற்பட்ட (மோஸ்ட் பாக்வர்ட்) வகுப்பினர் என்று நிர்ணயித்தவுடன், நாடார்களாக இருப்பவர்கள் தாங்களும் சாணர்கள் என்று சொல்லிக்கொண்டு அந்தச் சலுகைகளைப் பெற முன்வருகிறார்கள். இது இயற்கையாக ஏற்படக்கூடியது. எந்த சமுதாயத்தைச் சேர்ந்தவர்களாக இருந்தாலும், அவரவர்களுடைய குடும்பப் பொருளாதார நிலைக்கு ஏற்றபடி, இந்தச் சலுகைகள் கொடுக்கப்பட வேண்டுமென்று இப்போது நினைக்கிறோம். அந்த அடிப்படையில் சலுகைகள் கொடுப்பதுபற்றித் தான் இப்போது யோசித்துக்கொண்டும் இருக்கிறோம்.

10-10
a.m.

SRI A. SUBRAMANYAM : ஜாதிப் பிரிவினர்கள் எப்பொழுதும் இருக்க வேண்டும் என்று யாரும் விரும்பவில்லை. ஆனால் அவை பத்து வருஷ காலத்திற்கு மட்டும் இருக்கவேண்டும் என்றுதான் விரும்பப்படுகிறது. கல்வி, பொருளாதார விஷயங்களில் தாழ்த்தப்பட்டவர்கள், பற்பல இனத்தவர்கள், ரொம்பவும் பிற்போக்காக இருக்கிறார்கள். அவர்களுக்கு ஏதாவது சலுகைகள் கொஞ்ச காலத்திற்குக் கொடுக்க அரசாங்கம் முன் வருமா என்பதை அறிய விரும்புகிறேன்.

THE HON. SRI C. SUBRAMANIAM : இந்த ஜாதி, மதப் பாகுபாடு இல்லாமல் யார் யாருக்குச் சலுகைகள் கொடுக்க வேண்டுமோ, அவர்களுக்கெல்லாம் இப்பொழுது கொடுக்கக்கூடிய வாய்ப்பு இருக்கிற காரணத்தால், அதற்காக ஜாதி மதப் பாகுபாடுகளைப் புறக்கிட்டு வேண்டிய அவசியம் இல்லை என்று நான் கருதுகிறேன்.

SRI A. SUBRAMANYAM : மிகவும் பிற்பட்ட இனத்தவர்களில் கிருஸ்தவர்களாக மாறியவர்களுக்கு இப்படிப்பட்ட சலுகைகளைக் கொடுக்க முடியுமா ?

THE HON. SRI C. SUBRAMANIAM : இந்தக் கேள்விக்கு வேண்டிய பதிலைத்தான் மூலக் கேள்விக்குப் பதிலளிக்கும்போது சொல்லியிருக்கிறேன்.

DR. V. K. JOHN : Are the Government aware that the Kerala Government have recently extended the educational concession to converts from the backward communities also?

THE HON. SRI C. SUBRAMANIAM : I am glad the hon. Member is posted with information regarding the Kerala Government also.

Formation of a coastal road from Nagapattinam to Ramanathapuram

* 51 Q.—**SRI V. V. RAMASWAMI :** Will the Hon. the Minister for Public Works be pleased to state, with reference to the Legislative Council Starred Question No. 127 answered on 24th December 1956—

(a) whether the Government have any proposal to press the claim for a grant from the Central Road Fund Reserve for the formation of a coastal road from Nagapattinam to Ramanathapuram; and

(b) if so, the steps taken in this regard?

THE HON. SRI P. KAKKAN : (a) No, Sir.

(b) Does not arise.

[15th November 1957]

SRI V. V. RAMASWAMI : நான் முன்பு கேட்ட கேள்வியின்படி ராமநாதபுரத்திலிருந்து தூத்துக்குடி போகும் சாலையில் வேம்பார், கன்னி ராஜபுரம், சாயல் குடி முதலிய கிராமங்கள் இருக்கின்றன. அங்கு கடலின் பக்கத்தில் ஒரு சாலையை அமைக்க சர்க்காரிடம் ஏதாவது திட்டம் இருக்கிறதா? அந்த கிராமங்களிலுள்ள மக்கள் அப்படிப்பட்ட ஒரு சாலையை அமைக்க வேண்டும் என்று கனம் மராமத்து இலாகா அமைச்சர் அவர்களிடம் விண்ணப்பம் கொடுத்திருப்பதாகவும் தெரியவருகிறது. அதையொட்டி அங்கு சாலையை அமைப்பதற்கு அரசாங்கத்தினிடம் ஏதாவது திட்டம் இருக்கிறதா என்பதை அறிய விரும்புகிறேன். அப்படி இருந்தால், அது எந்த நிலைமையில் இருக்கிறது என்பதையும் அறிய விரும்புகிறேன்.

THE HON. SRI P. KAKKAN : கனம் அங்கத்தினர் சொல்லும் விஷயத்தைக் கவனித்து பின்னால் அதைப்பற்றித் தெரிவிக்கிறேன்.

Leave rules for teachers in Aided and Local Board Secondary Schools

* 53 Q.—**SRI G. KRISHNAMOORTHY :** Will the Hon. the Minister for Finance be pleased to state whether the Government have any proposal to make leave rules for teachers in aided and local board secondary schools similar to those in force for aided elementary schools in the State?

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

SRI G. KRISHNAMOORTHY : Will the Government kindly appoint a committee of enquiry, as my information is that no leave besides casual leave is sanctioned to teachers in many of the schools?

THE HON. SRI C. SUBRAMANIAM : Sir, according to the information I have, even though the rules are not the same as the Government rules, there are certain rules with reference to private managements also. Those teachers are entitled to certain leave facilities. If they are not being observed, it may be brought to the notice of the Government.

SRI T. PURUSHOTHAM : As it is the policy of the Government to introduce uniform scales of pay and conditions of service for all teachers, will the Government re-examine the question with a view to liberalize these leave rules for secondary grade teachers in aided and local board schools and to bring them in line with those for aided elementary school teachers?

THE HON. SRI C. SUBRAMANIAM : As far as the Government servants are concerned, there are certain rules and regulations and there is control over them. As far as the school teachers under private managements are concerned, they have got a certain kind of freedom which is not available to the Government servants. Therefore, we cannot put both of them on the same level and that is why we are giving a little bit of freedom to the managements to have their own leave rules for their teachers.

SRI T. PURUSHOTHAM : Will it not be possible for the Government to introduce a Code governing the conditions of service of teachers under whatever agency they may be employed?

[15th November 1957]

THE HON. SRI C. SUBRAMANIAM: We do have, for the purpose of school teachers under private managements, a contract form. That is the general form used when they enter into contract with the various managements and that is being observed.

SRI G. KRISHNAMOORTHY: I may inform the Government that the contract does not speak of leave rules and that there must be, as the hon. Member Sri Purushotham has pointed out, a minimum provision that at least so much leave should be granted, because they are denied leave completely?

SRI JOHN ASIRVATHAM: They have their own rules.

THE HON. SRI C. SUBRAMANIAM: Yes, that was what I also wanted to say. I think the private management should be given some discretion at least to fix their own standards of service with reference to the teaching personnel. If there are real grievances which make the service conditions a little bit difficult, then certainly the Government may have to interfere.

Functions of the District Sales Tax Advisory Committee

* 54 Q.—SRI V. V. RAMASWAMI: Will the Hon. the Minister for Industries be pleased to state the composition and functions of the District Sales Tax Advisory Committee?

THE HON. SRI R. VENKATARAMAN: The District Sales Tax Advisory Committees are constituted for the Revenue districts and not for the Commercial Taxes districts. They consist of—

- (a) The Collector of the district (Chairman);
- (b) The Deputy Commissioner of Commercial Taxes in places where his headquarters and the District Headquarters are the same and the Headquarters Commercial Tax Officer in other places as Secretary;
- (c) Members of all Chambers of Commerce in the district;
- (d) Representatives of all local prominent associations;
- (e) One Member of Legislative Assembly, nominated by the Collector;
- (f) The Regional Transport Officer.

The function of the Committees is to maintain liaison between the Commercial Taxes Department on the one hand and the trade and industry on the other. The Committees meet once a quarter to discuss subjects proposed by any of the members after 15 days' notice and included in the agenda by the Secretary of the Committee. The resolutions of the meetings of the Committee are sent to the Board of Revenue for action.

15th November 1957]

Government Hospital at Virudhunagar

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

(a) whether it is a fact that on the 13th May 1957 rain water flooded into the kitchen, infectious shed, latrine and other portions of the Government Hospital at Virudhunagar; and

(b) if so, the action taken or proposed to be taken by Government to prevent such occurrence in future?

THE HON. SRI M. A. MANICKAVELU: (a) There was some flooding consequent on the very heavy rainfall of 4.5 inches in this town on that day.

(b) The question of constructing new buildings for the hospital is under consideration.

SRI V. V. RAMASWAMI: விருதுநகர் ஆஸ்பத்திரிக்குப் புதிய கட்டிடம் கட்டுவதற்காக எவ்வளவு நாட்களாகத் திட்டம் போடப்பட்டிருக்கிறது? அதற்காக அங்குள்ள ஒரு நபர் ஒரு லட்ச ரூபாயும், இருபது ஏக்கர் நிலமும் கொடுக்க முன்வந்திருந்தும், அந்தக் கட்டிடத்தைச் சீக்கிரம் கட்டி முடிக்க முன்வராமல் இருக்கிறார்கள். ஆகவே, சீக்கிரம் ஒரு முடிவுக்கு வந்து, புதிய கட்டிடத்தைக் கட்டுவதற்கு அரசாங்கம் உடனடியாக நடவடிக்கை எடுக்குமா என்பதை அறிய விரும்புகிறேன்.

THE HON. SRI M. A. MANICKAVELU: My information is that a philanthropic gentleman in that town offered a few lakhs of rupees for constructing new buildings. We have contacted him through the present Municipal Chairman and he seems to have replied. So, the matter is being looked into.

Teacher-candidates for S.S.L.C. Examination

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

(a) whether the teacher-candidates for S.S.L.C. Examination who have once appeared and failed in the examination are allotted the same centre for the subsequent examination also; and

(b) if not, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM: (a) Teacher-candidates are not necessarily allotted the same centre at which they appeared previously.

(b) All teacher-candidates are private candidates. They are allotted to centres which are nearest to the addresses given in their applications for admission to the examination each time they apply. If any one wants a change of centre other than the one nearest to his address furnished in his application, the question will be decided on the merits of the case by the Commissioner for Government Examinations.

MR. CHAIRMAN: Questions are over.

[15th November 1957]

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

II.—ANNOUNCEMENTS BY THE HON. CHAIRMAN.

(1) MESSAGE FROM THE GOVERNOR.

Mr. CHAIRMAN : I have to announce to the House that I have received the following message, dated the 4th November 1957, from the Governor of Madras :—

“In pursuance of Article 207, clause (3), of the Constitution of India, I, P. V. Rajamannar, Governor of Madras, hereby recommend to the Madras Legislative Council, the consideration of the Madras Money-lenders Bill, 1957.”

(2) MESSAGE FROM THE ASSEMBLY.

Mr. CHAIRMAN : I have also to announce to the House that I have received the following message, dated the 13th November 1957, from the Hon. the Speaker, Madras Legislative Assembly :—

“In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Money-lenders Bill, 1957 (L.A. Bill No. 22 of 1957), as passed by the Assembly on the 13th November 1957, and signed by me, for the concurrence of the Council.”

III.—MOTION UNDER RULE 21 (3) OF THE COUNCIL RULES RE CHANGE IN THE ORDER OF BUSINESS.

10-20 a.m. THE HON. SRI R. VENKATARAMAN : Sir, under rule 21 (3) of the Madras Council Rules, I move—

“That item No. IV on the agenda, namely, the Madras Bhoodan Yagna Bill, 1957 (L.A. Bill No. 15 of 1957), be taken up before item No. III, viz., Government Bill—The Prevention of Insults to National Honour Bill, 1957 (L.A. Bill No. 19 of 1957).”

Mr. CHAIRMAN : The question is—

“That item No. IV on the agenda, namely, the Madras Bhoodan Yagna Bill, 1957 (L.A. Bill No. 15 of 1957), be taken up before item No. III, viz., Government Bill—The Prevention of Insults to National Honour Bill, 1957 (L.A. Bill No. 19 of 1957).”

The motion was put and carried.

THE HON. SRI M. BHAKTAVATSALAM : Sir, is it the idea that the Bill will be taken up only in the afternoon?

THE HON. SRI R. VENKATARAMAN : Sir, the Agenda Paper says that it will be taken up at 3 p.m. I submit that if the discussion on the Supplementary Statement of Expenditure for 1957-58 is concluded before then, this may be taken up immediately.

15th November 1957]

IV.—GOVERNMENT BUSINESS.

DISCUSSION ON THE SUPPLEMENTARY STATEMENT OF EXPENDITURE FOR THE YEAR 1957-58.

* SRI V. V. RAMASWAMI : கனம் மன்றத் தலைவர் அவர்களே, அரசாங்கத்தார் உபமானியங்கள் கோரும் இந்த சமயத்தில், அரசாங்கத்திற்கு ஒரு சிறு வேண்டுகோள் மாத்திரம் விடுத்துக்கொள்ள விரும்புகிறேன். இந்த உபமானியக் கோரிக்கை பூராவையும் படித்துப் பார்க்கும்போது, சில விஷயங்கள் தெரிகின்றன. ஒவ்வொரு இலாகாவிலும் முதலில் திட்டம் போட்டு வைத்திருக்கிறார்கள். சில திட்டங்களை ஐந்தாண்டுகளுக்கு முன்பே வகுத்திருந்தாலும், இதுகாறும் அவைகளை அமுலுக்குக் கொண்டுவரவில்லை; பட்ஜெட் காலத்தில் கூட அவைபற்றி குறிப்பிடப்படவில்லை; இப்போது அவைகளை அமுலுக்குக் கொண்டுவருவதற்காகச் செலவினங்கள் உண்டாக்கப்பட்டுள்ளன. அந்தச் செலவினங்கள் ஏன் இவ்வளவு காலம் தாமதப்பட்டன என்று தெரியவில்லை. ஆயினும், இன்னின்ன காரியங்களைச் செய்வதற்காக இந்தச் செலவினங்கள் உண்டாக்கப்பட்டுள்ளன என்று குறிப்பிடப்படும்போது, முக்கியமான செலவினங்களில் மத்திய அரசாங்கத்தின் பங்கு எவ்வளவு என்றும், ராஜ்ய அரசாங்கத்தின் பங்கு எவ்வளவு என்றும், தனியார் தொகுதியின் பங்கு எவ்வளவு என்றும் பல இடங்களில் விவரங்கள் கொடுக்கப்பட்டிருக்கின்றன. ஒவ்வொரு செலவினத்தின் கீழும் எடுத்துக்கொள்ளப்படும் அபிவிருத்தித் திட்டங்களில், மத்திய அரசாங்கத்தின் ஈவு என்ன என்பதுபற்றியும், ராஜ்ய அரசாங்கத்தின் ஈவு என்ன என்பதுபற்றியும், தனியார் தொகுதியின் ஈவு என்ன என்பதுபற்றியும் விளக்கமாகத் தெரிவிக்கக்கூடிய ஒரு கையேட்டை எல்லா கனம் அங்கத்தினர்களுக்கும் கொடுக்க வேண்டுமென்று கனம் அமைச்சர் அவர்களை இந்த சந்தர்ப்பத்தில் நான் கேட்டுக்கொள்கிறேன். ஏனென்றால், ஏதாவது ஒரு மாவட்டத்தில் சில செலவினங்களின் கீழ் திட்டங்கள் நிறைவேற்றப்பட வேண்டுமென்றால், யாராவது ஒருவர் தங்கள் பங்கைக் கொடுக்காவிட்டால், அந்த செலவினத்திலுள்ள தொகை மற்றொரு ஜில்லா விற்கு மாற்றப்படுகிறது; அந்த அந்த இனங்களின் கீழ் மத்திய அரசாங்கத்தாரும் ராஜ்ய அரசாங்கத்தாரும் எவ்வளவு பணம் கொடுப்பார்கள் என்ற விவரம் தெரிந்தால், நாங்கள் பஞ்சாயத்து சபையினரையோ சம்பந்தப்பட்ட மற்றவர்களையோ கண்டு பேசி, அந்த அந்தப் பிரதேசத்தில் அந்த அந்தச் செலவினங்கள் பயன்படுத்தப்பட்டு திட்டங்கள் நிறைவேற்றப்படுவதற்கு எங்களாலானதைச் செய்வோம். ஆகவே, இத்தகைய கையேடு ஒன்றை எல்லா கனம் அங்கத்தினர்களுக்கும் கொடுக்கவேண்டுமென்று நான் இந்த சந்தர்ப்பத்தில் அரசியலாசை வற்புறுத்திக் கேட்டுக்கொள்கிறேன்.

விற்பனை வரி இலாகாவில் இப்போது புதிதாகப் பல அதிகாரிகளைப் போட்டிருக்கிறார்கள் என்று தெரிகிறது. சென்னை நகரத்திலும் பல அதிகாரிகள் நியமிக்கப்பட்டிருக்கிறார்கள். இப்படிப் போதிய அதிகாரிகளை நியமிக்க வேண்டுமென்று வியாபாரத்தில் சம்பந்தப்பட்டவர்கள் எல்லோரும் சேர்ந்து தூதுகோஷ்டியாகச் சென்று கனம் அமைச்சர் அவர்களிடத்தில் சொல்லியிருந்தோம். அதாவது, மற்ற ராஜ்யங்களிலிருந்து இங்கே இறக்குமதியாகும் சர்க்குகள் விற்பனை வரிக்கு உள்ளாகாதபடி செய்து பல வியாபாரிகள் அரசாங்கத்தாரை ஏமாற்றிவிடுகிறார்கள் என்று, இதைத் தடுப்பதற்காக ரெயில்வே ஸ்டேஷன்களில் விற்பனை வரி இலாகா அதிகாரிகளை நியமிக்க வேண்டுமென்றும், அப்படிச் செய்து, வெளி ராஜ்யங்களிலிருந்து சர்க்குகளை வரவழைப்பவர்கள் அவைகளை ஸ்டேஷன்களில் “டெலிவெரி” எடுத்துக்கொள்வதற்கு முன்பு விற்பனை வரி இலாகா அதிகாரியிடமோ அல்லது கலெக்டரிடமோ ரெயில்வே ரசீதைக் காட்டிப் பதிவு செய்துகொள்ள வேண்டுமென்று உத்தரவிட வேண்டுமென்றும் தூதுகோஷ்டியினர் கனம் அமைச்சர் அவர்களிடத்தில் சொல்லியிருந்தார்கள். சர்க்கரையின் மீது உபரி வரி போடப்பட்டபோது, தூதுகோஷ்டியாகச் சென்று கனம் நிதி அமைச்சர் அவர்களிடம் இப்படிச் சொல்லியிருந்தோம். இதைச் செய்யாவிட்டால் பல வியாபாரிகள் மூட்டை ஒன்றுக்கு ரூ. 5 அல்லது ரூ. 10 வீதம் சர்க்காரை ஏமாற்றி விற்பனை வரியிலிருந்து தப்பித்துக்

[Sri V. V. Ramaswami] [15th November 1957]

கொண்டுவரும்போது, தாங்கள் உபயோகிக்கும் சுருகாட்டிலோ இடுகாட்டிலோ இடம் கொடுக்க மறுக்கிறார்கள். தாழ்த்தப்பட்டவர்கள் அந்தப் பிணங்களைத் தூக்கிக்கொண்டு நிலங்களையும், சகதியையும் மிதித்துக் கொண்டு சென்று ஏதாவதொரு ஓடைக்குப் பக்கத்தில் கிரியைகளைச் செய்ய வேண்டியிருக்கிறது. இந்த விஷயத்தில் கிராமத்திலுள்ள பெரியவர்களும் சீர்திருத்தக்காரர்களும் குற்றவாளிகளாகத்தான் இருக்கிறார்கள். சுருகாடு, இடுகாடு விஷயத்தில், தாழ்த்தப்பட்ட மக்களுக்கும் மற்ற பிற்பட்ட மக்களுக்கும் கட்டாயம் வசதி செய்துகொடுக்க வேண்டுமென்று அரசாங்கத்தாரைக் கேட்டுக்கொள்கிறேன்.

அடுத்தபடியாக, 'Capital outlay on Industrial Development'-ஐப் பார்ப்போம். Industrial Training Centre attached to the Pioneer Motor Service-க்கு ரூ. 1,77,000 செலவினம் அங்கீகரிக்கப்பட்டிருப்பதாகத் தெரிகிறது. இரண்டாவதாக, Industrial Training Centre attached to the Strathie Co-operative Engineering Workshop-க்கு ரூ. 50,000-க்குச் செலவினம் அங்கீகரிக்கப்பட்டிருப்பதாகத் தெரிகிறது. சரியானபடி நடக்காததால் ஸ்ட்ராதி கூட்டுறவுச் சங்கம் மூடப்பட்டதாகத் தெரிகிறது. அதைச் சேர்ந்த "ஷான்" பயிற்சி நிலையத்தை அமைத்து வருவதாகத் தெரிகிறது. கூட்டுறவுப் பயிற்சி நிலையத்தில் நன்றாக வேலை செய்யும் நிபுணர்கள் இருப்பதாகத் தெரிகிறது. ஸ்ட்ராதி கூட்டுறவுச் சங்கத்தில் நிர்வாகிகளிடையே அபிப்பிராயப்பேதம் ஏற்பட்டதால், அது கலைக்கப்பட்டதாகத் தெரிகிறது. நிபுணர்களுக்கு வேலை கொடுக்கக்கூடிய திட்டங்களை அமைப்பதுபற்றி கைத் தொழில் இலாகாவில் ஆலோசித்து வருவதாகத் தெரிகிறது. அப்படிப்பட்ட திட்டங்களை வகுத்து நல்ல முறையில் நிறைவேற்ற வேண்டுமென்று நான் கேட்டுக்கொள்கிறேன்.

அடுத்தபடியாக, Capital outlay on Civil Works-ஐ எடுத்துக் கொள்வோம். இங்கே கோரப்படும் தொகை சம்பந்தமாகக் குறிப்பிடும் போது, Item (i)-ல், "In 1950, an estimate of Rs. 14,10,000 was approved for the construction of permanent buildings for the college and hospital of Integrated Medicine" என்று சொல்லப்பட்டிருக்கிறது. 1950-ம் வருஷத்திலேயே இது அங்கீகரிக்கப்பட்டிருக்கிறது. இதுவரையிலும் கட்டிடங்கள் கட்டி முடிக்கப்படவில்லை என்று தெரிகிறது. இப்போது "ஆப்ரேஷன் தியேட்டர்" க்காகவும், surgical and in-patient ward-க்காகவும் கட்டிடம் கட்டுவதற்குப் பணம் வேண்டுமென்று அவசரமாகப் பணம் கேட்கிறார்கள். முன்கூட்டியே கட்டிடத் திட்டத்துடன் சேர்த்து பணத்தை வாங்கி வேண்டிய சமயத்தில் கட்டிடத்தைக் கட்டியிருக்கக்கூடாது என்று கேட்க விரும்புகிறேன். இந்த இனத்தைப்பற்றிய குறிப்பில் Item (ii)-ல் 'The provision relates to the cost of buildings for the scheme for the development of Public Health Laboratory Service, என்று சொல்லப் பட்டிருக்கிறது. எந்த இடத்தில் கட்டிடம் கட்டப்படும் என்று விளக்கமாகத் தெரியவில்லை.

கடைசியாக ஒன்று சொல்ல விரும்புகிறேன். ராஜ்ய சர்க்காரும் மத்திய சர்க்காரும் சேர்ந்து கிராமங்களை நன்றாக அபிவிருத்தி செய்வதற்காகத் திட்டம் வகுத்திருக்கிறார்கள். விவசாயம் பெருகினால்தான் மக்களுக்கு நல்வாழ்வு உண்டு என்பதை அடிப்படையாகக்கொண்டு கிராம அபிவிருத்தித் திட்டங்களை வகுத்திருக்கிறார்கள். விவசாயத்திற்குத் தேவையான உரம் முதலியவைகளை உற்பத்தி செய்து விவசாயிகளுக்கு உதவுவதற்குத் திட்டம் வகுத்திருக்கிறார்கள். அந்தத் திட்டங்களின் கீழ் வேலை சரியாக நடைபெறுகிறதா என்று பார்க்கவேண்டும்.

பட்ஜெட்டில் ஒதுக்கப்பட்ட பணத்தை எப்படியும் மார்ச்-ஏப்ரலுக்குள் செலவழிக்காவிட்டால், அதை சர்க்காரிடம் 'ஸரெண்டர்' பண்ணவேண்டியிருக்கும் என்ற காரணத்தால் அவசர அவசரமாக வேலைகளைச் செய்யாமல், அதிகாரிகள் சரியாக வேலைகளைச் செய்கிறார்களா என்று கவனிக்க வேண்டும்; அரசாங்க சிப்பந்திகள் உண்மையாக, நல்ல பலனைக்கும் வகையில்,

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அவ்வப்போது திட்ட வேலைகளைச் செய்கிறார்கள் என்ற நம்பிக்கையை சட்ட சபைக்கு ஊட்டக்கூடிய வகையில் கனம் அமைச்சர் அவர்கள் செயலாற்ற வேண்டுமென்று நான் கேட்டுக்கொள்கிறேன்.

SRI MOHAMED RAZA KHAN: Mr. Chairman, Sir, a very exhaustive survey, has been made by the hon. Member Mr. V. V. Ramaswami, of the various things covered by the Supplementary Demand. He has surveyed, from A to Z, everything that has been mentioned in the Statement and I do not think there is any point which other Members have to touch upon. However, as it is customary to say a few words on such occasions, I would like to make a few observations.

The first item to which I would like to refer is the additional expenditure which is called for on account of increase of staff for survey and settlement work in Chingleput district. The Hon. the Minister for Revenue is not here. I may say, Sir, that this is a sad chapter in the history of the administration of Madras State. The Government took over the zamindaris between the years 1948 and 1950. It is now more than eight or nine years since the zamindaris were abolished. Still, there is no chance of a permanent settlement. May I bring to the notice of the Hon. the Leader of the House—so that he may convey what I am going to say to the Hon. the Minister for Revenue—that in Chingleput district, the survey work is very very slow? Even in the matter of payment of provisional compensation, the work has been very slow. The zamindars have been deprived of their rights and it is not fair and right on the part of the Government to leave them in the lurch. Whatever money the Government want to pay them—incidentally, I may point out it is something of a pittance—they should pay quickly, so that these people may invest it in some sort of business or industry. There must be some finality about these matters. Having taken over the zamindaris and having given a solemn promise to the erstwhile zamindars that the entire question of compensation would be settled within five years, it is a pity that even though it is now a decade since they were taken over, the Government have not done anything even in the matter of payment of provisional compensation. The matter has been hanging fire for an unduly long time. However, it is gratifying to note that the Government have now increased the staff so that the work may be expedited. Still, I would request the Government to see that the inordinate delay does not recur. After all, it is but right and fair that the persons who have been deprived of their property should be paid something in time so that they may take up some other business especially when there is so much of industrial expansion taking place. (Dr. V. K. John: Is it true that this amount will not be finally paid?). That is for the Deputy Leader of the Opposition himself to answer.

The second item to which I would refer is this. The Hon. the Minister in charge of Sales Tax, who is incidentally the Leader of this House also, has thought it necessary to increase the staff to

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watch the movement of cloth and other commodities from Pondicherry to this State, and to check evasion of sales tax. As far as evasion is concerned, times without number, it has been brought to the notice of the Government that there is a good deal of evasion in the matter of sales tax. Many times it has been explained in this House how it takes place. I feel if the Government had taken appropriate measures and if the Government had not grudged the necessary staff for undertaking those measures, the evasion could have been checked and the money spent on the staff would have been more than compensated. The Government would have got a substantial increase in revenue. If they had appointed the necessary staff, it would have really been a move in the right direction. May I once again point out on this occasion that evasion of sales tax takes place only in respect of cloth and textiles brought from the Pondicherry side to this State? The Hon. Minister knows much better than myself the overall requirements and needs of the people in the matter of textiles. But there is this difficulty. I am told, even in the City of Madras, a good deal of cloth business is transacted without the issue of genuine receipts. The Hon. Minister should know that the rate of tax has gone up from one anna and six pies to two annas, and what amount of difference it would make if this transaction were to take place without passing of receipts. I am told that honest dealers who are in the line are suffering and that the business has considerably dwindled because they cannot compete with people who indulge in this practice.

Again, I may ask the Hon. the Minister in charge of Sales Tax one thing. There was an indication that the Government of India were considering a proposal to levy excise duty on an All-India level so that there might be no sales tax. I am not trying to discuss the policy of the Government, taking advantage of the Supplementary Statement of Expenditure, but I would really be thankful if the Hon. the Minister in charge of Sales Tax could give us an indication as to what has happened to the proposal of the Government of India to levy an excise duty on cloth and to give a proportionate share thereof to the various State Governments. I think that if that is done, it will go a long way in preventing evasion of tax which is taking place in this particular field of activity. However, the action of the Government in increasing the staff for this purpose is really a welcome one.

Under the item relating to Education, some amount is asked for to meet the expenditure on certain colleges consequent upon the introduction of the Pre-University course and also the Pre-Professional course. Here, I am sorry to bring one matter to the notice of the Government. I have brought it to the notice of the Government many times before. The Hon. the Minister for Finance is not here now. He has stated that the Government know the difficulties of the second grade colleges consequent upon the introduction of the Pre-University course. He himself dealt with this subject at length when he spoke on the Report of the Legislature Committee on the White Paper on Education. Therefore,

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when the Government have provided for their own needs and to meet their own demands, I want to know what the exact position in this matter is. No doubt, this year, the Hon. the Minister for Finance has been careful enough to provide a sum of Rs. 10 lakhs as matching grant, expecting a substantial amount from the Government of India. I would like to know where the matter stands—whether they are getting that amount either from the Government of India or from the University Grants Commission. Already six months have passed and the colleges have been started. These colleges have got to provide the necessary buildings and the necessary equipment and to pay the increased staff. Therefore, I would like to know whether the Government would be able to give sufficient information as to where exactly the matter stands. Granting that there is delay, I would be much obliged if the good offices of the Government of Madras will be used to see that this matter is expedited and that they get the help which is deserved by them and which is quite necessary in the circumstances.

Sir, it is a welcome feature that an attempt is being made to improve the standard of education and to provide an operating theatre in the College of Integrated Medicine. Here, Sir, I may say that the hon. Member Sri A. Gajapathy Nayagar has, after his great love for Tamil, taken a fancy for the Siddha system of medicine also. (Interruption.) Fancy for Tamil has finished and God knows what it will lead to. Here, I may point out that there is another branch of medicine which has been in vogue for a long time, namely, the Unani system, and I feel that there is scope for research work there. So far no research work has been done in this matter. If some money is allotted by the Government of Madras for this purpose, it would go a long way in encouraging this system of medicine. When I plead for the Unani system of medicine, it does not mean that I do not want the other indigenous systems like the Ayurveda and the Siddha systems to be encouraged. The very purpose of having that college is that we should see that the indigenous systems of medicine which are very much liked by a large section of the people should be given proper encouragement. I know that it will be wrong on my part to say that the Government are not giving encouragement. For the last three or four years, whatever may be their prejudices, the Government have encouraged the indigenous systems of medicine. However, I feel that there is great scope for research in this field and that it will be well if the Government were to provide some money for this purpose.

Another point is this. My hon. Friend on my left was in charge of that institution for a long time. Why is it that the University of Madras does not recognise this institution and make the diploma now granted a degree? What are the difficulties in the way? All the boys feel that, after passing through a five or six years' course in the College of Integrated Medicine, they have to be satisfied with a diploma. I was told that there was a demand from the boys

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scheme provides for the opening of one principal and ten district laboratories for which there is a provision of Rs. 17.31 lakhs for the entire plan period.'

அதன்படி, சென்னையிலும் தஞ்சையிலும் டிஸ்டிரிக்ட் லாபரட்டோரிக்களை ஆரம்பிக்கப் போவதாகச் சொல்லப்பட்டிருக்கிறது. அப்படி ஆரம்பிப்பதற்கு முதலாவதாக என்ன செலவு ஆகும் என்பதைத் தெரிவிக்கவேண்டும். அதைப்போலவே மற்ற ஜில்லாக்களிலும் ஆரம்பிக்கப்படுமா என்பதையும் சொல்லவேண்டும் என்று கேட்டுக்கொள்கிறேன்.

அடுத்தபடியாக, செயற்கை உரம் விவசாய அபிவிருத்திக்குக் கொடுக்கப்படும் என்றும், மக்கள் அதை உபயோகப்படுத்தி உற்பத்தியைப் பெருக்கவேண்டும் என்றும் சொல்லப்பட்டிருக்கிறது. அப்படிக் கொடுக்கப்படும் உரத்தைச் சரியானபடி உபயோகிக்காமல், அதற்குப் பதில் வேறு வகை உரத்தை உபயோகிக்காமல் இருக்க அதிகாரிகளை நியமித்திருப்பதாகத் தெரிகிறது. அம்மாதிரி நியமிக்கப்படும் அதிகாரிகளுக்கு ஆகும் செலவுகளை லைசென்ஸ் கட்டணம் மூலமாக வசூல் செய்யப்படும் பணத்தைக் கொண்டு ஈடு செய்து கொள்ளலாம் என்றும் சொல்லப்பட்டிருக்கிறது. இப்பொழுது செயற்கை உரம் தயாரிக்க பலர் முன்வருகிறார்கள். அவர்களுக்கு ஊதியமும் ஊக்கமும் கொடுத்து உதவ சர்க்கார் முன்வரவேண்டும். அப்படி உரம் தயாரிப்பவர்களுக்குத் தாராளமாக லைசென்ஸ் கொடுத்து இன்னும் அதிகப்படியான தைரியமும் ஊக்கமும் ஏற்படும் படியாகச் செய்யவேண்டும். இருந்தபோதிலும் 500 பேர்களுக்கு மேல் இருக்கக்கூடிய பஞ்சாயத்துகளில் கம்போஸ்ட் உரம் தயார் பண்ணுவதற்கு வேண்டிய சாதனங்களைச் செய்வதற்கு மத்திய அரசாங்கத்திலிருந்து மானியம் கொடுத்து உதவுவதாகவும் குறிப்பிடப்பட்டிருக்கிறது. அதைப் போலவே அங்கேயுள்ள பசுந்தாழ் உரத்தை அதிகப்படுத்துவதற்கு முக்கியமாக மானியம் கொடுத்தும் உதவவேண்டும். ஆகவே, பசுந்தாழ் உரத்தை அபிவிருத்தி செய்வதில் கவனம் செலுத்தவேண்டும் என்றும் தெரிவித்துக்கொள்கிறேன்.

கைத்தொழிலைப் பொருத்த வரையில் கீழ் பவானி ப்ராஜெக்ட் ஏரியாவாகிய ஈரோடில் ஒரு "மாடல் போல்ட்ஸ்" அண்டு நட்ஸ் பாக்கரியை" அமைத்துக் கொடுத்திருப்பதாகச் சொல்லப்படுகிறது. அதைப் போலவே தனிப்பட்டவர்களும் தங்களுக்கு லைசென்ஸ் வேண்டும் என்று சர்க்காருக்கு விண்ணப்பம் செய்திருக்கிறார்கள். ஏற்கெனவே அந்தத் தொழிலை அவர்கள் செய்துகொண்டிருக்கிறார்கள். அந்தத் தொழிலை அபிவிருத்தி பண்ணுவதற்கும் அவர்களுடன் ஒத்துழைப்பதற்கும் சலுகைகள் காட்டவும் அரசாங்கம் என்ன நடவடிக்கை எடுத்துக்கொண்டிருக்கிறார்கள் என்பதை அறிய விரும்புகிறேன்.

ஐடம் 4-ல் (கைத் தொழில் சம்பந்தமாக) 'In order to supply castings to the small units which are not available locally in the Lower Bhavani Pilot Project area, the Government have sanctioned the establishment of two model foundries to be run departmentally in the first instance, என்று சொல்லப்பட்டிருக்கிறது. எங்கே அதை ஆரம்பிக்கப் போகிறார்கள் என்பது தெரியவில்லை. இந்த விவரங்களைச் சொல்லவேண்டும் என்று கேட்டுக்கொள்கிறேன். அதைப்போலவே குடிசைத் தொழில் மண் பாண்டங்களைச் செய்துகொண்டு வருகிறார்கள். மண் பாண்டங்களை அபிவிருத்தி செய்வதற்கான செலவினங்களைப்பற்றிக் குறிப்பிடப்பட்டிருக்கிறது. இப்படிப்பட்ட தொழிலை எந்த இடத்தில் ஆரம்பிக்கப்போகிறார்கள் என்பதைத் தெரிவிக்க வேண்டும். எந்த முறையில் ஆரம்பிக்கப் போகிறார்கள் என்பதையும் தெரிவிக்கவேண்டும். இப்பொழுது ராமனாதபுரம் ஜில்லாவில் மானாமதுரையில் இம்மாதிரியான மண் பாண்ட நிபுணர்கள் தொழில் நடத்திக்கொண்டு வருகிறார்கள். அந்த இடத்தில் இந்தத் தொழிலை ஆரம்பிக்க நடவடிக்கை எடுத்துக்கொள்ளப்படுமா என்பதையும் தெரிவிக்க வேண்டும்.

[Sri V. V. Ramaswami] [15th November 1957]

அடுத்தபடியாக, 'ஹரிஜன் அப்லிப்ட்' என்ற தலைப்பின் கீழ் 'As a matter of policy, the Government have decided to take over all the subsidized hostels in the state by stages and run them under their direct control' என்று சொல்லப்பட்டிருக்கிறது. இப்பொழுது அரசாங்கம் 26 விடுதிகளை நேரடியாக எடுத்துக்கொள்ளப்போவதாகத் தெரியவருகிறது. அப்படி எல்லாவற்றையும் எடுத்துக்கொள்வார்கள் என்றும் எதிர்பார்க்கிறேன். அநேக இடங்களில் இந்த விடுதிகள் சொந்த முறையில் நடைபெற்று வருகின்றன. அரசாங்கத்தின் புதுக் கொள்கையின்படி எல்லாவற்றையும் நேரடியாக எடுத்து நடத்த வேண்டியதாக இருந்தாலும், சில இடங்களில் நல்ல முறையில் நடத்தக்கூடியவர்களிடமிருந்து எடுக்காமல் இருந்தால் நன்மையாக இருக்கும். விடுதிகள் நல்ல முறையில் நடக்க வேண்டுமென்பதற்காகவும் அவை அபிவிருத்தி அடையவேண்டும் என்பதற்காகவும் ஊக்க முன்வர்கள் அவைகளை நடத்தி வந்தால், அதற்கு வேண்டிய உதவி செய்ய வேண்டும். ஒரு ஊரில் சில நல்ல முறையில் நடந்துவரும், சில நல்ல முறையில் நடைபெறாமல் இருக்கலாம். எங்கள் ஊரில் இரண்டு நடைபெறுகின்றன. ஒன்றில் நிர்வாகி தனக்கு லாபம் சம்பாதித்துக் கொள்வதாகச் சொல்கிறார்கள். மற்றதில் நிர்வாகி நல்ல முறையில் நடத்தி தானும் நிதி கொடுத்து அபிவிருத்தி பண்ணி வருவதாகத் தெரிகிறது. அவைகளை நல்ல முறையில் நடத்தக்கூடியவர்களுக்கு ஊக்கம் கொடுக்கவேண்டும். நல்ல முறையில் நடக்காத விடுதிகளை சர்க்கார் எடுத்துக்கொண்டு நேரடியாக நடத்தவேண்டும். மற்றும் ஹரிஜனங்களுக்கு என்று ஏற்படுத்தப்பட்டிருக்கிற விடுதிகளில் ஹரிஜனங்கள் அல்லாதவரையும் சேர்த்துக்கொள்ளவேண்டும் என்று தெரிவித்துக்கொள்ளுகிறேன். இப்பொழுது சில இடங்களில் சேர்த்துக்கொண்டு வருகிறார்கள். ஹரிஜன் அல்லாத மாணவர்களாக இருந்தாலும், அவர்கள் ஏழை மாணவர்களாக இருந்தால், அவர்களையும் இந்த விடுதிகளில் சேர்த்துக் கொள்ளவேண்டும். அப்படிச் சேர்த்துக்கொண்டால்தான் ஜாதிப் பாகுபாடுகள் இல்லாமல் இருக்கும். அவர்களுக்குள் நல்ல அபிப்பிராயமும் ஏற்படும். அதன் மூலம் சமுதாயத்தை அபிவிருத்தி செய்வதற்கு இடம் ஏற்படும். மாறுதலைச் செய்யலாம். நாம் ஜாதி மனப்பான்மையை ஒழிக்க வேண்டும் என்று சொல்லிக்கொண்டிருக்கும்போது, இது அதற்கு முதற்படியாக இருக்கும். அதனால் ஹரிஜனங்கள் அல்லாத மாணவர்களையும் அந்த விடுதிகளில் சேர்த்துக்கொள்வதற்கு நடவடிக்கை எடுத்துக்கொள்ள வேண்டும் என்று கேட்டுக்கொள்கிறேன்.

அடுத்தபடியாக, "ஷெட்யூல்ட் காஸ்ட்ஸ்", "ஷெட்யூல்ட் டிரைபஸ்" 10-40 a.m. என்று சொல்லப்படும் பிரிவினர் இருக்கிறார்கள். அவர்களுக்கு எல்லா வசதிகளும் செய்து கொடுக்கவேண்டும். அவர்களை முன்னேற்றமடையச் செய்வதற்கான திட்டங்களை நிறைவேற்ற வேண்டும். அவ்வப்போது இதற்காக மத்திய அரசாங்கத்திலிருந்து பணம் கொடுக்கப்படுகிறது. அவர்களுக்குக் குடி தண்ணீர் வசதி செய்து கொடுக்கவேண்டும். வீடுகள் கட்டிக்கொள்வதற்கு அவர்களுக்கு தாராளமாகப் பணம் கொடுக்க வேண்டும். இத்தகைய திட்டங்களை ஒவ்வொரு இடத்திலும் போதுமான அளவு நிறைவேற்ற வேண்டும். ஒவ்வொரு ஜில்லாவிலும் எந்த எந்த இடங்களில் இவை நிறைவேற்றப்படவேண்டும் என்று கவனித்து உடனுக்குடன் இவைகளை நிறைவேற்றவேண்டும் என்று சொல்லிக்கொள்கிறேன். குறிப்பாக, ராமனாதபுரம் ஜில்லாவில் முதுகுளத்தூர் வட்டத்தில் எவ்வளவு பணம் செலவிட முடியுமோ அவ்வளவு பணம் செலவிட்டு அங்கே உடனடியாக அபிவிருத்தித் திட்டங்களை நிறைவேற்ற வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

பல அபிவிருத்தித் திட்டங்களைத் தாழ்த்தப்பட்ட மக்களுக்காக சர்க்கார் நிறைவேற்றி வருகிறது. இருந்தாலும், இப்போது தாழ்த்தப்பட்ட மக்கள், சரியான சுகோடும் இரகாரும் இல்லாமல் கஷ்டப்படுகிறார்கள். கிராமங்களில் உள்ளவர்கள், எவ்வளவு பெரிய தனவந்தர்களாக இருந்தாலும் சரி, எவ்வளவு பெரிய சீர்திருத்தக்காரர்களாக இருந்தாலும் சரி, தாழ்த்தப்பட்டவர்கள் அவர்களைச் சேர்ந்தவர்களுடைய பிணங்களைக்

[Sri Mohamed Raza Khan] [15th November 1957]

that it would add to their prestige and position if some sort of degree was given to them. But I am told that the matter is pending with the Government of Madras and the University of Madras. I hope the Government will try to find out a way to see that instead of merely a diploma, a degree is given to them. There may be some difficulties in the way. But it is for the Government and the University to see that they are solved.

There is a redeeming feature in the Supplementary Demand this year. In previous years the Government used to come forward with a demand for a huge amount running to three or four crores of rupees. But this year, the amount asked for is hardly Rs. 76 lakhs. Even the usual point we had of criticising the Government why they did not anticipate the expenditure just five months back has been taken away. I am sorry that the Government have deprived us of even that opportunity. Possibly they felt that the criticism in this House on that particular point was so strong that they were very alert and issued necessary instructions to the departments that they should anticipate all the expenditure and provide for it in the main Budget itself. This shows that the very strong criticism from this side of the House is having its effect. In some cases, it may not have but in important cases it has effect, and I take it as a sort of credit not only to the Government but also to the Opposition.

* DR. A. SREENIVASAN : Mr. Chairman, I never wanted to take part in this discussion because there was nothing to discuss about. It is a straightforward statement that has been made by the Government. But the hon. Member Sri V. V. Ramaswami, while speaking, referred to a microscope that was endowed by the late Dr. Alagappa Chettiar, and on account of the inability of the authorities to come to a conclusion as to who should pay the excise duty, the doctor in charge seems to have informed him about the desirability of acquiring it as early as possible in the interests of the department. My question is this. There are experienced people on the Treasury Benches and I need not talk to them about the Service Rules. I want to know whether it is fair on the part of a Government servant to inform a Member of this House or the other House about grievances. There are departmental channels for this purpose and I paid the penalty, when I had the misfortune to be there once upon a time, for trespassing my limitations on account of the enthusiasm I had. I paid the penalty for it and I want the Hon. the Leader of the House to take particular notice of my question because everybody in Government service who has such a grievance can always catch hold of somebody or other in either House and give vent to his views. It is the natural channel, the constitutional method laid down in the Service Rules that should be adopted by these disgruntled, disappointed or enthusiastic Government servants and they should not make use of Members of this House to refer to such matters. I am not going into the merits of the case, but I want to know the procedure.

15th November 1957] [Dr. A. Sreenivasan]

The other day when the hon. Member Sri Purushotham put a question regarding the integration of the Public Health and the Medical Departments, the Hon. Minister was kind enough to say that the day was not far off when they would be integrated. But I am given to understand that for reasons not known to me at any rate, the proposal has been dropped due to certain conditions. I would like the Hon. the Leader of the House to tell us why this has been put off after an assurance has been given to this House that sooner or later both the departments would be amalgamated.

MR. CHAIRMAN : Has it been included in this statement?

* DR. A. SREENIVASAN : There is the question of policy.

MR. CHAIRMAN : It does not come within the scope of this statement. The hon. Member can speak only on what is contained in this statement.

* DR. A. SREENIVASAN : Lastly, I come to the question of indigenous medicine. The hon. Member Dr. Guruswami Mudaliar is the most competent person to talk about it because he knows both the Eastern and the Western systems of medicine. I do not know why he does not want to give the benefit of his ripe experience in this matter, when lay people are indulging in discussing the merits or demerits of the system. I have no quarrel with the indigenous system. My submission to this House is this. It is true that somebody wrote some voluminous books on Indigenous Medicine. What was the time at which these books were written and what is the language that is used? Even the hon. Member Mr. Gajapathy Nayagar cannot understand the meaning of so many words used in these text-books.

SRI A. GAJAPATHY NAYAGAR : Try to understand.

* DR. A. SREENIVASAN : It is something like the blind leading the blind. It is not a question of law where one can go to a court and appeal. If a man consumes *Dhatura*, then man is dead and he is no longer alive to prefer an appeal. I have also dabbled a bit in these things. I had some teachers to teach me about it so that I might understand it. But I am yet to understand it. I have no prejudice against any system and I want every system to prosper. There may be something very great in indigenous medicine, which the practitioners of modern medicine have not yet found out. Instead of wasting money on the development of a system of medicine which was in existence thousands of years ago, it is better that the money is utilised for research purposes. Without research and experiments in medicine, it is not possible to come to definite conclusions. If the results of research bring out any good points, they can be incorporated in Modern Medicine. Mere faith alone will not do. What one may put his faith in may be poison. Faith has got nothing to do with medical treatment and we will have to be very careful with human lives.

11
a.m.

[Dr. A. Sreenivasan] [15th November 1957]

Regarding the observation made by the hon. Member Mr. Mohamed Raza Khan about the degree course in Ayurveda, long ago Mr. Balasubramanya Ayyar introduced in the Madras University the B.I.M. (Bachelor of Indian Medicine) degree course. I wonder what has happened to that. It is an institution run at the tax-payers' cost. I cannot understand why the Government did not try to qualify students in that degree course. There is this sort of mixed system that one cannot gain proficiency either in the one or the other. This is the type of products we have, and they are utilised for treating the poor victims. I do not want quacks to be manufactured in any part of the world to dabble with the lives of people. The Government should see that professors are appointed in the College of Integrated Medicine to coach students for the University degree in Indigenous Medicine.

With these words, I resume my seat.

* DR. V. K. JOHN : Sir, I rise to speak in the hope that any criticism which I may make may not too much worry the Government. A feeling has come about in the public mind, which I share, that the Government are now impatient of criticism and that their attitude towards their political opponents has changed. I hope that this is only a temporary phase and that they will soon become wiser and follow the old attitude of welcoming criticism and suggestions and also dealing with their political opponents, whether the Opposition in this House or anywhere else, with greater consideration and courtesy.

As my hon. Friend Mr. Mohamed Raza Khan pointed out, I am very pleased indeed that the Government have benefited by the very strong criticism which we made in the past when Demands for Supplementary Grants were presented. First of all, the Government used to present the Demands for Supplementary Grants after the expenditure had been incurred. The spirit of Article 205 is that, when the Government find the need for expenditure on a new service or have incurred expenditure in excess of the sanctioned amount, they must come up before the Legislature and get its sanction and not wait till the end of the year when the whole thing will have become a *fait accompli*. We made very serious criticism that the Demands for Supplementary Grants were presented at the end of the year. We do not say that the Government can foresee all the items of expenditure at the time of the presentation of the annual financial statement or the Budget. Our criticism was that there should not be any laxity on the part of the departments in preparing the estimates for compiling the Budget. If they find that at the end of the year, crores of rupees will be sanctioned by the Legislature, then they will be very lax. I find that the criticisms made not only by the Opposition but also by the Members of the Party in power have had a salutary effect on the departments. I am glad that the Government have brought forward the Demands for Supplementary Grants now under discussion in time, and that the amount involved also is not much, it being

15th November 1957] [Dr. V. K. John]

only Rs. 74,26,300. Of course, this is not a correct amount as, under the head 'Capital Account of other works outside the Revenue Account', only a token grant of Rs. 200 has been asked for, while the actual expenditure may go to some lakhs or even crores. While I have criticised the Government in very strong language, I have also complimented them when they deserved compliments. I want to compliment the Government this time on bringing forward the Demands for Supplementary Grants in time and involving a small amount.

Having said this, I want to speak on only two points. I will not go into details. The hon. Member Mr. V. V. Ramaswami went into the details. The first is the maladjustment in the financial relationship between the Centre and the State. If one goes through the various items included in the Supplementary Demands, one will find that almost every item of expenditure has been necessitated by the Government of India offering to incur some expenditure by way of either grant or loan and asking the Madras Government to share the total expenditure. This, I say, is maladjustment. We should not depend upon the Centre for grants and loans. The Central revenues are collected from our State as well as from the other States. There has been this maladjustment for a number of years. There have been Congress Governments at the Centre and the Congress Governments in this State cannot put up a very stiff fight with them. I hope our Ministers, whose responsibility is towards this State, will take up this question and tell the Government of India that we should not be dependent on them for our schemes. If we have to depend on them for our schemes, then we have not got autonomy and a democratic structure of Government. Even when the Budget was presented, many others and I spoke about this maladjustment and said that it must be cleared. We must bring to the notice of the Government of India that we are unable to frame Budgets, that we are unable to plan and execute schemes of our own simply because we have no money, that they are giving grants and loans in the course of the year and that we have to have supplementary Budgets. Let us know what we get from the Government of India and let us be certain about it. Then let us draw up our Budget, let us have our schemes and let us implement them. We must have a programme. On the whole, it only shows that the Government of India are interfering even in small matters. If we go through the Statement, we will find that the Government of India are having a hand in various matters in respect of which they should not have any hand at all. I, therefore, very strongly recommend to this Government that they should make representations to the Government of India that we in the Legislature feel very strongly about the maladjustment of financial relationship between the Government of India and this State. We are concerned only with our own State.

The last point which I want to bring to the notice of the Government is this. We want to know the benefit derived out of the expenditure incurred on various schemes. Time and again, we

11-10
a.m.

[Sri V. V. Ramaswami] [14th November 1957]

கொண்டு வரப்பட்டிருக்கிறது என்று கனம் அமைச்சர் அவர்கள் கூறினார்கள். இந்தத் திருத்த மசோதாவில் முக்கியமாக இருப்பது கிராமங்களில் பஞ்சாயத்துக்கள் ஏற்படுத்த ரெவின்யூ கிராமங்களாக இருப்பவைகளிலிருந்து சில கிராமங்களைப் பிரித்துவிடலாம் என்பது தான். கிராமங்களில் தலை கிராமத்துக்கும் உட்குடி கிராமத்துக்கும் இடையே ஏதாவது பிளவுகள் ஏற்பட்டு அங்குள்ள மக்களுக்குள் தகராறுகள் ஏற்பட்டுக்கொண்டிருக்கின்றன. அதனால் பல சங்கடங்களும் ஏற்படுகின்றன. இப்பொழுது கிராமங்களில் ஒரு தலை கிராமம் இருக்கும், அதைச் சுற்றி உட்கடைகள் இருக்கும். அந்தக் கிராமத்தைச் சுற்றியிருக்கும் சில கிராமங்களை எடுத்து அத்துடன் சேர்த்து ஒரு பஞ்சாயத்து அமைக்க வேண்டும் என்று சொல்லுகிறார்கள். அப்படி கிராமப் பஞ்சாயத்து ஏற்படும் போது, அங்குள்ள கிராமத்தின் ரெவின்யூ கிராமப் பெயரை வைத்து கிராமப் பஞ்சாயத்துகளாக ஏற்படுத்தப் போகிறார்கள். இம்மாதிரி பஞ்சாயத்துக்களை ஏற்படுத்தும்போது, அவை உட்கடை கிராமங்களுக்குப் பொறுத்தமாக இல்லை. அதை அவர்கள் மறுக்கக்கூடிய நிலைமை ஏற்படுகிறது. அப்படி ஐந்து கிராமங்கள் இருந்தாலும், அவைகளில் மூன்று கிராமங்களுக்குச் சம்மதமாகவும் இரண்டு கிராமங்களுக்குப் பிரியமில்லாமலும் இருக்கலாம். அவைகளைப் பொருத்ததாமல் கட்டாயமாக அப்படிப் பஞ்சாயத்துக்களை அமைக்கும்போது, பாதிக்கப்பட்ட கிராம மக்கள் பெரிய கிளர்ச்சி செய்கிறார்கள். அதனால் தேர்தல் தேதியைக் குறிப்பிட்டாலும், தேர்தல்கள் நடைபெறாமல் அங்குள்ள கிராம மக்கள் கிளர்ச்சி செய்கிறார்கள். இவ்விதம் பல தேர்தல்கள் கூட நின்றபொய்விட்டன. இதை அரசாங்கம் நன்றாக உணர்ந்திருக்கும். தேர்தல்களை நீடித்து வைக்கும்படியான அளவில் கூட கலவரங்கள் நடந்திருக்கின்றன. இப்படிப்பட்ட சங்கடங்கள் ஏற்படாமலிருக்க சில இடங்களில் சில பகுதிகளை ஒதுக்கி வைத்து பஞ்சாயத்துக்களை அமைக்க இப்பொழுது இச்சட்டத்தினால் ஏற்பாடு செய்கிறார்கள். அது ரொம்பவும் பொருத்தமானது. எனக்குத் தெரியும். மதுரை மாவட்டத்தில் இரண்டு கிராமங்கள் உண்டு, ஒன்று தாய் கிராமம், பக்கத்திலுள்ளது ஒரு பெரிய கிராமம். அந்தத் தாய் கிராமத்தின் பெயரால் பஞ்சாயத்து ஏற்பட்டது. அந்தப் பெரிய கிராமத்திலிருந்துதான் அதிகப்படியான வரும்படி வருகிறது. ஆனால் தாய்க் கிராமத்தில் தான் அதிகாரம் உள்ளவர்களுக்கும் இருக்கிறார்கள். ஆதிக்கம் அங்கே தான் இருக்கிறது. ஆனால் பஞ்சாயத்து தாய் கிராமத்தின் பெயரில் இருப்பதால் சலுகைகள் எல்லாம் தாய் கிராமத்துக்குத் தான் போகின்றன. அதனால் அங்குள்ள பெரிய கிராம மக்கள் தங்களுடைய கிராமத்திலிருந்துதான் வரும்படியெல்லாம் வருகிறது, ஆனால் சலுகைகள் எல்லாம் தாய் கிராமத்துக்குத்தான் போகிறது என்று கிளர்ச்சி செய்கிறார்கள். அதனால் இப்படி சில பகுதிகளை விட்டு விட்டு பஞ்சாயத்துக்களை அமைப்பது என்று முன்வருவது ரொம்பவும் பொருத்தமாக இருக்கிறது. அந்தப் பெரிய கிராமத்தில் தனிப் பஞ்சாயத்தை அமைக்க வேண்டும் என்று தீர்மானம் போட்டோம் கூட, அங்கே அமைக்க முடியவில்லை. தாய் கிராமம் அசைக்க முடியாத நிலைமையில் இருக்கிறது. ஏனென்றால் அது ரெவின்யூ கிராமமாக இருக்கிறது. ஆகவே இப்படிப்பட்ட பல சங்கடங்கள் ஏற்பட்டிருக்கின்றன. இதைப்பற்றி ஸ்தல ஸ்தாபன இன்ஸ்பெக்டருக்கும் தெரியும், அரசியலாருக்கும் தெரியும், என்னைப் போன்று பொதுக் காரியங்களில் ஈடுபடக்கூடியவர்களுக்கும் தெரியும். இப்படிப்பட்ட சங்கடங்களை நீக்குவதற்குத் தனியாக பஞ்சாயத்துக்களை அமைக்க முன்வந்தது ரொம்பவும் பொருத்தமாக இருக்கிறது. தனித் தனி கிராமமாக இருந்து 500 பேருக்குக் குறையாமல் இருந்தால், அந்தக் கிராமத்தில் பஞ்சாயத்தை அமைப்பது என்பதை நான் வரவேற்கிறேன். அப்படித் தனிப் பஞ்சாயத்துச் சலுகை கொடுக்கலாம் என்பது மிகவும் பொருத்தமாக இருக்கிறது.

3-30
a.m.

இந்தமாதிரி ஏற்படுத்துவது கிராமங்களிலுள்ள அனேக பூசல்கள் நீங்குவதற்கும் ஏதுவாக இருக்கும் என்று நம்புகிறேன். எங்கள் ஜில்லாவில் இன்னொரு வட்டத்தில் ஒரு கிராமம் பஞ்சாயத்தாக இருக்கிறது. அங்கே சுமார் 40 வீடுகள் இருக்கின்றன. அந்தக் கிராமத்திற்கு தலை கிராமம் என்று பெயர். அந்தப் பஞ்சாயத்து எல்லையிலிருந்து பத்து கெஜ தூரம் தான் இருக்கும்; அங்கே 150 வீடுகள் இருக்கும். அது தனிப்

14th November 1957] [Sri V. V. Ramaswami]

பஞ்சாயத்து இல்லை. தலை கிராமத்தில் ஒரு “ஓவர்டாங்” ஐக் கட்டினார்கள். அந்தக் கிராமத்தில் உள்ளவர்கள் அந்த டாங்கை தங்கள் வீடுகளுக்குப் பக்கத்தில் அமைத்துக்கொண்டு, அதைத் தாங்களே உபயோகப்படுத்திக் கொண்டு, 150 வீடுகள் கொண்ட பக்கத்து கிராமத்தினர் அதை உபயோகிக்கக்கூடாது என்று சொன்னார்கள். தலை கிராமத்தினர் இப்படிச் செய்தால் பக்கத்திலுள்ள அதிக ஜனத்தொகையுள்ள கிராமம் கஷ்டப்பட நேரிடுகிறது. ஆகவே, பஞ்சாயத்துக்கள் சம்பந்தமாக சட்டமியற்றும்போது, ஏதாவது ஒரு கிராமத்திலுள்ள எல்லோரும் சேர்ந்து தங்கள் கிராமத்தைத் தனிப் பஞ்சாயத்தாக ஆக்கவேண்டுமென்றால், மற்ற அம்சங்கள் விதிகளுக்கு உட்பட்டனவாக இருந்தால், அதைத் தனிப் பஞ்சாயத்தாக ஆக்குவதற்கு இன்ஸ்பெக்டருக்கு அதிகாரம் கொடுக்கவேண்டும். அப்படிச் செய்தால், அனேக பூசல்கள் அழிந்துவிடும் என்று நம்புகிறேன்.

அடுத்தபடியாக, பஞ்சாயத்து சபைகளின் கால அளவு இதுவரை மூன்று ஆண்டுகளாக இருந்து வருகிறது. இப்போது அதை ஐந்து ஆண்டுகளாக ஆக்க வேண்டுமென்று மசோதாவில் சொல்லப்பட்டிருக்கிறது. கட்டாயம் ஐந்து ஆண்டுகளாக ஆக்கவேண்டுமென்று வெள்ளை அறிக்கை மீது விவரம் நடந்தபோது சொன்னேன், சட்டசபையின் காலம் ஐந்து ஆண்டுகளாக வந்திருப்பதுபோல், முனிசிபாலிட்டிகளுக்கும், கார்ப்பொரேஷன்க்கும் ஐந்து ஆண்டுகளாக நிர்ணயித்திருக்கிறார்கள். அந்தமாதிரி மாவட்டங்களிலுள்ள நிர்வாக சபைகளுக்கும் ஐந்தாண்டு காலம் தொடுத்தால்தான், அவைகள் நல்ல திட்டங்களை வகுத்து அமுலுக்குக் கொண்டுவர முடியும் என்று சொல்லிக்கொள்கிறேன். மூன்று ஆண்டுகளாக இருந்தால் ஒன்றும் செய்யமுடியாது என்பது என்போன்றவர்களுக்குத் தெரியும். மூன்று ஆண்டுகளாக இருந்தால், முதல் ஆண்டில் தேர்தலில் ஜெயித்தவர்களுக்கு விருந்தினிக்கும் விழாக்களும் உபசார விழாக்களும் நடக்கும்; இரண்டாவது ஆண்டில், என்ன வேலைகள் செய்வது என்று சிந்தித்துக் கொண்டே இருப்பார்கள்; மூன்றாவது ஆண்டில் தேர்தல் காரியங்களில் ஈடுபட்டிருப்பார்கள். ஆக, மூன்று ஆண்டுகளிலும் பஞ்சாயத்தில் எந்த விதமான திட்டமும் நிறைவேற்றப்படமாட்டாது. ஆகவே இந்த சபைகளின் கால அளவு ஐந்து ஆண்டுகளாக இருக்கவேண்டும். உலகம் பூராவும் ஐந்தாண்டுத் திட்டங்களில் வாழ்ந்துவரும்போது ஸ்தல ஸ்தாபனங்களுக்கும் கால அளவை ஐந்து ஆண்டுகளாக நிர்ணயிக்க வேண்டும். அப்படிச் செய்வதை நான் வரவேற்கிறேன்.

அடுத்தபடியாக, பஞ்சாயத்து போர்டு தலைவர் தேர்தல், மக்கள் அவரைத் தேர்ந்தெடுக்கும் நேரடித் தேர்தலாக இருந்துவருகிறது. இந்த முறையை நீக்கி பஞ்சாயத்து போர்டு உறுப்பினர்கள் அவரைத் தேர்ந்தெடுக்கும் முறைமுகத் தேர்தலாக அது இருக்கவேண்டுமென்று கூறும் திருத்தம் மிகவும் நல்ல திருத்தம். ஏனென்றால், நேரடித் தேர்தலில் தலைவர்களாக வருபவர்களில் சிலர் தங்கள் பொறுப்பை உணர்ந்து சபை அங்கத்தினர்களுடனும் பஞ்சாயத்து மக்களுடனும் ஒத்துழைத்து ஸ்தல ஸ்தாபனத்திற்கு நன்மைகளைச் செய்யாமல் இருந்தால், அது மிகவும் வருந்தத்தக்கது. அந்த நிலைமை ஏற்படாமல் இருப்பதற்கு இந்தத் திருத்தம் ஏதுவாக இருக்கும். யோக்கியமானவர்கள் எப்போதும் நன்மைகளைச் செய்வார்கள். ஆனால், பாக்டர் லக்ஷ்மணஸ்வாமி முதலியார் அவர்கள் கூறியதுபோல், எந்த வாயடி வம்புாவது ஆட்சிக்கு வந்துவிட்டால் அவனுடைய ஆட்சி எப்படி இருக்குமோ என்று அஞ்ச வேண்டியிருக்கிறது. அப்படிப்பட்டவர்கள் ஆட்சிக்கு வந்துவிட்டால், அந்த சபையின் காலம் ஒரு ஆண்டாக இருந்தால் போதும் என்ற எண்ணம் தோன்றிவிடும். உத்தியோகப் பொறுப்பில்லாத பதவியில் இருப்பவர்கள் தங்கள் பொறுப்பையும் கடமையையும் உணர்ந்து, மக்களுக்கு நன்மை செய்யவேண்டுமென்ற எண்ணம் கொண்டவர்களாக இருந்து, மக்களுடைய ஒத்துழைப்பையும் நன்னம்பிக்கையையும் பெற்றுச் செயலாற்ற வேண்டும். அதற்கு உகந்த முறையில் இருக்கும் இந்தத் திருத்தம் வரவேற்கத் தகுந்தது என்று சொல்லிக்கொள்கிறேன்.

[Dr. V. K. John] [15th November 1957]

have pointed out on the floor of this House and elsewhere that the expenditure may be a waste or a beneficial one. We have spent crores of rupees either on capital account or on revenue account. What is the benefit derived from such an expenditure? We are not worried about the small expenditure but we are particular about the big expenditure. For instance, there is one item under 'Harijan Uplift' on pages 20-22 of the Supplementary Statement of Expenditure which relates to an estimated expenditure of Rs. 44,50,000. That is the biggest item of expenditure. How is this money spent? At page 21 of that Statement, it is stated—

'As a matter of policy, the Government have decided to take over all the subsidized hostels in the State by stages and run them under their direct control. Accordingly, the Government have taken over the management of 26 subsidized hostels in the State during 1957-58. The total expenditure connected with the scheme is estimated at Rs. 2,52,290. The boarding grant amounts intended for the 26 hostels will be diverted towards the expenditure connected with the running of the hostels.'

This is only a part of Rs. 45 lakhs. Why have the Government taken over these hostels under their control? Cannot this House know whether they were mismanaged by persons who were running them? In the case of subsidized hostels, the Government meet only a portion of the expenditure and not the whole of it. The private agency has to meet the rest of the expenditure. It has been doing some social service but now the Government have taken over the hostels run by it. Are the Government managing these hostels better and are they more beneficial now to the students, the public and the exchequer than before? Sir, for every item of expenditure, there must be a paragraph to say that this is the benefit which the public derive, the State derive, a section of the public derives or for that matter anybody else derives. The Government have spent Rs. 10 crores more on irrigation and what is the benefit derived out of that expenditure? Now, the Government have a Budget for about Rs. 45 lakhs. This could have been anticipated. In this connection, I have a criticism to make. There are certain items here which could have been anticipated in the beginning of the year. Now, the point is when the Government incur an additional expenditure of more than Rs. 45 lakhs, this House and the public are entitled to know the benefit conferred by this expenditure. Nowhere, either in the original Budget or in the Supplementary Budget, is there any mention of the benefit that would be derived by the Government out of the expenditure. Therefore, I submit that the Government should take note of this criticism, and in future whenever they bring in Demands for Grants for further expenditure, they should also tell the House the benefit that they hope to derive out of the expenditure. I do not want to deal with capital outlay. Some criticism will be levelled that we have spent crores and crores of rupees. We have wasted crores of rupees and we do not know what benefit this expenditure has brought to us. Sir, I hope that this criticism will be taken note of

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and that next time when the Government present the Supplementary Budget—I am sure they will present one before or after the next Budget—they will tell the House and the public what benefit they have derived or would derive out of the expenditure incurred by them.

SRI A. J. ARUNACHALAM : கனம் தலைவர் அவர்களே, இந்த உபமானிய கோரிக்கையை நான் ஆதரிக்கிறேன். இந்த சந்தர்ப்பத்தில் நமது ராஜ்ய நெசவுத் தொழிலாளர்களின் சில கஷ்டங்களைக் குறிப்பிட விரும்புகிறேன். கனம் தொழில் அமைச்சர் அவர்களிடத்தில் அவைகளைப் பற்றி முன்பே சொல்லியிருக்கிறேன். இரண்டு மாதங்களாகக் கைத்தறி நெசவாளர்கள் தாங்கள் உற்பத்தி செய்த துணியை விற்பதற்கு மார்க்கெட் இல்லாமல் மிகவும் கஷ்டப்படுகிறார்கள். கூட்டுறவுச் சங்கத்தில் ரூ. 1 கோடிக்கு மேல் விற்பனையாகாமல் துணிகள் தேங்கிக் கிடக்கின்றன. அதேபோல். . . .

THE HON. SRI R. VENKATARAMAN : Sir, this is a discussion on the Supplementary Demands and there is no Demand relating to handloom industry.

MR. CHAIRMAN : I said at the very beginning that the discussion must be confined only to the subjects contained in the Supplementary Statement of Expenditure.

உபமானிய கோரிக்கையிலுள்ள விஷயங்களைப்பற்றித்தான் நீங்கள் பேச முடியும்.

Now, the hon. Member Sri T. Purushotham will speak.

* SRI T. PURUSHOTHAM : Mr. Chairman, Sir, after the compliments paid to Government by the hon. Members of the Opposition including the Deputy Leader of the Opposition on the satisfactory Budget arrangement (Laughter). 11-20 a.m.

THE HON. SRI R. VENKATARAMAN : There is a change!

* SRI T. PURUSHOTHAM : The Deputy Leader of the Opposition always believes that he should oppose any move on the part of the Government, whether it is for good or bad. I am glad that the hon. the Deputy Leader of the Opposition has come forward with a statement that he is not opposed to Government merely for the sake of opposition. I take the opportunity of congratulating the Government on the confidence gained by them even from the Deputy Leader of the Opposition.

DR. V. K. JOHN : Sir, may I say that there are hon. Members in this House who support Government for the sake of supporting them?

* SRI T. PURUSHOTHAM : There is nothing wrong in that. I particularly congratulate the Hon. the Minister in charge of Religious Endowments on sanctioning the construction of an office building for the Hindu Religious and Charitable Endowments Department. This is a long-felt want. The offices of the Hindu Religious and Charitable Endowments Department are now located in the dilapidated building and I am glad that the Minister has been

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able to provide for the construction of a new building. It will be noted that the expenditure is not to be met from the general revenues but out of the special funds, the Hindu Religious and Charitable Endowments Fund. When that is so, I am tempted to endorse the proposal of the hon. Member Sri V. V. Ramaswami that special steps should be taken to give an Oriental touch to these buildings at least in the matter of the front elevation. The buildings should be designed on the lines of ancient Hindu architecture and I request the Government to kindly see that such a touch is given to these buildings.

Before I pass on to the next subject, I should like to know the stage at which the question of bringing comprehensive amendments to the Hindu Religious and Charitable Endowments Act stands at present. The previous Minister in charge of the subject Sri B. Parameswaran assured us that the Government would constitute a Committee for revision of the present Act and I hope they will take early steps to do so.

We have been repeatedly pointing out in this House the large-scale loss of revenue to Government due to evasion of sales tax. The Government here again ought to be congratulated on the arrangement made by them for ensuring checks to be enforced at vantage points. The scheme is necessary, and I do hope that provision will be made for effective checks to be carried out in Pondicherry border. Hon. Members would remember that I pointed out some time back in this House the large-scale evasion of sales tax on account of smuggling of goods at Pondicherry borders, particularly with regard to sugar. The Hon. Minister assured us that very speedy steps would be taken to remedy this state of affairs. The ultimate cost involved in the scheme is Rs. 57,600 recurring per annum. It is not stated whether the scheme has been started as a temporary measure and, if so, for what period. Tightening up of measures to check tax evasion should certainly be welcomed and I hope the House would not grudge the expenditure. A review of the result of this experiment should be made and further steps taken, if need be, for continuing the scheme.

(Srimathi Jothi Vencatachellum in the Chair.)

Under 'Education', we note that several schemes have been proposed to be given effect to, in view of the reorganization of higher education and for implementing various schemes included in the Second Five-Year Plan. Under item (vii), it is noted that in view of the large number of untrained teachers employed in single-teacher schools in Salem district under the Unemployment Relief Scheme, the opening of a Government Training School for Men has been sanctioned. I should like to point out to Government that this is not peculiar to Salem district alone. In all districts we are faced with the problem of untrained teachers being in charge of the single-teacher schools in rural areas. This is most unsatisfactory and the hon. Members representing the Teachers'

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Constituency here have remarked about the inefficiency of the single-teacher school system. Such schools serve no purpose and when we are considering ambitious schemes of educational expansion, this problem of providing proper rural education should receive the immediate attention of the Government and not only in Salem district but throughout the State arrangements should be made for replacement of all untrained teachers by trained hands.

Sir, under Grant XVII—Public Health, we are happy to find that several schemes have been included for improvement of the City and Headquarters Hospitals. As a Member of more than one City Hospital Advisory Committee here and in Chingleput district, I would like to urge on the Government.

SRI MOHAMED RAZA KHAN : I think that is a privilege of the hon. Member only.

* SRI T. PURUSHOTHAM : Others, who are in the same position, I am sure, will also join me in the suggestion that I am going to make. There is need for provision of cold storage equipment for post-mortem cases in all our hospitals. This is being done, we are told, in Western countries. In fact, we hear a lot about the ideal conditions obtaining in the hospitals in the West and how spick and span they are kept there. I should like to make a suggestion—I do so not in a hilarious mood but in all seriousness—that our Minister for Health should undertake a study tour of the Western countries with a view to study the conditions obtaining there and see how best our hospitals here can be improved and run under ideal conditions.

Hon. Members would note that Government have sanctioned the formation and development of roads in Sugar Factory areas in Nellikuppam, Pugalur and Pandiyarajapuram. With regard to the financial arrangement, it is stated that one-third of the cost will be met by the Government of India, one-third by the State Government and the balance by local bodies. I am afraid, Madam, that it is not fair to ask the local bodies to bear this burden. These roads are primarily for the benefit of the Sugar Factories. These are not Co-operative Sugar Factories. They are private concerns and I feel they should bear a portion of the cost. I would, therefore, urge upon the Government to address the Sugar Factories concerned and arrange to get from them one-third cost of the proposed improvements. The local bodies could ill afford to meet this expenditure and I would urge upon the Government to consider the need for revision of the financial arrangement proposed.

Madam, the question of taking over of Harijan hostels by the Government has come in for bitter criticism by the hon. the Deputy Leader of the Opposition. The schemes under 'Harijan Uplift' are laudable ones and no one objects to them. As the hon. the Deputy Leader of the Opposition ought to be aware, there have been complaints about mismanagement of Harijan hostels. So, the Government have thought it right to take over these hostels and bring them under their management.

11.30
a.m.

[15th November 1957]

DR. V. K. JOHN : Complaints against everyone of them?

* SRI T. PURUSHOTHAM : Generally so. I should like to know how these hostels are to be run in future. Government control of hostels is all right. But are these to be given to contractors for being run on a contract basis or are they to be entrusted to teachers? I do not think that teachers should be saddled with the responsibility of running hostels. That would detract them from their legitimate duties. I would request the Hon. Minister to enlighten us on this question and to furnish details of the scheme that has been introduced in replacement of the existing one.

With regard to the provision of Rs. 25.58 lakhs for the development of existing industrial training institutes and centres, mention is made of two immediate schemes, viz., improvements to the Pioneer Motor Service Industrial Training Centre, Nagercoil, and the Strathie Co-operative Engineering Workshop Industrial Training Centre at Madras. I am glad that these improvements are proposed to be made. But I should like to know what would happen to the trainees after the completion of training. Are they to be taken into State institutions? I believe the scheme includes a system of scholarship to the trainees. Is there any provision in the scheme that they should serve the State or serve within the State territory in any other institution for a specified period? Details with regard to these points would go a long way in assessing the ethics of the training scheme and in determining whether such a large sum as a quarter of a crore of rupees of rate-payers' money is properly spent.

Lastly, Madam, I should like to say something about the diversion of Adam's Road along the Cooum river margin. The Government have closed the Adam's Road, and the lane between the University and the Senate House has been placed at the disposal of the Madras University. The diversion has become necessary purely on account of the requirements of the Madras University. It is not known whether the University originally agreed to meet half the cost of the formation of the new road. If so, the University, I feel, ought not to grudge bearing half the cost of the diversion scheme and the Government would be right in claiming half the cost from the University of Madras. It should be remembered, in dealing with such matters, that the State funds are not too elastic and that they too need to be husbanded. More than that, the common man is critical about such large-scale concessions in favour of higher education.

SRI A. GAJAPATHY NAYAGAR : மன்றத் தலைவி அவர்களே, இந்த சட்டசபையில் வரவு செலவுக் கணக்குகளைப்பற்றி இதற்கு முன்னதாகவே ஆராய்ச்சி செய்தோம். அதாவது எட்டு மாதங்களுக்கு முன்னால்தான் துறையிலும் எவ்வளவு செலவு செய்யவேண்டும் என்று ஆராய்ச்சி செய்தோம். அதன்படி இந்த எட்டு மாதங்களில் செலவு செய்யவேண்டும் என்று சொன்ன இனங்களில் எவ்வளவு செலவாகியிருக்கிறது என்ற ஒரு குறிப்பை இந்த சபையின் முன் வைக்கவேண்டும். இந்த எட்டு மாதங்களில் எவ்வளவு செலவாகியிருக்கிறது, ஏதாவது மீதி இருக்கிறதா என்று நான் கேட்கிறேன். இப்பொழுது கொடுக்கப்பட்டிருக்கும் கணக்கு ஒரு குறிப்பிட்ட கணக்கைக் காண்பிக்கும். வருவாயிலிருந்து எவ்வளவு செலவு செய்யலாம், அப்படி செலவு செய்வதற்கு இடம் இருக்கிறதா என்பதையெல்லாம் பார்க்கவேண்டும். அந்தந்த இனத்திற்கு எவ்வளவு செலவாகும், எப்படிச் செலவாகியிருக்கிறது, வருமானத்திற்குத் தக்கபடி செலவாகியிருக்கிறதா என்பதையெல்லாம் கணக்கிட வேண்டும். அதன்படி செலவினங்களை அமைத்து, அப்படிச் செலவு செய்யப்பட்டிருக்கிறதா, மீதம் இருக்கிறதா என்ற குறிப்பை இந்த சபையில் கொடுக்கும் படியாக நான் கேட்டுக்கொள்கிறேன்.

15th November 1957] [Sri A. Gajapathy Nayagar]

இரண்டாவதாக, நாம் ஹரிஜன மாணவர்களுக்காக எவ்வளவோ செலவு செய்கிறோம். ஹரிஜன மாணவர்கள் ஏழைகள் என்று சொல்லிக் கொண்டு, இன்னும் ஏழைகளின் பெயரைச் சொல்லிக்கொண்டு, விடுதிகள் நடத்துவதை சிலர் பிழைப்பாக வைத்துக்கொண்டிருக்கிறார்கள். அதைப் பார்த்தால் மனதிற்கு ரொம்பவும் கஷ்டமாக இருக்கிறது. ஏழை மாணவர்களுக்கு அவர்கள் சரியாகச் சாப்பாடு போடுவதில்லை. அந்த மாணவர்களைப் பார்த்தால், அவர்களுடைய உதட்டில் வெள்ளை இருக்கும். அதைக் கண்டாலேயே அந்த மாணவனுக்குச் சரியானபடி சாப்பாடு போடவில்லை என்பது நன்றாகத் தெரியவரும். வாயில் இருக்கும் வெள்ளையைப் பார்த்தாலே, அந்த மாணவன் ஹரிஜன ஆஸ்டலில் சாப்பிட்டுக்கொண்டிருக்கிறான் என்று தெரிந்துகொள்ளலாம். இதை அரசியலாரின் கவனத்திற்குக் கொண்டுவர விரும்புகிறேன். இப்பொழுது ஜெனரல் ஆஸ்பத்திரியில் நர்சுகள் சாப்பாடு போடுவதாகத் தெரியவருகிறது. அவர்கள் நன்றாகப் போடுவதாகவும் தெரியவருகிறது. அதைப் போலவே ஆஸ்டல்களிலும் நன்றாகச் சாப்பாடு போடுகிறவர்களை நியமிக்க வேண்டும். நல்ல முறையில் பரிபாலனம் செய்கிறவர்களாக இருந்தால், அவர்களைப் போடச் சொல்ல வேண்டும். மற்றும் நல்ல ஸ்தாபனத்தைச் சேர்ந்தவர்களிடமும், நல்ல முறையில் சாப்பாடு போடவேண்டும் என்று நினைக்கிறவர்களிடமும் தான் இதை ஒப்படைக்கவேண்டும் என்று கேட்டுக்கொள்கிறேன். அப்படிப்பட்டவர்களிடம் ஒப்படைத்தால், நாம் செலவு செய்யும் பணம் நல்ல முறையில் செலவு செய்யப்படும். இதைப் படிப்படியாகச் செய்யவேண்டும் என்று சொல்லுகிறேன்.

மூன்றாவதாக, சென்னையில் சமீபத்தில் மழை பெய்தது. அப்பொழுது சென்னை ரஸ்தாக்கள் எல்லாம் சீரழிந்த நிலைமையில் இருந்தன. எல்லா ரோடுகளிலும் பள்ளம் அதிகமாகியிருக்கிறது. மேலும் டெலிபோன் போடுகிறோம் என்று சொல்லிக்கொண்டு ரோடுகளின் ஓரங்களிலெல்லாம் வெட்டிப் பள்ளம் பண்ணிவிட்டார்கள். அதன் பிறகு ரோடுகளில் நல்ல வேலைகளைச் செய்யவில்லை. கனம் அமைச்சர் ஸ்ரீமதி லூர்தம்மாள் அவர்கள் வந்து பார்த்தால், இந்த விஷயம் நன்றாகத் தெரியவரும். நான் அயனுவரத்தில் இருக்கிறேன். ரோடுகளின் பக்கங்களெல்லாம் வெட்டப்பட்டிருப்பது தெரியும். இப்பொழுதுதான் இரண்டு வருஷங்களுக்கு முன்னதாகச் சீர்திருத்தம் செய்தார்கள். அப்படி இருந்தும் ரோடுகளில் பள்ளம் பண்ணி விடுகிறார்கள். அதனால் மழை பெய்தால் தண்ணீர் தங்கி சேராகிவிடுகிறது. காரில் போய்ப் பார்த்தால், இது நன்றாகத் தெரியவரும்.

(Mr. Chairman in the Chair.)

மற்றும் மாணவர்களுக்குப் பள்ளிக்கூடத்திற்குப் போவதாக இருந்தால், பஸ்கள் குறைவாக இருக்கின்றன. அவர்கள் பஸ்ஸுக்காக ஸ்டாப்புகளில் காத்துக்கொண்டு ஒரு மணி நேரம் கூட நிற்கிறார்கள். அதனால் வாலிபர்கள் வாடி வதங்கிப் போய்விடுகிறார்கள். இவ்விஷயத்திலும் கவனம் செலுத்தவேண்டும்.

அடுத்தபடியாக, சித்த வைத்தியத்தைப்பற்றி ஒரு நண்பர் பேசினார். சித்த வைத்தியம் என்பது நாட்டு வைத்தியம். அதை உயர்த்துவதற்குப் படிப்படியாக முன்வந்ததற்கு நாங்கள் பாராட்டுகிறோம். சித்த வைத்தியம் மூலம் தமிழ் நாட்டுக்கு அரிய சேவை செய்தவர்கள் இருக்கிறார்கள். கொஞ்சம் தமிழ் சரித்திரத்தைப் பார்த்தால், இந்த சித்த வைத்தியம்

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[Sri A. Gajapathy Nayagar] [15th November 1957]

எந்த இடம் பெற்றிருந்தது என்பது நன்றாகத் தெரியவரும். வைத்தியத் திஸேயே சிறந்த வைத்தியம் சித்த வைத்தியம்தான். அதைப் படிக்காது ஆங்கிலம் படித்துவிட்டு பட்டம் பெற்றுவிட்டு எல்லாம் தெரிந்துவிட்டது என்று சொல்லிக்கொள்ளுகிறார்கள். நாட்டு வைத்தியத்தை உயர்த்துவதற்கு வழி இருக்கிறது. ஆகவே, அதைச் செய்ய நடவடிக்கை எடுக்க வேண்டும். பனகல் ராஜா அதை ஆரம்பித்து வைத்தார். அதன் பிறகு என்ன நடக்கிறது? எட்டு வருஷமாக ஆயுர்வேதத்தில் ஆராய்ச்சி நடக்கிறது. முன்பு ஆயுர்வேதத்தில் அதிகமான மாணவர்கள் இருந்தார்கள். சித்த வைத்தியத்திற்கு இன்னும் அதிகமாக வந்தார்கள். யுனாஸி வைத்தியத்திற்குப் பத்து அல்லது பதினாறு பேர்கள் தான் இருந்தார்கள். ஆயுர்வேதப் படிப்புக்கு எட்டு வருஷமாக ஆராய்ச்சி செய்துகொண்டு வருகிறார்கள். அதே போன்று சித்த வைத்தியத்திற்கு ஏன் ஆராய்ச்சி வகுப்பு வைக்கவில்லை? அப்படி வைக்காமல் இருப்பதற்குக் காரணம் என்ன? அது புறக்கணிக்கப்பட்டிருக்கிறதா என்று கேட்கிறேன். அரசியலார் யுனாஸிக்கு ஆராய்ச்சி வகுப்பு வைத்திருக்கிறார்கள். அதற்கு இருபது பேர்கள் தான் இருக்கிறார்கள். அதை இங்கே என் வைக்கவேண்டும்? அதற்கு ஹைதராபாத்தில் இடம் இருக்கிறது. ஆகவே சித்த வைத்தியத்திற்கு ஆராய்ச்சி நிலையம் வைக்காத காரணம் என்ன?

MR. CHAIRMAN : The hon. Member can speak only on what comes under this Demand.

SRI A. GAJAPATHY NAYAGAR : டாக்டர் ஸ்ரீநிவாசன் இதைப் பற்றிப் பேசினார்கள்.

MR. CHAIRMAN : It is out of order. The hon. Member should speak only on what is contained in this Supplementary Statement.

SRI A. GAJAPATHY NAYAGAR : ஒரே ஒரு ஐட்டம், அதாவது கட்டடத்தைப் பற்றிச் சொல்லிவிடுகிறேன்.

*THE HON. SRI R. VENKATARAMAN : He can speak in respect of the allotment for the buildings and not on the merits of the relative systems of medicine.

SRI A. GAJAPATHY NAYAGAR : ஆராய்ச்சி நிலையத்தைப்பற்றி இங்கே கேள்விகள் கூடக் கேட்டிருக்கிறேன். அப்படிக்கே கேட்டு வரணமா தங்கள் கூட ஆகின்றன. அந்தக் கேள்வி இன்னும் வெளி வராமல் இருக்கிறது. சித்த வைத்தியம் நல்ல முறையில் இல்லை என்று சொல்வது தவறு. சித்த வைத்தியத்தில் ஆராய்ச்சி செய்ய அரசியலார் முன்வர வேண்டும் என்று கேட்டுக்கொண்டு என் பேச்சை இத்துடன் முடித்துக் கொள்ளுகிறேன்.

*THE HON. SRI M. BHAKTAVATSALAM : கனம் தலைவர் அவர்களே, என்னுடைய சகா இந்த விவாதத்திற்குப் பதில் அளிப்பதற்கு முன்பாக, சில அங்கத்தினர்கள் குறிப்பிட்ட விஷயங்களைப்பற்றி விளக்கம் கூற விரும்புகிறேன். இந்த விவாதத்தைத் துவக்கிவைத்த கனம் அங்கத்தினர் அவர்களும் இன்னும் மற்ற அங்கத்தினர்களும் சர்க்காரைப் பாராட்டிப் பேசினார்கள்; அவர்களை நானும் பாராட்ட விரும்புகிறேன். விவாதத்தை ஆரம்பித்த அங்கத்தினர் சப்ளிமெண்டரி டிமாண்டில் உள்ள எல்லா விஷயங்களையும் நன்கு ஆராய்ந்து அவைகளைப்பற்றியே குறிப்பிட்டுப் பேசினார். அதனால் என்னுடைய பாராட்டுதலை அவருக்குத் தெரிவித்துக்கொள்ளுகிறேன். அவர்கள் குறிப்பிட்டதில் ஒன்றை மட்டும் குறிப்பிட விரும்புகிறேன்.

ஜெயில் ஹெட்டின் கீழ் ஆப்டர்கேர் ஷெல்டரைப்பற்றிக் குறிப்பிடப் பட்டிருக்கிறது. அப்படிப்பட்ட ஷெல்டர்களை எங்கே வைக்கப்போகிறார்கள் என்ற விவரம் தெரியவில்லை என்று சொன்னார்கள். அப்படிப்பட்ட ஷெல்டர்கள் எட்டு வைப்பதாக சர்க்காரின் உத்தேசம். தற்காலிகமாக

15th November 1957] [Sri M. Bhaktavatsalam]

கரெக்ஷனல், நான்-கரெக்ஷனல் என்று இருவித ஷெல்டர்களை அமைப்பதாக உத்தேசம். சில ஸ்தாபனங்களிலிருந்து விடுதலை அடைகின்றவர்களை வைப்பதற்கு இந்த எட்டு செண்டர்களுக்கும் அமைக்கப்போகிறார்கள். கரெக்ஷனல் செண்டர் ஆண்களுக்கு என்று மதுரையில் ஒன்றும், தஞ்சையில் ஒன்றும், பாளையங்கோட்டையில் ஒன்றும், கோயம்புத்தூரில் ஒன்றும், பெண்களுக்குக் கரெக்ஷனல் செண்டர் காரைக்குடியில் ஒன்றும், பையன்களுக்குச் செங்கற்பட்டில் ஒன்றும், பெண்களுக்குக் காஞ்சிபுரத்தில் ஒன்றும், நான்-கரெக்ஷனல் செண்டர்களிலிருந்து விடுதலை ஆகின்ற பையன்களுக்குக் கன்யாகுமரி ஜில்லாவிலுள்ள நாகர்கோவிலில் ஒன்றும் அமைப்பதாக அரசாங்கத்தின் ஆலோசனை. இப்படிப்பட்ட எட்டு ஷெல்டர்கள் தான் வைக்கப்படப் போகின்றன என்று குறிக்கப்பட்டிருக்கிறது.

ஹிந்து மத அறநிலைய போர்டின் அலுவலகத்திற்கான கட்டிடம் கட்டுவதற்காகக் கோரப்பட்ட மானியத்தைப்பற்றிக் கனம் அங்கத்தினர்கள் குறிப்பிட்டார்கள். அந்தக் காரியாலயத்திற்குக் கட்டிடம் வேண்டியிருக்கிறது. கொஞ்ச காலத்திற்கு முன்பு, ஆந்திர ராஜ்யமும் கோரல் பகுதிகளும் பிரியவிருந்த காலங்களில், அவை பிரிந்தால் சென்னை நகரில் தாராளமாக இடம் கிடைக்கும் என்று எதிர்பார்க்கப்பட்டது. அவை பிரிந்து விட்ட போதிலும், இப்போது கட்டிடங்களுக்கு அதிகமான இடம் தேவையாக இருக்கிறது. சர்க்கார் இலாகாக்களுக்கே போதிய கட்டிட வசதி இல்லை. சர்க்கார் அலுவலகங்களுக்கு இடம் கொடுப்பதே கஷ்டமாக இருக்கிறது. அவைகளுக்காகக் கட்டிடங்களைத் தேடும்போது, குறைவான வாடகைக்கு சர்க்காருக்கு கட்டிடங்கள் கிடைப்பதில்லை. இந்து மத-அறநிலைய போர்டிற்குத் தனியாக ஒரு நிதி இருக்கிறது என்பதைக் கனம் அங்கத்தினர்கள் அறிந்திருப்பார்கள். அது அரசாங்க இலாகாவாக ஆவதற்கு முன்பே “எண்டோமென்டல் பண்ட” என்ற நிதி அதற்கு இருந்தது. அந்த நிதிப் பணத்தை அந்த போர்டின் நிர்வாகச் செலவிற்கே உபயோகிக்க வேண்டும் என்பது ஹைக்கோர்ட்டின் தீர்ப்பு. இப்போது அந்த போர்டின் அலுவலகத்திற்கான கட்டிடம் அவசியமாக இருக்கிறது. கோவை ஸ்ரீ ரதனசபாதி முதலியார் அவர்கள் அறநிலைய போர்டிற்கான கட்டிடத்திற்காகக் குறைந்த நிலைக்கு நிலம் கொடுத்திருக்கிறார்கள். கட்டிடத்தைக் கட்டினால் அந்த நிலத்தை நாம் வைத்துக்கொள்ளலாம். இல்லாவிட்டால், அதே நிலைக்கு அந்த நிலத்தைத் திருப்பிக் கொடுத்துவிடவேண்டுமென்ற நிபந்தனை இருக்கிறது. அந்த நிலத்தில் போர்டின் அலுவலகத்திற்கான கட்டிடத்தைக் கட்டவேண்டுமென்று முடிவு செய்திருக்கிறோம். கட்டப் படும் கட்டிடம் சிற்பக் கலை பொருந்தியதாக இருக்கவேண்டுமென்று சொல்லப்பட்டது. கட்டிடம் அழகாக இருக்க வேண்டியதுதான். ஆனால் அதில் சிற்பக் கலையைப் புகுத்த வேண்டுமா என்பதுதான் நாம் இப்போது கவனிக்கவேண்டிய பிரச்சனை. நமக்கு வேண்டியது காரியாலயத்திற்குத் தேவையான கட்டிடம். காரியாலயக் கட்டிடங்களை எவ்வளவு குறைந்த செலவில் கட்ட முடியுமோ அவ்வளவு குறைந்த செலவில் கட்டுவதுதான் நியாயம். இந்த போர்டின் காரியாலயத்திற்காகக் கட்டும் கட்டிடத்தில் சிற்பக் கலைகளைப் புகுத்துவதினால் அதிகச் செலவாகும் என்றால், சிற்பக் கலைகளைப் புகுத்த வேண்டாம் என்பதுதான் என் கருத்து. சிற்பக் கலைகள் பொருந்திய கோவில்கள் இருக்கின்றன. புதியதாகக் கோவில்களைக் கட்ட வேண்டி நேரிடுகிறது. உதாரணமாக, பூண்டித் தேக்கத்தினால் பாதிக்கப் பட்டு, பாடல்பெற்ற சிறந்த கோவில் ஒன்று ஸ்பெர்ஜன், ஆகிவிட்டது. அதற்கு நஷ்ட ஈடு அங்கீகரிக்கப்பட்டது. அது வட்டியுடன் சேர்ந்து இப்போது ரூ. 1 லட்சம் ஆகிறது. மறைந்த கோவிலுக்குப் பதிலாக இப்போது ஒரு கோவில் கட்டப்படுகிறது. இந்த மாதிரியான கட்டிடங்களில் சிற்பக் கலை வேண்டும். காரியாலயக் கட்டிடங்களைக் கட்டும்போது, அவை அழகாக இருக்குமாடி கட்ட வேண்டியதுதான்; ஆனால் குறைந்த செலவில் தேவையைப் பூர்த்தி செய்யும் முறையில் கட்டவேண்டும்; அந்தமாதிரியான கட்டிடத்தையே கட்டுவதற்கு முயற்சிக்கப்படுகிறது என்று சொல்லிக் கொள்கிறேன்.

[Sri M. Bhaktavatsalam] [15th November 1957]

ஹிந்து மத அற நிலைய போர்டு நிர்வாகம் சம்பந்தமான சட்டத் திருத்தம் எந்த நிலையில் இருக்கிறது என்பதைக் கனம் அங்கத்தினர் ஸ்ரீ புருஷோத்தம் தெரிந்துகொள்ள விரும்பினார். நன்றாக ஆராய்ந்து, அவசியமான எல்லாத் திருத்தங்களையும் செய்த பிறகு ஒரே தடவையில் திருத்த மசோதாவைக் கொண்டுவர வேண்டுமென்று உத்தேசிக்கிறோம். அனேகமாக அடுத்த சட்டத்தில் இந்த மசோதா கொண்டுவரப்படலாம் என்று நினைக்கிறேன்.

அடுத்தபடியாக, சர்க்கரை ஆலைகளுக்குப் போடப்படும் ரோடுகளைப்பற்றிக் குறிப்பிட்டு, பாக்டரிச் சொந்தக்காரர்கள் ஏன் பணம் கொடுக்கக்கூடாது என்று கனம் அங்கத்தினர் ஸ்ரீ புருஷோத்தம் கேட்டார். இப்போது மத்திய அரசாங்கத்தால் கொடுக்கப்படும் 1/3 பங்கு பணம் மத்திய ஷுகர்கேன் கமிட்டியிலிருந்து கொடுக்கப்படுகிறது. மற்றொரு 1/3 பங்கு ராஜ்ய அரசாங்கத்தால் செஸ் பண்டிலிருந்து கொடுக்கப்படுகிறது. இந்த நிதி பாக்டரி பண்டிலிருந்து வசூலிக்கப்படும் பணம். இந்த ரோடுகளுக்காக ஆலைக்காரர்களிடமிருந்து பணம் வசூலிக்கப்படுகிறது. அந்தப் பணத்திலிருந்துதான் நாம் கொடுக்கும் 1/3 பங்கு கொடுக்கப்படுகிறது. இந்த ரோடுகள் கிராமப் பொது மக்களுக்கும் உபயோகப்படும். ஆகையால், ஸ்தல ஸ்தாபனமும் 1/3 பங்கு கொடுக்க வேண்டும் என்று விதி வசூல்கப் பட்டிருக்கிறது என்று கூறிக்கொண்டு என் வார்த்தையை முடித்துக் கொள்கிறேன்.

11-50 a.m. * THE HON. SRI R. VENKATARAMAN: Mr. Chairman, my task this morning has been rendered light by the participation in the debate of my esteemed Colleague who clarified some of the points relating to his departments. I must first compliment the House on the care it has bestowed on scrutinising the Demands for Supplementary Expenditure. I should also convey my grateful thanks to the hon. the Deputy Leader of the Opposition for the moderation he has shown in dealing with these Demands. (Laughter.)

The hon. the Deputy Leader of the Opposition said that the Government were becoming obstinate. But, at the same time, he said that the Government were benefited by the criticisms levelled by the Opposition in this House. People on the Opposition are entitled to oppose but they are not always entitled to contradiction. So far as the Government are concerned, as I said yesterday, they welcome all suggestions and criticisms from all sections of the House. I am not vain but if I were, I might also turn round and say that Dr. John's moderation might perhaps be due to the fact that I appealed to him yesterday not to be too saltish in criticism. We will certainly benefit by any suggestion and intercourse of ideas and, to the extent that this House has been able to help the Government in the framing of the Budgets by its criticisms and observations, the Government feel grateful to it.

So far as sales tax is concerned, it is gratifying to see that every section of the House has welcomed the increase in expenditure. It is true that during the Budget discussion I pointed out that there was considerable evasion in the payment of sales tax, particularly in carrying cloth, sugar and tobacco to the neighbouring States and evading the legitimate taxes payable on them. This

15th November 1957] [Sri R. Venkataraman]

New Service is intended to check such transport of goods as may take place outside the State surreptitiously. Also this New Service is intended to take note of all the goods which come into this State by the railway so that they may be followed up to see whether those goods which have been cleared by the persons noted as consignees have, at a subsequent stage, paid the taxes thereon. I am quite sure that the benefit to the State by way of prevention of evasion would be far greater than the expenditure incurred on this Service. In this connection, the hon. Member Sri Mohamed Raza Khan asked what we were going to do about the levy of sales tax in respect of cloth, sugar and tobacco. The meeting of the Finance Ministers and also the Ministers who are in charge of sales tax will take place in Delhi in the next few days to consider the question of the levy of Central excise on these three articles. If that is done, I am quite sure that a lot of headache caused to the State Governments in respect of these three articles would be relieved.

Then, Sir, the hon. Member Sri V. V. Ramaswami wanted to know the pattern of assistance with regard to polytechnics. The present pattern of assistance is this. The Central Government give 50 per cent of the non-recurring expenditure and 50 per cent of the recurring expenditure. The private individual who comes forward to start the polytechnics is expected to contribute a quarter, that is, 25 per cent of the expenditure and the State Government contribute 25 per cent of the expenditure, that is, non-recurring expenditure. So far as the recurring expenditure is concerned, I said that 50 per cent would be contributed by the Centre. Then, after taking into account the fee income and the Central Grant, whatever is the net deficit would be shared by the private party which starts the institution and the State Government. So, this will help us to start a number of polytechnics in our State. A number of people have already come forward to take advantage of the revised pattern of assistance. (Interruption.) I think Rs. 15 lakhs is the approximate cost of starting a polytechnic.

Then, again, the hon. Member Sri V. V. Ramaswami wanted to know whether the nurses who were to be trained in the training institutions would be employed only in those particular districts or whether they would be available for other districts also. Certainly, these are only training centres and merely because a person undergoes training in one place, he will not be confined in his service to that centre alone. This is a scheme under which a number of people will be trained so that they may be available for use all over the State.

A specific question was raised about the Perundurai Sanatorium. I regret I am unable to answer the question unless some more details are given. Here, the Supplementary Demand is made in respect of one institution which pleaded before the Government its inability to meet the expenditure and said that it was

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unable to meet the current cost of running the institution. If similar requests are made to the Government, I am sure that the Government would consider them in a very sympathetic manner.

Then, with regard to the expenditure on the ex-criminal tribes, the hon. Member Sri Ramaswami made a suggestion that the scheme should be extended to, and concentrated in, the Ramanathapuram district and particularly in the Mudukulathur area. I may probably be only reiterating a fact which the hon. Member may know, namely, that this area is proposed to be brought under Block Development Scheme and that two Blocks have been allotted to that area, and everything possible will be done to see that the standard of life of the people there is given a spurt or is raised.

With regard to bolts and nuts, I may mention that there is another scheme for starting a small-scale industry in the Chingleput district in Sriperumbudur. I think, on the basis of the experiment conducted in the Lower Bhavani Pilot Project area and the experience gained in Sriperumbudur, we will be able to go ahead with the starting of more institutions for the manufacture of bolts and nuts as they are in great demand in our country. The Strathie Co-operative Society had to be closed because it was not running economically and not because it was not running smoothly. It was found that the society was incurring losses and that it could not be continued with any degree of yielding profit. On the other hand, the training centre has been continued so that the people trained there may find useful avocation. To-day there is great demand for trained personnel from these polytechnics and industrial schools. The Government have not come across instances in which there has been a great degree of unemployment in respect of trained personnel.

Then, Sir, the hon. Member Sri Mohamed Raza Khan dealt with the delay in the survey and settlement that are taking place in the old zamindari areas. The demand now made before this House is in respect of expediting the survey proceedings in these three districts. We want more staff for the purpose of carrying out the survey and settlement. Survey and settlement, as you know, require very careful consideration of the location of the land, the tharam of the land, the irrigation facilities and other such things. It is not such an easy thing as is imagined to be. We have known in the past that the settlement operations have been carried on for a long, long time, sometimes even until the next period of settlement comes.

12 noon. The hon. Member Mr. Raza Khan dealt with the question of second-grade colleges and the difficulty they were facing. I will transmit the very difficult situation which these institutions are facing to the Minister for Education. He himself said the other day that particularly the second-grade colleges were facing a crisis. I am sure that with the sympathy he has for the colleges, he will come forward with assistance.

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So far as integrated medicine is concerned, it is outside my scope now to go into the relative merits of the different systems of medicine. For the purpose of building, a sum of Rs. 14 lakhs has been asked for. I am sure no Member will grudge it and everybody will be interested in building up our indigenous systems of medicine.

Similarly, I may not be able to answer the question why the integration of the Medical and Health Departments has not taken place. I myself am not aware whether any decision has been taken to postpone this integration. Actually the Minister in charge of Health told this House that there were proposals for integrating these two departments. Unless he comes forward with any proposal that it should be postponed, we have to take all remarks about postponement as being purely in the realm of guess.

With regard to Harijan Welfare, the hon. the Deputy Leader of the Opposition said that they were not told whether the management of the hostels run by private parties was unsatisfactory. I thought the hon. the Deputy Leader of the Opposition, who is a very keen Member of this House, would have known that time and again, there was a lot of criticism about the manner in which these hostels were administered and that time and again it was brought to the notice of the Government that the children residing there were not getting proper food and that there was some sort of leakage in the administration of the funds given to them. Therefore, the Government thought it best to take over the management of these hostels. Since they are not able to take over the management of all the hostels all at once, they are proceeding step by step.

DR. V. K. JOHN : Do the Government think that they must take over every hostel?

THE HON. SRI R. VENKATARAMAN : In normal administrative practice, we go by the rule of the general will of the people. If the majority of the people decide in one way, then the law of the land is modified to conform to the general will of the people. Similarly, if we find that the general pattern of administration of these hostels is bad, it is necessary to take them over. We cannot make a distinction between one or two individual hostels which are run well and the generality of hostels which are not run well. That would lead to interminable disputes. If a system is not functioning properly, we must change it and try a new system.

There is one subject which the hon. the Deputy Leader of the Opposition is never tired of referring to again and again in this House, namely, that there is some maladjustment, particularly in financial matters, between the Centre and the State. We function under a Five-Year Plan. The needs of the entire country are taken note of and plans are formulated to the best advantage of the whole country. From time to time, the Central Government

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find that they have got some money to spare for certain projects. Then they send a circular to all the States saying that they have got money for the purpose of initiating such and such new projects on certain terms such as 50 per cent or 66-2/3 per cent or sometimes even 100 per cent participation by the Centre or as a pure loan scheme. Various States look into the schemes and, if it suits them, they write to the Centre that they have got such and such schemes. Then they are sanctioned. I do not see where there is any sort of interference by the Centre with the State finances. Actually it is found that, far from there being any interference, there has been a very helpful attitude from the Centre in the matter of providing finances for some of our most important schemes. At any rate, I would like to give the lie direct to the theory that there is undue interference by anybody in the State's administration. There is no compulsion that we should come forward with schemes. For many Development Schemes, the Government of India have said that they will give a 50 per cent grant. It is open to the State Government to say that they will not take up any schemes and it is equally open to them to tell the Central Government that they have such and such schemes and that they want to utilise the grant. Then the grant is sanctioned. I would, therefore, respectfully submit to the House not to give too much credence to the idea that is being propagated both in this House and outside that there is a great deal of interference in the administration of the State by the Centre.

I think I have fairly covered everyone of the points raised. I have done.

MR. CHAIRMAN: That concludes the discussion on the Supplementary Statement of Expenditure.

V.—GOVERNMENT MOTION.

THE MADRAS BHOODAN YAGNA BILL, 1957 (L.A. BILL NO. 15 OF 1957).

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

“That this House concurs with the Assembly in setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members of the Assembly and 8 Members of the Council) to consider the Madras Bhoodan Yagna Bill, 1957 (L.A. Bill No. 15 of 1957) and that the following Members of this House be selected to serve on such a Joint Select Committee:—

The Hon. Sri R. Venkataraman.
Sri O. P. Ramaswami Reddiar.
Srimathi S. Manjubhashini.
Sri N. Nallasenapathi Sarkarai Manradiar.
Sri V. S. Balasundaram.
Sri P. B. K. Thiagaraja Reddiar.
Sri K. Balasubramanya Ayyar.
Sri T. P. Srinivasavaradan.”

15th November 1957] [Sri M. Bhaktavatsalam]

The House is aware of the Bhoodan Yagna Movement initiated by Sri Acharya Vinobha Bhave which is slowly bringing about a silent, bloodless revolution with far-reaching and salutary economic and social consequences. The main object of the movement is to obtain excess lands from the “have’s” and to distribute them, without any distinction of caste or creed, to the “have not’s” or to those who do not possess sufficient land for cultivation. Another object of the Movement is to instil the dignity of labour into the minds of the society. In order to facilitate the donation of lands to the Bhoodan Yagna Movement and to simplify the legal formalities necessary for the transfer of such lands, the Government in August 1955, introduced a Bill in the last Assembly. At the wish of the Members of the then House, the Bill was referred to a Select Committee of the House. Before the Select Committee could complete its work, the Assembly was dissolved. Therefore, the Bill is introduced again. Before doing so, the Government have considered the various amendments moved by Members of the former Assembly and suggestions made by the Akhil Bharat Sarva Seva Sangh and have suitably revised the Bill wherever necessary. Several State Legislatures in India have already passed similar legislation.

I shall now briefly explain the main provisions of the Bill indicating the main changes. Clause 3 of the Bill enables the State Government to constitute a State Bhoodan Yagna Board. The “Committee” of the previous Bill has been renamed as “Board” on the suggestion of the Akhil Bharat Sarva Seva Sangh. Under clause 4, the Chairman of the Board shall be nominated by Acharya Vinobha Bhave, subject to the approval of the State Government; four or more but not exceeding seven members of the Committee shall also be nominated by Vinobhaji, subject to the approval of Government and four or more but not exceeding seven members shall be appointed by the State Government. There is also a saving provision in this clause which enables the State Government, in case of necessity, to appoint all the members including the Chairman. Under clause 5, the term of office of all the members will be four years and they will be eligible for renomination or reappointment. Clause 6 specifies the disqualifications for membership. Clause 7 lays down the procedure for the resignation of their respective offices by the Chairman or members. Clause 8 states the grounds on which the Chairman or a member may be removed from the office and clause 9 contains provisions for filling up vacancies of Chairman and members. Clause 10 empowers the Government to dissolve the State Board, if it fails, without reasonable cause, to perform its duties or if circumstances arise which render the Board unable to discharge its duties, or if for any other reason the Government consider it expedient to dissolve the Board. The dissolution will, however, be ordered only after giving the Board a reasonable opportunity to show cause against such a step.

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Under clause 11, all lands donated will vest in the State Board and will be free from liability to any attachment or sale in execution of any decree or order passed by a civil court against the Board. Clause 12 provides for the appointment by the Board of any of its members as its Secretary and for the appointment of such other staff as may be found necessary. Provision is also made for the delegation by the Board, subject to State Government's approval, of any of its powers and duties to the Secretary. Clause 13 regulates the conduct of meetings of the Board. Clause 14 states that the acts of the State Board shall not be invalidated on technical grounds. Clause 15 provides for the constitution of local committees for a district or a portion of a district, consisting of not more than three members, all to be appointed by the State Board, subject to the approval of the State Government. The State Board may authorise a local committee to exercise all or any of its powers and duties except those which may be specified by the State Government and the local committee shall exercise the same, subject to control and revision by the Government.

Clause 16 specifies the persons who are competent to donate lands under the scheme and the manner in which the declaration in that behalf shall be made. This clause has been redrafted to provide for the donation of land assigned to political sufferers and donation of land by Janmi and other landlords in the areas where the Malabar Tenancy Act is in force. Clause 17 regulates the manner in which objections to the donation shall be filed and inquired into. The objections shall be heard by the Tahsildar or Deputy Tahsildar who will, by order, either confirm the donation or declare it null and void. No appeal or revision lies to any superior authority against the order passed by the Tahsildar or Deputy Tahsildar, but under clause 23, the aggrieved party may, within six months, file a suit in the Civil Court having jurisdiction, to set aside that order and the decision of the Court shall be binding on the State Board.

12-10
p.m.

Clause 18 provides for the subdivision of the land donated to Bhoodan if it forms part of a holding. Clause 19 provides for the grant by the State Board of any lands which vest in it, to landless persons, able and willing, to cultivate them or to local authorities for community purposes. The proviso to clause 19 (1) prohibits the grant of land to political sufferers who have donated land under clause 16. Clause 20 seeks to validate the donation of lands made to the Bhoodan Movement prior to the commencement of the Act and the grant of such lands to individuals in pursuance of that movement.

Clause 21 enables the State Board to have its own funds and to accept grants, loans, etc., from the Central Government or the State Government or any other authorities or persons. Clause 24 exempts every declaration and every grant of land from stamp duty and registration fee and the fee payable for the attestation of a power of attorney. Clause 25 empowers the Government to make rules to carry out the purposes of the Act.

[15th November 1957] [Sri M. Bhaktavatsalam]

Sir, I have now briefly indicated the main purposes and features of the Bill. I commend the motion for the acceptance of the House.

MR. CHAIRMAN : The question is—

'That this House concurs with the Assembly in setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members of the Assembly and 8 Members of the Council) to consider the Madras Bhoodan Yagna Bill, 1957 (L.A. Bill No. 15 of 1957) and that the following Members of this House be selected to serve on such a Joint Select Committee :—

1. The Hon. Sri R. Venkataraman.
2. Sri O. P. Ramaswami Reddiar.
3. Srimathi S. Manjubhashini.
4. Sri N. Nallasenapathi Sarkarai Manradiar.
5. Sri V. S. Balasundaram.
6. Sri P. B. K. Thiagaraja Reddiar.
7. Sri K. Balasubramanya Ayyar.
8. Sri T. P. Srinivasavaradan.'

The motion was put and carried.

DR. V. K. JOHN : Sir, it is the practice in this House to discuss at least the principles underlying the Bill. We want to give some guidance. It will be a very brief discussion.

MR. CHAIRMAN : We have now passed the motion and nothing can be done now unless the decision is rescinded. The hon. Member should have drawn my attention before I put the motion to the vote of the House.

* THE HON. SRI R. VENKATARAMAN : Sir, we can rescind the decision taken by the House.

MR. CHAIRMAN : If the House is in favour of rescinding the decision already taken by it, I have not got the slightest objection.

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

'That the decision of the House to refer the Madras Bhoodan Yagna Bill, 1957, to a Joint Select Committee be rescinded and that the matter be taken up for discussion.'

MR. CHAIRMAN : The question is—

'That the decision of the House to refer the Madras Bhoodan Yagna Bill, 1957, to a Joint Select Committee be rescinded and that the matter be taken up for discussion.'

The motion was put and carried.

* DR. V. K. JOHN : Mr. Chairman, Sir, I am sorry I did not give notice to you that I would speak on this Bill. The Bhoodan Movement by the greatest saint alive in the world, Shri Vinobha Bhave, is a spiritual movement in consonance with the ideologies

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of our ancient sages and mahatmas because Love and Sarvodaya are behind this movement. In this connection, I want to make one or two suggestions. While we admit that everyone should encourage this movement, we do not want the Government to have too much control over this movement. If the Government control this movement, then it will lose the spirit. Therefore, I would request the Members of the Committee who go into this Bill to see that all Government control is removed as far as possible. I do not say that the Government should not have any control at all but they may not have too much control.

Another point which I would like to emphasize is that every statute must have two qualities, viz., certainty and flexibility. The Bhoodan Movement is in its infancy and it is likely to change from time to time. Even the great saint who is the author of this movement has changed his views. Therefore, there should be more flexibility than certainty in the statute. Unless there is flexibility, we cannot make any changes that we would like to make in the light of the experience that we may gain. After all, it is a growing movement and we must give all facilities to it to grow. In this connection, I would suggest that the Government should study the identical enactments passed in other States. I think we should evolve a legislation on an All-India basis. I would have liked very much to see this Bill passed by the Parliament under Article 246 of the Constitution, under item 97 of the Seventh Schedule, instead of by this State Legislature. It is quite possible that not all States would pass legislation, and the Central Government might bring forward legislation in respect of this matter. So, let us not make too much of a departure from the Acts passed in other States and let us take full advantage of them. Let us always remember that this is an enactment which ought to contain the element of flexibility rather than the element of certainty. I hope every section of this House will give its unanimous support to this great movement which this State has welcomed and which is also generally welcomed in every other part of the country. We have never been behind and when this measure is passed by the Legislature of our State, this movement will get a further impetus and Sri Vinobhaji will be very pleased with it.

SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, Sir, I agree with most of the sentiments expressed by the hon. the Deputy Leader of the Opposition, but there are one or two matters in regard to which I do not see eye to eye with him. I should like to mention them. Sir, I certainly welcome this Bill. Bhoodan is a great movement, much more valuable than any other movement intended to adjust the relationship between the landlord and the tenants. Sir, there is so much of trouble in the agricultural sector which has not yet been settled, though our Government seem to ignore it and seem to think that the landlords alone are at fault. Of course, that is a different matter and I need not dwell upon it now. But this movement is a much better movement, a more

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peaceful movement, in which big landlords may take interest and help the landless poor and by which unemployment among the cultivators may be removed. That is why I say that as an economic movement, it will confer great benefit on the agricultural sector. I value it and it is a movement started by Vinobhaji, who is the first and foremost of the disciples of Mahatma Gandhi. It was in 1933 that Mahatma Gandhi chose Vinobhaji to succeed him. He had absolute confidence in him. A movement started by Vinobhaji should certainly be welcomed by everyone of us irrespective of considerations of party, creed, community and so on. But there is the question of the further responsibility of utilising the lands that have been donated. It is a tremendous responsibility and therefore it is I feel that the Government ought to step in. You cannot leave it without control by Government. So long as land is the property of the whole State and so long as rights and liabilities have to be adjusted among the people, it is the primary concern of the State and it is a duty which can be successfully performed by the only agency in the State which is the Government. As there are so many things to be adjusted, I say that the Government should have control.

In what way the lands that have been donated should be distributed is also a very difficult and important question, especially in villages, as most of us know the local conditions obtaining in rural parts. Therefore it is I would say that the Bhoodan Bill should not be a Central subject. I have always felt that the Planning Commission have not fully understood the local conditions so far as landlords and tenants are concerned. That is why they say that the landlords should be given 25 per cent or 15 per cent of the yield. They have not fully understood the problem. They are guided by considerations of rackrenting by landlords obtaining in Uttar Pradesh and other parts. So far as land problems are concerned, the Centre alone should not be given the guiding hand. I am not saying anything against the centre. Local conditions differ between State and State and the approach should be different between State and State. Therefore, we cannot impose a regimented idea throughout the whole of the Indian Union. It is best to leave it to each State to work out in the best manner according to the local conditions obtaining in each State. So, in these two matters, I would draw a different line.

THE HON. SRI R. VENKATARAMAN: It is not a difference, but it is an emphasis.

SRI K. BALASUBRAMANYA AYYAR: I would like to deal with one other matter. Some lands have been donated by people who are not in a position to donate them, but who on account of enthusiasm have done so. Those are cases where the donors wanted to escape debts or where the lands were absolutely useless. I do not say that all people did like that and I am not casting reflection on anybody. But the land that has been donated in such a way may give more trouble than the land which has not been

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donated. That is a matter which has to be very carefully looked into. Under section 53 of the Transfer of Property Act, there may be lands which have been donated for the purpose of escaping debts. We must know whether, in order to escape a civil decree or attachment, the land has been donated. We must be sure that the land was donated for good purpose. The movement is called "Bhoodan Yagna". If it is a pure yagna, it is quite all right. But if it is a yagna for various other considerations, then there will be trouble. I am not referring to any particular person. But that is a circumstance which should be taken into consideration.

Another thing I would like to know is when you induct people into the lands that have been donated, what will be the conditions that will govern them. Are the Government going to treat them as tenants or as mere peasant proprietors for whom I have always got a warm corner in my heart? Even if the lands are distributed to them, there may be people like some of us who will not take any interest in the lands but may allow other people to get into the lands, and then there may be trouble between landlord and tenant. There is also a provision in the Bill that the State Board may lease the lands which have vested in it or take such other steps for their management until the lands are disposed of under the Act. Sir, that is a very dangerous thing and it is a matter which has to be looked into very carefully by the Joint Select Committee. If the Board leases the lands, there will be further trouble. When the Government want to change the land, there will be trouble. Whether such a power should be given to the Board or whether the Government should control everything is an important matter of principle and not of detail. I am not referring to details.

Then, it is said that the State Board shall consist of four or more members who shall be nominated by Shri Acharya Vinobhaji. Much as I would like Vinobhaji to nominate, I do not think he will himself like that. He has started this movement out of purely spiritual motives and if the Government take the responsibility, I think he would like to rid himself of further responsibility. If Vinobhaji nominates persons, they will assume an air of sanctity because they have been nominated by him and they will think that, therefore, anything they say comes with a sanctified air and should be accepted. I do not think that Vinobhaji himself would like it. I am not saying anything against anybody, but he himself may not fully like that four members of the Board should be nominated by him and approved by the Government. Suppose the Government do not approve of the nomination; again there will be difficulty. These are very delicate matters. I, therefore, think that the Board might be constituted in a slightly different manner. This is a matter for the consideration of the Government and by us in the Legislature. With these words, I enthusiastically welcome this Bill.

Before resuming my seat, I want to have one information. May I know how many acres of land have been donated so far?

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* THE HON. SRI M. BHAKTAVATSALAM: About 10,000 acres. I do not have the exact figures with me now.

Mr. Chairman, Sir, I must indeed express my deep sense of appreciation of the very warm support which the hon. the Deputy Leader of the Opposition and the hon. Member Sri K. Balasubramanya Ayyar have extended to this great movement. I may at once tell the hon. Member and the Deputy Leader of the Opposition that there is no idea at all on the part of the Government that they should exercise any control over the movement as such. Sir, as the hon. Member Sri K. Balasubramanya Ayyar has pointed out, it is only a question of regulating the distribution of the land that has been donated by the people on the inspiration of this great saint Vinobhaji.

Sir, I also wish, as the hon. Gentleman Sri Balasubramanya Ayyar wishes or perhaps hopes, that it should be possible to solve this land problem by means exclusively of this movement. But I am afraid it is a voluntary movement and, therefore, it would be too much to hope or expect that the entire land problem which confronts us could be solved by means of this great movement. Eminent leaders of India, including the Prime Minister of India, who met recently in Mysore and discussed the question with Vinobhaji, were also of this view. Leaders of different Parties are of the view that legislation should not be ruled out when we express our unstinted appreciation of, and support to, the great movement.

The hon. Member Sri K. Balasubramanya Ayyar referred also to the provision relating to nomination of members. He did not like the provision that Vinobhaji should nominate the members of the Board with the approval of the Government. On the other hand, there are critics who are very valuable associates of Vinobhaji in his movement and these people told us that the provision must confer absolute powers on Vinobhaji to nominate. There are difficulties in accepting the suggestion and I have no doubt that the Joint Select Committee will go into the question of nomination as well as other provisions in the Bill. Perhaps, a provision such as this, viz., that the Government may nominate the Members in consultation with Vinobhaji, might be better. I am sure the various aspects of the problem will be gone into deeply by the Joint Select Committee. The hon. Member Sri Balasubramanya Ayyar himself is a Member of the Joint Select Committee and I do hope that the Bill will take a final shape which will satisfy everyone concerned. With these few words, I commend the motion to the House for acceptance.

MR. CHAIRMAN: The question is—

"That this House concurs with the Assembly in setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members of the Assembly and 8 Members of the

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Council) to consider the Madras Bhoodan Yagna Bill, 1957 (L.A. Bill No. 15 of 1957) and that the following Members of this House be selected to serve on such a Joint Select Committee :—

1. The Hon. Sri R. Venkataraman.
2. Sri O. P. Ramaswami Reddiar.
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5. Sri V. S. Balasundaram.
6. Sri P. B. K. Thiagaraja Reddiar.
7. Sri K. Balasubramanya Ayyar.
8. Sri T. P. Srinivasavaradan."

The motion was put and carried.

MR. CHAIRMAN : The Hon. Sri M. Bhaktavatsalam.

* THE HON. SRI M. BHAKTAVATSALAM : I am not ready with the next Bill. It may be taken up in the afternoon.

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

The House then rose.

(After lunch—3 p.m.)

VI.—GOVERNMENT BILL.

THE PREVENTION OF INSULTS TO NATIONAL HONOUR BILL, 1957 (L.A. BILL NO. 19 OF 1957).

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

" That the Prevention of Insults to National Honour Bill* 1957 (L.A. Bill No. 19 of 1957), as passed by the Legislative Assembly, be taken into consideration."

Sir, this is no doubt a strange and novel piece of legislation. But we have to have recourse to this strange piece of legislation in order to meet strange attitudes and strange acts on the part of certain individuals. I do not know whether there is a similar law in existence in the statute-book of any other country. But, still, we have to provide necessary safeguards for meeting possible situations. We do have all kinds of laws on our statute-book. We have, for instance, made adultery an offence under the Indian Penal Code. That does not mean that that evil practice is largely prevalent in this country and it cannot cast any reflection on the high moral standard in this country. Even if a few individuals in any sense of aberration are likely to have recourse to strange acts, we have to fortify ourselves and the community has to be safeguarded by the passing of necessary laws in order to meet the situation. Some people may think that a law like this on our statute-book might itself mean that there is something wrong with our country.

* Printed as Appendix on page 324 infra.

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On the other hand, I would like to point out that if even one who is misguided by a strange individual has recourse to some strange conduct and if we should be obliged to merely look on helplessly, it is that situation that would cast a reflection on the state of affairs in this country. It is in these circumstances that the Government have chosen to bring forward this Bill for the acceptance of the Legislature.

Hon. Members may remember—even if they are not aware of it, I would like to tell them—that some years back there was a threat on the part of certain individuals that they would go to the extent of burning our National Flag.

DR. V. K. JOHN : May I know the name of the individual concerned? Is he a prominent man?

* THE HON. SRI M. BHAKTAVATSALAM : I may tell the hon. the Deputy Leader of the Opposition that whoever be the individual whether he is a prominent man or a small man, it is the act we have to look into. A bad act done by a very prominent individual, according to the estimation of the hon. the Deputy Leader of the Opposition, would not become an act which could be condoned.

DR. V. K. JOHN : I am not questioning that. I want to know the name of the individual if the Hon. Minister could tell us.

* THE HON. SRI M. BHAKTAVATSALAM : I am not interested in educating the hon. the Deputy Leader of the Opposition in this way. If he does not know, it is better for him to keep ignorant of this thing.

DR. V. K. JOHN : Do the Government intend screening his name?

* THE HON. SRI M. BHAKTAVATSALAM : The hon. the Deputy Leader of the Opposition may be a very eminent lawyer, but from the way in which he interjects, not only I but other hon. Members also would have their own opinion about his attainments. Of course, he is entitled to draw his own conclusions when I state certain facts and make certain statements and decline to make certain statements which he wants.

Sir, some years back there was a threat that certain individuals would go to the extent of burning the National Flag. This Government themselves thought that they could have a Flag Act and there was some discussion between this Government and the Government of India. But, ultimately, no Act like that was enacted. However, there is the National Emblems Preservation Act on the statute-book of India. When there was this talk of burning the National Flag, this Government, in consultation with the Government of India, drafted an Ordinance in order to meet the situation. The Legislature was not in session then. Therefore, this Government drafted an Ordinance and it was ready to be

[Sri M. Bhaktavatsalam] [15th November 1957]

issued. But just then the sponsor of that ugly movement announced that his proposal to burn the National Flag was to be withdrawn. Therefore, the Ordinance was not promulgated.

Now, again, hon. Members are aware that there are talks and threats about burning our Constitution and about defiling the statue of Mahatma Gandhi. Therefore, this Bill has been brought forward in order to prevent insults to national honour. Our Flag, Mahatma Gandhi and our Constitution are symbols of our national honour. Therefore, this Bill seeks to prevent attempts at insults to our national honour, seeks to make these acts offences and provides punishments for those who seek to commit these offences. There can be no two opinions about the need to prevent and check any misguided attempts at insulting our national honour, nor can there be any two opinions that all these three, the Flag, Gandhiji and our constitution are the symbols of our national honour. Gandhiji is not only our great leader—he got us freedom—but he has been accepted by all of us as the Father of our Nation. Our Constitution is the most sacred of our documents and we cannot tolerate any attempt at insult to that sacred document. It is, of course, another thing if any amendments to any of the provisions of the Constitution are suggested or agitated for or made. There is the democratic, constitutional way to change our Constitution, to amend our Constitution. But to think and talk of burning our Constitution will be taken, as it is the Constitution of our country, by those who are spiritually-minded, as the most sacrilegious act. But we consider it a serious offence. Therefore, we seek to make these acts relating to these three symbols of our national honour offences which are punishable.

3-10 Democracy has its own limitations. Democracy does not mean
p.m. that anyone can act in any way he pleases. There are certain limitations when it comes to a question of offending others' sentiments and feelings. Of course, minorities have their rights which are safeguarded under the Constitution. But those who adopt strange attitudes like this cannot claim that their conduct also should be protected. Sir, hon. Members would have seen reports in the Press that there was a Conference held recently in Tanjore which was largely attended and that conference adopted a resolution that they would burn the Constitution on the 26th of November, if by that date the Government did not come out with a certain clarification or certain undertaking or assurance which the sponsors of this movement asked for. Sir, this House is to adjourn tomorrow. Therefore, that is the urgency for this Bill which I have brought forward now. I have no doubt that hon. Members would appreciate the need and the urgency for this measure and give their unanimous support to this motion.

Mr. CHAIRMAN : Motion moved—

“That the Prevention of Insults to National Honour Bill, 1957 (L.A. Bill No. 19 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

The motion is before the House for discussion.

[15th November 1957]

SRI V. RAMALINGAM PILLAI : கனம் சபாநாயகர் அவர்களே, இப்படிப்பட்ட ஒரு சட்டத்தைக் கொண்டுவரவேண்டிய நிர்ப்பந்தம் நம்முடைய மந்திரி சபைக்கு ஏற்பட்டது மிகவும் விசனிக்கத்தக்கது. மந்திரி சபையினர் இந்த விஷயத்தில் மிகவும் நிதானம் காட்டியிருக்கிறார்கள் என்பதில் ஐயமில்லை. இந்த நிதானம் பெரிய குற்றம் என்று பிறர் குற்றம் சாட்டுகிற அளவிற்கு அவர்கள் நிதானம் காட்டியிருக்கிறார்கள் என்பது நம்மால் பாராட்டத்தகுந்தது.

திரும்பிய இடமெல்லாம் வானளாவிய தேவாலயங்கள் நிறைந்து, தேவாரம், திருவாசகம், திருவாய்மொழி முதலிய எண்ணிறந்த தெய்வப் பாடல்கள் முழங்குகின்ற இந்தத் தமிழ் நாட்டில், “வள்ளுவன் தன்னை உலகினுக்கே தந்து வான்புகழ்கொண்ட தமிழ் நாட்டில்”, “காந்தியின் சிலையை உடைப்போம்” என்றும், “அவர் படத்தை எரிப்போம்” என்றும், “தேசியக் கொடியை அவமதிப்போம்” என்றும், “இந்த நாட்டின் அரசியல் சட்டத்தை அவமதிப்போம்” என்றும் இழிந்த பேச்சுக்கள் நிகழ்த்தப்பட்டன என்பது நாம் எல்லோரும் தலைகுனிய வேண்டிய விஷயம். இயற்றப்படும் சட்டம் அமுலுக்கு வந்த பிறகு எந்தத் தமிழனும் அந்தச் சட்டத்தின் கீழ் தண்டனையடையாதிருக்கும் நிலைமை ஏற்பட வேண்டுமென்று நான் ஆண்டவனைப் பிரார்த்திக்கின்றேன்.

இந்த உலகம் கண்டறியாத மகாத்மாவை அவதூறு செய்ய நாம் விட்டிருக்க முடியுமா? இத்தகைய குற்றங்களைச் செய்பவர்களைத் தண்டிப்பதற்கு இந்த மசோதா கொண்டுவரப்பட்டிருக்கிறது. இந்த மசோதா கொண்டுவரப்பட வேண்டிய இந்த நிலைமை நமக்கும் ஒரு படிப்பினை ஆகும்; அரும் பாடுபட்டு காந்தி மகான் தேடிக்கொடுத்த ஸ்வராஜத்தை ஆண்டு வருகிற நாம், செயலாற்றி வரும்போது காந்திஜியை மிகவும் மறந்து விட்டோம் என்பதையும், தேசியக் கொடியில் இன்னின்ன சின்னங்கள் நிற்கின்றன என்பதை நாம் நினைப்பதில்லை என்பதையும், சிறு பான்மையோருக்கு எவ்வளவு பாதுகாப்புக் கொடுக்க வேண்டுமென்று கூறும் அரசியல் சட்ட ஷரத்துக்களை நாம் சரியாகக் கவனிக்கவேண்டுமென்பதையும் நமக்கு நினைப்பூட்டி மறைமுகமாக நம்மைத் தூய்மைப் படுத்துவதற்கு வந்த சூழ்நிலை என்றே இந்த நிலைமையைக் கருதி, இந்த மசோதாவை நான் வரவேற்கிறேன்.

மகாத்மா காந்தி அவர்கள் உலகம் இது வரையிலும் கண்டறியாத அற்புதப் பிறவி. சரித்திர மனிதர்கள் எல்லோரிலும் சிறந்தவர் காந்திஜி என்பதில் ஒருவிதமான ஐயமும் இல்லை. மகாத்மா காந்தி யார்? தமிழர்களுக்கு அவர் எப்போப்பட்டவர்?

“இத்தனை நாள் உலகமெல்லாம் இருந்தறிந்த பெரியோர்கள் இசைத்த ஞானம் அத்தனையும் ஒருருவாய்த் திரண்டதென நம்மிடையே அவதரித்தோன்; சத்தியமே மந்திரமாம், சாந்தம் ஒன்றே தந்திரமாம், சமயம் தந்த உத்தமனும், காந்திமுனி உச்சரித்த சாதனிகம்தான் உலகைக் காக்கும்.”

காந்திஜி அப்பேர்ப்பட்டவர்.

“கொல்லாமை பொய்யாமை இரண்டும் சேர்ந்த கூட்டுறவே மெய்ஞ்ஞானக் குணமாம் என்ற வல்லாண்மை நமக்குவர வாழ்ந்து சொன்ன வள்ளுவனே மறுபடியும் வந்தான் என்ன சொல்லாலும் செயலாலும் எண்ணத்தாலும் சுத்தமுள்ள பக்திநெறி சொல்லித்தந்து எல்லாரும் போற்றநின்ற எம்மான் காந்தி இந்தியத்தாய் உலகினுக்கே ஈந்த செல்வம்.”

[Sri V. Ramalingam Pillai] [15th November 1957]

காந்தி மகான் அப்பேர்ப்பட்டவர். அப்பேர்ப்பட்ட மகாத்மா காந்தி அவர்கள் எப்பேர்ப்பட்ட வாழ்க்கை வாழ்ந்தார்கள்? அவர் அச்சமில்லா—அச்சமறியாத—வாழ்க்கை வாழ்ந்தார். அவர் தம்முடைய வாழ்க்கையில் காட்டிய அற்புதங்கள் நாம் என்றென்றும் மறக்க முடியாத அற்புதங்கள். அவரைப்போன்ற மனிதரை இது வரையிலும் இந்த உலகில் நாம் கண்டதில்லை. மனிதனுக்கு வேண்டிய நெறிகளைச் சொல்லி ஆளும் மூர்த்தத்தை உணர்த்துகிற நூல்களில் பகவத் கீதைக்கு இன்னொரு நூல் இல்லை என்பதை எல்லோரும் ஒப்புக்கொள்வார்கள். ஆனால் மூர்த்தத்தையும், தெய்வத்துக்கும் மனிதனுக்கும் உள்ள சம்பந்தத்தையும், உலகத்திலுள்ள எல்லா நூல்களையும் விட வெகு ஸ்பஷ்டமாகச் சொல்லும் நூல் பகவத் கீதையே. பகவத் கீதையில் நான்கு யோகங்களைப்பற்றிச் சொல்லப்பட்டிருக்கிறது. அவைகள் பக்தி யோகம், கர்ம யோகம், ஞான யோகம், ராஜ யோகம் என்ற யோகங்கள் ஆகும். உலகத்திலே பிறந்த மகான்கள் எத்தனையோ பேர்கள்! அவரவர்கள் ஒவ்வொரு யோகத்திலே சிறந்தவர்களாக இருந்து நமக்குப் பெருமை தந்திருக்கிறார்கள். மகாத்மா காந்திஜி ஒருவர்தான், நாம் அறிந்த வரையிலும், நான்கு வகை யோகங்களையும் செய்தவர். காலையிலும் மாலைகளிலும் அவர் பிரார்த்தனை செய்யும் சமயத்தில் அவரைப் பார்த்தவர்களுக்கு அவர் பக்தி யோகத்தில் சிறந்தவர் என்பது விளங்கும். விடியற்காலம் நான்கு மணி முதற்கொண்டு இரவில் படுக்கப்போகும் வரையிலும் அவர் காரியங்களை எவ்வளவு நுணுக்கமாகச் செய்தார் என்பதைப் பார்த்தவர்களுக்கு அவர் கர்ம யோகத்தில் சிறந்தவர் என்பது விளங்கும். அவர் நீண்ட நாட்கள் உண்ணா விட்டும் இருந்த போது அவர் இறந்தே போய்விடுவாரோ என்று நாம் பயப்பட்ட காலத்தில், டாக்டர்கள் எல்லோரும் அவரைப் பரிசோதித்துப் பார்த்துவிட்டு ‘நாங்கள் படித்த வைத்திய சாஸ்திரத்திற்கு அப்பாற்பட்டதாக இவருடைய உடல் நிலை இருக்கிறது. எங்களால் எந்த முடிவிற்கும் வரமுடியவில்லை’ என்று சொன்னார்கள். அந்த அளவுக்கு அவர் தம்முடைய உடலை அடக்கி ஆண்டார். உடலை அடக்கியானவர்தான் ராஜயோகம் என்பது. ஆகவே அவர் ராஜயோகத்திலும் சிறந்தவராக இருந்தார். சொல்லாலும் எழுத்தாலும் அவர் செய்துவந்த காரியங்கள் எல்லாம் ஞானயோகம் ஆகும்.

3.20 ஆகவே, காந்திஜி நான்கு யோகங்களிலும் சிறந்தவராக இருந்தார். அப்பேர்ப்பட்ட மகாத்மா காந்தியை அவமதிக்க நாம் விட்டுவிடுவோமா? இப்பேர்ப்பட்ட மகாத்மா காந்தியின் படத்தையோ உருவச் சிலையையோ அவமதிக்க விட மாட்டோம். அவர்களுக்குத்தான் அவமதிக்க மனம் வருமா? வரவேண்டாம் என்றுதான் நாங்கள் வேண்டுகிறோம். மகாத்மா காந்தி எவ்வளவு வழிகளில் சிறந்தவர். இனி உலகத்தில் அப்பேர்ப்பட்டவரைக் காண முடியாது. மகாத்மா காந்தியைப்போல இனியும் உலகத்தில் ஒருவர் அவதரிப்பாரா என்று கூட சந்தேகிக்க வேண்டியதாக இருக்கிறது. பகவத் கீதையில் சொல்லியவைகளை அவர் ஒருவர்தான் கடைப்பிடித்து வந்தார். அதன் கொள்கைகளை அவர்தான் கையாண்டு வந்தார் என்பது எல்லோருக்கும் நன்கு தெரியும். அவர் பொறுமைக்கு அவதார மனிதர். அவர் பேசிக்கொண்டோ எழுதிக்கொண்டோ இருக்கும்போது, திடீரென்று பீரங்கி வெடித்தாலும் அவர் திடுக்கிட மாட்டார். திடுக்கிட்டுத் திரும்பிக்கூடப் பார்க்க மாட்டார். அவ்வளவு பொறுமை யுள்ளவர். இப்படிப்பட்ட ஒரு சம்பவத்தை நான் என் கண்ணிலேயே பார்த்திருக்கிறேன். மகாத்மா காந்தி அவர்களுடைய வாழ்க்கைச் சரித் திரத்தைப் படித்துப் பார்த்தால், அதைப்பற்றியெல்லாம் நன்றாகத் தெரிய வரும். அவர் எங்கெங்கே என்னென்ன செய்தார் என்பவைகள் எல்லாம் நன்றாகத் தெரியவரும். அவரைப்பற்றி எவ்வளவோ பாட்டுக்கள் பாடியிருக்கிறேன்.

அவர் மரணத்தை வரவேற்றார். தான் எப்படி மரணம் அடைய வேண்டும் என்பதைச் சொல்லி வந்தார். அஹிம்சை முறையில் தாம் மரணமடைய வேண்டும் என்று சொல்லிக்கொண்டு வந்தார். எவ்வளவு கஷ்டங்கள் ஏற்பட்டாலும், எத்தனை ஹிம்சைகள் ஏற்பட்டாலும் அதையெல்லாம் பொறுத்துக்கொண்டு, தான் அஹிம்சை முறையில் மரணமடைய வேண்டும் என்று ஆவல் கொண்டிருந்தார்.

[Sri V. Ramalingam Pillai] 15th November 1957]

“குத்திட்டி ஒருபுறத்தில் குத்த வேண்டும் கோடரி ஒருபுறத்தைப் பிளக்க வேண்டும் ரத்தம்வரத் தடியடியால் ரணமுண்டாக்கி நாற்புறமும் பலர் உதைத்து நலிமுத் திட்ட அத்தனையும் நான் பொறுத்து அஹிம்சை காத்து அனைவரையும் அதைப்போல நடக்கச் சொல்லி ஒத்துமுகம் மலர்ந்து உதட்டில் சிரிப்பி னேனும் உயிர் துறந்தால் அதுவே என் உயர்ந்த ஆசை”.

என்ற முறையில் அவர் தன்னுடைய மரணத்தை விரும்பினார். இத் தனையும் சமீபத்துக் கொண்டதான் மரணமடைய வேண்டும் என்று விரும்பினார். அப்பேர்ப்பட்ட மகாத்மா காந்தியை அவமதிப்பதா? ஆகவே அவர் மரணத்தை விரும்பி வாழ்ந்து வந்தார். மரணம் ஏற்படும்போதும் அஹிம்சை முறையில் ஏற்படவேண்டும் என்று விரும்பி வந்தார். அந்த முறையிலேயே அவர் தன்னுடைய வாழ்க்கையை நடத்தி வந்தார் என்றால், அப்பேர்ப்பட்டவரை அவமதிப்பதா? அவர் காலனை, மரணத்தை வென்று வாழ்ந்து வந்தார். சர்க்காருடைய காந்தி சரித்திரம் மொழி பெயர்ப்பில் இருக்கிறது. அதற்கு நானும் ஒரு பாட்டுப் பாடியிருக்கிறேன்.

அவருக்குக் காலன் வந்தபோது, மரணம் ஏற்பட்டபோது, அவர் எந்த நிலையில் இருந்தார்? அதற்கு வள்ளுவன் ஒன்று சொல்லியிருக்கிறான். அந்த முறையில் அவர் இருந்தார்.

“சூற்றங் குதித்தலுங் கைகூடும் நோற்றலின் ஆற்றல் தலைப்பட்டவர்க்கு”

என்று வள்ளுவன் சொல்லியிருக்கிறான். இதற்குப் பலர் பலவிதமாக அர்த்தம் சொல்லுகிறார்கள். நோற்றலின் ஆற்றல் தலைப்பட்டவர்களுக்கு, “சூற்றங் குதித்தலும்” கைகூடும் என்றபடி எமனைக் கடத்தலும் ஐயித் தலும் கைகூடும் எனப் பொருள். ஆனால் வள்ளுவன் என்ன நினைத்தான்? “இறந்துபோய்த் தீருவேன்” என்று வள்ளுவன் சொல்லியிருக்க மாட்டான். சூற்றங் குதித்தலும் என்பதற்கு அர்த்தம் என்ன? தபோ பலம் உடையவர்கள் மரணத்தை விரும்புவார்கள். இச்சா மாத் திரத்தில் தன்னுடைய உயிரை விடத் தயாராக இருப்பார்கள். தன்னுடைய உடலைத் தானாகவே கொடுப்பார்கள். அவர்கள் தங்களுடைய உயிரை எப்பொழுது வேண்டுமானாலும் விடுவதற்குத் தயாராக இருப்பார்கள். நினைத்த மாத் திரத்தில் தங்களுடைய உயிரை விடுவதற்கும் தயாராக இருப்பார்கள். உயிரை விரும்புபோதும் அதனால் எந்தவிதமான கஷ்டங்களையும் அனுபவிக்க மாட்டார்கள்.

அதனால் காந்திஜி எப்படி மரணமடைந்தார் என்பதைப் பார்க்க வேண்டும். அவர் மேல் மூன்று குண்டுகள் பாய்ந்தன. அந்த மூன்று குண்டுகளும் பாய்ந்தபோது அவர் என்ன “ஐயோ, அப்பா, அம்மா” என்று சொன்னார்? அப்படிப்பட்ட வார்த்தைகளா அவர் வாயிலிருந்து வந்தன? அவருடைய உடல்தான் துடித்ததா? உயிர் போகும்போது யாருக்குமே உடல் துடிப்பது உண்டு. ஆனால் அவர் உடல் துடித்ததா? இல்லை. ஆனால் அவர் உயிரை விரும்புபோது என்ன சொன்னார்? “ராம், ராம்” என்ற வார்த்தைகள்தான் அவர் வாயிலிருந்து வந்தன. இதைப் போல் எந்த சரித்திரத்திலாவது அல்லது புராணத்திலாவது இருக்குமா? அப்படி நாம் எந்தப் புராணத்திலாவது சரித்திரத்திலாவது கண்டது இல்லை. அவரைப் பற்றி எவ்வளவு புகழ்ச்சி செய்தாலும் தகும். அவர் நமக்கு மட்டும் மகாத்மா இல்லை; உலகத்திற்கே மகாத்மாவாக இருந்தார். அதனால் நாம் எல்லோரும் அவருக்கு அஞ்சலி செலுத்த வேண்டியவர்களாக இருக்கிறோம்.

அடுத்தபடியாக, தேசியக் கொடியைப்பற்றிச் சொன்னார்கள். அதை எரிப்பதாகவும் சொல்லுகிறார்கள். அந்தக் கொடி எப்படி ஏற்பட்டது என்பதைக் கொஞ்சம் சிந்தித்துப் பார்க்க வேண்டும். அந்தக் கொடிக்கு என்ன சின்னங்களை வைத்தார்கள் என்பது அந்தக் காலத்தில் பார்த்திருந்தவர்களுக்கு நன்றாகத் தெரியும். அப்பொழுது இருந்தவர்களில்

[Sri V. Ramalingam Pillai] [15th November 1957]

பலர் இப்பொழுது மறைந்து போய்விட்டார்கள். ஆனால் எனக்குத் தெரியும். எப்படிப்பட்ட சின்னம் வைக்க வேண்டும் என்று மகாத்மா காந்தி பலரை அழைத்துக் கேட்டு ஒரு முடிவுக்கு வந்தார். மகாத்மா காந்தி, மோதிலால் நேரு, அபுல் கலாம் ஆஸாத், மௌலானா ஷௌகத் ஆலி, முகமது ஆலி, முதலிய ஐம்பது பேர்கள் ஒன்றாகக் கூடி இப்படிப்பட்ட சின்னத்தை வைக்க வேண்டும் என்று தீர்மானம் செய்தார்கள். மற்றக் கொடிகளுக்கெல்லாம் சின்னங்கள் இருக்கும்; ஆனால் அவைகளில் கொள்கையிருக்காது. கொள்கையின் அடிப்படையில் மற்றக் கொடிகளுக்கு சின்னங்கள் வைக்கவில்லை. நம்முடைய நாட்டின் கொடி ஒன்றுக்குத்தான் கொள்கையின் அடிப்படையில் சின்னங்கள் வைக்கப்பட்டிருக்கின்றன. அந்தக் கொள்கையின் அடிப்படையில் வைக்கப்பட்டது பச்சை நிறம். அது எதைக் குறிக்கிறது? அது தியாகத்தைக் குறிக்கிறது. பச்சை நிறம் என்பது ஈரத்துக்கு, அன்புக்கு, பக்திக்கு அடையாளம்.

“ பச்சையான ஒரு தோற்றம்—நமக்குப் பக்தி வேண்டுமெனச் சாற்றும்
இச்சையான பொருள் கூடப்—பக்தி இருக்க வேண்டுமதை நாட.”

அடுத்தபடியாக, நடுவில் வெள்ளை இருக்கிறது. அது எதைக் காட்டுகிறது.

“ துய்ய வெள்ளை நிறக் காட்சி—உண்மை
துலங்கு மென்பதற்குச் சாட்சி
மையமாக நிற்கும் மர்மம்—சத்யம்
மதங்கள் யாவினுக்கும் தர்மம்.”

அதாவது, துய்ய வெள்ளை நிறக் காட்சி உண்மை துலங்கும் என்பதற்குச் சாட்சி. இந்த வெள்ளை மையமாக இருப்பதற்குக் காரணம் அது சத்யம் என்பதைக் குறிக்கிறது. சத்யம் மதங்கள் யாவினுக்கும் தர்மம் என்பதைக் காட்டுகிறது.

அதற்கு அடுத்தபடியாக, காலி வர்ணம் இருக்கிறது. அது எதைக் காட்டுகிறது? காலி, துறவியைக் காட்டுகிறது. அது துறவி வர்ணம்.

“ துறவின் வர்ணமந்தக் காலி—உலகின்
துக்கப் பூட்டினுக்குச் சாவி
சிறையும் வீடுமதற் கொன்றே—என்னும்
சேதி ஒதுவதற்கென்றே.”

ஆகவே பச்சை என்பது அன்பிற்கும், வெள்ளை நாட்டில் இருக்கக்கூடிய சத்தியத்திற்கும் அடையாளங்கள்; தியாகத்துக்கு அடையாளம் துறவி வர்ணம். இப்படி ஸ்பஷ்டமாக விளக்கப்பட்டிருக்கிறது. ஏழைகளை விளம் பார்படுத்துவதற்கு இப்படிப்பட்ட சின்னங்களை காங்கிரஸ்காரர்கள் வைத்தார்கள். வெள்ளைக்கு நடுவில் ஒரு ராட்டையை அமைத்தார்கள். அதன் அடையாளம் என்ன?

“ நடுவில் ராட்டை ஒன்று பார்ப்போம்—அதில்
நலிந்தபேர்க்குக் கஞ்சி வார்ப்போம்
வடுவிலாத தொழில் நூற்றல்—குடிசை
வாழும் ஏழைக்கென்று சாற்றல்.”

ஆகவே பச்சை நிறம் பக்திக்கும், வெள்ளை நிறம் சத்தியத்திற்கும், காலி நிறம் தியாகத்திற்கும் என்று வைக்கப்பட்டிருக்கின்றன. ராட்டையை வைத்த காரணம் என்ன? ஏழைகளைக் காப்பாற்றுவதற்காக ராட்டை சுற்றி அது பசிப்பிணியைப் போக்க வேண்டும் என்பதற்காக அது வைக்கப்பட்டது. நாட்டிலுள்ள ஏழைகளை அதன் மூலம் காக்க வேண்டும் என்பதற்காக ராட்டையை வைத்தார்கள். அப்படி ராட்டை உள்ளது காங்கிரஸ் கொடி.

[Sri V. Ramalingam Pillai]

ஆனால் தேசியக் கொடியில் அந்த ராட்டையை எடுத்துவிட்டு அசோக சக்கரம் வைக்கப்பட்டிருக்கிறது. அதற்குக் காரணம் என்ன? நீதி தவறாமல் இருக்க வேண்டும் என்பதற்காக அது வைக்கப்பட்டிருக்கிறது இப்பேர்ப்பட்ட கொடியை எரிப்பது அல்லது அவமதிப்பது எவ்வளவு விசனிக்கத்தக்க சம்பவம் என்பதை நான் சொல்ல வேண்டியதில்லை.

கடைசியாக, சட்டப்புத்தகத்தை அவமானம் செய்வதோ அல்லது எரிப்பதோ சரியல்ல. அந்தச் சட்டம் யாரால் செய்யப்பட்டது என்று பார்க்க வேண்டும். ஹரிஜன சமுதாயத்தை முன்னேற்றமடையச் செய்ய வேண்டும் என்பதற்காக ஹரிஜனங்களை சமுதாயத்திலிருந்து பிரிக்க வேண்டும் என்று சொன்ன காலத்தில்—ஹரிஜனங்களை சமுதாயத்திலிருந்து பிரிக்கக் கூடாதென்பதற்காக, மகாத்மா காந்தி பட்டினி கிடந்து தன்னுடைய உயிரையே விடக்கூடிய நிலையில் இருந்தார். அப்பொழுது ராஜாஜியுடன் சென்று மகாத்மா காந்தி உயிர் பெறும்படியாகச் செய்த நம்முடைய தலைவர் அம்பேத்கார் அவர்கள் சட்ட அமைச்சராக இருந்து ஒவ்வொரு பகுதியையும் ஆராய்ந்து பார்த்து நிறைவேற்றிய சட்டம் அது. அப்பேர்ப்பட்டவரால் இயற்றப்பட்ட சட்டம் இன்றைக்கு ஜாதியின் பெயரால் கொண்டுவரப்பட்ட சட்டம் என்று சொல்லப்படுகிறது. இது அம்பேத்காரால் கொண்டுவரப்பட்ட சட்டமாக இருப்பதால், இதில் ஜாதிப் பாகுபாடு இருக்குமா?

இப்படிப்பட்ட மூன்று குற்றங்களைச் செய்யக் கூடியவரைத் தண்டிக்க வேண்டியதுதான். இந்த மூன்று குற்றங்களுக்கும் அடிப்படையாக இருக்கும் காரணங்கள் என்ன என்பதை நாம் கவனிக்க வேண்டும். அதை நன்றாகக் கவனித்துப் பின்னால் தக்க நடவடிக்கை எடுக்கவேண்டும். நான் அமைச்சர்களுக்கு ஒருவிதமான யோசனையையும் புத்திமதியையும் சொல்லவில்லை. நான் பொதுவாகச் சொல்லுகிறேன். இதற்கு மூல காரணம் என்ன என்பதைத் தெரிந்துகொள்ள வேண்டும். பிராம்மண துவேஷமும், வட நாட்டு துவேஷமும் தான் இதற்குக் காரணம். பிராம்மணர்கள் தமிழ் நாட்டவர்கள் இல்லை என்று சொல்லுகிறார்கள். அவர்கள் வேறு எங்கிருந்தும் வரவில்லை. இங்கேயே உள்ளவர்கள்தான். அப்படி பிராம்மணர்கள் வடநாட்டிலிருந்து வந்தவர்கள் என்று சொல்வது அபாண்டமான பொய்; பெரும் பிழை. தமிழ் நாட்டிலுள்ள மாணவர்களும் வாலிபர்களும் இதனால் பாதிக்கப்படுகிறார்கள்; பள்ளிக் கூடங்களில் அவர்களுடைய மனதைத் திருப்புகிறார்கள். இதன் முடிவு என்னவாகும்? தமிழ் நாட்டிலுள்ள பிராம்மணர்கள் வடநாட்டிலிருந்து வந்தவர்கள் அல்ல. சேர, சோழ, பாண்டியன் காலத்தில் வடநாட்டு மொழியை, அதாவது சம்ஸ்கிருதத்தை, தமிழ் நாட்டில் பரப்ப வேண்டும் என்ற எண்ணம் கொண்டு, பிராம்மணர்களிலுள்ள நிபுணர்களுக்கு மாணியம் கொடுத்து வட மொழியைக் கற்றுக்கொண்டு வரச்சொல்லி இங்கே அதைப் பரப்புவதற்கு ஏற்பாடு செய்தார்கள். அப்படிப் படித்து வந்தவர்களுக்குக் கிராமங்களில் நிலங்கள் கொடுத்து பாடசாலைகளை அமைத்துக் கொடுத்து வேண்டிய ஏற்பாடுகளையெல்லாம் செய்தார்கள். பிராம்மண ஜாதி ஏற்பட்டது பிராம்மணர்களால் அல்ல; அந்தக் குற்றம் அவர்களுடையது அல்ல; அந்தக் குற்றம் சேர, சோழ, பாண்டிய அரசர்களுடைய குற்றத்தான். அதனால் பிராம்மணர்களைக் குற்றம் சொல்வதில் பிரயோசனம் இல்லை. அதனால் பிராம்மணர்களைத் திட்டிப் பிரயோசனம் இல்லை.

‘பார்ப்பான்’ என்ற சொல் தொல்காப்பியத்திலேயே இருக்கிறது. 3-30 தொல்காப்பியம் என்பது தமிழ் மக்களின் கண்ணாடி போன்ற சரித்திரம். P.V. அது 5,000-6,000 ஆண்டுகளுக்கு முன்னால் எழுதப்பட்டது என்று ஆராய்ச்சியாளர்கள் சொல்கிறார்கள். அந்தக் கணக்கை ஒத்துக் கொள்ளாமல் எவ்வளவு குறைவாக மதிப்பிட்டாலும் 3,000 ஆண்டுகளுக்கு முன்பாவது அது எழுதப்பட்டிருக்க வேண்டும். திருக்குறள் 2,000 ஆண்டுகளுக்கு முன் எழுதப்பட்டது. அதற்கும் பல நூற்றாண்டுகளுக்கு முன் தொல்காப்பியம் எழுதப்பட்டிருக்கிறது. அதில் “ஐயர்” இருக்கிறார். அந்த

[Sri V. Ramalingam Pillai] [15th November 1957]

இலக்கியத்தில் வட மொழிப் பதங்களும் இருக்கின்றன. ஆகவே பிராம்மணர்கள் தமிழர்களே. பிராம்மணர்கள் தமிழர்கள் இல்லை என்றும், அவர்கள் வட நாட்டார் என்றும் இப்போது சிலர் சொல்லிறார்கள். சரித் திர பூர்வமாகவும் இலக்கிய பூர்வமாகவும் அப்படிச் சொல்ல முடியாது; சொல்லக் கூடாது. பிராம்மணர்கள் தமிழர்கள் அல்ல என்ற கொள்கையை அடிப்படையாகக்கொண்டு இத்தனை காலமாக எத்தனை அக்கிரமங்கள் நடந்திருக்கின்றன! பிராம்மணர்கள் பேரிலும், வடநாட்டின் பேரிலும், வடமொழியின் பேரிலும் துலேஷம் வளர்க்கப்படுகிறது. வடமொழி வேறு தான், தமிழ் மொழி வேறுதான். வடமொழியிலுள்ள விசேஷங்கள் வேறுதான், தமிழ் மொழியிலுள்ள விசேஷங்கள் வேறுதான். தமிழ் மொழியிடம் எனக்கு உள்ள அன்பு கொஞ்சநஞ்சமல்ல. அதே சமயத்தில் நான் வடமொழிக்கு வணங்குகிறேன். அதிலேயுள்ளபடியே மெய்ஞ்ஞானம் தமிழில் இல்லை. வடமொழிப் பண்புகள் பிரகாரம் ஒருவன் முக்தி அடைய வேண்டுமானால், அவன் சந்நியாசம் வாங்கிக்கொண்டு காட்டுக்குப் போகவேண்டும். ஆனால் தமிழ்மொழிப் பண்புகள் பிரகாரம் அப்படி இல்லை. திருவள்ளுவர்,

“வையத்துள் வாழ்வாங்கு வாழ்பவன் வாணுறையும்
தெய்வத்துள் வைக்கப் படும்.”

என்று சொல்லியிருக்கிறார். மேலும்,

“அறத்தாற்றின் இல்வாழ்க்கை யாற்றின் புறத்தாற்றிற்
போ ஓய்ப் பெறுவது எவன்.”

என்றும் சொல்லியிருக்கிறார். ஆகவே “தர்ம முறையில் மெய்ஞ்ஞானத்தை நடத்தினால் வேறு வழியில் போய் அடைய என்ன இருக்கிறது?” என்று சொல்லியிருக்கிறார். மேலும்,

“ஆற்றின் ஒழக்கி அறனிழுக்கா இல்வாழ்க்கை
நோற்பாரின் நோன்மை உடைத்து.”

என்று ஒரு குறள் இருக்கிறது. அதாவது சரியான முறையில் இல்வாழ்க்கை நடத்துகின்றவன் தவசியைக் காட்டிலும் பொறுப்புடையவன் என்று சொல்லியிருக்கிறார். ஆகையால், அறமே இல்வாழ்க்கை என்று திரு வள்ளுவர் தீர்மானமாகச் சொல்கிறார்.

இப்படிப்பட்ட வித்தியாசங்கள் தவிர, மெய்ஞ்ஞான அறிவிலோ பக்தி மார்க்கத்திலோ தமிழ் மொழிக்கும் வட மொழிக்கும் வித்தியாசம் இல்லை. பல்லாயிரம் ஆண்டுகளுக்கு முன்பே தமிழர்கள் வட மொழியைத் தங்கள் மொழியாகக்கொண்டு அதிலுள்ள இலக்கியங்களைத் தங்கள் மொழியில் சேர்த்துக்கொண்டிருக்கிறார்கள். ஆகையினால் தமிழர்கள் வடமொழித் துவேஷமும் வட நாட்டுத் துவேஷமும் கொள்ளக் கூடாது.

இனி எந்த நாடும் தனித்து வாழ முடியாது. ஒரு குண்டினால் எத்தனையோ மைல்கள் பாழாகக்கூடிய இந்தக் காலத்தில் ஒரு தனித் தமிழ் நாடோ, தனி குஜராத்தி நாடோ, தனி வங்காளி நாடோ, இவை போன்ற வேறு எந்த நாடோ இருக்க முடியாது. இந்தியாவே கூடத் தனியாக இருக்க முடியாத காரணத்தினால்தான், பிறருடைய உதவியையெல்லாம் நாம் கேட்டுக்கொண்டிருக்கிறோம். ஆகையால், தனித் தமிழ் நாடு வரும் என்றும், தமிழர்கள் தனியாக இருக்க முடியுமென்றும், நாட்டைத் துண்டாட முடியும் என்றும், வட நாட்டாரை எதிர்த்துப் பேசவேண்டும் என்றும் சிலர் பேசுவதைக் கண்டிக்க வேண்டிய முறையில் கண்டித்தாக வேண்டும்.

தாங்கள் உயர்ந்த ஜாதி என்று பிராம்மணர்கள் சொல்லிக்கொள்வதாக அவர்கள் சொல்கிறார்கள். பிராம்மணர்கள் மற்றவர்களைத் தங்களுடைய காலில் விழச் சொல்லவில்லை. இன்றைக்கும் கூட பிராம்மணர்கள் சாந்த குணம் படைத்தவர்களாக இருக்கிறார்கள். உயர்ந்த தர்மம் அஹிம்ஸை, அதற்கடுத்தது சத்தியம். இந்த இரண்டையும் கொண்டு தான் மகாத்மா உலகத்தை வென்றார். அஹிம்சை—சாந்த குணம்—யாரிடத்தில் இருக்கிறது என்பதைக் கண்டுபிடித்துவிடலாம். பொய் பேசுபவர்கள் யார் என்பதைக் கண்டுபிடிக்க முடியாது. ஒருவன் சாந்தம் உடையவனானால்

[Sri V. Ramalingam Pillai] 15th November 1957]

இல்லையா என்பதை அறிந்துவிடலாம். ஆனால் ஒருவன் பொய் சொல்ல வானால் இல்லையா என்பதை அவனுடன் நெருங்கிப் பழகாமல் சொல்ல முடியாது. கடந்த 20 ஆண்டுகளாக பிராம்மணர்களுக்குச் செய்யப்பட்டு வரும் அவமதிப்பு கொஞ்சநஞ்சமல்ல. என்னை “பிராம்மணர்களின் தலைவன்” என்றும், “பிராம்மணர்களுக்கு அடிவருடி” என்றும் சொல்வதுண்டு. மற்றவர்களுக்கு அடிவருடாமல் பிராம்மணர்களுக்கு அடிவருடி வதில் எனக்கு அவமானம் இல்லை. பிராம்மணர்களைக் கடந்த 25 வருடங்களாகச் சொல்லமுடியாத பச்சைத் தமிழில் பேசி வருகிறார்கள். என் கண்களால், பிராம்மணப் பெண்களை அவமதிப்பதைப் பார்த்திருக்கிறேன். இத்தனை அவமதிப்பையும் பிராம்மணர்கள் பொறுத்துக் கொண்டிருக்கிறார்கள். பிராம்மணர்களைத் தவிர வேறு எந்த ஜாதியினரையாவது இவ்வாறு நடத்தியிருந்தால் தமிழ் நாடு முழுவதும் “முதுகுளத்தூர்” ஆகியிருக்கும். பிராம்மணர்களிடத்தில் சாத்வீக குணம் மேலோங்கியிருப்பதால்தான் அவர்கள் சிறந்தவர்களாக இருக்கிறார்கள் என்பதில் ஐயமில்லை. அதை நாமும் பாடுபட்டுக் கற்றுக்கொள்ள வேண்டும். பிராம்மணத் துவேஷம் தமிழ்நாட்டு மக்களிடையேயும், சிறப்பாகப் பள்ளிக் கூடங்களிலும், பரவாதிருக்க மந்திரி சபையினர் தங்களாலான ஏற்பாடுகளைச் செய்ய வேண்டுமென்று மிகவும் வணக்கத்துடன் கேட்டுக்கொண்டு என் வார்த்தையை முடித்துக்கொள்கிறேன்.

*SRI A. M. ALLAPICHAJ: Mr. Chairman, Sir, after two very good speeches, it is really very difficult for me to speak. Our Home Minister, in his own inimitable way, put the whole position before us in a very effective and convincing manner. Our great poet Sri Namakkal Ramalingam Pillai has spoken very effectively.

SRI K. BALASUBRAMANYA AYYAR: At least once, something good about the Brahmins has been said.

* SRI A. M. ALLAPICHAJ: Brahmins are our brothers and whatever difficulties befall them will befall us. If any Indian were to bear grudge against any other Indian, he ceases to be a patriotic Indian. I do not think that any decent man, any sensible man will bear any grudge against any community in India.

Joan of Arc, that great heroine of France, is held in the greatest possible reverence by the French people even to-day. That great heroine fought against the British. But for her courage and endeavour, perhaps the English people would have occupied the whole of France, and perpetuated their rule over the French people. Therefore, even to-day the French people honour her. If any Frenchman were to offer any insult to her, perhaps some Frenchman standing nearby will teach him the best possible lesson. Take, for example, Abraham Lincoln and George Washington. These people are held in great respect by the Americans. Why? They did great service to their country; they saved the country from the British rule. Our position was hundred times worse than the position of the French or the American people when they were fighting hard against the Britisher. In spite of so many difficulties and after many sacrifices, our great Leader, the Father of the Nation, won freedom for our country. I do not know why anybody in India, particularly in South India, should think of offering an insult to one who never offered any insult to anybody, not even to his worst enemies. He never insulted even the British people

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against whom he fought. Of all the places in India, South India boasts so much of culture and things like that. Some individual in the South gets up and says: "Well, we shall insult the great man." It is really a wonder to me and I do not know how it is possible for any Indian, unless there be something wrong with him, to offer insult to the memory of our great leader Gandhiji.

3-40
p.m.

Secondly, I come to the National Flag. The Flag is the symbol of national honour. Millions of people fight and die with a smile on their faces to protect the honour of the country. When such is the case, I do not know how any person particularly in South India could come forward and say, "Well, this is a piece of cloth and I shall burn it."

Then, I come to the Constitution. If there is anything wrong in our Constitution and if some Articles of the Constitution are wrong, we have got the legitimate right to agitate constitutionally against it. But to say that the constitution must be burnt is a thing which I cannot understand. The person involved in the matter is a big man in his own way. That is why I do not want to say anything in an insulting way. But this much I can say. This act of his will rather excite a lot of people in the country. No doubt, the Government have been careful and they have brought forward this Bill which will be passed into an Act soon. Even if this Bill is not passed to-day, no person will come forward and say, 'I shall do it with impunity' and people know how to deal with such a situation. The greatness in this Bill is that it will prevent all sorts of untoward incidents in the South. As the Hon. the Minister for Home has put it, it is rather ridiculous that we should come forward with a Bill to protect the national honour. It goes without saying that no Indian worth the name, whoever he may be, whether he believes in God or not and whether he is a big or small man, can dishonour our country. It is the duty of every Indian to honour our National Flag, our Constitution and our leaders. Who can be a bigger leader than Mahatma Gandhi? I may tell the House that perhaps the world has not produced as big a person as Mahatma Gandhi in the field of politics. This great man had never cursed even his enemies. He was following Christ. When Prophet Mohamed was insulted or injured, somebody asked Him to curse the people responsible for it but he replied that he would not do so as He had not come to curse them. So also Gandhiji never returned hatred for hatred. When such is the case, I do not know how one leader or a small section of the people could come forward and say that they are determined to burn the National Flag or the Constitution or break the statues of leaders. Such a thing should not happen. If it does happen, I think, it must be treated as a capital offence. But the Government have provided for an imprisonment of only three years for such a capital offence. It is only here that I differ from the attitude of the Government. We must treat it as a treason to the country. Insulting our

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National Flag is a treason to the country. Insulting our Constitution is a treason to the country. Insulting our leaders is a treason to the country. What is the punishment for treason? It is death sentence. But I suggested a step lower than that. The punishment that the Government are going to give for such a capital offence is only three years. That is not enough. It is a very serious thing and this is a matter on which our whole existence depends. If anyone lightheartedly treats such great things as the National Flag and the Constitution as a piece of cloth or a bundle of papers, what will happen? Nobody is going to be so foolish and insane as to come forward to burn them. But if there is such a mad man, he must know that he could not deal with it so easily as he likes and that the matter would be treated very seriously. The punishment provided for in this Bill for such a person is very light.

SRI MOHAMED RAZA KHAN : It is in our hands and we can move an amendment.

* SRI A. M. ALLAPICHAHAI : I think the Government would do well to amend that particular clause themselves.

I hope that this Bill will be supported by all our people. But one thing which makes me rather sad is that we have been forced to come to this House to pass a Bill even to protect the national honour of our country.

DR. A. LAKSHMANASWAMI MUDALIAR : Mr. Chairman, Sir, I do not think that an elaborate discussion on this Bill is necessary. I deeply regret that it should have been found necessary to bring such a Bill before this House. Yet, circumstances have forced the Government to bring forward a Bill like this. The chief worry that I have got is that this will create an impression that there is something radically wrong with our country, particularly with Tamil Nad. So far as international circles are concerned, they would be wondering what has gone wrong with our country. It is from that point of view that I deplore that necessity should have forced the Government to bring forward a Bill of this nature. I do hope that the appeal that has been made will bear fruit and far from taking a contrary attitude, the people concerned will consider the desirability of reviewing their own position in the light of many statements that have been made and the appeals made by our leaders. I do hope also that although this Bill may be passed into an Act, it will be treated as a dead letter in law and that no situation will arise to necessitate such a legislation. Thank you, Sir.

* SRI A. SUBRAMANYAM : கனம் தலைவர் அவர்களே, 3-50
இன்றைய தினம் நம்முடைய சட்ட சபையின் முன் கொண்டுவந்திருக்கும் p.m.
படியான இந்த மசோதாவைப்பற்றிப் பல நண்பர்கள் பேசினார்கள். இந்த
மசோதா மிகவும் முக்கியமானது. நீண்ட நாட்களுக்கு முன்னதாகவே
இதைக் கொண்டுவந்திருக்க வேண்டும் என்பது என்னுடைய கருத்து.

[Sri A. Subramanyam] [15th November 1957]

மக்களுடைய விருப்பம் கூட அதுதான். இதைப்பற்றி நான் இரண்டு வருஷ காலமாகவே இந்த சட்ட சபையில் பல முறைகளில் பேசியபோது கூறி வந்திருக்கிறேன். ஆனால் இம்மாதிரியான ஒரு மசோதாவைக் கொண்டுவரும்படியான நிலைமை தற்போது ஏற்பட்டதைக் குறித்து நான் ஒரு வகையில் வருந்துவதாக இருந்தாலும் மற்றொரு வகையில் அதை மிகவும் வரவேற்க வேண்டியவனாக இருக்கிறேன். குறிப்பாக, காந்தி அடிக்கப்பட்டிருந்த இங்கு கனம் அங்கத்தினர்கள் சொல்லியபடி அவர் ஒரு தீர்க்கதரிசி: அவர் இந்த தேசத்தின் தந்தை என்பது வாஸ்தவம் தான். அவர் தந்தை என்பது நம்முடைய தேசத்திற்கு மட்டுமல்ல, உலகத்தில் இருக்கும்படியான எல்லோருக்கும் பெரியவர். அதனால்தான் அவருக்கு காந்தி என்ற பெயரைக் கொடுத்தார்கள். வேறு யாருக்கும் அப்படிப்பட்ட மகாத்மா என்ற பெயரைக் கொடுக்கவே இல்லை. ஆதலால் கருக்கெல்லாம் ரிஜெண்ட்மான்னு மகாத்மா. அத்தகைய பெருமைக் குரிய காந்தி அடிகளின் திரு உருவப்படத்தைக் கொண்டுதுவதா? அல்லது அவரது சிலையை உடைப்பதா, வேறு விதமாகக் கேவலமாக அவரைப்பற்றித் துவேஷிப்பதா? இது தமிழ் நாட்டிற்கே மிகவும் அவமானமாகும். இப்படிப்பட்ட ஒரு மசோதாவை, குறிப்பாக தமிழ் நாட்டில், கொண்டு வருவது மிக மிக வருந்தத் தக்கதாகவும் மிகவும் வருத்தத்துடன் சொல்லிக்கொள்ள வேண்டியதாகவும் இருக்கிறது. இப்பொழுதுள்ள இந்த நிலைமை மாறவேண்டுமானால் அதற்குத் தக்கபடி பல மசோதாக்களைக் கொண்டுவந்து இந்த சட்டசபையில் நிறைவேற்ற வேண்டியது மிக மிக அவசியமாகும். இதற்காக அரசாங்கத்தை நான் பாராட்டுகிறேன்.

குறிப்பாக ஒரு நாட்டிற்குத் தலைவராக இருப்பவரைப் பற்றி அவர் யார் என்பதைத் தேச மக்கள் நன்கு அறிந்திருக்கிறார்கள். காந்தி அடிகளை நிறை கூறுவதா? காந்தி அடிகள் யார் என்பதைக் கொஞ்சம் சிந்தித்துப் பார்க்க வேண்டும். அவர் யார் என்று கூறப்போனால், எக பத்தினி விரதம் கொண்ட ராமனைப் போலுள்ளவராகவும் கருதலாம், கருணை கர்த்தாவான ராமானுஜருக்குச் சமமானவர் என்று சொன்னாலும் பாதகம் இல்லை, சைவ சமரச சன்மார்க்கங்களைப் போதித்தவரான ராமலிங்கத்திற்கும் ஒப்பிடலாம், அன்பிற்கு எகவைச் சொல்லி அவருடன் இவரைக் குறிப்பிடலாம், சகோதரத் தத்துவத்தைக் கடைப்பிடித்த நபி நாயகத்திற்கும் ஒத்தவராகச் சொல்லலாம், அஹிம்சையில் புத்தருக்குச் சமமானவராகவும் சொல்லலாம். இக்குணங்கள் ஒவ்வொன்றுக்கும் ஒவ்வொருவராக இருந்தார்கள். ஆனால், எல்லாவற்றையும் ஒன்றாக அமைத்து அவதாரம் எடுத்தவர் மகாத்மா காந்தியடிகள். இப்படிப்பட்ட எல்லா குணங்களுக்கும் ஒன்று திரண்டு ஒரு உருவாக வந்தவர்தான் காந்தியடிகள். அப்படிப் பிறந்து மக்களுக்கு வழி காட்டியவரைத் துவேஷிப்பதா? அவரைத் துவேஷித்தால் யார் மனம்தான் புண்படாது? இதைக் கேட்டு யார்தான் வருத்தப்பட மாட்டார்கள்?

அதற்குக் காரணம் ஒன்று சொல்லப்படுகிறது. ஜாதி ஒழிய வேண்டும் என்று சொல்லுகிறார்கள். மகாத்மா காந்தியினிடத்திலா ஜாதி வெறி இருந்தது? அவர் எங்கேயாவது, எப்பொழுதாவது ஜாதியைப்பற்றிக் குறிப்பிட்டிருக்கிறாரா? அறிவு இழந்தவர்கள்தான் அப்படிச் சொல்லுவார்கள். அவர் சரித்திரத்தைப் படிக்கும்போது தெரியும்; அவர் சிறுவயதிலிருந்தே ஜாதியைப்பற்றிக் குறிப்பிட்டது இல்லை. குறிப்பாக, இந்நாட்டில் எல்லோராலும் துவேஷிக்கப்பட்டு, விலக்கப்பட்டு, தொடக்கூடாது என்று தள்ளி வைக்கப்பட்டுக் கண்ணால் கூட பார்க்கக்கூடாது என்று சொல்லப்பட்டு வந்த ஹரிஜனங்களை அவர் முன்னேற்றமடையச் செய்ய வேண்டும் என்று எவ்வளவு பாடுபட்டார் என்பது எல்லோருக்கும் தெரியும். அப்படிப்பட்டவரான ஜாதியைப்பற்றிப் பேசுவார்? இப்படிப்பட்ட ஒரு சமூகம் தள்ளி வைக்கவும்பட்டிருக்கிறது, அவர்களுக்கு யார் கதி என்று நினைத்து அவர்களுக்கு ஹரிதான் கதி என்று சொல்லி, அவர்களை ஹரியின் ஜனம், அதனால் ஹரிஜன் என்று பெயர் வைத்தார் என்பது எல்லோருக்கும் தெரியும். தன்னுடைய ஆயுளின் கடைசி வரையிலும் அவர் எங்கே வாழ்ந்து வந்தார்? ஹரிஜனங்கள் இருக்கும் இடத்தில்தான்

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வாழ்ந்து வந்தார். அவர்களுக்காகவே பாடுபட்டுக்கொண்டு வந்தார். கடைசியில் அவர் எங்கே இருந்தார்? டில்லியில் ஹரிஜனங்கள் வாழ்ந்து வந்த இடத்தில்தான் இருந்தார். பிரலா மானிகையில் அவர் எதோ பிரார்த்தனைக்குப் போகும்போது கடவுளுடைய பக்தியைப் போதிக்க அங்கே போகும்போது ஒருவனால் சுட்டுக்கொல்லப்பட்டார். ஆனால் அவர் வாழ்ந்து வந்த இடம் எல்லாம் ஹரிஜனங்கள் வாழ்ந்து வந்த இடம்தான் என்பதை யாரும் மறக்க மாட்டார்கள். எங்கே ஹரிஜனங்கள் இருக்கிறார்களோ, எங்கே தூழ்த்தப்பட்டவர்கள் வசிக்கிறார்களோ அங்கேதான் அவர் இருப்பார். அதைக் காணமாகக் காட்டி, மக்கள் எல்லோரும் அப்படியே நடந்துகொள்ள வேண்டும் என்பதற்காகத்தான் அப்படி அவர் தானே வாழ்ந்து வந்து வழி காட்டினார். தான் ஒரு வழி காட்டியாக இருக்க வேண்டும் என்று நினைத்து அப்படி வாழ்ந்து வந்தார். அப்படிப்பட்ட வரை, இன்றைக்கு ஜாதி வெறியர் என்று சொல்லுகிறார்கள். ராமசாமி நாயக்கர் சொல்லுகிறார். ஆனால் அவர் வயதில் பெரியவர். அதைப் பற்றி ஆட்சேபணை இல்லை. ஆனால் புத்தியில் மிகச் சிறியவர். இவருக்கு ஏன் இந்தச் சின்ன புத்தி? இதெல்லாம் எதிலிருந்து வந்தது என்பதையும் கொஞ்சம் கவனிக்க வேண்டும். பிராம்மணத் துவேஷம் தான். இன்றைய தினம் பார்த்தால் பிராம்மணர்கள் தனி என்று சொல்லிக் கொள்வதே இல்லையே. இப்பொழுது பிராம்மணர்கள்தான் எல்லோருடனும் ஒன்றாகப் பழகுகிறார்களே, பிராம்மணரல்லாதவர்கள் வரக்கூடாது என்று சொல்வதே இல்லையே. எங்கு வேண்டுமானாலும் தான் உட்கார்ந்துகொண்டு சாப்பிடுகிறார்கள். ஹோட்டல்களில் 'பிராம்மணர்கள்' என்று இருக்கக் கூடாது என்று சொல்லுவது எதற்கு? அங்கே எங்கு வேண்டுமானாலும் தான் உட்கார்ந்து சாப்பிடலாமே. அப்படிச் சாப்பிட்டுக் கொண்டு தானே வருகிறார்கள். இதற்கு ஒரு போராட்டமா? சேர்ந்து உட்கார்ந்து சாப்பிடுவதற்கு யாருக்கும் ஆட்சேபணை கிடையாதே. அந்த நிலைமையில் போராட்டம் எதற்கு? இப்பொழுது பிராம்மணர்களுக்கு ஜாதி வெறியே கிடையாது. பின்னர், எதற்காக அவர்களைக் குத்திக் கொலை செய்! அக்கிரகாரங்களைக் கொடுத்து! என்றெல்லாம் சொல்லவேண்டும்?

இருக்கட்டும். 'கொடிப் போராட்டம்' என்று சொல்லுகிறார்கள். ஜாதி ஒழிய வேண்டும் என்றும், இல்லாவிட்டால் கொடியை எரிப்பேன் என்றும் சொல்லுகிறார்கள். கொடியைப்பற்றி அவர்கள் சொல்லியதைச் சொல்லக்கூட எனக்கு வெட்கமாக இருக்கிறது. கொடியைப் பற்றிக் குறிப்பிடும்போது அது ஒரு கோவணத் துணி என்றுகூடக் குறிப்பிட்டார்கள். எவ்வளவு கேவலமாக அதைக் கருதுகிறார்கள் என்பதையும் கவனிக்க வேண்டும். மதிப்பிற்குரிய கவிஞர் ஸ்ரீ ராமலிங்கம் அவர்கள் பேசியபோது ஒரு கொள்கையின் அடிப்படையில் இந்தத் தேசியக் கொடியின் சின்னங்கள் அமைக்கப்பட்டன என்று கூறினார். அது வாஸ்தவம்தான். மனிதனுடைய எண்ணன் உடம்புக்கு சிரசே பிரதானம் என்று சொல்வதுபோல், ஒரு தேசத்திற்குத் தேசியக் கொடிதான் பிரதானம். மனிதனுக்கு சிரசு இல்லை என்றால் உடல் முண்டம் என்று தான் அழைக்கப்படும். அதே போன்று ஒரு தேசத்திற்கு ஒரு கொடி இல்லை என்றால், அந்தத் தேசம் முண்டத்திற்கு சமானம் என்றுதான் கூற வேண்டும். ஒருவனுக்கு விரல் இல்லாமல் இருக்கலாம், கை இல்லாமல் இருக்கலாம், காது இல்லாமல் இருக்கலாம், கண் இல்லாமல் இருக்கலாம். ஆனால் சிரசு இல்லாமல் இருக்க முடியாது, அப்படி இருந்தால் அதை முண்டம் என்று தான் சொல்லுவார்கள். அதைப்போலவே தேசத்திற்கு எவ்வளவோ கொடிகள் இருக்கலாம். சிகப்புக் கொடி இருக்கலாம், பச்சைக் கொடி இருக்கலாம், சிங்கக் கொடி இருக்கலாம், கருப்புக் கொடி இருக்கலாம், கருப்பும் சிகப்பும் கலந்த கொடி இருக்கலாம். அப்படிப்பட்ட கொடிகள் இல்லாமலும் இருக்கலாம், ஆனால் ஒரு தேசத்திற்கு தேசியக் கொடி இல்லாமல் இருக்க முடியாது. அது ஒரு தேசத்தின் உயிர் நாடி போன்றது. மனிதனுக்கு மற்ற அவயவங்கள் இல்லாமல் இருந்தாலும் உயிர் வாழலாம். ஆனால் தலை இல்லாமல் உயிர் வாழ முடியாது. அதைப்போலவே சிகப்புக் கொடி, பச்சைக் கொடி, கருப்புக் கொடி, சிங்கக் கொடி, கருப்பும் சிகப்பும் கலந்த கொடி இல்லாமல் ஒரு

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சொல்லிக்கொண்டிருக்கிறார். அரசாங்கம் ஜாதியை ஒழிக்கத்தான் போகிறது. அதற்குத்தான் பல சட்ட திட்டங்களை அரசாங்கத்தார் வகுத்துக் கொண்டு தான் இருக்கிறார்கள். இனிமேல் ஜாதிப் பெயர்கள் மறைந்து போகும். நான் கூட சுப்ரமணிய நாயகர் என்று என் பெயருக்குப் பின்னால் போட்டுக்கொள்வதில்லை. சுப்ரமணியம் என்று தான் நான் போட்டுக்கொள்கிறேன். ஜாதி ஒழிய வேண்டுமென்று சொல்லும் ராமசாமி நாயக்கர் தம் பெயரிலிருந்து நாயக்கரை எடுக்கவில்லை. ஊரெல்லாம் ஜாதி ஒழிய வேண்டுமென்று சொல்லும் அவர் தம் பெயரிலிருந்து நாயக்கர் என்ற வார்த்தையை நீக்கவில்லை. மேலும், ராமசாமி நாயக்கர் என்ற பெயரையே தமக்கு வைத்துக்கொண்டு அவர் ராமர் படத்தை எரிக்கிறார். சில வருஷங்களுக்கு ஜாதிப் பெயர்கள் இருக்கும். ஹரிஜனங்களையும் பிற்பட்ட இனத்தவர்களையும் முன்னேற்ற மடையச் செய்வதற்காக அவர்களுக்கு அரசாங்கத்தார் சலுகைகள் கொடுக்கிறார்கள். அப்படி அவர்களுக்குச் சலுகைகள் கொடுக்கப்படுமென்று, அவர்கள் இன்னின்ன ஜாதியைச் சேர்ந்தவர்கள் என்பது தெரிய வேண்டியிருக்கிறது. இந்தக் காரணத்திற்காக ஜாதிப் பெயர் கொஞ்ச காலம் வரையில் இருக்க வேண்டியிருக்கிறது. சலவையாளர்கள், மருத்துவர்கள், ஓட்டர்கள் என்று பல பிற்பட்டவர்கள் இருக்கிறார்கள். அவர்களுக்குச் சலுகைகள் கொடுக்கப்படுகின்றன. அந்த நிலையில் அவர்கள் இன்னின்னார் என்று தெரிவதற்காக ஜாதிகள் இருக்கவேண்டியிருக்கின்றன. மற்றப்படி "All of us are Indians." நாம் எல்லோரும் இந்தியர்கள் என்ற ஒரு காலம் விரைவில் வரப்போகிறது.

இது பச்சைத் தமிழரின் ஆட்சி என்று சொல்லப்படுகிறது. ஆமாம். இது பச்சைத் தமிழரின் ஆட்சிதான். யார் இல்லை என்கிறார்கள்? கனம் முதல் அமைச்சர் பச்சைத் தமிழர். கனம் ஸ்ரீ பக்தவத்சலம் பச்சைத் தமிழர். கனம் ஸ்ரீ ராமையா அவர்களும் பச்சைத் தமிழர்தான். ஸ்ரீ ராமசாமி நாயக்கரோ கன்னடத் தமிழர். பச்சைத் தமிழர்களுக்காகப் பாடுபடுகிறேன் என்று அவர் யாரை ஏமாற்றுகிறார்? ராஜ்யத்திலுள்ள எல்லோரும் தமிழர்கள் தான்.

அரசாங்கத்தார் கொண்டுவந்துள்ள இந்த மசோதாவை நான் மகிழ்ச்சியுடன் ஆதரிக்கிறேன். ஆனால் இதில் குறிப்பிடப்பட்டுள்ள தண்டனைக் காலம் மூன்று வருஷங்களாக இருக்கிறது. மூன்று வருஷங்கள் பிரயோஜனமில்லை. பெரியாரின் கட்சியில் மிஞ்சினால் 2,000 பேர்கள் இருப்பார்கள். தேசியக் கொடியை எரிக்கப்போவதாகவோ சட்டப் புத்தகத்தைக் கொளுத்தப்போவதாகவோ சொல்பவர்களுக்கு குறைந்தது 10 வருட ஜெயில் தண்டனையாவது கொடுக்க வேண்டும் என்பது என் ஆசை. இதைப் பொது மக்கள் ஆதரிக்கிறார்கள் என்பதையும் அவர்கள் சார்பில் சொல்லிக்கொள்ள ஆசைப்படுகிறேன். இந்த மசோதாவை நான் முழு மனதுடன் ஆதரிக்கிறேன். முற்றிய பைத்தியக்காரர்களாக நடந்து கொள்பவர்களுக்குக் கீழ்பாக்கத்திலுள்ள பைத்தியக்கார ஆஸ்பத்திரியிலே, ஜெயிலிலோ தான் இடம் என்ற நிலையை ஏற்படுத்தும் இந்த மசோதாவை ஆதரித்துக்கொண்டு என் வார்த்தையை முடித்துக்கொள்கிறேன்.

* DR. A. SREENIVASAN : Mr. Chairman, Sir, it is very difficult for a person like me who has heard both sides of this unfortunate affair to come to any conclusions. There are points for as well as against the measure. I want to charge the Government with one matter. They have been very very slow in taking action. The Hon. the Home Minister himself told us a few minutes ago that Mr. Naicker had threatened to burn the National Flag the year before last and that some sort of compromise was effected between the Leader of the Party and Mr. Naicker.

[15th November 1957]

THE HON. SRI M. BHAKTAVATSALAM : Sir, I totally deny that. I do not know wherefrom the hon. Member got that information. It is absolutely incorrect. Perhaps he quotes from newspapers. I cannot understand the sense of responsibility with which he speaks.

* DR. A. SREENIVASAN : If the newspapers have quoted wrongly, the Government should have immediately contradicted it.

MR. CHAIRMAN : The hon. Member is responsible for any statement that he makes.

* DR. A. SREENIVASAN : I quoted the newspaper. So many hon. Members from the Treasury Benches quote it. If the Hon. Minister takes objection to it, I withdraw. If there is a ruling that I should not quote from newspapers, I will not quote.

Now, coming to the point, the Government must have known the nature of the person they are dealing with. He was only stooping to conquer at that time and they must have introduced some sort of measure then itself. They gave him a fresh lease of life. He has been thriving very well under the protection of the Government which was allowing him maximum liberty to do what he liked. But I wonder whether there is any necessity for a legislation of this kind now. Is the ordinary law of the land incapable of dealing with a person who indulges in such activities? I need not carry coals to New Castle. People who belonged to the Congress Party during the Non-co-operation days were dealt with very severely by the Britishers then in power under the ordinary law of the land. Of course, there might have been a few instances where proceedings were instituted under the Criminal Law (Amendment) Act. Do the Government think that the ordinary law of the land is too meagre and that, therefore, the situation should be tackled with a special law? I am not clear about all this. I do not think there is any necessity for the introduction of this Bill unless it be that the Government feel that if they proceed under the ordinary law of the land, the person concerned will be dealt with very severely. This one month's simple imprisonment is like going to "மாமனார் வீடு". There is mention about fine. If he refuses to pay the fine, nothing will happen as was the case some time ago. Therefore, I do not know why the Government should be so very sympathetic towards this gentleman and his tribe in not providing for a very deterrent punishment. This Bill will only encourage a type of Satyagraha which will be an insult to the nation as a whole.

THE HON. SRI M. BHAKTAVATSALAM : I would like to know from the hon. Member what maximum and what minimum sentence he would suggest.

* DR. A. SREENIVASAN : Five years' rigorous imprisonment and no fine.

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DR. V. K. JOHN : Hang him !

* DR. A. SREENIVASAN : We should not give discretion to the judge who may be a weak-kneed person and may fine him Rs. 100. Somebody will pay the fine. The maximum sentence of five years' rigorous imprisonment must be given and no fine should be provided for which might encourage a weak-kneed judge only to fine the person.

DR. V. K. JOHN : May I ask 'Why five years'? Why not 14 years?

* DR. A. SREENIVASAN : There is no limit to our imagination. There are very many loopholes in this Bill. Now, three items are mentioned in the Bill, the National Flag, the Constitution and Mahatma Gandhi's picture or statues. We know how imaginative this particular man is in all his activities and antics. Suppose he takes it into his head to burn the photo of the Prime Minister to-morrow or the President's photo to-morrow. Are you going to bring in another Bill? Will it not be all right if we only resort to the ordinary law of the land to tackle these people? There is also another point. An abridged edition of the Constitution has been printed and it is being sold at a profit. Who pockets the profit no one knows. Is there any copyright for this? Can I print it without any sanction from the Government? These things are not clear. So, this man may say, 'This copy of the Constitution is in my possession and so, I can destroy it as I can destroy a text-book of Shakespeare or a book on Medicine.' Therefore, the Government cannot interfere in these matters. There are very many loopholes in the Bill which the leader of the Dravida Kazhagam will not fail to exploit. He will circumvent the provisions of the Bill and surely the Hon. the Minister for Home will come within a few months before us and tell us that he has circumvented the provisions of the law, and has escaped. I am not a lawyer; nor am I a mature politician like Hon. Members on the Treasury Bench. I am a man with ordinary common sense and in my view, the law which Macaulay edited is enough to deal with the situation. It is not only my opinion. It is the opinion of lawyers whom I consulted. I am not prepared to say under what section of the existing law you should deal with such persons. If there is another side to the picture, I would like to know it from the Hon. the Minister for Home.

Lastly, it looks as though this Bill is adding faggots to the burning hatred of this man. We are giving him undue importance which he does not deserve at all. As he knows jolly well that his influence is ebbing, he indulges in antics like these. And we are giving undue importance to him. We may as well call this Bill 'Ramaswami Naicker's Bill'. So, it is not fair that a person who is anti-social and anti-national should be credited with the introduction of a Bill of this nature, as if he were a very important personage in this country.

15th November 1957]

SRI N. ANNAMALAI PILLAI : கனம் சேர்மன் அவர்களே, சபை முன்பு வைக்கப்பட்டிருக்கும் சர்க்காரால் கொண்டுவரப்பட்ட மசோதாவை ஆதரித்து சில வார்த்தைகளைச் சொல்ல விரும்புகிறேன். இப்படிப்பட்ட ஒரு சட்டத்தை சர்க்கார் புதிதாக உண்டுபண்ணுவதற்கு பதிலாக, இருக்கும் சட்டத்தைக்கொண்டே நடவடிக்கை எடுத்துக்கொள்ளலாமே என்று எதிர்க்கட்சியினுள்ளவர்களும் சரி, வெளியினும் சரி சொல்லுகிறார்கள். அத்துடன் எதிர்க்கட்சி உப தலைவர் டாக்டர் ஜான் அவர்களும், டாக்டர் ஸ்ரீனிவாசன் அவர்களும் கூடப் பேசுகிறார்கள்.

DR. A. SREENIVASAN : டாக்டர் ஜான் அவர்கள் இன்னும் பேசவே இல்லை. அப்படியிருக்கும்போது அவர் எப்படி நீங்கள் சொல்லியபடி சொல்ல முடியும்?

* SRI N. ANNAMALAI PILLAI : இங்கே பேசா விட்டாலும், டாக்டர் ஜான் அவர்கள் என்னிடத்தில் இதைப்பற்றி முன்னாலேயே பேசி விட்டார். தன்னுடைய அபிப்பிராயத்தையும் சொல்லிவிட்டார். அதனால்தான் அப்படிச் சொல்லுகிறேன். அவர் பேசிய பிறகு, அவருக்கு என்னால் பதில் சொல்ல முடியாமல் போய்விடும் என்பதற்காகத்தான், இப்பொழுது அவர் சொன்னதைப்பற்றிச் சொல்லுகிறேன். எனக்கு சந்தர்ப்பம் கிடைத்தவுடன் சொல்லவேண்டும் என்பதற்காக அதைப்பற்றிச் சொல்லுகிறேன்.

திடீரென்று ஒரு பெரிய மேகம் கவிந்து புயல் அடிப்பது போல், ராமனாதபுரம், மதுரை ஜில்லாக்களில் நடந்த நிகழ்ச்சிகளை அடக்குவதற்கு ஆற்றலும், சக்தியும், வல்லமையும் படைத்த இந்த சர்க்கார், கொள்ளைக்காரர்கள் மூவாயிரம் வீடுகளுக்கு நெருப்பு வைத்தபோது அங்குள்ள ஜனங்களைக் காப்பாற்றும் சக்தியும் ஆற்றலும் வல்லமையும் படைத்த இந்த சர்க்கார், எதையும் அடக்கி ஆளும் சக்தி வாய்ந்த இந்த சர்க்கார் இதை அடக்க முடியாதா? போலீஸ் படைகளை வாபஸ் வாங்கவேண்டும், இல்லாவிட்டால் பல விபரீதங்கள் விரையும் என்று கடிதங்களும் மசூரிகளும் வெளியிட்ட நேரத்தில் சர்க்காருடைய பலம் என்ன என்பதை அறியாதவர்களும் இருக்கிறார்கள் என்று தெரியவருகிறது. எவ்வளவு கடிதங்கள் எழுதிலும், சர்க்கார் தங்களுடைய சக்தியை உணர்ந்திருக்கிறார்கள். அப்படிப்பட்ட சக்தி என்ன என்பதை இப்பொழுதுதான் சமீபத்தில் முதுகுளத்தூரில் காண்பித்தார்கள். அது நம் எல்லோருக்கும் தெரிந்ததே. இவ்வளவு சக்தி வாய்ந்த சர்க்காருக்கு, எதிராகக் கொடிய எரிக்கிறேன், காந்தி சிலையை உடைக்கிறேன், சட்டப் புத்தகத்தை எரிக்கிறேன், என்று சொல்லுகிறவர்களை அடக்குவதற்கு இப்படிப்பட்ட ஒரு சட்டம் அவசியமா என்பதுதான் எதிர்க்கட்சி உப-தலைவர் டாக்டர் ஜான் அவர்களுடைய கேள்வி.

“நாம் சுதந்திரம் பெற்றிருக்கிறோம். எல்லோரும் இன்புற்றிருப்பதுவே யல்லாமல் வேறென்றறியேன் பராபரமே” என்று தாயுமான ஸ்வாமிகள் சொன்னார்கள். “தனியொருவனுக்குணவிலை யெனில் ஜகத்தினை அழித்திருவோம்” என்று பாரதியார் சொன்னார்.

“எல்லாரும் ஓர்குலம் எல்லாரும் ஓரினம்
எல்லாரும் இந்தியா மக்கள்,
எல்லாரும் ஓர் நிறை எல்லாரும் ஓர்விலை
எல்லாரும் இந்நாட்டு மன்னர்.”

என்றும் பாரதியார் கூறினார். அவர் கூறிய இந்தக் கருத்துக்கேற்ப மகாத்மா காந்தி அவர்கள் அஹிம்ஸையைக் கடைப் பிடித்து இந்த நாட்டிற்கு விடுதலை வாங்கித் தந்தார். “தேசியக் கொடியைக் கொளுத்தப்போகிறேன்” என்றும், அரசியல் சட்டப் புத்தகத்தைக் கொளுத்தப்போகிறேன்” என்றும், “காந்தியின் சிலையை உடைக்கப் போகிறேன்” என்றும் இப்போது சொல்லிவரும் தெரியார் ஸ்ரீ ராமசாமி நாயக்கர் காங்கிரஸில் இருந்து காந்திஜியால் நடத்தப்பட்ட விடுதலைப் போரட்ட இயக்கத்தை வளர்த்தார் என்பதை யாரும் மறந்துவிடக் கூடாது. “அன்று அப்படி இருந்த ஸ்ரீ ராமசாமி நாயக்கர் இன்று இப்படி இருக்கிறார்!” என்று சொல்லலாம். அவர் வேறுவிதமாக மாறுகிறபோது,

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சர்க்கார் வேறுவிதமாகச் சட்டத்தைக் கொண்டுவருகிறார்கள். சட்டத்தை சர்க்கார் கொண்டுவருகிறார்கள் என்றால், இருக்கும் சட்டப் போதியதாக இல்லை என்று அந்தமல்ல. சர்க்கார் பொறுமை மீறும்படி அவர் செய்கிறார் என்றுதான் அர்த்தம். சர்க்கார் இதுவரை எவ்வளவோ பொறுத்து வந்திருக்கிறார்கள். நமது மதிப்பிற்குரிய தலைவர் ராஜாஜி முதல் மந்திரியாக இருந்தபோது தூத்துக்குடியில் ஒரு கலவரம் நடந்தது. அது கனம் அங்கத்தினர்களுக்கு ஞாபகம் இருக்கலாம். அந்தக் கலவரத்தில் பாதிக்கப்பட்டவர்களுடைய விண்ணப்பங்களையும் அறிக்கைகளையும் பார்த்த போதும் ராஜாஜி மிகவும் பொறுமையாக இருந்தார். அவர் ஏன் அப்படி இருந்தார்? அவர் பழைப் பழைத்தையெல்லாம் மனதில் வைத்துக்கொண்டிருந்தார்; 'கவிட் இண்டியா' இயக்க காலத்தில் போராடியவர்களை யெல்லாம் அவர் மனதில் வைத்துக்கொண்டிருந்தார். ஆகவே, அப்போது அவர் நிதானமாக இருந்தார். "காந்தியின் சிலையை உடைக்கப் போகிறேன். தேசியக் கொடியை எரிக்கப் போகிறேன். அரசியல் சட்டத்தைக் கொளுத்தப் போகிறேன்" என்று ஸ்ரீ ராமசாமி நாயக்கர் கூறும்போது, அதை அரசாங்கத்தார் கவனிக்காமல் இல்லை. அவருக்கு "நாம் மரியாதை செலுத்துகிறோம். அதே சமயத்தில் அவர் தவறுகள் செய்தால், நாம் பழமையான சட்டத்தையே வைத்துக்கொண்டிருக்கவில்லை. காலத்திற்கேற்றபடி சட்டம் இயற்றியிருக்கிறோம்," என்பதைக் காண்பிக்கிறோம். இன்னும் எவ்வளவோ கடுமையான சட்டங்களை இயற்றுவதற்குரிய சக்தி இந்த ஆட்சிக்கு இருக்கிறது. ஆனால் நாம் பொறுமையாக இருக்கிறோம். இந்தச் சட்டத்தின் மூலம் "எச்சரிக்கை செய்கிறோம்" என்று ஸ்ரீ ராமசாமி நாயக்கருக்கு சர்க்கார் சொல்லுவதாகவே நான் நினைக்கிறேன்.

DR. V. K. JOHN : ஸ்ரீ ராமசாமி நாயக்கரைக் குறிப்பிட்டு கனம் மந்திரி அவர்கள் பேசவில்லை.

* SRI N. ANNAMALAI PILLAI : ஸ்ரீ ராமசாமி நாயக்கரைக் குறிப்பிட்டு கனம் மந்திரி அவர்கள் பேசவில்லை என்று கனம் எதிர்க் கட்சித் தலைவர் சொல்கிறார். எப்படிப் போனாலும் திரும்பத் திரும்ப அங்கே தானே வந்து சேர வேண்டும்; இந்தப் பிரச்சினையில் ஸ்ரீ ராமசாமி நாயக்கர் தான் கண் முன்னால் தோன்றுகிறார். ஆகவே, கொடியை அவமானப்படுத்தக் கூடியவர்களுக்கு, அத்தகைய தவறான வழியில் போகிறவர்களுக்கு, "தவறான வழியில் செல்லாதீர்கள். பின்னர் நாங்கள் பொறுத்துக்கொண்டிருக்க முடியாது." என்று எச்சரிக்கை செய்வதாக இந்த மசோதா இருப்பதாக நான் கருதுகிறேன். லட்சக்கணக்கான மக்கள் தங்கள் உயிரைக் கொடுத்து தேச விடுதலையை வாங்கித் தந்து, இந்தக் கொடியைக் கோட்டையில் உயர்த்தினார்கள். அத்தகைய கொடியைக் கொளுத்துவது என்பதைக் கனவிலோ நினைவிலோ சிந்திக்க முடியாது. அது மன்னிக்க முடியாத குற்றம். ஸ்ரீ நாயக்கரின் மனம் எப்படி இருக்கிறதோ, தெரியாது. வயது முதிர்ந்துபோய் விட்டதால் தவறாகப் பேசுகிறாரோ என்ற சந்தேகம் எனக்கு ஏற்படுகிறது. வயது முதிர்ந்தவர்கள் எதையும் சொல்லக்கூடும். ஆனால் வாலிப உலகம் அதைக் கேட்டு ஏமாந்து போகக் கூடாது. என்போன்ற வயது முதிர்ந்தவர்கள் அரசியலில் ஏதாவது ஜாதி வெறுமையைக் கிளப்ப முயற்சிக்கலாம். ஆனால் வாலிப உலகம் அதைப் பின்பற்றக் கூடாது. அப்படிச் செய்து வாலிபர்கள் தங்களுடைய அழிவைத் தேடிக்கொள்ளக்கூடாது. அப்படிச் செய்பவர்கள் அவர்களுடைய அழிவை மட்டும் தேடிச் கொள்ளவில்லை; நாம் பெற்ற சுதந்திரத்திற்கு அழிவையே தேடிவிடுகிறார்கள். நான் வாலிப உலகத்திற்கு, "நாம் சொல்லும் விஷயங்களை முறையாக மாற்றி மாற்றிச் சொல்வதைக் கவனித்தாவது, ஸ்ரீ நாயக்கர் சொல்வது சரியல்ல என்ற முடிவிற்கு நீங்கள் வந்திருப்பீர்கள். ஆகவே அவர் சொல்வதையெல்லாம் நீங்கள் செய்யவேண்டாம்" என்று வேண்டுகோள் விடுகிறேன். வாலிபர்களின் உலகம் ஏமாந்து போகாது என்று நம்புகிறேன். எந்தக் கட்சியினர் ஆட்சிக்கு வந்தாலும்—ஸ்ரீ நாயக்கரே ஆட்சிக்கு வந்தாலும் சரி, மற்றெந்தக் கட்சியினர் ஆட்சிக்கு வந்தாலும் சரி—தேசியக் கொடியையும் அரசியல் சட்டத்தையும் தேசத் தலைவர்களுடைய அமைதித்தால் தேச மக்கள் பொறுத்துக் கொண்டிருக்கமாட்டார்கள்; பொறுக்கவும் முடியாது.

15th December 1957] [Sri N. Annamalai Pillai]

தேசியக் கொடியையோ, அரசியல் சட்டத்தையோ, தேசத் தலைவர் களின் படத்தையோ எரிக்கும் காரியங்களில் யாராவது ஈடுபட்டால், அவர்களை சர்க்கார் தங்கள் அதிகாரத்தைப் பிரயோகித்து அடக்குவார்கள் என்பதில் சந்தேகமில்லை. இந்தக் குற்றங்களைச் செய்பவர்களுக்கு 5 வருடக் கடுங்காவல் தண்டனை கொடுக்கலாம் என்று கனம் அங்கத்தினர் டாக்டர் ஸ்ரீனிவாசன் சொன்னார். சாதாரணமாக ஜெயிலுக்குப் போவது என்பது குற்றவாளிகளுக்கு மாமனார் வீட்டுக்குப் போவது மாதிரி இருக்கும் என்றும் அவர் சொன்னார். பாவம், அவர் ஜெயில் வாசத்தை அனுபவித்திருக்கமாட்டார் (சிரிப்பு). சுதந்திரப் போராட்ட காலத்திலும் அவர் கத்தியை எடுத்துக்கொண்டு உடலைக் கிழித்து வைத்தியம் செய்துகொண்டு இருந்தார். இப்போதும் உடலைக் கிழித்துக்கொண்டு தான் இருக்கிறார். (சிரிப்பு). ஜெயிலைப்பற்றி அவருக்கு ஒன்றும் தெரியாது. (ஒரு கனம் அங்கத்தினர் : அவர் உடலைக் கிழிக்கவில்லை. மருந்து எழுதுவதற்காகச் சீட்டைக் கிழிக்கிறார்.)

DR. A. SREENIVASAN : சீட்டைக் கிழிக்கும் ஆளின் சீட்டையும் கிழித்து விடுகிறார். (சிரிப்பு).

* SRI N. ANNAMALAI PILLAI : அப்படியா? எனக்கு இப்போது "வைகுண்ட யாத்திரை" ஞாபகம் வருகிறது. எங்கள் ஊரில் "தலைவலிக் கொரு மாத்திரை, தடுமலுக்கொரு மாத்திரை, தவறி உண்டால் வைகுண்ட யாத்திரை!" என்று சொல்வதுண்டு. அந்தப் பாட்டும் ஞாபகத்திலிருக்கிறது. டாக்டர் ஸ்ரீனிவாசன் அவர்களிடம் மிக ஜாக்கிரதையாய் இருக்கவேண்டும்.

சிறைவாசத்திலுள்ள கஷ்டம் டாக்டர் ஸ்ரீனிவாசன் அவர்களுக்குத் தெரியாது. நல்ல போகபோக்கியங்களுடன் இருந்திருக்கக்கூடியவர்கள் தண்டிக்கப்பட்டால் "ஏ" க்ளாஸ் சிறையில் வைக்கிறார்கள். அப்படிப் படிப் படியாக "ஏ", "பி", "சி" என்று மூன்று பிரிவுகள் இருக்கின்றன. எந்தச் சிறையில் இருந்தாலும் அது கஷ்டம் தான். வானசால்திரத்தைப் படித்த ஜோஸ்யர்கள் ஒருவன் சிறை தண்டனை பெறப்போகிறான் என்பதைத் தாங்கள் சாஸ்திரங்கள் மூலம் அறிந்தால், அப்போது ஜோஸ்யம் கேட்க வந்தவனிடம் அவர்கள் "ஐயையோ, கஷ்ட காலம் வந்துவிட்டதே! ஏழரை நாட்டுச் சனியன் வந்துவிட்டானே! உனக்குக் காராகிருகப் பிரவேசம் வரப்போகிறதே! என்று சொல்லியவுடன் கேட்க வந்தவர் அழுகிறார். ஆகவே ஜெயில் வாசம் சொளகரியமானது அல்ல. ஜெயில் தண்டனை கொடுக்கப்படுவதற்கு முன்பே குற்றவாளி படாதபாடு படுவான். உடல் நடுங்க, வியர்க்க, விழு விறுக்க 1-2-3 நாட்கள் கோர்ட்டில் பார்-ல் நின்று தீர்ப்புச் சொல்லப் படும் வரையிலும் மனம் பதைபதைத்து அவஸ்தைப்பட்டவர்களுக்குத்தான் அந்தக் கஷ்டம் தெரியும். ஜெயில்வாசம் கஷ்டமானது அல்ல என்று டாக்டர் ஸ்ரீனிவாசன் சொல்கிறார். அவர் ஜெயிலுக்குச் சென்றே கோர்ட்டில் விசாரணைக்குச் சென்றே பழக்கப்பட்டவர் இல்லை. பாவம்! அந்த ஆட்டம் ஆடியவன் நான். ஆகவே அந்தக் கஷ்டம் எனக்குத் தெரியும்.

DR. A. SREENIVASAN : வெள்ளைக்காரன் ஆட்சியில் நீங்கள் ஜெயிலுக்குச் சென்றீர்கள். நீங்கள் இருந்தது வெள்ளைக்காரர் ஜெயில் இப்போது இருப்பது காங்கிரஸ் ஜெயில். நீங்கள் காங்கிரஸ் ஜெயிலில் இருந்ததில்லை.

* SRI N. ANNAMALAI PILLAI : நான் இரண்டு ஜெயிலிலும் இருந்திருக்கிறேன். ஸ்ரீ நாயக்கரோ மற்றவர்களோ மசோதாவில் குறிப்பிட்டுள்ள குற்றங்களைச் செய்தால், இந்த மசோதா மிகக் கடுமையாகப் பதிலளிக்கும்.

SRI MOHAMED RAZA KHAN : Sir, may I make a submission? In our House whenever we say 'Naicker', it always refers to 'Gajapathy Naicker'. (Laughter.) Therefore, let the hon. Member avoid the word 'Naicker' or let him say 'Ramaswami Naicker' because I do not want my friend to be put in an embarrassing position.

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SRI A. GAJAPATHY NAYAGAR : Sir, I want just to clarify the position. When I was posted to Kumbakonam as District Munsif, so many persons non-co-operated with me because I went from Salem. Mr. Ramaswami Naicker is a native of the Salem district purely. But Naicker is one who is a Yadhava, and 'Nayagar' is a Madras name. Our friends are so lacking in knowledge. They do not try to understand things. I want them to try to understand things. If he knows that I am a 'Nayagar', he will not have any confusion in his mind. Therefore, I would request him not to have any more confusion in his mind.

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p.m.

MR. CHAIRMAN : Let us get on to the business.

SRI N. ANNAMALAI PILLAI : கனம் தலைவர் அவர்களே, இந்த மசோதாவைக் கொண்டுவந்ததற்காக சர்க்காரைப் பாராட்டுகிறேன்.

நாம் சுதந்திரம் அடைவதற்கு எவ்வளவோ பாடுபட்டோம். அப்பொழுது பல வாலிபர்கள் தங்களுடைய உயிரையே தியாகம் செய்தார்கள். உயிரைக் கொடுத்தாவது சுதந்திரம் பெற வேண்டும் என்று நினைத்தார்கள். உயிரைத் தியாகம் செய்து சுதந்திரம் வாங்கிக்கொடுத்த கொடி அது. சுதந்திரத்தை வாங்க வழி காட்டியது அந்தக் கொடி. அப்படிப்பட்ட கொடியை வாலிபர்கள் அவமதிக்கக்கூடாது. அந்த வழியில் செல்லக் கூடாது என்றும் கேட்டுக்கொள்ளுகிறேன். ராமசாமி நாயக்கருடன் இருந்தாலும் அவர்கள் தங்களுடைய மனதை மாற்றிக்கொள்ளவேண்டும். வாலிபர்கள் கொடியைக் காப்பாற்றுவதற்கு முன்வரவேண்டும். இந்தச் சட்டத்தை நிறைவேற்றுகிறவர்கள், அமைச்சர்கள் அஞ்சா நெஞ்சம் படைத்தவர்கள், அவர்கள் கவியாண குணங்கையுடையவர்களாக இருக்கவேண்டும் என்று கேட்டுக் கொண்டு என்னுடைய வார்த்தையை இத்துடன் முடித்துக்கொள்ளுகிறேன்.

* **DR. V. K. JOHN :** Mr. Chairman, usually, Sir, I criticise the Government and their measures. But as far as this Bill is concerned, I sympathise with the Government, I deeply sympathise with them. I do not think that this Bill is necessary or desirable or advisable or even proper and I feel that it should not be introduced in the Legislature. I also think that it is beyond the jurisdiction of this State Legislature to pass this Bill into law. What is the consequence of introducing a measure like this and passing it into law? People in other parts of the country and people all over the world would think that something has gone very wrong with Tamil Nad. In spite of the recent occurrences in Ramanathapuram district which were exceptional, Tamil Nad has always been noted for public order, for calmness and for good behaviour. Even Pandit Nehru has paid high encomiums in his many speeches for the disciplined life of the people in the Madras State. Now, Sir, by introducing this Bill, the Government have given the impression to other parts of India and of the world that there are people in Tamil Nad, not one or two, but many people in Tamil Nad, who will burn the portrait of Mahatma Gandhi, damage it, and burn the Constitution and the National Flag. I do not think it is true at all. I cannot associate myself with this Bill: I dissociate myself from this Bill.

Sir, there have been speeches here and I listened with great pleasure to the Poet Laureate's speech paying encomiums to Mahatma Gandhi and dealing with the National Flag. Is there

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one man in this State who does not consider Mahatma Gandhi as the greatest man of his generation born in the world? He is the Father of the Nation. Does he require encomiums from this House or the other House? The respect for, and the sacredness of, the National Flag and our Constitution are certainly undisputed and indisputable. I do not see why Member after Member should get up and speak so much about the sacredness of the Flag, the Constitution and that great man who will be remembered as long as humanity exists! They do not require any encomiums from us.

Sir, the question is this. Is there any necessity for this Bill? Is it desirable, and is there propriety in introducing this Bill? What are the consequences? The first consequence is, as I said, that in every part of India and every part of the world the impression will be created that in this State noted for its calmness, discipline and good behaviour, there are people who will burn the National Flag, the Constitution and also the portraits of Gandhiji. That aspect the Government should take note of and it should be taken note of by the Legislature as well. I do not think that there are people here, in this country or in this State, who will desecrate the Flag or the Constitution or Gandhiji's portraits. True; one person—I asked for the name and the Hon. Minister would not give the name although one or two other hon. Members mentioned his name—Mr. E. V. Ramaswami Naicker appears to have held out his threat. I know Mr. Ramaswami Naicker very well. He is an exceedingly nice gentleman. He has a good following, because he stands for the abolition of the caste system and also against exploitation of the South by the North. On account of certain principles which he has adumbrated, for which he has fought, he has a following. I can tell this House that there is not one man following him either to kill Brahmins or to burn the Constitution or the National Flag or the portrait of Gandhiji. Even if he had one man to follow him and if he gave that advice, I do not think that that one man would follow him afterwards. I do not think he held out that threat seriously. Therefore, the only way to deal with him is not under the Penal Code or the Criminal Procedure Code, but by a different method. I would send him to the lunatic asylum in Kilpauk. If there are more persons than it could accommodate, the institution should be expanded. (Laughter.) Therefore, I submit that the first result of this Bill will be to give a bad name to the State, which we should avoid. I am quite sure that it is not the intention of the Government to give the impression to people outside the State and also inside the State that he has a good following for the purpose of burning the National Flag or the Constitution or Gandhiji's portrait. Therefore, the best thing, the proper thing is to ignore him. If they still attempt to do such things, then send them to the lunatic asylum.

THE HON. SRI R. VENKATARAMAN : Under what provision of law could a person be sent to the lunatic asylum without his consent?

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* DR. V. K. JOHN : Because he is mad.

DR. A. SREENIVASAN : There is a law to do that, Sir.

* DR. V. K. JOHN : Yes, it can be done on certification by a doctor and an order can be passed (Dr. Sreenivasan : An order for reception) yes, an order for reception could be passed against those who try to burn Gandhiji's portrait. (The Hon. Sri C. Subramaniam : Will Dr. Sreenivasan give such a certificate?) (Dr. A. Sreenivasan : Yes, I can; if you appoint me as the doctor, I will consider the question.) (Laughter.)

Sir, Gandhiji died for the cause of the country in 1948 and this is happening about ten years later. I submit that this does no credit to the Government. The Government should have thought of all the consequences of this Bill and the impression that would be created in other parts of the country and the world before introducing this Bill.

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The next question is whether we have jurisdiction to do it. I am told that this is done under the powers vested by item 1 in the State List in the Constitution. Item 1 reads : Public order (but not including the use of naval, military or air forces or any other armed forces of the Union in aid of the civil power). 'Public order' can be widely interpreted. It certainly means security and keeping public peace which is covered by section 107 of the Criminal Procedure Code. According to this Bill, if anybody wilfully burns Gandhiji's portrait in his kitchen or store-room, he is guilty of the offence and there need not be any breach of the public peace. I do not think this will come under that item. Then, does it come under item 1 in the Concurrent List? Item 1 in the Concurrent List reads as follows :—

'Criminal law, including all matters included in the Indian Penal Code at the commencement of this Constitution but excluding offences against laws with respect to any of the matters specified in List I or List II and excluding the use of naval, military or air forces or any other armed forces of the Union in aid of the civil power.'

This item excludes offences against laws relating to any of the matters specified in List I or List II. 'Public order' is in List II. Therefore, what is applicable is neither the State List nor the Concurrent List. This comes under item 97 in the Union List (any other matter not enumerated in List II or List III including any tax not mentioned in either of those Lists) and Article 248 of the Constitution. Under Article 248, the residuary power is vested in the Centre and the Centre has got jurisdiction. After all, do the Government want Gandhiji's portrait or the National Flag to be burnt anywhere else outside the Madras State? Why then should they not report to the Centre that there are persons in this State who will burn or desecrate the portrait of Gandhiji, the Indian National Flag and the Constitution, instead of introducing this Bill here? We should see that they are not burnt or desecrated in any other part

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of the country also. Do you mean to say that Non-Brahmins or anybody else will follow Ramaswami Naicker's advice to burn or desecrate Gandhiji's portrait, the Indian National Flag and the Constitution? I do not think they will follow him. I do not think Ramaswami Naicker himself is serious about it. Why can't you ignore what he is doing? Under section 107 of the Criminal Procedure Code, a person can be bound over for keeping the peace. Under this section, action can be taken against him for his threat, which I say is an idle threat, but which the Government think will be carried out. I think you are giving too much importance to an individual and his stock will go up. People in the North may think that a person who dares to say that he will burn the National Flag must be a big man, and when the Government have introduced a Bill to counteract his threat, he must have a big following. I do not think he will do what he threatens to do. He did not do it in the past when he uttered similar threats. All must know that this is an idle threat and that it will not come to pass and the Government should not have taken serious notice of it. This Bill will give the impression to people outside the State that there are a large number of people in this State who will burn the National Flag or the Constitution.

THE HON. SRI C. SUBRAMANIAM : I am sure the hon. Member's speech would have removed that impression.

* DR. V. K. JOHN : I dissociate myself from this Bill because it will give that impression. The National Flag and Mahatmaji do not want certificates from the Members of this House. They are sacred. Is there anybody to say that they are not sacred? We have got the Gita, the Bible and the Koran. These are held sacred by large sections of the people. Only mad people will burn the Gita, the Bible or the Koran. I ask the Government not to take notice of this at all and not to give the impression to people outside the State that there is a large and important section of people in the Madras State who want to desecrate the National Flag, the Constitution and Gandhiji's portrait. I, therefore, submit that nobody should associate himself with this Bill which gives that very bad impression.

SRI K. BALASUBRAMANYA AYYAR : I am sorry I cannot agree with my hon. Friend Dr. John in his contention that the Government have no power. If we take List II (State List), the first item in that list is 'public order'. As this point was suggested by somebody else also, I made an investigation. 'Public order' is given the widest possible significance. It was asked, if a man burnt or desecrated Gandhiji's portrait or the National Flag or the Constitution peacefully, how his act would come within the purview of any of the clauses of this Bill, as there would not be any breach of the peace or tranquillity. If this act goes on for some years, then it will create trouble. We have to understand that this 'public order' section is wide enough and we can take action under it. Suppose we say that this section does not

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apply. Then, we can go to List III, item 1—Criminal law. In this Bill we create a specific crime. Therefore, this Bill can come under item 1 in List III. Only the consent of the President must be obtained. I do not think there will be any difficulty in getting his consent. The President is there under the Constitution. I am perfectly sure that he will give his consent. I do not think it is right on our part to suggest that the Government have no power to bring in this Bill. It may give room for some lawyers to be talking about this. That is what I was begging Dr. John. We lawyers ought not to be parties to such a thing. A law like this ought to be there on the statute-book of any civilized country. Many people are of the view that this Bill was occasioned by some threat. That may be true. But apart from that, such a law ought to be there on the statute-book. Once there is a National Flag, there must be a Flag Act. The Madras Government and the Government of India must have thought long ago of making any insult to the National Flag an offence. Dr. John said that a person may burn the National Flag in his house. That mentality ought not to be developed among our children. The National Flag ought to be kept sacred and above all cavil and contempt. The National Flag, the Constitution and then Mahatma Gandhi, the Father of the Nation, are our national symbols above all party politics, above all party feelings and above all even social reforms—otherwise, some may say that is a social reform. This Bill ought not to be associated with Sri Ramaswami Naicker alone. That is why I do not want to talk about him here. We must leave him out of account. This Bill ought to be on the statute-book of our country for a long time so that nobody will dare to insult our National Flag even though there may be no breach of peace or tranquillity. I am anxious that national honour should be maintained. If we want to change our Constitution or amend it, there is a procedure prescribed, according to which by a two-thirds majority any Article in the Constitution could be changed. We must all feel that the Constitution which was given to us is our own. It is with that feeling that the Government have very finely and beautifully titled the Bill as “Prevention of Insults to National Honour Bill”, one of the best headings that an Act could have. Somebody has stated that it is a ‘Ramaswami Naicker’ Bill. I think he is completely under an illusion. It has nothing to do with him. We may present the Bill even to the Union Government and ask them to enact it, even though there may be no Ramaswami Naicker in any other part of our country. I really appreciate the heading given to this Bill even though I have not appreciated the heading given to other Bills brought before this House in the past. I wholeheartedly appreciate the spirit behind this Bill. Our National Flag containing three colours, white, green and yellow, has deep significance and reminds us of Asoka's Dharma Chakra. It is above all party politics and even above all castes and communities. This is a matter in which all of us should unanimously support the Government for having brought

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forward this Bill to prevent insults to national honour. The Constitution is a great national symbol. That is why I remember very well that even the President of India, when he inaugurated the conference convened to consider translation of literature in different languages, said that we should attach importance to the Constitution being translated in Sanskrit also because it contained all the best things that we held sacred. It is in that spirit that we should approach this matter and we must forget all party politics.

To-day I heard one of the finest speeches from the Poet Laureate which I had never heard before about Brahmins and our national honour. I feel this day that I have lived properly at least to hear such a great speech from the Poet Laureate of our State. It contains so much of goodwill towards all communities. Never mind the past faults of any community or things which people might have done in the past before we attained Independence. Let us forget all those things done in the past and let us all remember that we have to live together as one great community in this great land of ours. That is the great principle underlying this Bill. Therefore, I wholeheartedly support this Bill.

* THE HON. SRI R. VENKATARAMAN : Mr. Chairman, after the able speech of my Colleague and the hon. Member Sri Balasubramanya Ayyar, it is unnecessary for me to state the legal position. Sir, I am sure this is likely to be taken to Court and the validity of the Act is bound to be challenged. I merely want to place on record that this piece of legislation has not been brought without sufficient forethought and that the various aspects raised by the hon. the Deputy Leader of the Opposition have been very carefully considered by the Government.

Sir, in the first place, the hon. Member Dr. John said that this is not covered by the first entry in List II, that is, the State List. ‘Public order’ has been defined in the decision of the Federal Court in 1950. It states as follows:—

‘The expression “public order” with which the first item begins is, in our opinion, a most comprehensive term and clearly indicates the scope or the ambit of the subject in respect of which powers of legislation are given to the Provinces.’

Therefore, whatever the State requires for the purpose of maintaining peace, order and security, it has the power to legislate upon. In fact, if we read section 107 of the Criminal Procedure Code, we will find that Courts have only authority to act, if there is threat to or breach of peace, while in the definition of ‘public order’ there need not be any threat or fear of breach of peace. Therefore, by the term ‘public order’, the legislation which is sought to be passed in this House will be covered.

Then, Sir, it is also covered by another item, the first item in List III—Concurrent List. Dr. John tried to read into the first item in List III, a meaning which the text does not bear out. He said that if this might be brought under the first item of List III

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it could not be brought under any item in List I and List II. If we read the language of the first item in List III, we will find the expression 'but excluding the offences against laws with respect to any of the matters specified in List I or List II.' In item No. 64 of the State List, we have the expression 'offences against laws with respect to any of the matters in this List.' Similarly in item No. 93 of List I, the same language is repeated, viz., 'offences against laws with respect to any of the matters in this List'. Sir, List I as well as List II contain a number of items and in respect of any offences connected with those items, the punishment is within the exclusive jurisdiction of the authority which is competent to legislate in respect of that item. It does not mean that merely because an item is in List I or in List II, the concurrent power under List III cannot be exercised. I may cite one instance. Take, for instance, the taxes on advertisements. If any person fails to pay the prescribed taxes on advertisements, a penal legislation can be enacted providing for a fine of Rs. 100 or so. Even though it is an offence, it cannot be legislated upon under List I or List III because that is a matter in respect of offence committed in
5 p.m. relation to a matter in List II. Therefore, my submission is that public order is not one of the matters. It is really one in which the maintenance of peace and security is covered so far as the State is concerned. In order that legislation should be excluded from List III, it should be very clear that this is a matter in respect of which an offence is committed. Therefore, my submission is that even under the Concurrent List, this subject, namely, creating an offence in respect of anything connected with public peace and security can be brought. Both by the definition of 'public order', as well as by item 1 of List III, this subject is fully covered.

The only other point which I referred to in passing is that relating to section 107, Criminal Procedure Code. I have already pointed out that there is no law now, which would make the burning or offering of insult either to Gandhiji or to the Constitution or to the Flag an offence, unless it is also coupled with a threat to peace. It may be argued, as the hon. Member Sri K. Balasubramanya Ayyar pointed out, that a person concerned may be committing this act in his house or inside a compound and then plead that this is not a threat to peace or that he has not intended to commit breach of peace. Whether the Constitution is burnt inside the house or compound, it is still an insult to the nation. Therefore it is that this law has been brought forward. My esteemed Colleague the Hon. Sri M. Bhaktavatsalam will deal with the rest of the points. I want to place on record that the position has been examined by the Government and that both under List II and under item 1 of List III the subject falls.

* THE HON. SRI M. BHAKTAVATSALAM: Mr. Chairman, Sir, after the Hon. the Leader of the House and the hon. Member Sri K. Balasubramanya Ayyar have spoken, I think I do not have much to say and I need not take up the time of this House by

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replying at length to the criticisms that were offered, particularly by the hon. the Deputy Leader of the Opposition who is himself an eminent lawyer. Both of them have effectively dealt with the constitutional objection that was raised by the hon. the Deputy Leader of the Opposition to the consideration of this Bill. I rise particularly to offer my congratulations to the hon. Member, the Poet Laureate, who, I think, has made his maiden speech. He spoke in such a moving way and the poetic words came not from his mouth but from his heart.

The hon. Doctor Member also spoke. He prefaced his remarks by saying that he could neither support the Bill nor oppose it. He was in that very sad predicament. Therefore, he had to blow hot and cold. He sought to charge the Government with delay in the matter and said that the Government had not taken action and brought forward a measure like this earlier. He then pointed out that there was no need for a special legislation like this and that this should be dealt with according to the existing law. The hon. Member is himself an eminent physician and perhaps blowing hot and cold is one effective prescription that he offers in the matter of dealing with physical ailments, but blowing hot and cold, I would humbly submit, would not do when dealing with political questions. The hon. Doctor Member pointed out that he had consulted certain eminent lawyers who advised him that there was no need for a legislation like this. I do not know who the eminent lawyers were whom he consulted. I would have tried to get enlightenment from such eminent lawyers. With due deference to lawyers, I would like to submit that even eminent lawyers would find fault with the Government for not bringing in a legislation like this and if the Government bring in a legislation, they would again find fault with the Government for bringing it in. These are the ways of lawyers.

DR. V. K. JOHN: The Hon. Minister is one of them!

* THE HON. SRI M. BHAKTAVATSALAM: I do hope that the Doctor Member will not follow such advice in his profession.

The Deputy Leader of the Opposition, besides raising the constitutional objection, pointed out that it was not proper to have a legislation like this and that this would create a very wrong impression about the state of affairs in our country. I pointed out that there was a law on our statute-book making adultery an offence and that it could not mean and should not mean that adultery was largely prevalent in this country. There is another serious section in one of our statutes relating to high treason. Does it mean that treachery is spread all over the country and that, therefore, it is that there is such a provision dealing with high treason?

SRI K. BALASUBRAMANYA AYYAR: What about unnatural offences with animals? (Laughter.)

[Sri V. V. Ramaswami] [15th November 1957]

கொள்ளக்கூடும் என்றும் அப்போது சொல்லியிருந்தோம். நாங்கள் கூறியதை மனதில் வைத்துக்கொண்டு அரசாங்கத்தார் நடவடிக்கை எடுத்திருப்பது வரவேற்கத்தகுந்தது. மேலும், ஆங்காங்கு வியாபாரிகள் இன்னும் விற்பனை வரியிலிருந்து தப்பித்துக்கொள்வதற்கு எமற்றும் காரியங்களைச் செய்கிறார்களா என்று கவனித்து அரசாங்கத்திற்கு அதை அறிவிப்பதற்காக மாவட்டங்களில் அதிகாரிகள் நியமிக்கப்பட்டிருப்பதாகவும் கூறி, ஒரு செல்வினம் கோரப்படுகிறது. அனேகமாக எல்லா வியாபாரிகளும் ஒழுங்காக வியாபாரம் செய்துவரும்போது, ஒரு சிலர் மட்டும் தவறுகள் செய்வதால், வியாபாரிகள் எல்லோருக்கும் கெட்ட பெயர் வருகிறது; அரசாங்கத்தின் வருமானமும் குறைகிறது. அரசாங்கத்தார் இது சம்பந்தமாக, காலம் தாழ்த்தியிருந்தாலும், இப்போதாவது நடவடிக்கை எடுத்திருப்பதைப் பாராட்டுகிறேன்.

அடுத்தபடியாக, எச். ஆர். சி. எண்டோமென்ட் போர்டு ஆபீசுக்கு கட்டிடம் கட்டுவதற்காக 26 கிரௌண்டு நிலம் வாங்கியிருப்பதாகக் கூறப்பட்டிருக்கிறது. புதிதாகக் கட்டப்படும் இந்தக் கட்டிடத்தை சென்னை நகரத்திலேயே கட்டாமல் வேறு மத்திய நகரத்தில் கட்டினால் நன்றாக இருக்கும் என்று சொல்லிக்கொள்கிறேன். கோவில்களையும் தர்ம ஸ்தாபனங்களையும் கவனிக்கும் இலாகாவைச் சேர்ந்த ஆபீஸிற்கான கட்டிடம் எப்படி கட்டப்படும் என்று தெரியவில்லை. கட்டிடத்தைக் கோவிலாகக் கட்ட வேண்டுமென்று நான் சொல்ல விரும்பவில்லை; கோவில் கட்டவேண்டாம். கலை மறைந்து விடாதபடி பார்த்துக்கொள்ளும் முறையிலும், மக்கள் கலையில் ஆர்வம் காட்டுமபடி செய்யும் முறையிலும், வெளிப் பார்வையில் அந்த ஆபீஸ் கட்டிடம் கட்டப்பட வேண்டுமென்று சொல்லிக்கொள்கிறேன்.

THE HON. SRI R. VENKATARAMAN : அது கோவில் மாதிரி இருக்கவேண்டும்.

*** SRI V. V. RAMASWAMI :** கோவில் மாதிரி இருந்தால் சரிதான். அதை எந்த இடத்தில் கட்டப் போகிறார்கள் என்று தெரியவில்லை.

10-30
a.m.

கல்வி சம்பந்தப்பட்ட மட்டில், கோயம்புத்தூர் இன்ஸ்டிடியூட் ஆப் டெக்னாலஜி, பீளமேடு, இவைகளுக்கு உதவி மான்யம் கொடுத்திருப்பதாகத் தெரிய வருகிறது. இந்த சந்தர்ப்பத்தில் ஒன்று சொல்லிக்கொள்ளுகிறேன். தொழில் துறையில் முன்னேற்றம் ஏற்படுவதற்காக அரசாங்கம் உதவி செய்யவேண்டும் என்ற கொள்கை இருக்கிறது. ஆகவே, இது விஷயமாக மத்திய அரசாங்கம் எவ்வளவு உதவித் தொகை கொடுக்கிறார்கள் என்றும் ராஜ்ய சர்க்கார் எவ்வளவு தொகை கொடுக்கிறார்கள் என்றும் தெரிய வேண்டும். தனி நபர்கள் எடுத்து நடத்தும் தொழில் ஸ்தாபனங்களுக்கு எவ்வளவு உதவி கொடுக்கப்படுகிறது என்பதையும் விளக்கவேண்டும். Revised pattern of financial assistance என்ன என்பதை அறியவிரும்புகிறேன். ஒரு இடத்தில், Having regard to the urgent need for the management to find funds to take delivery of the machinery ordered for the Institute without demurrage and in view of the decision already taken to make from the State funds a grant equal to one-fourth of the non-recurring expenditure subject to a maximum of Rs. 7.75 lakhs this Government sanctioned the payment of an additional *ad hoc* grant of Rs. 1.5 lakhs to the management.' என்று சொல்லப்படுகிறது. இப்பொழுது பணத்தைக் கொடுத்து விட்டு, பிற்பாடு அதைச் சரி செய்துகொள்ளலாம் என்றும் சொல்லப்பட்டிருக்கிறது. எவ்வளவு தொகை உதவியாகக் கொடுக்கப் போகிறார்கள் என்பது விளக்கமாகத் தெரியவேண்டும்.

அடுத்தபடியாக "to take delivery of the machinery ordered for the Institute with demurrage" என்று இருக்கிறது. இது விஷயமாக ஒன்றைச் சொல்லிக்கொள்ள விரும்புகிறேன். நமது சென்னை நகரத்திலுள்ள ஜெனரல் ஆஸ்பத்திரிக்கு நமது கொடைவள்ளல் அழகப்ப செட்டியார் அவர்கள் இப்பொழுது உலகத்திலேயே அபூர்வமாக இருக்கக்கூடிய ஒரு நவீனமான கருவியை, அதாவது ஒரு மைக்ரோஸ்கோப்பை, வாங்கிக்கொடுக்க முன்வந்து

15th November 1957] [Sri V. V. Ramaswami]

அது வரவழைக்கப்பட்டு இப்பொழுது நம் நாட்டிலேயே இருக்கிற அப்படி நம் நாட்டிற்கு வந்து அது துறைமுகத்திலேயே இருக்கிறது. அதை ஆஸ்பத்திரிக்குக் கொண்டு வருவதற்குள் அவர் இறந்து விட்டார். அந்தக் கருவிக்கு இப்பொழுது சுங்க வரி கொடுக்கவேண்டியதாக இருக்கிறது. அந்த வரியை யார் கொடுப்பது, யார் கட்ட வேண்டும் என்ற பிரச்சனை எழுந்திருக்கிறது. அதை யாரும் முன்வந்து கட்டாமல் இருப்பதால், அது துறைமுகத்திலேயே டெலிவரி எடுக்கப்படாமலேயே இருப்பதாகத் தெரிய வருகிறது. அது நமது ஜெனரல் ஆஸ்பத்திரிக்கு ரொம்பவும் அவசியம் என்று கருதப்படுகிறது. அந்தக் கருவி மிகவும் முக்கியமானது என்றும் அது ரொம்பவும் அவசியமானது என்றும் அது சம்பந்தப்பட்டவர் மூலம் தெரிய வந்தது. ஆகவே, அந்தக் கருவியை எப்பொழுது "டெலிவரி" எடுத்துக்கொள்ளப்போகிறார்கள் என்பதைத் தெரியவில்லை. அதற்காக நான் சொல்வது என்னவென்றால் டெலிவரியை நாம் இப்பொழுதே எடுத்துக் கொண்டுவிடலாம். அதற்கு சுங்க வரி யார் கொடுக்கவேண்டும் என்பதைப் பின்பு தீர்த்துக்கொள்ளலாம் என்று தோன்றுகிறது. அது வசியமாகக் கால தாமதம் ஆகிறது. இப்படி இருப்பதாகப் பத்து நாட்களுக்கு முன்பு கேள்விப்பட்டேன். அதனுடைய உண்மை நிலை என்னவென்று தெரியவில்லை. ஆகவே, டெலிவரி எடுப்பதில் கால தாமதம் ஏற்படாமல் அந்தக் கருவியை உடனடியாக எடுத்துவர அரசாங்கம் வேண்டிய நடவடிக்கைகளை எடுத்துக்கொள்ளவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன்.

அடுத்தபடியாக, "A Basic Training School with four sections was therefore opened in the new building at Musiri in the current year. A Model School with five standards, attached to the training school was also opened." என்று சொல்லப்பட்டிருக்கிறது. திருச்சி ஜில்லாவில் முசிரியில் ஒரு பேசிக் டிரெயினிங் ஸ்கூலுக்கு என்று ஒரு கட்டிடம் கட்டப்பட்டு அது கல்வி இலாகாவிற்குக் கொடுக்கப்பட்டிருப்பதாகச் சொல்லப்பட்டிருக்கிறது. இப்பொழுது ஆசிரியர்கள் குறைவாக இருப்பதால், இதை ஆரம்பிக்க ஏன் இவ்வளவு காலதாமதம் ஆகியிருக்கிறது என்பதைத் தெரிவிக்கவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன்.

அடுத்தபடியாக, "டி.ரெயினிங் ஆப் ஆக்சிலியரி நர்சஸ், மிட்வொய்ம்ஸ்" என்ற தலைப்பின் கீழ் நான்கு இடங்களில் டிரெயினிங் செண்டர்களை ஆரம்பிக்கப்போவதாகச் சொல்லப்படுகிறது. அங்கு டிரெயினிங் கொடுக்கப்படும் நர்ஸ்கள் மற்ற மாவட்டங்களுக்கும் போதுமா? அவர்கள் மற்ற மாவட்டங்களுக்குப் பிரயோசனப்படக்கூடிய முறையில் எண்ணிக்கை நிறைந்து இருக்குமா என்பதையும் அறிய விரும்புகிறேன்.

டி. பி. க்ளினிக் என்ற தலைப்பின் கீழ் தஞ்சை, மதுரை, கோயம்புத்தூர் முதலிய இடங்களிலுள்ள ஹெட்குவார்ட்ஸ் ஆஸ்பத்திரிகளில் உள்ள டி. பி. க்ளினிக்குகளை உயர்த்தப் போவதாகச் சொல்லப்படுகிறது. அதாவது அங்குள்ள க்ஷயரோக நிலயங்களை உயர்த்துவதற்குத் திட்டம் போடப்பட்டிருப்பதாகச் சொல்லப்படுகிறது. அதற்கு மேற்கொண்டும் திருச்சி ராஜாஜி சானடோரியத்திற்குப் பணம் இல்லாத காரணத்தால் ஆண்டுதோறும் 15 ஆயிரம் ரூபாய் கிராண்டாகக் கொடுக்கப்படுவதாகவும் சொல்லப்படுகிறது. அங்குள்ள நிதி நிலைமையை உத்தேசித்து 35 ஆயிரம் ரூபாய் கொடுக்கத் திட்டம் போட்டிருப்பதாகத் தெரியவருகிறது. அதைப் போலவே பெருந்துரை சானடோரியத்திற்கும் கொடுக்கவேண்டும் என்று கேட்டுக் கொள்ளுகிறேன். அதற்கும் கொடுக்க ஏதாகிலும் ஒரு முடிவு செய்திருக்கிறார்களா என்பதை அறிய விரும்புகிறேன்.

பதினேழாவது குறிப்பாகிய "பப்ளிக் ஹெல்த்" என்ற தலைப்பின் கீழ் பின்வருமாறு சொல்லப்பட்டிருக்கிறது :—

'The Government of India have offered financial assistance to State Governments for the development of Public Health Laboratory Services during the Second Five-Year Plan. The

[15th November 1957]

* THE HON. SRI M. BHAKTAVATSALAM: Although lawyers might not have had to deal with such curious offences which have been provided for in the Indian Penal Code, they would have studied them in the Law College. All kinds of offences are provided for and dealt with in our statute-book. Therefore, no hon. Member need have this wrong impression that this would create a bad impression in the outside world about the state of affairs in our country. But I do hope, as the hon. the Deputy Leader of the Opposition has pointed out, that there would be no need to give effect to this legislation and that better counsels would prevail even with those who resort to such worst operations and that no one would resort to a curious course of conduct, as has been threatened. In this connection, may I request the hon. the Deputy Leader of the Opposition who seems to know Mr. Ramaswami Naicker so intimately and who seems to have such a high regard for him

DR. V. K. JOHN: Not so intimately as the Hon. Minister. (Laughter.)

* THE HON. SRI M. BHAKTAVATSALAM: The Deputy Leader of the Opposition just now expressed how he had known him, how he was appreciating him and so on. Therefore, if he could use his good offices to prevail upon Mr. Ramaswami Naicker, we should certainly be most happy and that will be one of the most valuable services done by him, certainly much more valuable than the speech that he made during the debate.

5-10 p.m. Some Members referred to the provisions regarding conviction. But Members, particularly lawyer Members, know how Bills have to be drafted. There is no idea of taking a lenient view in this matter. We do feel that it must be dealt with as a very grave offence and it is only in that attitude that this Bill has been presented before this House. I do hope that in spite of the criticisms that have been offered by one or two hon. Members, this Bill will have the unanimous acceptance of this House.

MR. CHAIRMAN: The question is—

“That the Prevention of Insults to National Honour Bill, 1957 (L.A. Bill No. 19 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 3.

MR. CHAIRMAN: The motion is—

“That clause 3 do stand part of the Bill.”

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

“In clause 3, after the word ‘statue’ wherever it occurs, insert the words ‘model or figure’.”

It is a verbal amendment. Sometimes statue may mean statue made of bronze or iron. I have just added ‘model or figure’ because if there is a wooden model, one may technically say that it does not come within the scope of the definition of ‘bust’ or ‘statue’. With a view to avoiding this pitfall, I want to add the words ‘model or figure’.

SRI V. V. RAMASWAMI: I second it.

* THE HON. SRI M. BHAKTAVATSALAM: I would like to point out that the provisions of clause 2 cover ‘effigy’, ‘picture’ and ‘portrait’ of Mahatma Gandhi. ‘Model’ and ‘figure’ come under these and, therefore, we need not add those words, as suggested by the hon. Member. I suggest that the hon. Member need not press it.

SRI K. BALASUBRAMANYA AYYAR: I withdraw the amendment.

The amendment was, by leave, withdrawn.

Clause 3 was put and carried.

Clauses 4 and 5 were separately put and carried.

Clause 6.

MR. CHAIRMAN: The motion is—

“That clause 6 do stand part of the Bill.”

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

“In clause 6, after the words ‘to commit’ and before the words ‘any offence’, insert the words ‘or abets the commission of’.”

I felt that there might be some necessity for this amendment. After carefully reading the Bill, I feel that ‘abetment’ also must be there besides ‘attempt’. ‘Abetment’ is defined in section 107 of the Indian Penal Code. ‘Abetment’ means that a man may ask another to do a particular thing and himself keep quiet. And there, there is no ‘attempt’ on his part. There is a slight difference between ‘attempt’ and ‘abetment’ under the Indian Penal Code. This being a penal statute, people may escape punishment by various interpretations of words contained in it.

THE HON. SRI M. BHAKTAVATSALAM: ‘Attempt’ is there.

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SRI K. BALASUBRAMANYA AYYAR: But 'abetment' has been defined in the Indian Penal Code as instigation, etc., to commit an offence. Here suppose a man wants to burn something and unsuccessfully uses the matchstick. Then, it is only an attempt. But suppose he asks somebody to do it. Then, it is 'abetment'. Sir, I was trying to answer the question myself by referring to the Indian Penal Code. Section 117 deals with abetting and commission of offence by the public or by more than ten persons. But suppose there is one man. He cannot be called 'public' under section 117. So, the clauses of the Bill should be self-contained.

THE HON. SRI R. VENKATARAMAN: I would like to point out to the hon. Member that section 109 covers those cases and that it uses the words 'whoever abets any offence'. And then 'abetment' is defined in section 107.

SRI K. BALASUBRAMANYA AYYAR: That is why this Bill, being a law which creates new offences and prescribes the penalty therefor, should contain 'abetment' also. It will be very good then. "Attempt" means only an overt act.

The amendment was duly seconded.

* THE HON. SRI M. BHAKTAVATSALAM: Section 107 of the Indian Penal Code deals with 'abetment'. It refers not only to the offences committed under the Indian Penal Code but also to those under any special law or local law. This law will come under local law. The section is comprehensive and it will cover all offences under the present law. There is provision for 'attempt' and 'abetment' being covered by the Indian Penal Code, and there is no need for the amendment.

MR. CHAIRMAN: Is the hon. Member Sri Balasubramanya Ayyar withdrawing the amendment?

SRI K. BALASUBRAMANYA AYYAR: I withdraw the amendment.

The amendment was, by leave, withdrawn.

Clause 6 was put and carried.

Clause 7 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

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

"That the Prevention of Insults to National Honour Bill 1957 (L.A. Bill No. 19 of 1957), as passed by the Legislative Assembly, be passed."

DR. V. K. JOHN: Let us all hope that this statute will never be enforced and that there will be no occasion for enforcing it.

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* THE HON. SRI M. BHAKTAVATSALAM: Sir, let me also join the hon. the Deputy Leader of the Opposition in the hope that there will be no occasion to enforce the Act. But I would like to point out on this occasion that the Government will not hesitate to enforce the Act and take necessary steps if there is an attempt to insult national honour. But I do hope that the occasion will never arise.

MR. CHAIRMAN: The question is—

"That the Prevention of Insults to National Honour Bill, 1957 (L.A. Bill No. 19 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 10-30 a.m. to-morrow.

The House then adjourned.

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

* 104 *Short review of the activities of the Agricultural Department for the first half of 1956-57.*

* Laid on the Table of the House on 14th November 1957.

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APPENDIX.

[Vide item VI on page 290 supra.]

L.A. BILL No. 19 OF 1957.

(As passed by the Assembly.)

A Bill to prevent insults to National Honour.

WHEREAS it is expedient and necessary to prevent certain offences against the Indian National Flag, pictures, effigies and statues of the Father of the Nation, or the Constitution of India; BE it enacted in the Eighth Year of the Republic as follows:—

1. *Short title.*—This Act may be called the Prevention of Insults to National Honour Act, 1957.

2. *Burning, etc., of effigy, picture, portrait of Mahatma Gandhi an offence.*—Whoever wilfully burns or desecrates or insults, any effigy, picture or portrait of Mahatma Gandhi shall be punished with imprisonment of either description for a term which may extend to three years or with fine or with both.

Explanation.—In this section, “picture” includes any print, drawing, painting or other representation, of the figure of Mahatma Gandhi.

3. *Destruction of the statue of Mahatma Gandhi an offence.*—Whoever wilfully causes damage to or destruction of any statue or bust of Mahatma Gandhi or any such change in such statue or bust or in the situation thereof, as destroy or diminish its value or appearance or otherwise affects it injuriously, shall be punished with imprisonment of either description for a term which may extend to three years or with fine or with both.

4. *Burning, etc., of Indian National Flag an offence.*—Whoever wilfully burns or desecrates or insults, the Indian National Flag shall be punished with imprisonment of either description for a term which may extend to three years or with fine or with both.

Explanation.—In this section, “Indian National Flag” includes any pictorial representation thereof.

5. *Burning, etc., of the Constitution to be act of offence.*—Whoever wilfully burns or desecrates or insults, any copy or a copy of a part of the Constitution of India, shall be punishable with imprisonment of either description for a term which may extend to three years or with fine or with both.

6. *Attempts to be offences.*—Whoever attempts to commit any offence punishable under this Act shall be deemed to have committed that offence.

7. *Savings.*—Nothing in this Act shall exempt any person from any proceeding which might, apart from this Act, be brought against him.

THE MADRAS LEGISLATIVE COUNCIL

Saturday, the 16th November 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.

Treatment of cancer

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

(a) the facilities provided in the Government hospitals for the treatment of cancer cases; and

(b) whether there is any proposal before the Government to install Tele-Cobalt plants for the purpose?

THE HON. SRI M. A. MANICKAVELU: (a) Facilities for treatment of cancer are available in the Government General Hospital, Madras, Government Hospital for Women and Children, Madras, and the Government Erskine Hospital, Madurai.

(b) A proposal to install a Cobalt 60 beam plant in the upgraded Department of the Barnard Institute of Radiology, Government General Hospital, Madras, is under examination.

Sub-ways for traffic under railway lines

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

(a) whether the Government have received any representations from the Virudhunagar Municipality and the Sattur Panchayat Board for the construction of sub-ways for traffic under railway lines in their respective areas; and

(b) if so, the action taken thereon?

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

(b) Proposals for the construction of (1) an under-bridge near the Sattur Panchayat at an estimated cost of Rs. 33,000 plus Rs. 10,000 for approaches and (2) an overbridge on the Ramamurthy Road in Virudhunagar Municipality at an estimated cost of Rs. 50,000 plus Rs. 50,000 for approaches were finalised in 1955, and were included as items 44 and 45 in the list of road-rail crossing (drawn up on a priority basis) which have to be replaced by over or under-bridges. The list was sent to the Government of India in May 1955 in connexion with their proposals to grant loans to local bodies to enable them to meet the road authority's share of the cost of provision of bridges. The Government of India have since

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sanctioned Rs. 68.15 lakhs as loan assistance in respect of 9 bridges [3 in Madras City, 2 in Madurai, 1 in Coimbatore, 1 in Salem, 1 in Vellore and 1 in Tirunelveli district (in Kovilpatti Panchayat)] and have promised to send a further communication in respect of the other bridges included in the list sent to them.

The attention of the hon. Member is also invited to the answer given on the floor of the House to question No. 468 on 30th January 1956.

SRI V. V. RAMASWAMI : விருதுநகரிலிருந்து அருப்புக்கோட்டை வழியாக மாணுமதுரைக்குப் போகும் இருப்புப்பாதை போடுவதற்கான திட்டம் இருப்பதாக கனம் அமைச்சர் அவர்கள் முன்பே சொல்லியிருக்கிறார்கள். அந்தத் திட்டம் இப்போது என்ன நிலையிலிருக்கிறது? மாணுமதுரையிலிருந்து முதுகுளத்தூர் வழியாக மணியாச்சி போகும் இருப்புப்பாதை போடுவதற்கான திட்டமும் இருப்பதாகச் சொல்லப்பட்டது. இவைகளை இணைப்பதற்கு அரசாங்கம் திட்டம் வகுக்குமா?

THE HON. SRI M. BHAKTAVATSALAM : அங்குள்ள ரயில் பாதைகளைக் கடந்து செல்வதற்கு அவசியமான 'ஓவர் பிரிட்ஜ்' போன்ற பாதைகள் அமைக்கப்படுவதைப்பற்றியது இந்தக் கேள்வி.

மாணுமதுரையிலிருந்து விருதுநகருக்கு ரயில் பாதை போட வேண்டும் என்பதும் மத்திய அரசாங்கத்திற்கு சிபாரிசு செய்யப்பட்டிருக்கிறது. அதைக் கூடிய சீக்கிரத்தில் போடுவதற்கு கவனம் செலுத்தப்பட்டு வருகிறது. ரெயில் பாதைத் திட்டத்தை நிறைவேற்றும்போது, முதுகுளத்தூர் போன்ற ரெயில் பாதையில்லாத பிராந்தியங்களையும் திட்டத்தில் சேர்த்துக் கொள்வதற்கான நடவடிக்கைகள் எடுக்கப்படும்.

Consultative Council for the Government College of Integrated Medicine, Madras

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

(a) whether there is any Consultative Council for the Government College of Integrated Medicine, Madras; and

(b) if so, the number of representatives on it for the Modern, Ayurveda, Siddha and Unani systems of medicine?

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

(b) Eight Lecturers from the Modern Medicine Sections and two Lecturers each from the Ayurveda, Siddha and Unani sections. In addition, the Dean, the Vice-Principal and the Resident Medical Officer are also members of the Council.

SRI A. GAJAPATHY NAYAGAR : In view of the fact that it is also the duty of the Government to promote indigenous systems of medicine, will the Government consider the desirability of maintaining parity, that is, as against six lecturers in modern medicine, to have two lecturers each in Ayurveda, Siddha and Unani?

THE HON. SRI M. A. MANICKAVELU : Sir, I understand the standpoint of the hon. Member. But now the volume of teaching work is in the ratio of two modern medicine to one indigenous medicine. That being so, I think the existing proportion is all right.

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(Sri K. Balasubramanya Ayyar rose.)

SRI A. GAJAPATHY NAYAGAR : I shall continue and finish my question, Sir. As the Chairman of the Council, has any proposal for changing the prescribed course of instruction, or any major change, been submitted by him and has any meeting been called for by the Dean so far in relation to these matters?

THE HON. SRI M. A. MANICKAVELU : I want notice to answer this question, Sir.

SRI K. BALASUBRAMANYA AYYAR : Will Government consider the question whether this college could not be mostly devoted to Ayurveda instead of having something of this kind, namely, one-fourth Ayurveda and three-fourths allopathy and that too, in a half-hearted manner?

THE HON. SRI M. A. MANICKAVELU : Sir, the present position is what I stated. But we shall think about any change if any necessity arises to make it wholly allopathic or wholly indigenous. About that I cannot foresee now.

SRI T. PURUSHOTHAM : Sir, is there any proposal to teach the rudiments of Indian systems in allopathic medical colleges?

THE HON. SRI M. A. MANICKAVELU : It will be a very bad mixture. (Laughter.)

DR. A. SREENIVASAN : May I know whether the Government will consider the desirability of getting students from the College of Integrated Medicine for the Bachelor of Indian Medicine Degree course that has been introduced in the University of Madras?

MR. CHAIRMAN : The hon. Member perhaps means the G.C.I.M.?

DR. A. SREENIVASAN : No, Sir. There is a separate Degree Course. The hon. Member Mr. Balasubramanya Ayyar knows about it.

SRI K. BALASUBRAMANYA AYYAR : There is a separate course of B.I.M. introduced.

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

MR. CHAIRMAN : I am changing the order of questions. We will take up question No. 66 now.

Contribution to the Provident Fund Accounts of Teachers

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

(a) whether there is any proposal to credit the Government contribution to the Provident Fund Accounts of teachers in aided institutions at the end of each financial year; and

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(b) if not, whether Government will consider the desirability of taking such a step?

THE HON. SRI C. SUBRAMANIAM : (a) & (b) The proposal to credit the amount of Government contribution, with the interest thereon, to the accounts of the subscribers to the Provident Fund for teachers in non-pensionable service, at the end of each financial year, instead of paying it in a lump sum at the time of final closure of the account, has been examined and dropped.

SRI G. KRISHNAMOORTHY : May I know Sir, what exactly the difficulty is and may I know whether the Government would devise ways to avoid delay in finding out the amounts due to teachers at the time of their retirement?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir. That has been taken into consideration and orders have been passed that six months before the date of retirement of the concerned teacher, the amount should be worked out so that delay in paying the Provident Fund amount may be avoided.

Educational concessions

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

(a) whether the educational concessions sanctioned to the children and dependants of Defence Service Personnel were withdrawn in 1956-57;

(b) if so, when the students in receipt of such concessions were informed of it; and

(c) whether there is any proposal under the consideration of the Government for the continuance of the concessions till the completion of the studies of the concerned students?

THE HON. SRI C. SUBRAMANIAM : (a) It cannot be stated that this Government withdrew the educational concessions sanctioned to the children and dependants of Defence Service Personnel in 1956-57, as the Post-War Services Reconstruction Fund Committee was meeting the expenditure on the grant of such educational concessions. In view of the limited resources at its disposal after the allocation of the Post-War Services Reconstruction Fund of the composite State among the Madras, Andhra and Mysore States, consequent on the formation of the Andhra State in October 1953, the Post-War Services Reconstruction Fund Committee decided to withdraw the scheme of grant of educational concessions to children and dependants of Defence Service Personnel with effect from the close of the academic year 1955-56.

(b) The decision of the Post-War Services Reconstruction Fund Committee was, at its request, circularized to all educational institutions by the Director of Public Instruction in January 1956.

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(c) In order to obviate undue hardship to students in receipt of the concessions, by their sudden withdrawal in the midst of their educational career, this Government introduced in 1956-57 a modified scheme of grant of educational concessions to the students from the State Funds, viz., continuance of the benefit of remission of tuition fees only and that too in respect of cases of renewals alone and its withdrawal by stages in elementary, secondary and college classes. The scheme is being continued up to and inclusive of the current academic year 1957-58. There is no proposal for its continuance beyond this year.

State aid for the publication of Ancient Tamil Works

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

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a.m.

(a) to state whether State aid is given to persons and institutions who undertake the publication of ancient Tamil works and, if so, the conditions and terms under which State aid is given to such publications; and

(b) to furnish a list of such grants made so far during the last three years?

THE HON. SRI C. SUBRAMANIAM : (a) Yes. There are no special conditions or terms under which such aid is given to research publications. Each case is considered on its merits.

(b) (i) In 1954-55 a grant of Rs. 5,000 was paid to the Sri Ramakrishna Mission Vidyalaya, Perianaickenpalayam, Coimbatore district, towards the publication of the Thirukkural's Research Volume.

(ii) In 1955-56 a grant of Rs. 1,200 was paid to Sri S. Parthasarathy Ayyangar of Srirangam towards the printing and publication of the Dictionary of Prabhandas and Tamil Literature, out of Rs. 3,000 sanctioned for the purpose.

SRI T. PURUSHOTHAM : Who forms the selection committee for drawing up the list of books for State aid every year and what is the procedure adopted for the selection of books?

THE HON. SRI C. SUBRAMANIAM : I have already stated that there are no special rules and regulations concerning this. Each case when it comes up before the Government is examined, and a decision is taken by the Government whether any help is to be offered.

SRI V. V. RAMASWAMI : இப்படிப்பட்ட வெளியீடுகளை அங்கங்கே யுள்ள வாசகசாலைகள் உபயோகித்துக்கொள்ளலாம் என்று அரசாங்க சம்பந்தப்பட்ட அதிகாரிகளுக்கு சர்க்கார் சுற்றறிக்கை விட்டிருக்கிறார்களா, அதன்படி ஏதாவது நடவடிக்கை எடுத்திருக்கிறார்களா என்பதை அறிய விரும்புகிறேன்.

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THE HON. SRI C. SUBRAMANIAM : வெளியிடக்கூடிய புத்தகங்களை நூல் நிலையங்கள் வாங்க வேண்டும் என்று விண்ணப்பித்துக் கொண்டால், அந்தந்தப் புத்தகங்களைப் பரிசீலனை செய்து பார்த்து, எது நல்ல புத்தகங்கள் என்று நிர்ணயம் செய்து அவைகளை வாங்கலாம் என்று சிபார்சு செய்யப்படும்.

Scheme to beautify temples

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

(a) whether any scheme to beautify temples has been formulated;

(b) whether any difficulties are experienced by temple authorities in its execution; and

(c) if so, the steps taken to overcome them?

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

(b) No.

(c) Does not arise.

SRI V. CHAKKARAI CHETTY : கோவில்களை அழகுபடுத்துவது என்றால், செங்கல் கருங்கற்களை எடுத்துவிட்டு அவைகளுக்குப் பதிலாக மார்பின் அல்லது சுவைக் கற்களை அமைத்து அழகுபடுத்துவதா, எந்த விதத்தில் அழகுபடுத்துவது என்பது புரியவில்லை. இப்பொழுது இருக்கக் கூடிய கோவில்கள் பிரம்மாண்டமான கோவில்களாகத்தான் இருக்கின்றன. அவைகளின் அழகைப்பற்றிச் சொல்வோண்டியதில்லை. பல்சுவர்கள் காலத்தில் அழகிய கோவில்களைக் கட்டியிருக்கிறார்கள். அவைகளை அழகுபடுத்துவது என்றால், என்ன பண்ணப்போகிறார்கள்?

THE HON. SRI M. BHAKTAVATSALAM : Mr. Chairman, Sir, if you will not mind it, I shall read the instructions issued, in respect of this matter, to the temple authorities—

(1) Buildings should be kept in a state of good repair, their premises, precincts and approaches kept neat and clean.

(2) Tanks and the water should be kept clean and water properly used for the benefit of the temples.

(3) Free passage should be allowed for worshippers and all vacant spaces should be made proper use of by providing flower-beds and nandavanams for the benefit of the temples.

(4) Temple premises should be adequately lit providing sufficient oil lamps at the sannadhis and wherever there are facilities, electric lights provided to light big halls and mandapams, etc.

(5) Fluorescent lights should not be put up between the deities and worshippers as by such bright lighting in the middle, a clear view of the deity is prevented; such lights should be fixed so as to give concealed lighting. The lights should not be used as means of advertising.

(6) Brass thiruvasis, instead of wooden and iron ones should be provided and the lamps should be cleaned periodically and kept neat and bright always.

(7) Parivattams should be daily washed, well dried and used.

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(8) Vessels and other utensils used for pooja and preparation of neivedyam should be cleaned daily and kept bright and tidy, and prasadam should be taken in closed vessels.

(9) Idols, both stone and metal, should be cleaned and washed daily applying pulikappu or makappu once in a fortnight to remove deposits of oil, dirt, etc.

(10) Sri Nataraja's idol should be attired in leopard's chintz cloth in the loins so as to exhibit the grandeur of the rhythmic dance.

(11) No idols should be kept unused and out of public view.

(12) Idols of Nayanmars and Alwars should be arranged in their order with their names written over them with their stars of birth, etc.

(13) In the case of idols in a shaky condition, marundu should be applied and efficacies secured.

(14) Bat nuisance should be eradicated by the use of chloride benzin or gamexenes.

(15) Plants and shrubs growing in the buildings should be eradicated by the use of the Atlas tree-killer, Globe tree-killer and Agri tree-killer, etc.

(16) Prakarams should be kept clean and free from thorns, etc.

(17) Walls and pillars containing inscriptions, carvings and rare pieces of architecture and works of art should not be white-washed or colour-painted.

(18) Even minor repairs should be attended to promptly.

(19) Names of deities should be written at the entrances of the sannadhis.

(20) Receptacles for putting vibuthis, kunkum, etc., to be provided.

(21) Appointment of othuvans and vedaparayanikars.

(22) Broadcasting of devotional songs.

(23) Singing of Thiruppavai and Thiruvembavai during Margazhi.

Sir, besides these instructions, the executive authorities have been required to write on the walls at prominent places, where the public usually congregate, songs of the Nayanmars and Alwars in praise of the Lord, especially those relating to the temples.

SRI T. PURUSHOTHAM : While appreciating the instructions issued by the Government for the beautification of the temples, may I know whether the Government are aware that the temple authorities have expressed difficulties in regard to removal of existing encroachments in front or around the temples and will the Government consider the question of undertaking special legislation for removing such encroachments?

[16th November 1957]

THE HON. SRI M. BHAKTAVATSALAM : Whenever such things are brought to the notice of the Government, Government would look into the matter and see what could be done or what steps could be taken in the matter.

SRI T. PURUSHOTHAM : May I know from the Hon. Minister whether this matter will also be considered and included in the comprehensive legislation proposed to be brought forward by the Government?

THE HON. SRI M. BHAKTAVATSALAM : I do not know whether there is any need for special legislation in this matter. But when the Bill is before the House, hon. Members may look into the provisions of the Bill and, if need be, make suitable suggestions by way of amendments.

SRI T. PURUSHOTHAM : In respect of the cleaning of tanks, have the Government investigated into the matter as to how best temple tanks could be kept clean and free from green moss, etc., and may I know whether special instructions have been issued to the temple authorities with expert opinion to tackle this question?

THE HON. SRI M. BHAKTAVATSALAM : I do not think it is necessary or practicable or proper to issue uniform instructions to all temples. Conditions vary from temple to temple.

SRI MOHAMED RAZA KHAN : While placing on record our highest appreciation of the excellent instructions issued to temples, may I just know from the Hon. Minister, as a piece of information, whether the Hon. Minister himself prepared the draft of the instructions or the department concerned? (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM : I do not claim to have drafted the instructions, Sir. (Laughter.)

SRI V. V. RAMASWAMI : கோவில்களைப் பரிசுத்தமாக வைத்துக் கொள்வதற்கு நல்ல முறைகள் அடங்கிய திட்டத்தைக் கனம் அமைச்சர் அவர்கள் தெரிவித்தார்கள். கோவில்களில் அநேகமாக மக்கள் ஏராளமாக விழாக் காலங்களில் கூடுகிறார்கள். மக்கள் கோவில்களின் தலைச் சுவர் பக்கங்களில் ஆபாசப்படுத்துகிறார்கள். அப்படி மக்கள் ஆபாசப்படுத்தாமல் இருப்பதற்கு வேண்டிய சௌகரியங்களை அங்கே பண்ணியிருக்கிறார்களா என்பதை அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : அதற்கு முக்கியமான பரிகாரம் மக்களுக்கு சிலிக் கான்ஷஸ்னஸ் இருக்க வேண்டும். அம்மாதிரி கோவில்களுக்குப் பக்கங்களில் ஆபாசப்படுத்தக் கூடாது என்ற ஒரு உணர்ச்சி மக்களுக்கு ஏற்பட வேண்டும். அப்படிப்பட்ட உணர்ச்சி உண்டாவதற்கான அங்கத்தினரைப் போலுள்ளவர்கள் உதவி செய்வார்கள் என்று நினைக்கிறேன். கனம் அங்கத்தினர்கள் மக்களுக்கு அப்படிப்பட்ட உணர்ச்சியையும் ஏற்படுத்தி விடலாம்.

DR. A. SREENIVASAN : May I know whether the instructions have been issued only to temples which come under the Endowments Board or even to the so-called temples which are managed by hereditary ' Dharmakartas ' ?

[16th November 1957]

THE HON. SRI M. BHAKTAVATSALAM : I may tell the hon. Members that even temples which are managed by the hereditary ' Dharmakartas ' come under the control of the Endowments Board and that these instructions have been issued to all temples, big and small.

SRI V. CHAKKARAI CHETTY : May I ask a simple question, Sir? May I know whether there is a separate lavatory in every temple for the worshippers to answer calls of nature as we usually say?

THE HON. SRI M. BHAKTAVATSALAM : Whatever be the calls of nature (I may appreciate the urgency of such calls) still I do not think it is right to provide lavatory within the temple precincts.

Chronic Diseases Hospital in Madras City

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

(a) whether there is any proposal before the Government to establish a separate hospital for chronic diseases in the Madras City; and

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

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

(b) The matter is under consideration.

SRI T. PURUSHOTHAM : Are the Government aware of the overcrowding of in-patients in the City hospitals and will they expedite the proposals for the starting of a separate hospital for chronic cases?

THE HON. SRI M. A. MANICKAVELU : Yes, Sir, they appreciate this difficulty and they are trying to take steps to have a chronic patients hospital. As a matter of fact, it was originally included in the Plan but subsequently deleted. Even though it is not in the Plan, Government are still considering the question of starting a chronic patients hospital.

Sethusamudram Project

* 62 Q.—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Public Works be pleased to state, with reference to the answer to a supplementary question on Legislative Council starred question No. 27 answered on 27th August 1956—

(a) whether the Central Government have consulted the State Government in regard to Sethusamudram Project; and

(b) if so, the recommendations made by the State Government in this regard?

[16th November 1957]

THE HON. SRI P. KAKKAN: (a) Yes, Sir.

(b) In May 1955, the Government of Madras recommended to the Government of India the technical investigation of the Sethusamudram Project. In November 1955 the Government of India appointed a Committee called the "Sethusamudram Project Committee" with Dr. A. Ramaswamy Mudaliar as Chairman. Sri R. A. Gopalswamy, I.C.S., Secretary to Government, Health, Education and Local Administration Department, was the Member-Secretary of the Committee. The Committee submitted its report in April 1956, stating that the project is feasible and desirable. The report was forwarded by this Government to the Government of India in April 1956. The Government of India have now informed this Government that a final decision in the matter is expected to be reached shortly.

1-50 SRI V. V. RAMASWAMI: முன்பு ஒரு கேள்விக்குப் பதிலளிக்கும் போது, இது சம்பந்தமாக நமது முதலமைச்சர் அவர்கள் மத்திய அரசாங்கத்திற்குக் கடிதம் எழுதியிருப்பதாகக் கனம் அமைச்சர் அவர்கள் தெரிவித்தார்கள். அந்தக் கடிதத்திற்கு இப்போது ஏதாவது பதில் வந்திருக்கிறதா என்று அறிய விரும்புகிறேன்.

THE HON. SRI P. KAKKAN: கனம் முதல் அமைச்சர் அவர்கள் எழுதிய கடிதத்திற்குப் பதில் வரவில்லை. இருந்தாலும், அக்டோபர் 10-ம் தேதியன்று மத்திய அரசாங்கத்திற்கு மீண்டும் இதைப்பற்றி ஞாபகப்படுத்தினோம். அதற்கு அக்டோபர் 24-ம் தேதிய பதிலில், இது சம்பந்தமாக விரைவாக முடிவெடுக்கப்பட்டு அந்த முடிவு நமக்கு அறிவிக்கப்படும் என்று அவர்கள் கூறியிருக்கிறார்கள்.

SRI V. V. RAMASWAMI: சேதுசமுத்திரத் திட்டம் சம்பந்தமாக நியமிக்கப்பட்ட கமிட்டியார், சேதுசமுத்திரக் கால்வாயையும் தூத்துக்குடித் துறைமுகத்தையும் அபிவிருத்தி செய்வதற்கு ரூ. 10 கோடி செலவாகும் என்று மதிப்பீடு கொடுத்தார்கள் என்று தெரியவருகிறது. அந்த மதிப்பீட்டிற்கு மேல் செலவாகும் என்று இப்போது தோன்றுவதால் அது திட்டத்தில் சேர்க்கப்படாமல் போய்விடுமோ என்று மக்கள் அஞ்சுகிறார்கள். ஆகவே எப்படியாவது அதைத் திட்டத்தில் சேர்ப்பதற்காக மத்திய அரசாங்கத்திடம் நமது கோரிக்கையை நமது அரசாங்கத்தார் வலியுறுத்துவார்களா?

THE HON. SRI P. KAKKAN: இதை முக்கியமான திட்டம் என்றே கருதி, இதை மத்திய அரசாங்கம் எடுத்துக்கொள்ளும்படி செய்வதற்கு சென்னை அரசாங்கம் முயற்சி செய்துகொண்டிருக்கிறது. திட்டத்தை நிறைவேற்றுவதற்கு எத்தனை கோடி ரூபாய் செலவாகும் என்று தெரியாது. அதுபற்றி தனிக் கேள்வி கேட்டால் பதில் சொல்வேன்.

Siddha Section in the College of Integrated Medicine, Madras

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

(a) whether it is a fact that 50 beds have been allotted for Siddha Section in the College of Integrated Medicine, Madras, by the Central Government under the Second Five-Year Plan;

(b) if so, the amount allotted by the Central Government for this purpose; and

(c) the steps taken by this Government to implement the proposal?

[16th November 1957]

THE HON. SRI M. A. MANICKAVELU: (a) The Government of India have suggested that, for the purpose of carrying out research in certain diseases like asthma, diabetes, etc., in the College of Integrated Medicine, Madras, 50 beds should be allotted out of which 30 should be used for research in Siddha Vaidya.

(b) Rs. 2,000 per bed per annum.

(c) The matter is under examination.

SRI A. GAJAPATHY NAYAGAR: இப்போது இந்த ஆஸ்பத்திரியில் எத்தனை கட்டிடங்கள் (பெட்ஸ்) இருக்கின்றன என்பதை அறிய விரும்புகிறேன்.

THE HON. SRI M. A. MANICKAVELU: இந்த வருஷம் 50 கட்டிடங்களுக்கு ஏற்பாடு செய்யலாம் என்று தீர்மானிக்கப்பட்டிருக்கிறது. அங்கே மொத்தம் எத்தனை கட்டிடங்கள் இருக்கின்றன என்பது தெரியாது.

SRI A. GAJAPATHY NAYAGAR: அங்கேயுள்ள மொத்தக் கட்டிடங்களில் எத்தனை கட்டிடங்கள் சித்த வைத்தியத்திற்காக ஒதுக்கப்பட்டிருக்கின்றன?

THE HON. SRI M. A. MANICKAVELU: நாட்டு வைத்தியத்திற்காகத் தனியாக சில கட்டிடங்களை ஒதுக்கி அவைகளிலுள்ள நோயாளிகளுக்கு நாட்டு வைத்திய முறையில் மருந்து கொடுத்து ஆராய்ச்சி செய்கிறார்கள். நாட்டு வைத்திய முறை ஆராய்ச்சி ஸெக்ஷனை 'அப்கரேட்' பண்ண வேண்டுமென்று மத்திய அரசாங்கத்திற்கு யோசனை அனுப்பியிருந்தோம். அவர்கள் அதற்கு ஒத்துக்கொள்ளவில்லை. 'முதலில் 50 கட்டிடங்களுக்கு ஏற்பாடு செய்யுங்கள். ஒவ்வொரு கட்டிடலுக்கும் ரூ. 2,000 வீதம் கொடுக்கிறோம். அந்த 50-ல் 30-ஐ சித்த வைத்திய முறைக்கு உபயோகப்படுத்துங்கள்' என்று அவர்களிடமிருந்து பதில் வந்தது. அதன்படி இப்போது ஏற்பாடு செய்துவருகிறோம்.

SRI T. PURUSHOTHAM: Will the Government kindly indicate to us the proposal for upgrading the Research Department in Ayurveda, Siddha and Unani in this hospital?

THE HON. SRI M. A. MANICKAVELU: As I said, that was turned down by the Central Government. The proposal was for a recurring expenditure of Rs. 4,04,000 and a non-recurring expenditure of Rs. 2,10,000.

Kundah Hydro-Electric Scheme

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

(a) whether any temples will be submerged as a result of the execution of the Kundah Hydro-Electric Scheme in the Nilgiris and, if so, what they are; and

(b) whether there is any proposal before the Government to re-build the temples and, if so, the amounts sanctioned therefor?

THE HON. SRI M. BHAKTAVATSALAM: (a) & (b) The information has been called for.

[16th November 1957]

SRI T. PURUSHOTHAM : May I request the Government that prompt steps should be taken to build a new temple and remove idols there before submersion because as the Hon. Minister is aware, when the temple at Poondi was submerged, there was a lot of delay in the reconstruction of the temple?

THE HON. SRI M. BHAKTAVATSALAM : Yes, Sir, before the temple is submerged, the matter will certainly be looked into.

Madras Official Language

* 65 Q.—**SRI A. GAJAPATHY NAYAGAR :** Will the Hon. the Chief Minister be pleased to state—

(a) the steps so far taken by the Government to implement the provisions of the Madras Official Language Act, 1956;

(b) whether, and if so, in respect of what official purposes Tamil has been directed to be used; and

(c) whether any time-limit has been set for the various stages of the use of Tamil for official purposes?

THE HON. SRI R. VENKATARAMAN (on behalf of the Hon. the Chief Minister) : (a) Based on the recommendations of the Special Committee constituted by the Government to advise them as to the steps to be taken for the implementation of the Official Language Act, the following measures have been undertaken for the purpose :—

(i) The order in which the introduction of the scheme is to be taken up in the various departments has been finalised.

(ii) A standard glossary of administrative terms in Tamil has been compiled and approved by the Government, printed copies of which will be distributed to the staff in all departmental offices. Supplementary glossaries will be prepared later based on suggestions, etc., received from Heads of Departments.

(iii) Action has been taken to evolve a suitable Keyboard for the Tamil typewriters and after it is finalised, Tamil typewriters will be supplied and arrangements made for training Typists on them in adequate numbers.

(iv) Translation of Acts, Statutory Rules and Orders will be taken up after the translation of Codes, Manuals and Forms.

General instructions in this regard have been issued to all Heads of Departments.

(b) The adoption of Tamil as the Official Language in the district of Tiruchirappalli which has hitherto been on an experimental basis, has now been made a permanent measure as a part of the implementation of the Official Language Act. The following Departments will constitute the first batch for the introduction of Tamil as the language for conducting official correspondence :—

(a) Revenue Department (including the Offices of the Block Development Officers).

[16th November 1957]

(b) Public Works Department (Irrigation and Electricity).

(c) The Department of Agriculture.

(d) The Hindu Religious and Charitable Endowments Departments.

(e) The Education Department.

(f) The Local Bodies.

(g) The Co-operative Department.

(h) The Village and Panchayat Courts.

All other courts can be taken up only after the translation of the various Acts and after making sure that all legal points can be expressed with precision in Tamil.

(c) No time-limit as such has been fixed for the purpose.

SRI V. CHAKKARAI CHETTY : May I ask the Hon. Minister whether there has been any appreciable increase in the quantity and quality of the literature produced in Tamil? May I know whether more pieces of poetry and more prose literature in the shape of what we call in English 'novels and stories for popular use' have been produced?

THE HON. SRI R. VENKATARAMAN : There has been a tremendous increase in the quantity of literature appearing in Tamil. It is mostly of the variety of stories, novels, etc. As far as the quality is concerned, efforts are being made by people to write books on Science in Tamil. Various articles on scientific subjects have started appearing in all the journals for popular consumption.

SRI A. GAJAPATHY NAYAGAR : தமிழ் டைப்ரைட்டர்களை நல்ல முறையில் அமைப்பது சம்பந்தமாக ஒரு சமுதாய அரங்கத்தார் அமைத்திருக்கிறார்களா? அந்தக் குழு ஒரு அறிக்கையை வெளியிட்டிருக்கிறதா? இந்த விஷயத்தில் தாமதம் ஏற்பட்டிருந்தால் என்ன காரணத்தினால் தாமதம் ஏற்பட்டது?

THE HON. SRI R. VENKATARAMAN : தமிழ் டைப்ரைட்டர்களைத் திருத்தியமைப்பதற்காக ஒரு கமிட்டியையும் சர்க்கார் அமைக்கவில்லை. டைப்ரைட்டர்களைத் திருத்தியமைப்பதை டைப்ரைட்டர் டெக்னீஷனஸ் கவனித்து வருகிறார்கள்.

SRI V. V. RAMASWAMI : ஆட்சிச் சொல் அகராதி (க்லாஸ்ஸரி) எல்லா இலாகாக்களுக்கும் கொடுக்கப்படும் என்று கனம் அமைச்சர் அவர்கள் சொன்னார்கள். அது பொது மக்களுக்கும் கிடைப்பதற்கு வழி என்ன என்று அறிய விரும்புகிறேன்.

THE HON. SRI R. VENKATARAMAN : பொது மக்கள் இந்த அகராதி வேண்டுமென்று விரும்பினால், இதை அவர்களுக்கும் கொடுப்பதற்கு ஏற்பாடு செய்யலாம்.

SRI A. GAJAPATHY NAYAGAR : அரசாங்கத்தார் இந்த அகராதியைப் பொது மக்களுக்கு இலவசமாகக் கொடுப்பார்களா?

[16th November 1957]

THE HON. SRI R. VENKATARAMAN : கனம் அங்கத்தினர் இது சம்பந்தமாகத் தனிக் கேள்வி போட்டால், அதற்கு என்ன செய்வதும் என்று பரிசீலனை செய்து பதில் சொல்கிறேன்.

Trade unions

* 67 Q.—**SRI T. PURUSHOTHAM :** Will the Hon. the Minister for Industries be pleased to state, with reference to the answer given to Legislative Council Question No. 1 on 10th August 1956, the stage at which the proposal for a legislation which will provide for only one Union for one industry or one factory now stands?

THE HON. SRI R. VENKATARAMAN : The draft Madras Recognition of Trade Unions Bill was discussed at a meeting of the State Labour Advisory Board held on the 24th and the 25th October 1957, and it requires further examination with reference to the views expressed by the members at the meeting.

SRI T. PURUSHOTHAM : May I presume that the Government will take steps by the issue of executive orders to introduce the system of single labour union in Government-owned concerns?

THE HON. SRI R. VENKATARAMAN : Sir, the problem bristles with difficulties. Actually, at the meeting of the State Labour Advisory Board, the representatives of labour themselves were not able to agree on the scheme. While more members wanted that there should be exclusive bargaining agents, others wanted only the right of recognition. The matter is still in the stage of discussion.

11a.m. **SRI V. CHAKKARAI CHETTY :** Sir, may I ask whether it is not the duty of the Central Government to bring in such a legislation? In that case, they will have to modify the present Trade Union Act. The idea of having only one union for every trade and industry is a huge proposition that will involve controversies between the various political parties, because at present various unions are functioning under the auspices of various political parties like the Congress, the Socialist Party, the Communist Party, the Dravida Munnetra Kazhagam and so on. What do the Government propose to do to obviate the difficulties that may arise if we are going to have only one union? May I know how they are going to legislate?

THE HON. SRI R. VENKATARAMAN : Sir, the matter is in the Concurrent List and the State is not precluded from legislating in respect of this matter. At the same time, the problem bristles with difficulties and the veteran Trade Union leader has expressed those difficulties.

Medical College at Tanjore

* 69 Q.—**SRI T. PURUSHOTHAM :** Will the Hon. the Minister for Revenue be pleased to state whether there is any proposal before the Government to start a Medical College at Tanjore and, if so, at what stage the matter stands at present?

[16th November 1957]

THE HON. SRI M. A. MANICKAVELU : Yes, Sir. The financial and other implications involved in the proposal are under examination.

SRI T. PURUSHOTHAM : Will the Hon. Minister tell us whether the Tanjore District Board has come forward to help the starting of the college and how much has been promised by it, because the Hon. Minister just now referred to the examination of the financial implications of the scheme?

THE HON. SRI M. A. MANICKAVELU : Yes, Sir, they have offered a portion of the amount they get by way of compensation from the Railways. I think it will be of the order of about Rs. 40 lakhs.

SRI T. PURUSHOTHAM : Sir, may I know whether the University authorities have been consulted in the matter and whether the usual preliminary conditions have been fulfilled to enable the starting of the college?

THE HON. SRI M. A. MANICKAVELU : Sir, we have received a communication from the District Board about their offer. That is being examined. After that, we will take further action.

SRI T. PURUSHOTHAM : Sir, would it be reasonable to hope that the Government would expedite the matter and that the college would be ready for functioning from 1958-59 in view of the large number of candidates who wish to take the medical course?

THE HON. SRI M. A. MANICKAVELU : Let us have the target that it will be started by 1958-59 and leave it to circumstances whether it works out.

SRI MOHAMED RAZA KHAN : Sir, may I know whether the Government have come to any final decision that the proposed Medical College should be located at Tanjore?

THE HON. SRI M. A. MANICKAVELU : No, Sir. We have now the tempting bait of Rs. 40 lakhs that makes us think whether instead of at Coimbatore, we can locate it at Tanjore. That is why we are thinking of Tanjore.

SRI T. PURUSHOTHAM : Sir, what about the tempting bait from Coimbatore?

THE HON. SRI M. A. MANICKAVELU : Sir, the bait from Coimbatore looked tempting only in appearance, but when we actually went nearer, it was not as tempting as it appeared to be! (Laughter.)

SRI V. V. RAMASWAMI : ஒப்புக்கொள்ளக்கூடாது என்று மனதில் நினைத்துக்கொண்டு இருந்தால், ஒப்புக்கொள்ளாத மனப்பான்மை ஏற்படுகிறது. அதைப் போலவே ஒப்புக்கொள்ளவேண்டும் என்று நினைத்தால், ஒப்புக்கொள்ளும்படியாகத் தோன்றும். ஆகவே கோயம்புத்தூரில் மருத்துவக் கல்லூரி அமைக்கவேண்டும் என்று நினைத்துக்கொண்டு,

[16th November 1957]

அதற்கான நடவடிக்கைகள் எடுக்கவேண்டும். அங்கே அப்படி வைக்க வேண்டுமென்று பெரிய அபிப்பிராயம் முன்வந்ததாகத் தெரிய வருகிறது. அதைப் பொறுத்து என்ன நடவடிக்கை எடுக்கப்பட்டிருக்கிறது?

THE HON. SRI. M. A. MANICKAVELU : மனதில் ஒரு அபிப்பிராயத்தையும் வைத்துக்கொண்டு தஞ்சையில் மருத்துவக் கல்லூரி வைக்க வேண்டும் என்று முடிவு செய்யவில்லை. பணத்தை வைத்துக்கொண்டுதான் முடிவுக்கு வரப்படுகிறது.

SRI V. CHAKKARAI CHETTY : தஞ்சை ஜில்லாவில் ஒரு வைத்தியக் கல்லூரி வைக்கவேண்டும் என்று சொல்வதற்கு அந்த ஜில்லா சோழ நாட்டின் முக்கியமான ஜில்லா என்று அர்த்தமா? அல்லது பணம் தஞ்சையில் இருக்கிறது அல்லது அங்குள்ளவர்களுக்குப் பணம் இருப்பதால் அவர்கள் மிகவும் வியாதியுள்ளவர்களைக் குறைகிறார்கள் என்று அப்படி வைத்தால் அங்குள்ள வியாதிகளைப் போக்கிவிடலாம் என்பதற்காக அங்கு கல்லூரியை வைக்கவேண்டும் என்று சொல்லுகிறார்களா? கல்லூரியை வைத்தால், அங்குள்ள வியாதியைப் போக்கிவிடலாம் என்பதற்காக வைக்கிறார்களா என்பதை அறிய விரும்புகிறேன்.

Is it because Tanjore is a famous district in Tamil Nad or is it because there are more people suffering from diseases in Tanjore in spite of its fertility?

THE HON. SRI M. A. MANICKAVELU : தஞ்சை ஜில்லா பெரும்பிரசித்தி பெற்ற ஜில்லாவாக இருக்கலாம். இந்தமாதிரியான விவகாரங்களில் பிரசித்தத்திற்கு முக்கியத்துவம் கொடுப்பதில்லை. பணத்திற்குத்தான் முக்கியத்துவம் கொடுக்கப்படும். பணம் அங்கேயிருந்து வருவதாக இருக்கிறது. அதனால்தான் அங்கே யோசனை.

SRI MOHAMED RAZA KHAN : Sir, may I know whether in coming to a final decision in the matter, the tempting offer is the only consideration or whether other factors such as the availability of a first-class hospital and hostel in the area and other facilities will also be taken into consideration?

THE HON. SRI M. A. MANICKAVELU : Sir, that is not the only consideration. It is one of the considerations. Factors like availability of a big hospital, etc., are the other considerations.

Manufacture and export of crackers

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

(a) whether it is a fact that the Government of India have imposed a ban on the manufacture and export of crackers by the firms at Sivakasi; and

(b) if so, whether there is any proposal before the Government to address the Government of India to lift the ban?

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

(b) The question does not arise.

SRI V. V. RAMASWAMI : சில மாதங்களுக்கு முன்பு உற்பத்தியான பட்டாசுக் கட்டுகள் வடநாட்டிற்கு ஏற்றுமதியாகி பாதியில் ரயிலில் விபத்துக்குள்ளாகியதா? அதன் பின் அவைகளை அனுப்புவதற்கு எவ்வளவு கால தாமதம் ஏற்பட்டது? அப்படி ஏற்பட்டு பட்டாசுக் கட்டுகளை அனுப்புவது நிறுத்தி வைக்கப்பட்டிருந்தது. அது விஷயமாக மேற்கொண்டு என்ன நடவடிக்கைகள் எடுக்கப்பட்டிருக்கின்றன? அப்படிப்பட்ட உத்தரவு இந்த அரசாங்கத்தினிடம் இருக்கிறதா?

[16th November 1957]

THE HON. SRI M. BHAKTAVATSALAM : மூன்று இடங்களில் கோமானா சம்பவங்கள் நடந்தன என்பது கனம் அங்கத்தினருக்குத் தெரியும். டாய் பிஸ்டில் அனுப்பியதால், அப்படிப்பட்ட ஆபத்து ஏற்பட்டிருப்பதாகத் தெரியவந்தது. அதை ஆராய்ந்து பார்த்தபோது, அப்படித் தெரியவந்தது. டாய் பிஸ்டிலுக்கு எவ்வளவு மருந்து அடைக்க வேண்டுமோ, அதைவிட அதிகமாக மருந்து அடைக்கப்பட்டிருந்தது. அதற்கு இவ்வளவு தான் மருந்து அடைக்கவேண்டும் என்ற நிபந்தனை இருந்தது. வியாபார நிமித்தமாக உற்பத்தியின் காரணமாக அதிகப்படியான மருந்துகளைப் போட்டு விடுகிறார்கள். அதனால் தான் ஆபத்து வருகிறது. அதனால் ஏற்றுமதியை நிறுத்தி வைத்தார்கள். அதற்கப்புறம் பரிசீலனை செய்து, நிறுத்திவைத்த உத்தரவு ரத்து செய்யப்பட்டு எடுத்துக்கொண்டு போகக் கூடாது என்ற தீர்ப்பு நமக்குக் கிடைத்தது.

SRI V. V. RAMASWAMI : இம்மாதிரி ஏதாவது குறிப்பிட்ட வெடிகளைச் செய்வதைத் தடுப்பதற்குமுன் அரசாங்கம் மீண்டும் யோசனை செய்து நடவடிக்கை எடுக்கப்படுகிறார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : இந்த விஷயம் அரசாங்கத்தின் யோசனையில் இருக்கிறது. டாய் பிஸ்டில்களை ரோடில் கொண்டு போகும்போது ஆபத்து விளையாது. வியாபாரத்தில் பார்த்தால், அவைகளை அனுப்பும்போது ஆபத்து ஏற்படுகிறது. இப்பொழுது “ஆட்டம் பாம்” என்ற ஒரு வெடி இருக்கிறது. அது சப்தத்தை அதிகமாக உண்டாக்குகிறது. அதனால் ஆபத்துக்கள் ஏற்படுகின்றன என்று சொல்லி இதற்கு முன்பு இந்த அரசாங்கம் மத்திய அரசாங்கத்திற்கு அறிவித்து அதைத் தடை செய்தார்கள். இப்பொழுது தயாரிக்கப்படும் வெடிகளும் ஆபத்துக்களை விளைவிக்கின்றன. இதைப்பற்றி ஒரு சம்பவமும் நடந்தது. இந்த அரசாங்கத்தைச் சேர்ந்த தமிழ் ராஜ்யத்தைச் சேர்ந்தவர் ஒருவர் பெங்கலூர் ஆஸ்பத்திரியில் நோவுக்காகக் தங்கி யிருந்தபோது ஒரு சம்பவம் நடந்தது. அப்பொழுது தீபாவளி வந்தது. அந்த ஆஸ்பத்திரிக்குப் பக்கத்திலுள்ள வீட்டில் அந்த சமயத்தில் “ஆட்டம் பாம்” ஒன்று வெடித்தது. அந்த சப்தம் திடீரென்று வீட்டினால், குங்கிலி கொண்டிருந்த அந்த வியாதியுடைய பாதிக்கப்பட்டு விழித்துக்கொண்டார். அப்படி அதிர்ச்சி ஏற்பட்டதன் பலனாக அந்த வியாதியுடையவருக்கு உடனே ‘ஹெமரேஜ்’ வந்தது. அப்படி வந்தது இரண்டாவது தடவை. சாதாரணமாக ஹெமரேஜ் இரண்டாவது தடவை வந்தால், பிழைக்கமாட்டார்கள். ஆகவே ‘ஹெமரேஜ்’ கண்டவுடன், அவர் இறந்தும் போய்விட்டார். விளையாட்டுக்கு வெடித்த “ஆட்டம் பாம்” ஆபத்தில் கொண்டுபோய்விட்டது. இப்படிப்பட்ட ஆபத்துக்கள் அதிகமாக ஏற்படுகின்றன என்பதால் அதிகமாக மருந்துகள் உள்ள வெடிகளைத் தயாரிக்கக் கூடாது என்று கட்டுப்படுத்தினோம். அப்படிப்பட்ட வெடிகளை உற்பத்தி செய்யக்கூடாது என்றும், அந்த உற்பத்தியை நிறுத்த வேண்டும் என்றும் இந்த அரசாங்கம் மத்திய அரசாங்கத்திற்கு யோசனை சொல்லியது. அதன்படி தடையும் செய்தார்கள். அதிகப்படியாக சப்தம் கேட்கக்கூடிய வெடிகளை உற்பத்தி செய்யக் கூடாது என்று தடை விதிக்கப்பட்டிருக்கிறது.

SRI V. CHAKKARAI CHETTY : என் வீட்டில் “ஆட்டம் பாம்” என்று சொல்லிக்கொண்டு தீபாவளி டயங்களில் என்னுடைய பேரப்பிள்ளைகள் சுகிறார்கள். எந்தவிதமான ஆபத்தும் வருவதாகத் தெரியவில்லை. அது என்னமோ ‘டார்’ என்று வெடிக்கிறது. அதற்குத்தான் “ஆட்டம் பாம்” என்று வைத்திருக்கிறார்கள். அது எங்கே யிருந்து வந்ததோ தெரியாது. இன்னும் கருங்கல்லில் வைத்து கல்லால் அடிக்கிறார்கள். அதுவும் ‘டார்’ என்கிறது. எது “ஆட்டம் பாம்” என்று தெரியவில்லை.

THE HON. SRI M. BHAKTAVATSALAM : அதிக ஆபத்து விளைவிக்கவில்லை என்று கனம் அங்கத்தினர் சொல்லுகிறார். குழந்தைகள் விளையாடும் வெடிகளில் ஆபத்துக்கிடையாது. அதிகமாக சப்தம் கேட்கும் வெடிகளுக்கு ஆட்டம் பாம் என்று பெயர் வைத்திருக்கிறார்கள். அந்தப் பெயரை வைத்துவிட்டால், அந்நிய நாட்டில் போடக்கூடிய பாம் என்று

[16th November 1957]

நினைத்துக்கொண்டு அதற்கு அந்தப் பெயரை வைத்திருக்கிறார்கள். ரொம்பப் பெரிய வெடி வெடித்து சப்தம் வந்தால், அது பலருக்கு அசௌகரியமாக இருக்கிறது. அதை ஓரளவு தவிர்க்க வேண்டும் என்பதற்காகத்தான் அரசாங்கம் இந்த யோசனையைச் சொன்னார்கள். அதைக் கனம் அங்கத்தினரும் ஒப்புக்கொள்ளுவார் என்றே நினைக்கிறேன்.

SRI V. V. RAMASWAMI : மேலும், இந்த வெடிகள் ரெயிலின் மூலம் அனுப்பப்படுகையில், ரெயில்வே சந்திப்புகளில் (ஜங்ஷன்) அந்த மூட்டைகளை ஒரு வண்டியிலிருந்து இன்னொரு வண்டிக்கு மாற்றும்போது, ரெயில்வே சிப்பந்திகள் அவைகளை முரட்டுத்தனமாகத் தூக்கி எறிவதால், இத்தகைய சம்பவங்கள் ஏற்படுகின்றன என்று வெடி வியாபாரிகள் கூறுகின்றனர். இது அரசாங்கத்திற்குத் தெரியுமா? தெரிந்திருந்தால், இனிமேல் ரெயில்வே சிப்பந்திகள் அந்த மூட்டைகளை மாற்றும்போது எச்சரிக்கையாக இருக்க வேண்டுமென்பதை ரெயில்வே அதிகாரிகளின் கவனத்திற்குக் கொண்டுவருவதற்கு நமது அரசாங்கம் முற்படுமா?

THE HON. SRI M. BHAKTAVATSALAM : இந்த விஷயத்திலும் ரெயில்வே சிப்பந்திகள் போதிய கவனம் எடுத்துக்கொள்ள வேண்டுமென்று சொல்லப்பட்டிருக்கிறது. காட்பாடி ஸ்டேஷனில் நடந்த சம்பவம் குறித்து ஆராய்ந்து பார்த்ததில், 'டாய் பிஸ்டல்' அளவிற்கு மீறி மருந்து போட்டிருந்ததால்தான் வெடித்தது என்பது புலப்பட்டது.

State Hospital Advisory Committee

11-10 * 71 Q.—**SRI T. PURUSHOTHAM :** Will the Hon. the
a.m. Minister for Revenue be pleased to state whether there is any proposal before the Government to revise the rules governing the constitution and working of State Hospital Advisory Committees?

THE HON. SRI M. A. MANICKAVELU : The answer is in the negative.

SRI T. PURUSHOTHAM : As there are no uniform rules at present for constituting the City and the Mufassal Hospital Advisory Committees, will the Government re-examine the whole question with a view to bringing about uniformity in respect of rules for all State hospitals?

THE HON. SRI M. A. MANICKAVELU : The rules are more or less uniform. I do not think there is any need for revision. In the case of district hospitals, the District Medical Officer is the Chairman of the Advisory Committee. In the City, either the Dean or the Superintendent of the Hospital is the Chairman.

SRI T. PURUSHOTHAM : Will the Government consider the appointment of non-officials in all cases as Chairmen of the Hospital Advisory Committees for in the case of the Madras General Hospital alone, it is so and not in the case of other hospitals even in the City of Madras?

THE HON. SRI M. A. MANICKAVELU : There are no sufficient grounds for a change-over.

SRI T. PURUSHOTHAM : When it is so in the Government General Hospital, why should there not be, I mean, elected Chairman in the Stanley Hospital and other City hospitals, not to speak of the district headquarters hospitals and may I not appeal to Government to examine the question?

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THE HON. SRI M. A. MANICKAVELU : Yes; I will look into it.

SRI A. M. ALLAPICHAJ : What is the composition of the Committee? Are there rules that at least some members should be non-officials?

THE HON. SRI M. A. MANICKAVELU : Yes; quite a number of non-officials are there on the Committee. The Committee takes care to see that there are ladies also on it.

Gurukula system for the promotion of Siddha system of Medicine

* 73 Q.—**SRI A. GAJAPATHY NAYAGAR :** Will the Hon. the Minister for Revenue be pleased to state whether there is any proposal before the Government to institute the Gurukula system for the promotion of Siddha system of medicine at various centres in this State?

THE HON. SRI M. A. MANICKAVELU : No, Sir.

SRI A. GAJAPATHY NAYAGAR : குருகுல முறையில் வைத்திய ஆராய்ச்சி நடத்தி அது சம்பந்தமாக அறிக்கை தயாரித்துக் கொடுக்கும்படி இணைப்பு வைத்தியக் கல்லூரித் தலைவரை (டீன்) அரசியலார் கேட்பார்களா?

THE HON. SRI M. A. MANICKAVELU : கனம் அங்கத்தினர் பழைய குருகுல முறையைப்பற்றிக் குறிப்பிடுகிறார் என்று நினைக்கிறேன். இந்தக் காலத்தில் நல்ல குருவும் கிடைப்பதில்லை. குருவுக்கேற்ற சிஷ்யனும் கிடைப்பதில்லை.

SRI A. GAJAPATHY NAYAGAR : இப்போது சித்த வைத்திய முறையில் மருந்து செய்வவனும் வைத்தியம் செய்வவனும் ஒருவனே. ஆகவே இந்த வைத்தியக் கல்விக்கு குருகுல முறை இருந்தால், மருந்து செய்வவன் அதைச் செய்யும் முறையைக் காண்பித்துக் கற்றுக்கொடுப்பான். குருகுல முறை இருந்தால், சித்த வைத்திய முறை மேலோங்கும். ஆகவே இந்த முறையைப் பரிசீலனை செய்து, அந்தக் கல்லூரித் தலைவர் அறிக்கை தந்தால் நல்லாக இருக்குமென்று நம்புகிறேன்.

THE HON. SRI M. A. MANICKAVELU : எந்தவிதமான குருகுல முறையை கனம் அங்கத்தினர் மனதில் கொண்டிருக்கிறாரோ அதைத் தெரிவித்தால் அந்த முறையைப் பரிசீலித்துப் பார்க்கலாம். பழைய குருகுல முறையைக் கொண்டுவர வேண்டுமென்றால் அது முடியாது என்று சொல்லிக்கொள்கிறேன்.

SRI A. M. ALLAPICHAJ : I cannot understand what Gurukula system means.

DR. A. SREENIVASAN : That is 'Gurukul' system.

DR. V. K. JOHN : May I take it that the Minister has not learnt it?

THE HON. SRI R. VENKATARAMAN : He should learn it outside.

Luxury coach

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

(a) whether any luxury coach has been built by the State Transport Department; and

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(b) if so, the cost of the coach and the use to which it is put?

THE HON. SRI R. VENKATARAMAN: (a) Yes, Sir.

(b) The cost of chassis is Rs. 54,659-94 naye Paise and the cost of construction of the coach is Rs. 17,678-35 naye Paise.

The luxury coach is chartered on special occasions and for Sunday special services to Mahabalipuram.

SRI T. PURUSHOTHAM: Are these tourist coaches in demand by the tourists who visit Madras to see places of interest? Has the Regional Tourist Officer of the Central Government addressed the State Government requesting introduction of concessional fares for tourists who use those buses?

THE HON. SRI R. VENKATARAMAN: I cannot say that there is very great demand. But we do get requests from foreign visitors particularly for the use of the luxury coach. So far as the fares are concerned, we have fixed the rate at 10 per cent over the ordinary rates and the charges should not exceed 9 naye Paise per mile per passenger and three rupees per mile for the whole bus.

SRI A. M. ALLAPICHAJ: Do the Government get any profit from this luxury coach worth the name?

THE HON. SRI R. VENKATARAMAN: These luxury coaches are intended to serve special needs and they have not been constructed with a view to earning profits from the venture.

SRI V. V. RAMASWAMI: இம்மாதிரியான உயர்தர வண்டிகள் சென்னை நகரைத் தவிர வேறு இடங்களில் இருக்கின்றனவா? வேறு எங்கேயாவது இந்த மாதிரியான வண்டிகளைக் கட்டு விக் காரர்கள் வைத்திருக்கிறார்களா? அப்படியானால் அவைகளுக்கான லைசென்ஸ் கொடுக்கப்பட்டிருக்கிறதா?

THE HON. SRI R. VENKATARAMAN: சென்னை நகரத்தில் நாம் வைத்திருக்கிறோம். இங்கு மாதிரியான 'லக்ஷுரி கோச்'—ஜி.டி.வி.எஸ். கம்பெனிகாரர்கள் வைத்திருக்கிறார்கள்.

SRI T. PURUSHOTHAM: Will the Government consider the Regional Tourist Officer's request for showing concession to tourists in the matter of charges for the luxury coach?

THE HON. SRI R. VENKATARAMAN: Actually the rates have been fixed at a concession because there is very great difference between the ordinary coach and the luxury coach. For instance, in the ordinary coach, the seating capacity is 45 whereas the seating capacity in the luxury coach is only 30. But we are charging only ten per cent over the ordinary rates in the luxury bus.

DR. V. K. JOHN: May I know whether this luxury coach is intended to implement the ideology of socialistic pattern of our life as understood by the Government?

THE HON. SRI R. VENKATARAMAN: We are trying to introduce a socialistic pattern of life for our own countrymen. But we cannot impose the socialistic pattern of life on foreign visitors.

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DR. V. K. JOHN: Are our countrymen prohibited from entering this luxury coach?

THE HON. SRI R. VENKATARAMAN: Certainly not; in fact, they also use the coach.

DR. V. K. JOHN: Is it not a fact that they use it more than foreigners?

THE HON. SRI R. VENKATARAMAN: I cannot say. We have a Sunday service to Mahabalipuram and anybody can join it. So far as special services are concerned, they may be sometimes booked either by the tourist agencies or by other foreign visitors. It is not possible to say to what extent the bus is used for special service to Mahabalipuram and by private tourist parties.

Government College of Integrated Medicine, Madras

* 75 Q.—SRI A. GAJAPATHY NAYAGAR: Will the Hon. the Minister for Revenue be pleased to state whether any research is carried on in the Government College of Integrated Medicine, Madras, and, if so, in what systems of medicine and since when?

THE HON. SRI M. A. MANICKAVELU: Yes, Sir. Research is being carried on in Ayurveda since 1949.

SRI A. GAJAPATHY NAYAGAR: Is there a research Chair in Siddha?

THE HON. SRI M. A. MANICKAVELU: No separate Chair. As I said, Siddha is included in Ayurveda. But now we are trying to have a separate research section for Siddha also. In answering a previous question, I explained how we proposed to have more beds for Siddha. I said that out of 50 beds, 30 beds would be utilized for experiment in the Siddha system.

SRI A. GAJAPATHY NAYAGAR: May I impress upon the Government that Siddha system is quite different from Ayurveda and Unani? In fact, there are more students in Siddha section than in others. In view of this fact, will the Government institute a separate Chair for Siddha?

THE HON. SRI M. A. MANICKAVELU: I have already stated that in the matter of research in Siddha, out of 50 beds, 30 will be set apart for it. That means it has taken a step forward over Ayurveda.

SRI A. M. ALLAPICHAJ: When the object of medicine is to save life, how can there be any difference in these things?

SRI V. V. RAMASWAMI: It is all experiment.

DR. A. SREENIVASAN: May I know whether the Research Department in Ayurveda has submitted any report to the Government so far?

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THE HON. SRI M. A. MANICKAVELU : I want notice. I do not know whether any report has been submitted.

Use of indigenous medicines in Government hospitals

11-20 a.m. * 76 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Revenue be pleased to state—

(a) whether there is any ban on the use of indigenous medicines for treatment in Government hospitals; and

(b) if so, whether the use of such drugs for treatment of tuberculosis, malaria, 'flu, etc., will be examined by Government?

THE HON. SRI M. A. MANICKAVELU : (a) No, Sir. But indigenous medicines are not used in Government institutions of modern medicine since the medical officers employed therein are trained only in modern medicine.

(b) This is done so far as institutions of integrated medicine are concerned.

SRI T. PURUSHOTHAM : As the Government have started research in Ayurveda as stated by the Hon. Minister just now, if it is found that these drugs are really effective, could not arrangement be made to have the use of these drugs wherever necessary for particular diseases referred to?

SRI V. CHAKKARAI CHETTY : Are they prohibited by law or custom from prescribing these medicines which may be more suitable in certain cases? It can be done not because it is Ayurvedic, but merely because it is effective.

THE HON. SRI M. A. MANICKAVELU : There is no prohibition by law or any such thing. Some indigenous medical practitioners do prescribe sulpha drugs and anti-biotics and then practitioners of modern medicine prescribe medicines of Ayurveda, as the hon. Member there (pointing to Dr. M. R. Guruswami Mudaliar) who now and then makes use of the indigenous medicines.

DR. V. K. JOHN : Is it not better to teach in due course all systems of medicine in all the medical colleges and do research also in all systems of medicine, Ayurveda, Siddha, etc.?

THE HON. SRI M. A. MANICKAVELU : The question of the use of the medicine will arise only when it has been experimented upon and finally decided upon just like the medicines under the Western system; there must be a pharmacopoeia. Under the indigenous system, a medicine prepared by a particular person has a particular potency and the preparation of another differs from that. Unless we make it a regular thing, it cannot be adopted.

DR. V. K. JOHN : Sir, are there not indigenous systems in Japan and China, apart from western countries?

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THE HON. SRI M. A. MANICKAVELU : There should also be.

DR. V. K. JOHN : Have the Government taken any steps to find out what systems are practised in Japan and China?

THE HON. SRI M. A. MANICKAVELU : Now only the hon. Member has put the idea into my mind. (Laughter.)

SRI A. M. ALLAPICHAJ : Sir, is there not an implication, when the Hon. Minister says that indigenous medicines are not used in the Government Hospitals, that these medicines are useless or some such thing?

THE HON. SRI M. A. MANICKAVELU : It does not mean that. Because the practitioners in charge of such institutions are more familiar with the modern system of medicine. If it is done as the hon. Deputy Chairman suggests and because of that if some medicine is wrongly prescribed, there will be very bad results.

SRI A. M. ALLAPICHAJ : If the Government are convinced that the indigenous medicine is as effective as any other in the world, then it is their duty to see that our doctors also know that there is a medicine like that and that they could prescribe it. Now every doctor does not know the preparation of any medicine. The medicines are got from far-off places and the doctors know them through advertisements and they prescribe them. Our doctors themselves do not prepare such medicines. Therefore, if the Government are really convinced—that is important—that our medicines, the indigenous medicines, are as effective as any other, is it not their duty to tell them that they must apply their minds to the use of these medicines also?

THE HON. SRI M. A. MANICKAVELU : Fortunately or unfortunately, the Government do not themselves prescribe medicines; doctors do that. These doctors have practised in the Western system. As I said, those who are conversant with the indigenous medicines prescribe them also.

SRI A. M. ALLAPICHAJ : Have Government drawn the attention of the doctors to this fact?

THE HON. SRI M. A. MANICKAVELU : It is quite unnecessary.

Banning the slaughter of sheep on Hindu religious festivals

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

(a) whether there is any proposal under the consideration of the Government for banning the slaughter of sheep on Hindu religious festival days and on other days of national importance such as Independence Day, Mahatma Gandhi's birthday, etc.; and

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

[16th November 1957]

THE HON. SRIMATHI LOURDHAMMAL SIMON : (a) No, Sir.

(b) Does not arise.

SRI T. PURUSHOTHAM : Will the Government consider the feasibility or desirability of such a proposal and take further action in the matter, especially in view of the fact that some of the neighbouring States have done it and will Government reconsider the position as a practical move in connection with the ensuing World Vegetarian Congress which we are going to have in India?

THE HON. SRIMATHI LOURDHAMMAL SIMON : We cannot follow all that happens in the neighbouring States. The World Vegetarian Congress is just coming up. But even in 1950, at the instance of some 12 Municipalities, the Councils of which decided that they should close the slaughter-houses in the municipalities, on 2nd February 1950 a Government Order was passed that wherever the local bodies decided to close their slaughter-houses, they would be allowed to do so.

SRI T. PURUSHOTHAM : Could not our Government convey their wishes to the local bodies with a view to implement the scheme which, I may add, is followed in Mysore and other places at present?

THE HON. SRIMATHI LOURDHAMMAL SIMON : Government thought that it was enough if wherever they wanted, they were allowed to close them.

DR. A. SREENIVASAN : Is it not a fact that a Deputy Minister at the Centre said some time ago that people should not be purely 'herbivorous' but should also be 'carnivorous' not only in the interest of the health of human beings, but to reduce the number of cattle in this country? (Laughter.)

THE HON. SRIMATHI LOURDHAMMAL SIMON : The problem relates not exactly to a health point; it is a sentimental point.

SRI MOHAMED RAZA KHAN : May I ask whether the Government would convene a Vegetarian Conference in every village, town, taluk and district, so that the price of mutton may come down considerably?

THE HON. SRIMATHI LOURDHAMMAL SIMON : I do not think that it could be done by this method. Rather the commodity will become rare.

Temples in need of repair

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

(a) whether a list of temples in need of repair has been drawn up by the Government; and

(b) the steps taken to carry out the necessary repairs?

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THE HON. SRI M. BHAKTAVATSALAM : (a) & (b) The Government have not drawn up any list of temples in need of repairs. During 1955-56 and 1956-57, the Government sanctioned a sum of Rs. 2 lakhs for each year for renovation and repairs of temples. The Commissioner, Hindu Religious and Charitable Endowments, selects the poor and needy temples which are very badly in need of repairs and renovation. The grant of 1955-56 was sanctioned to 28 temples and the grant of 1956-57 was sanctioned to 34 temples. The Commissioner watches that the work is executed without delay.

SRI T. PURUSHOTHAM : Will the Government consider drawing up such a list and launch upon a phased programme for carrying out renovation work in the case of temples which are in a bad state of repair by encouraging the formation of local committees with the co-operation of the officers of the Endowment Department?

THE HON. SRI M. BHAKTAVATSALAM : I do not think it is necessary to draw up a comprehensive list as suggested by the hon. Member. But as and when proposals come up to the Commissioner, and when the Commissioner forwards them to the Government, the Government do look into such matters.

SRI V. V. RAMASWAMI : கோவில்களைச் சுற்றியுள்ள சுவர்களின் கட்டிடங்களில் நிறையச் செடிகள் முளைத்து அந்தக் கட்டிடத்துக்கே ஆபத்து வரக்கூடிய நிலைமை இருக்கிறது. அநேகம் கோவில்களில் இப்படிக்காலைப் படுகிறது. அவைகளை நீக்குவதற்கு உடனடியாக இந்த அரசாங்கம் உத்தரவு போடுவார்களா?

THE HON. SRI M. BHAKTAVATSALAM : சுற்று முன்புதான் கோவில்களை எல்லாம் பெரிய சுற்றைப்படுத்தி அழகாக வைத்துக்கொள்வது என்பதைப்பற்றிச் சொன்னேன். அவற்றில் இதுவும் சேர்ந்திருக்கிறது.

MR. CHAIRMAN : Questions are over.

SRI T. PURUSHOTHAM : Before we pass on to the next item Sir, I would like to pay compliments, to you, Sir, and the Government on the fact that we have had to-day one full hour for questions. I should particularly thank the Government for providing prompt answers to questions in this session and I hope in future also we would have full question-hour.

DR. V. K. JOHN : I should thank you, Mr. Chairman, also for allowing full supplementaries.

[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 10th October and 4th November 1957 respectively, from the Governor of Madras :—

" (1) In pursuance of Article 207, clause (3), of the Constitution of India, I, P. V. Rajamannar, Governor of Madras, hereby

[Mr. Chairman] [16th November 1957]

recommend to the Madras Legislative Council the consideration of the Madras (Transferred Territory) Extension of Laws Bill, 1957, as passed by the Legislative Assembly; and

“(2) In pursuance of Article 207, clause (3), of the Constitution of India, I, P. V. Rajamannar, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1957, as passed by the Madras Legislative Assembly.”

(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, transmitting copies of the following Bills as passed by the Assembly on the 15th November 1957 and signed by him for the concurrence of the Council:—

(1) The Madras (Transferred Territory) Re-enacting Bill, 1957 (L.A. Bill No. 24 of 1957).

(2) The Cattle-trespass (Madras Amendment) Bill, 1957 (L.A. Bill No. 25 of 1957).

(3) The Madras Preservation of Private Forests (Amendment) Bill, 1957 (L.A. Bill No. 21 of 1957).

(4) The Madras (Transferred Territory) Extension of Laws Bill, 1957 (L.A. Bill No. 26 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 15th November 1957 and signed by him for the recommendations of the Council:—

(1) The Madras Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1957 (L.A. Bill No. 20 of 1957).

(2) The Madras General Sales Tax and the Madras Medium Cotton Mill Cloth (Sales Tax) (Amendment) Bill, 1957 (L.A. Bill No. 23 of 1957).

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

III.—GOVERNMENT BILLS.

(1) THE MADRAS MONEY-LENDERS BILL, 1957 (L.A. BILL NO. 22 OF 1957).

11-20
a.m.

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

‘That the Madras Money-lenders Bill, 1957 (L.A. Bill No. 22 of 1957), as passed by the Legislative Assembly, be taken into consideration.’

Sir, a Bill to regulate and control the business of money-lending was considered by this House as early as 30th November 1955 when this House agreed to the setting up of a Joint Select Committee. Memorandum was submitted by interested parties to this

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Committee and the Committee also heard witnesses and a report of the Committee was ready. But the Legislative Assembly was dissolved and the Report of the Joint Select Committee could not be presented to the Legislature. So, the provisions approved by the Joint Select Committee were embodied in a Bill and that was moved in the Legislative Assembly. There it has been passed with certain alterations. Now, the Bill as passed by the Assembly has come before this House for its acceptance. The Bill now provides for the licensing of money-lenders, the maximum rate of interest that could be charged by them, the maintenance of accounts by them and the appointment of inspecting staff, its powers, etc. Suitable provisions have been made to meet violation of the provisions of the legislation. In some of these provisions the Assembly has made certain changes. In that form the Bill is before the House for its acceptance. I, therefore, commend the motion for the acceptance of the House.

MR. CHAIRMAN: Motion moved—

‘That the Madras Money-lenders Bill, 1957 (L.A. Bill No. 22 of 1957), as passed by the Legislative Assembly, be taken into consideration.’

DR. M. R. GURUSWAMI: Mr. Chairman, Sir, all that I wish to say about this Bill is that it is a very desirable measure because Government are in a way helped by the money-lenders in helping the rural population and the rural industries. But while, on the one hand, it seems to me a good, reasonable and satisfactory legislation, there are some snags in it. One is the provision which deals with punishments to be awarded for the violation of the provisions of the legislation. To say that even for small offences the offender will be fined a thousand rupees or awarded imprisonment for six months or both seems to me rather too severe. If the thousand rupees could be reduced to Rs. 100, it would be reasonable. Therefore, I appeal to the Government that they may be pleased to reduce the fine to Rs. 100.

Sir, in considering this measure, we should also take into account the good things that these people have done not only by lending money, but also by giving back to the people some of the money they get from the people in the form of opening of schools, colleges and various other charities.

Sir, the licence fee is too high. The present provision fixing it at Rs. 100 may be so modified as to reduce it to Rs. 50. This will enable them to be careful when applying for licences and also prevent them from violating any of the provisions of the law.

These are the only two points which I wanted to refer to, namely, that the punishments are too severe and that the licence fee is too much. In these days of high prices it is not possible for the money-lenders to live with a meagre interest. On that

[Dr. M. R. Guruswami] [16th November 1957]

account, I do not want that they should increase their rate of interest. When they violate the provisions of the law, they must be punished but the punishment should not be so crushing as a fine of Rs. 1,000 and imprisonment for six months.

THE HON. SRI M. A. MANICKAVELU : That is only the maximum.

DR. M. R. GURUSWAMI : I know it is the maximum punishment. But when it is there in the law, there is a temptation to award it. There are many sorts of offences mentioned in the Bill and people will always be ready to report against the money-lenders. Even if the money-lender should come near the house of the borrower, it is treated as an offence. Even if he should talk to the people in the house, it is an offence. Under the rules, everything could be construed as an offence by wicked people though the money-lender may not be guilty at all. Though the debtor goes to the money-lender any number of times, if the money-lender should go near the house of the debtor, it is considered an offence. Again, these are things which cannot be easily proved. My only submission is that though I approve of the Bill, the punishment should be reduced and made light and that the licence fee also should be reduced to Rs. 50.

Thank you, Sir.

11-40 a.m. SRI V. CHAKKARAI CHETTY : கனம் மன்றத் தலைவர் அவர்களே, இந்த மசோதாவை நான் முழு மனதுடன் ஆதரிக்கிறேன். இதை ஆதரிக்கும்போது நான் ஒன்று சொல்ல விரும்புகிறேன். ஆங்கில மகா கவி ஷேக்ஸ்பியர் தாம் எழுதிய நாடகம் ஒன்றில் 'Neither a lender nor a borrower be' என்று உரைத்த பொன்மொழியை நான் ஆதரிக்கிறேன். "கடன் வாங்கவும் கொடுத்த பொன்மொழியை செய்யாதே" என்று அவர் கூறினார். அப்படி இருப்பது மிகவும் கஷ்டமானது. ஷேக்ஸ்பியர் தம் அனுபவத்தில் கடன் வாங்கினாரா இல்லையா என்று நான் பார்த்திருக்கவில்லை. அதை நான் ஒன்று பார்த்திருக்கிறேன். அதை இப்போது பார்க்கவில்லை. சிறுவனாக இருந்தபோது பார்த்திருக்கிறேன். அதாவது, கடன் கொடுத்தவர்கள் கடன் வாங்கியவனின் வீட்டிற்குப் போய் பொய்ச்சிவனை அனுப்புவார்கள். அந்தப் பொய்ச்சிவனைத் தங்கள் கையில் தடியை எடுத்துக்கொண்டு கடன் வாங்கியவனின் வீட்டிற்குப் போய் 'முதலையும் வட்டியையும் கொடு' என்று அவனிடம் கேட்பதுடன் அவனைப் பயமுறுத்துவார்கள். ஏனென்றால், 'ஸ்மால் காஸஸ் கோர்ட்' -க்குப் போனால், அங்கே கோர்ட்டார் அபரிமிதமாக இருக்கும் வட்டி விகிதத்தைக் குறைப்பதுடன் கடன்பட்டவன் தான் கொடுக்க வேண்டிய தொகையைப் பல தடவைகளில் செலுத்துவதற்கும் அனுமதிப் பார்கள். கொஞ்சம் கொஞ்சமாகக் கொடுக்கலாம் என்று கோர்ட்டில் வாய்தா கொடுக்கிறார்கள். முன்பெல்லாம் சில போக்கிரிகளைக் கைக்குள் போட்டுக்கொண்டு பயமுறுத்திப் பணத்தை வாங்குவது வழக்கம். தடியைக் கையில் எடுத்துக்கொண்டு போய்க் கேட்பதும் வழக்கம். அப்படிப்பட்ட வழக்கம் எல்லாம் இப்பொழுது இல்லை என்று நினைக்கிறேன். ஏனென்றால் இப்பொழுதெல்லாம் ஜனங்கள் நாகரீகம் அடைந்திருக்கிறார்கள். முன்பெல்லாம்தான் இப்படிப்பட்ட பழக்கம் இருந்து வந்தது. இப்படிப்பட்ட பழக்கங்கள் இப்பொழுது இருந்தாலும், அவைகளை இந்த மணி-லெண்டர் மசோதா தடுத்துவிடும் என்று நான் நினைக்கிறேன். அதனால் இந்த மசோதாவை நான் முழு மனதுடன் ஆதரிக்கிறேன்.

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* DR. V. K. JOHN : Mr. Chairman, Sir, no Bill introduced in both the Houses of the Legislature has evoked so much controversy, so much criticism and also so much consideration at the hands of the Government as this Bill before the House. I wish the Government went into this matter with some more clarity of thought. Money-lending is for the purpose of supplying credit facilities and for some years past we have not had enough credit facilities to meet the demand. Therefore, we think that certain evils which have crept into this business, viz., usurious interest, molestation of debtors and other things, must be controlled, liquidated or eliminated. The question is whether it is possible to do so by legislation.

First of all, we must realize that there is no rule and that there cannot be any rule that a person can be compelled to lend money to anybody. He is not bound to lend money and if he lends money, there must be a contract. His goodwill is required to lend money to a person who needs it. Sir, banks in this State and in this country have developed and are engaged in giving credit facilities but; at the same time, they do not lend money to persons to whom the ordinary money-lenders lend. The ordinary money-lender charges a higher rate of interest because he has to run the risk of lending money without taking securities. There is more demand and less supply. What is it that we should do to solve this problem? Will legislation solve this problem, when the money-lender is not bound to lend money? Legislation can never solve this problem. The only way to solve this problem is to make available credit facilities to persons who want them both in the cities and in the rural parts, more in the rural parts than in the cities. Have we at any time considered the question how to extend credit facilities? If co-operative credit societies charge interest at 9 per cent, then others also will be bound to charge the same rate. I know, Sir, there is a Co-operative Stores in Kodaikanal which sells almost all articles which the inhabitants there want. If there is no stock of any article in that stores, the price of that article in other shops will be double. It is the Co-operative Stores that keeps the price of things at a reasonable level. In such a way if we could provide credit facilities either through co-operative societies or banks or some other agency, we can solve this problem. Legislation providing that a person who takes more than 12 per cent interest from a person who cannot afford to give securities will be sent to jail or fined or penalized, will never solve this problem at all. Therefore, the Government and the public also ought to concentrate on how to meet the demand for credit facilities. If they had concentrated on that, this Bill would not have been introduced. This is a thing which we can never control. Do the Government think that any money-lender will give at 9 per cent interest secured loans and 12 per cent interest at unsecured loans? Never. The money-lender cannot live at all. We are only providing for the demoralization or society. (Interruption.) I do not say that they will be extinct. They will continue the business and they will indulge in

[Sri A. Subramanyam] [15th November 1957]

தேசம் இருக்கலாம். ஆனால் தேசியக் கொடி மட்டும் இல்லாமல் ஒரு தேசம் இருக்க முடியாது. அதுதான் நாட்டிற்கு உயிர். இதைத் தன் மானமுள்ளவன் உணராமல் இருக்க முடியாது. பல ஆண்டுகளுக்கு முன்னதாக அமெரிக்கா தேசத்திற்கு கவி அர்தி சோஷலி அம்மையார் அவர்கள் போயிருந்தார்கள். அவ்வப்போது அங்கே ஓம்பத்தொடர்ந்தே செங்குளின் கொடியைப் பறக்க விடப்பட்டிருந்தன. அங்கு நம்முடைய தேசத்தின் கொடி காணப்படவில்லை. மனியன் ஜாக்கைப் பறக்கவிட்டிருந்தார்கள். ஆங்கிலேயனின் கொடி என்று சொன்னார்கள். அப்பொழுது அம்மையார் என்ன நினைத்தார்களாம்? நம்முடைய நாட்டின் கொடி என்று ஒன்று இல்லையே, அப்படியப்பட்ட கொடி எப்பொழுது வரும் என்று வருத்தப்பட்டார்கள். இன்றைக்கு அப்படியப்பட்ட ஒரு கொடி நமக்குக் கிடைத்திருக்கிறது. அதற்கு எவ்வளவு கௌரவம் இருக்கிறது? நாமும் கௌரவமான மனிதர்கள், உலகத்திலுள்ள மற்ற நாடுகளுடன் சரி சமானமானவர்கள் என்ற நிலைக்கு நாம் இப்பொழுது வந்திருக்கிறோம். அப்படியப்பட்ட நம்முடைய மூவாணக் கொடி எவ்வளவோ சக்தி வாய்ந்தது, கௌரவமுள்ளது. அதிலும் நீதிக்கு அடையாளமாக அசோக சக்கரம் வேறு பொறிக்கப்பட்டிருக்கிறது. அதனால் நம் நாட்டிலுள்ள அனைவருக்கும் பெருமை உண்டு. அது நமக்குக் கௌரவம் அல்லவா? அதைப் பற்றித் துறைமாய் பேசலாமா? இன்றைக்கு நாம் பலம் கெடாமலாகச் சொல்லுகிறார்கள். கோவணம் கட்டும் துணி என்று கூடச் சொல்லுகிறார்கள். இதைக் கேட்டு அடிவாத அல்லது சிறிப்பகா என்று கூடத் தெரியவில்லை. சில சமயங்களில் பயித்தியக்காரனுக்குக் கூட நல்ல புத்தி ஏற்படுகிறது, திருந்தி விடுகிறான். பெரியாருடன் ஜனங்கள் இருக்கிறார்கள் என்று சொல்லுகிறார்கள். அவருடன் யார் இருக்கிறார்கள் என்பதைக் கேட்கிறேன். தேர்தலில் நிற்கட்டும், ஜனங்களுடைய ஆதரவு அவருக்கு இருக்கிறதா என்று பார்க்கலாம். சட்ட மன்றத்துத் தேர்தலில் நின்று வரட்டும், பார்க்கலாம். அவருடைய கொள்கையை இங்கே கொண்டு வரட்டும், நிலைநாட்டட்டும். எனக்குத் தெரியும் ஒருவரும் இவரை ஆதரிக்க மாட்டார்கள் என்பது. 'இவர் காங்கிரசுக்கு உடந்தையாக இருந்தார், அதனால் காங்கிரஸ் ஜெயித்தது' என்று சிலர் சொல்லுகிறார்கள். அவர் காங்கிரஸைத் தூக்கிக் கொண்டிருக்கிறார் என்றும் சொல்லுகிறார்கள். அவர் காங்கிரஸை ஆதரித்ததால் தான் ஒவ்வொரு தொகுதியிலும் சொற்ப வாக்குகளால் வெற்றியடைய வேண்டியிருந்தது என்பது எனக்குத் தெரியும். சேலம் டவுன் தொகுதியில் பெரியார் காங்கிரஸை ஆதரித்ததினால் காங்கிரஸ் அபேட்சகர் 200 வாக்குகளினால்தான் வெற்றியடைய முடிந்தது. சேலம் பெண்ணைகரம் தொகுதியில் எனது மனைவி தேர்தலில் போட்டியிட்டாள். அதில் பெரியார் அவர்கள் காங்கிரஸிற்கு விரோதமாக அதாவது எனது மனைவிக்கு விரோதமாக தீவிரமாக வேலை செய்தார். அதன் காரணமாக எனது மனைவிக்கு 3,000க்கு அதிகப்படியான வாக்குகள் கிடைத்து வெற்றியடைந்தார்கள். ஆகையால் அவரால் காங்கிரசுக்குச் செல்வாக்கு வந்துவிடவில்லை. அவர் வந்து ஆதரித்த இடங்களில்லாமல் காங்கிரசுக்குச் செல்வாக்கு குறைந்து போய்க்கொண்டு காணியிருந்தது. அவரைக் காங்கிரஸிற்கு வந்து உதவி செய்யும்படி யாரும் அழைக்கவில்லை. சம்மன் இல்லாமற்படிக்கு அவரே வலிய வருகிறார்.

மேலும் தேசியக் கொடி தேசத்தின் சிவிற்கு ஒப்பானது. அதை எரிக்க வேண்டுமென்று சிலர் சொல்வதை நான் ஆட்சேபிக்கிறேன். மேலும் பெரியார் ஸ்ரீ ஈ. வே. ராமசாமி நாயக்கர் குறிப்பாக, "தேசியக் கொடியை உருவாக்குவதற்கு முன்பு யாராவது என்னைக் கலந்தாலோசித்தார்களா?" என்று கேட்கிறார். இந்தச் செய்தியைச் சமீபத்தில் பத்திரிகையில் பார்த்தேன். இதற்கு நான் பதில் சொல்ல விரும்புகிறேன். அவர் யார்? அவர் பொது மக்களின் பிரதிநிதியாகச் சட்ட சபையில் இருந்தாரா? அப்படி இருந்திருந்தாலாவது இந்தக் கேள்வியைக் கேட்கலாம். இப்போது தி.மு.க. கட்சியில் கூட சட்ட சபைக்கு வரும் யோக்கியத்தை 13 பேர்கள் பெற்றிருக்கிறார்கள். பெரியாரின் கட்சிக்குப் பொறுப்பு உண்டா? அவர் பொறுப்புள்ள கட்சித் தலைவரா? "நெருப்புப் பெட்டியை எடுத்துக்கொள்ளுங்கள். தீவெட்டியைத் தூக்கிக்கொள்ளுங்கள்"

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கறுப்புச் சட்டையைப் போட்டுக்கொள்ளுங்கள்" என்று சொல்ல தற்கு ஒரு கட்சியா? தெருவில் போகும் ஒரு கண்ணியமான மனிதனை ஒரு போத்திரி கூண்டாடி பேசி விட்டால் "பார்த்தாயா? இவன் எப்படிப் பேசி விட்டான்! இவன் வீரன்! இவன் சூரன்!" என்று சொல்ல முடியுமா? எடுத்தெறிகெல்லாம், தீவெட்டியைத் தூக்கிக்கொள்ளுங்கள் என்றும், கறுப்புச் சட்டையைப் போட்டுக்கொள்ளுங்கள் என்றும் கத்தியை எடுத்ததுக்கொள்ளுள்ளென்றும் கூறும் இந்தக் கட்சி ஒரு கட்சியா என்று பொது மக்கள் பார்க்க வேண்டும். 1937-ம் ஆண்டில் சுயாட்சி ஆரம்பமானபோது, காங்கிரஸ் கட்சி சுயாட்சி நடத்தியது. காங்கிரஸ்காரர்கள் அப்போது முதல் நல்ல சட்ட திட்டங்களை வகுத்து நாட்டில் நிறைவேற்றினார்கள். அவ்வாறு முதலிடமிருந்து வந்த காங்கிரஸ் கட்சிதான் இந்தத் தேசியக் கொடியை 10 ஆண்டிற்கு முன்பாக உருவாக்கியது. எல்லா மத்தியினருக்கும் எல்லாக் கட்சியினருக்கும் பொதுவானதாக இருக்கும் முறையில் இந்தக் கொடியைக் காங்கிரஸ்காரர்கள் அமைத்திருக்கிறார்கள். காங்கிரஸ் கட்சியின் கொடியாகவோ மற்றக் கட்சியின் கொடியாகவோ இதை மக்கள் பாவிக்கக்கூடாது என்பதற்காகவே இதைத் தனியான பொதுவான அமைப்புடன் உருவாக்கியிருக்கிறார்கள். ஆகையால், இந்தத் தேசியக் கொடி எல்லோருக்கும் பொதுவான கொடி. இதை ஸ்ரீ ராமசாமி நாயக்கர் கூடத் தூக்கிக்கொண்டு போகலாம். என்னைக் கேட்டு இந்தக் கொடியை அமைக்கவில்லை என்று அவர் சொல்கிறார். இது அவருடைய அறியாமையையே காட்டுகிறது.

'காந்தியின் சிலையை உடைப்பேன்' என்று பெரியார் கூறுகிறார். அவர் அது சம்பந்தமாக ஒரு விஷயம் சொல்கிறார். அதாவது, "ரஷியாவில் இப்போது ஸ்டாலின் அவமதிக்க வில்லையா? குருஷ்சேவம் பூல்கானினும் இப்போது ஸ்டாலின் அவமதிக்கிறார்களே! அதே போல, காந்தியை முன்பு நான் வணங்கினேன்; அவருடைய சிலையை உடைக்க வேண்டுமென்று இப்போது நான் சொல்கிறேன்." என்று கூறுகிறார். ஆனால் குருஷ்சேவ் யார்? பெரியார் யார்? ரஷியாவில் ஆட்சியிலிருந்து கொண்டு சட்ட திட்டங்களைச் செய்யும் அதிகாரமுள்ளவர் குருஷ்சேவ். அவர் சொல்வதை அந்நாட்டு மக்கள் பெரும்பான்மையார் கேட்கின்றார்கள். ராமசாமிப் பெரியாரின் பேச்சை யார் கேட்கிறார்கள்? ஸ்ரீ ராமசாமி நாயக்கர் இன்று ஆட்சியில் இல்லையே! குருஷ்சேவைப்போல் அவரும் ஆட்சிக்கு வரட்டும். அப்போது அவர் எந்தச் சட்டத்தையும் போட்டு எதையும் செய்யட்டும். மக்களால் தேர்ந்தெடுக்கப்பட்டவர்களின் ஆட்சியால் அமைக்கப்பட்டுள்ள கொடி இந்தத் தேசியக் கொடி. பல கொள்கைகளை அடிப்படையாகக் கொண்டு இந்தத் தேசியக் கொடி இந்த ஆட்சியாளர்களால் அமைக்கப்பட்டுள்ளது. எல்லோருக்கும் பொதுவானதாக இருக்கும் முறையில் அது அமைக்கப்பட்டுள்ளது. அந்தக் கொடிக்கு ஆபத்து வந்தால், எனப்போன்ற வாலிபர்கள் சம்மாயிருக்க முடியாது. இது சம்பந்தமாக இந்த சபையில் நான் பல தடவைகள் பேசியிருக்கிறேன். தேசியக் கொடியை அவமதிக்கப்போவதாக ஸ்ரீ ஈ. வே. ராமசாமி நாயக்கர் சொன்னவுடன் அதற்கெதிராக நாட்டிலுள்ள பெண்கள் வீர கொண்டு எழுகின்றனர். தேசியக் கொடிக்கு அவமானம் வந்தால், சிறு குழந்தைகள் கூட சம்மாயிருக்க மாட்டார்கள்.

அடுத்தபடியாக, 'அரசியல் சட்டப் புத்தகத்தைக் கொளுத்துவேன்' என்று ஸ்ரீ ராமசாமி நாயக்கர் சொல்கிறார். அது நாட்டின் அடிப்படை யான சட்டம். நாட்டில் எவ்வாறு ஆட்சி செலுத்தவேண்டுமென்றும், எத்தகைய சட்டங்களை எவ்வாறு வகுக்க வேண்டுமென்றும் அதில் சொல்லப்பட்டிருக்கிறது. அதைக் கொளுத்த வேண்டுமென்று நேற்றைய தின "விடுதலை" பத்திரிகையில் கூட எழுதப்பட்டிருக்கிறது. அதை சபைக்கு எடுத்துக்கொண்டு வர வேண்டுமென்று நினைத்திருந்தேன். கொண்டு வர மறந்துவிட்டேன். அரசியல் சட்டம் ஜாதி வெறியைக் கிளப்புவதாக இருக்கிறதென்று கூறி, இது சம்பந்தமாக இந்த அரசாங்கம் அவருக்கு 26-ம் தேதிக்குள் பதில் கொடுக்காவிட்டால் அதைத் தாம் 26-ம் தேதியன்று கொளுத்தப்போவதாகச் சொல்கிறார். அவர் இவ்வாறு தினமும்

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black-marketing as is done when an article goes out of market. This is an economic principle of supply and demand and any kind of control by the Government by means of legislation will not meet the situation created by more demand and less supply. Controls and black-marketing move together. Therefore, I again submit that this kind of legislation should not be thought of. If the Government want to control, by legislation, the molestation of debtors, levy of usurious interest and other evils, they must side by side introduce decontrol measures. Control must always be accompanied by some measure of decontrol so that in the course of ten years, the decontrol measure may devour the control measure and control may not be required. But the Government have not made any provision in this Bill for the decontrol of credit facilities so that these evils attendant on money-lending might go. On the other hand, they have provided for a licence fee. They have provided for penalties and for the appointment of Inspectors and the cancellation of licences. So, now the control is vested in the Government. I do not want to criticize the Government but it has become a habit with them for the past so many years to introduce measures of control. I submit again that this Bill will do no good and that it will only demoralize society. As I said, the Government should pay serious attention to providing credit facilities.

Now, I want to refer to two clauses in this Bill. Clause 1 provides that this Bill shall come into force in any area on such date as the Government may, by notification, specify which date shall not be earlier than the expiry of one month from the publication of the notification, and that the Government may cancel or modify any such notification. This is a great saving feature. I request the Government in all humility to notify only small areas from time to time and see how this Bill works there. Do not notify the whole of the State all at once. Notify, for instance, the City of Madras or Tanjore or some rural area or some small town and see how it works. Let us proceed slowly in this matter. At the same time, let the Government provide credit facilities in the area they are notifying under the provisions of this Bill. I very strongly suggest to the Government to conduct an experiment of giving credit facilities through co-operative societies in the areas notified by them.

11-50
a.m.

Sir, another clause that was not in the original Bill which was considered in 1955 is clause 21, which is entitled "Contracts not to be void on account of offence". It is stated that when a money-lender is guilty of an offence punishable under the Bill, any contract made by him in relation to his business of money-lending shall not be void. He may be prosecuted and may go to jail, but the contract will not be void. What does that mean? The creditor will get his money although he has not taken out a licence and has not complied with the provisions of the Bill. He will not lose his money. Actually, this clause nullifies the effect of the other provisions in the Bill regarding penalty. Therefore, the

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result is that money-lending will continue on account of clause 21. This Bill is simply a 'Damocle's Sword' and is a threat to the money-lenders. After all, who is benefited by clause 21? It is only the money-lender that is benefited, although he violates the other provisions of the law. The debtor is not benefited at all. I can understand if the debtor is benefited. The creditor can do anything he likes although he might have been prosecuted for contravening the other provisions of the Bill. In the ultimate result, who is benefited? The Government are benefited. I should say that this is an indirect taxation measure. The Government will get fines as well as the licence fees. I am not criticising the Government, but the effect of this will be an indirect taxation.

Sir, there is one more suggestion which I would like to make. We have got a heavy agenda to-day and we must co-operate to complete the business. I have no objection to a number of Bills, which were passed only yesterday in the Assembly, being introduced here to-day. I hope all the hon. Members will also co-operate to get through the business of the House. As a matter of fact, I may not be speaking on many of the other Bills that will be coming up for discussion to-day.

What the Government should have done is to make provision for the filing of an application by the debtor and the Court deciding the matter according to the circumstances of the case. It has been held even as long ago as in the days of Aristotle that a general rule might not cover all cases and might even work out injustice. Two of the chief characteristics of English Law are certainty and flexibility. Sir, there must be flexibility so far as such legislations are concerned. If I had drafted this Bill, I would have made a provision whereunder a debtor without paying any stamp fee—most of the debtors are very poor people—might apply to any Civil Court for adjudication in matters relating to payment of interest, molestation, payment of the principal amount in instalments, etc. The Courts have power to order repayment in instalments. There is not even a word about this in this Bill. Suppose a debtor has to pay Rs. 200. He can pay it in monthly instalments of Rs. 5 each. Sir, the Court has got the power to reduce the usurious rate of interest but there must be a suit filed by the debtor. Some years ago we passed the Agriculturists' Debt Relief Act by which interest amounting to crores of rupees had been wiped out and interest exceeding 6 per cent had been cut down. What the Government should have done here also is to make a provision that just like agriculturists, debtors also can file applications, get the usurious rate of interest reduced and pay the principal amount in instalments, at the same time giving proper security, so that the creditor may not lose.

Sir, I have not been practising in small cause courts for very many years now, but I know what is going on there. One great injustice that has been done to the small debtor is the provision that his security can be sold in auction. Sir, what is worth Rs. 200

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will be sold for Rs. 25. The money-lender takes security for the amount advanced by him. If the matter is taken to court, the court will order public auction. If an article is sold in public auction, it will fetch far less than its value. Therefore, I would suggest that a provision must be made in the Bill whereunder on an application without stamp made by a debtor, the court can consider the question of molestation, interest, payment of principal in instalments and conversion of the security so that the Court can render justice to the parties. A general rule will only result in hardship. If there is provision for an application to the Court, the Court will look into the circumstances of the case and do what is just and proper. We must leave matters to the discretion of the Judge so that he may decide what is just and equitable according to the merits of the particular case. Let there be a provision for the debtor to apply for relief. I do not think I have used harsh language against the Government, but let me say in all sincerity and with emphasis that the proper course would be to allow the debtors to apply to the Court (without stamps) for leave in individual cases, and the Court will render justice. Then, this problem would be solved.

12
noon.

SRI A. J. ARUNACHALAM: கனம் தலைவர் அவர்களே, இந்த மசோதாவை நான் இப்பொழுது பொதுப்படையாக வரவேற்கிறேன். ஆனால் இந்த மசோதாவிலுள்ள நிபந்தனைகளையெல்லாம் படித்த பிறகு, யாரும் கடன் கொடுப்பதற்குத் தயங்குவார்கள். இந்த விதிகளை அறிந்தவரிடம் யாராவது பணம் கடன் கேட்கச் சென்றால், அவர் கடன் கொடுப்பதற்கு இல்லை என்று சொல்லிவிடுவார். அந்த அளவுக்கு இந்த மசோதாவில் கஷ்டங்களை உண்டுபண்ணக்கூடிய விதிகள் இருக்கின்றன. பணம் கொடுத்தவர்கள் நிர்ப்பந்தம் செய்து பணத்தைக் கேட்கக் கூடாது என்று சொல்லப்பட்டிருக்கிறது. கொடுத்த பணத்தைக் கேட்காமல் இருந்தால், யாரும் பணத்தைத் திருப்பிக் கொடுக்க வரமாட்டார்கள். நிர்ப்பந்தம் இல்லையென்றால், பணத்தைத் திருப்பிக் கொடுக்கமாட்டார்கள். பணம் வாங்கியவர் திருப்பிக் கொடுத்தால்தான் நாணயம் இருக்கிறது என்று பெயர். சாதாரணமாக, நாணயம் என்று சொல்வது வாங்கிய பணத்தைத் திருப்பிக் கொடுப்பதுதான். சிலர் எவ்வளவு தடவை கேட்டாலும் வாங்கிய பணத்தைத் திருப்பிக் கொடுக்கவே மாட்டார்கள். பல முறை கேட்ட பிறகும் நிர்ப்பந்தப்படுத்திய பிறகும் கூட கொடுக்க முன்வர மாட்டார்கள். பிறகு நோட்டீஸ் கொடுத்துக் கோர்ட்டுக்குப் போய் நடவடிக்கை எடுத்துக் கொண்டால்தான், வாங்கிய பணத்தைத் திருப்பிக் கொடுப்பார்கள். நடைமுறையில் பெரும்பாலும் அப்படித்தான் பணம் தற்காலத்தில் வசூலாகிறது. நடைமுறையில் அப்படி இருக்கும்போது, பணம் கொடுத்தவர்கள் பணம் வாங்கியவரை நிர்ப்பந்தப்படுத்தக் கூடாது என்று இந்த மசோதாவில் ஒரு விதி இருப்பது சரியல்ல. பணம் இல்லாதவர்களுக்குப் பணம் கொடுக்கிறவர்கள் அந்த வழக்கத்தைக் குறைத்துக் கொள்வதற்கு இது ஏதுவாக இருக்கும். ஆகவே, அரசாங்கம் இதை நல்ல முறையில் சிந்தித்துப் பார்த்து இது இல்லாமல் இந்த மசோதாவை எந்த முறையில் நிறைவேற்ற முடியுமோ அந்த முறையில் நிறைவேற்ற வேண்டும் என்று கேட்டுக்கொள்ளுகிறேன்.

இந்த மசோதாவில் 'லேசென்சு பீஸ்' 100 ரூபாய் என்று விதித் திருக்கிறார்கள். இதற்கு முன்பு கட்டுப்பாடு அமுலில் இருந்தபோது, நூல் லேசென்சுக்கும் ஜவுளி லேசென்சுக்கும் 100 ரூபாய் இருந்தது. இப்பொழுது அதை 25 ரூபாய்க்குக் குறைத்துவிட்டார்கள். அதைப் போலவே இதற்கும் லேசென்சு பீஸ் 50 அல்லது 25 ரூபாய்க்குக் குறைத்து விட்டால் நலமாக இருக்கும்.

[Sri A. J. Arunachalam]

ஜவுளி வியாபாரிகள் இருக்கிறார்கள், நூல் வியாபாரிகள் இருக்கிறார்கள். அவர்கள் கொடுக்கும் பணத்திற்கு வட்டி வாங்குவது கிடையாது. ஆனால் அவர்களில் சிலர் பணத்தைக் கொடுத்துவிட்டு, ஒரு மாதத்திலோ அல்லது இரண்டு மாதங்களிலோ கொடுத்த பணத்தைத் திருப்பி வாங்கிக்கொள்ளுவார்கள். அப்படிக் கொடுக்கத் தவறிப்போனால், அவர்களிடமுள்ள நூலையே அடமானம் வைப்பார்கள். இப்படிப்பட்ட கடன்கள் எல்லாம் இந்த மசோதாவின் கீழ் வருமா என்பதை விளக்கவேண்டும். இன்னும் கடன் வாங்கிக்கொண்டு அந்தப் பணத்தைத் திருப்பிக் கொடுக்க முடியாமல் அதற்குப் பதிலாக பாண்டு எழுதிக் கொடுத்தோ அல்லது நூலையோ அல்லது ஜவுளியையோ அடமானமாகவோ வைத்திருந்தால், அத்தகைய கடன்கள் இந்த மசோதாவின் கீழ் வருமா என்பதையும் விளக்கவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன்.

இப்பொழுது நெசவாளர்கள் இருக்கிறார்கள். அவர்கள் மாஸ்டர் வீவர் களிடம் வேலை செய்கிறார்கள். மாஸ்டர் வீவர் அவர்களுக்குப் பணம் அட்வான்ஸ் கொடுக்கிறார்கள். அதாவது 50, 100 அல்லது 200 ரூபாய் என்று கொடுக்கிறார்கள். அப்படிக் கொடுக்கும்போது சிலர் அவர்கள் சொல்லியபடி அங்கே வேலை செய்யாமல் போய்விடுகிறார்கள். அதன் காரணமாக மாஸ்டர் வீவர் பாண்டு எழுதி வாங்கிக்கொள்ளுகிறார்கள். இந்தக் கடன் எல்லாம் இந்த மசோதாவின் கீழ் வருமா என்பதையும் தெரிந்துகொள்ள விரும்புகிறேன். இப்படிப்பட்ட கடன்கள் சில சமயங்களில் நிர்ப்பந்தம் செய்யப்பட்டு வாங்க வேண்டியதாக இருக்கும். அதனால் இப்படிப்பட்ட கடன்களும் இந்த மசோதாவின் கீழ் வருமா என்பதையும் அறிய விரும்புகிறேன். இப்படிப்பட்ட கடன்கள் இந்த மசோதாவின் கீழ் வருவதாக இருந்தால், அவைகளுக்கு விதி விலக்கு அளிக்கவேண்டும் என்றும் கேட்டுக்கொள்ளுகிறேன். நெசவாளர்கள் வாங்கும் கடன் இந்த மசோதாவின் கீழ் வராது என்று தெளிவாகத் திருத்தம் செய்யவேண்டும். படித்தவர்களுக்கு இந்த மசோதாவில் விதி விலக்கு அளிக்கப்பட்டிருக்கிறது. அதைப் போலவே நெசவாளர்களுக்கும் விதி விலக்கு அளிக்க வேண்டும்.

அடுத்தபடியாக, வட்டி விகிதத்தைப்பற்றி இந்த மசோதாவில் குறிப்பிடப்பட்டிருக்கிறது. அதாவது 9 பெர்சென்ட் என்றும் 12 பெர்சென்ட் என்றும் குறிப்பிடப்பட்டிருக்கிறது. இது ரொம்பவும் பொருத்தமானது தான். இது அதிகம் என்றோ அல்லது குறைவு என்றோ சொல்வதற்கில்லை. ஆனால் நாட்டில் நடைமுறையில் இருப்பதைப் பார்த்தால் 9 பெர்சென்ட் என்பது வழங்கவில்லை. அதற்கு மேலாகத்தான் வட்டி வசூலிக்கப்படுகிறது. சாதாரணமாக முதலீடுகள் வைத்தால் 12 அல்லது 15 பெர்சென்ட்தான் கேட்கிறார்கள். அதனால் 9 அல்லது 12 பெர்சென்ட் என்று வைத்திருப்பது ரொம்பவும் பொருத்தமாக இருக்கிறது. அதனால் நிர்ப்பந்தப்படுத்துவதற்கு இடம் இருக்காது. இப்படி வட்டி விகிதம் வைத்திருப்பதால் இரண்டு பேருக்கும் சௌகரியமாக இருக்கிறது. அதாவது 12 ரூபாய் என்று வட்டி வைத்துவிட்டு மூன்று ரூபாய் வட்டி கொடுத்து விட்டு 9 ரூபாய்க்கு எழுதி வாங்கிக்கொண்டு போவதற்கு சௌகரியமாக இருக்கும். வட்டியைக் குறைத்துக் கொடுக்க இது ஏதுவாக இருக்கும். ஆகவே இந்த வட்டி விகிதத்தையும் நான் ஒப்புக்கொள்ளுகிறேன். இந்த மசோதாவை நான் முழு மனதுடன் வரவேற்கிறேன்.

SRI K. BALASUBRAMANYA AYYAR: Mr. Chairman, I wish to submit at the outset that many of the other Bills put down on the agenda will not take much time but that this Bill ought to be given detailed consideration for two reasons. One reason is that this Bill was introduced last year, as you will remember, Sir, and that there was a Joint Select Committee appointed to consider the whole question and to put the Bill in proper shape and form. But as the old Assembly was dissolved and there is a new Assembly, I find from the proceedings of the Assembly that a large number

[Sri K. Balasubramanya Ayyar] [16th November 1957]

of amendments, which had not been considered by the Joint Select Committee, were considered by the Assembly and some three or four of them accepted by the Government. If the Government had agreed to the constitution of another Select Committee—not a Joint Select Committee—it would have been better and the whole Bill would have remained as it was after the Joint Select Committee had considered it. But, unfortunately, on account of the fact that the Bill is one year old, the Government did not want to wait any longer and the Bill was considered and passed by the Assembly. As many as 120 amendments were moved there and some of them, as I said, were accepted. Therefore, I find that there is fundamental difference between this Bill and the original Bill that was introduced last year. I have taken some trouble to draft and give notice of certain amendments and I hope that, though they may not be carried, the Government will give due consideration to them at a later stage at least.

I do not propose to go into the Bill fully. There is one valuable document which has recently been published by the Reserve Bank of India. I mean the 'Credit Survey' by the Reserve Bank. It is a very important document and was published in the newspapers. The survey included detailed investigation of credit facilities available in the countryside. It is stated that individual money-lenders and agriculturist-money-lenders afford a large quantum of credit facilities as compared with co-operative societies in spite of the fact that the co-operative movement has progressed very far in the countryside. The percentage of relief given by co-operative societies by way of loans is very low. On this account, I do not mean to justify money-lending by people who resort to all sorts of questionable methods to recover the loans. I know very well in this City there are money-lenders like Pathans who are experts in molesting people and many of the middle-class people are put to a lot of difficulty. I myself see on the Beach road near the P.W.D. offices many of these people coming on cycles and how they deal with the clerks and others working in the Government offices. Therefore, something ought to be done to put an end to all this. There are also people who collect the interest beforehand. As the hon. Member Mr. Arunachalam pointed out, there are people who collect more interest than is permissible, even though the pro-note or the document mentions a low rate of interest. These are the devious methods adopted by them.

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So far as this Bill is concerned, we have to regulate money-lending. Such a Bill has been passed in Bombay and Bengal. It was done in Bombay and Bengal in 1940 and in 1957 we are having this Bill before us here. I cannot say that this is either too early or too late. It is right that the Government are introducing this now. The only thing is that the Government should be prepared to consider it from time to time. I am very glad that in clause (1), they have provided for inclusion of areas by notification. I would also submit to the Government to take into

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consideration the credit facilities available in the State. If they still feel that there should be these money-lenders, then they will have to consider that also.

Then the question of rate of interest is there. To some extent, it may be high in some cases. Unfortunately, the bank rate is $4\frac{1}{2}$ per cent and in England now it is 7 per cent. All financiers—I am not a big financier and I am not speaking about me—tell me that the bank rate would go higher and higher. Even the Indian Bank, of which I am a Director, grants overdrafts and it charges about $10\frac{1}{2}$ per cent. The Bill exempts Banks from its purview. I do not object to their having this rate of 9 per cent and 12 per cent. But I would submit that the Government should take into their hands some power to regulate this rate from time to time—not frequently, but from time to time. If the rate of interest is high even in Banks and other institutions including co-operative societies, then Bank facilities will not be fully availed of by the people and the money-lenders will hold the field.

With regard to the powers of the Inspector, this has to be looked into very carefully from time to time. Otherwise, the entire business of money-lending would stop on account of the fear that would be engendered in such people. This provision was not in the original Bill, but this was put in at the Joint Select Committee stage. They can come with an arrest warrant, with police constables, search houses and do all sorts of things. Naturally, these will make people averse to this business. Of course, it all depends upon the personality, probity and general character of the Inspector concerned. Therefore, we must be very careful about his powers.

The only thing I want to impress upon the Government is that this Bill ought not to have the effect of freezing credit facilities, especially in our countryside. That would be very wrong in the agricultural sector, trade and other fields.

Sir, I want to touch on one or two small points. I will mention them when I move my amendments.

* SRI T. PURUSHOTHAM: Mr. Chairman, Sir, when I listened to the hon. the Deputy Leader of the Opposition, I thought that this was a Bill placed before us for abolition of money-lending business. But it is not so. It is only a Bill to control and regulate the business of money-lending and I am glad that the hon. Member Dr. Guruswami Mudaliar has spoken about the Bill and explained the necessity for the same. I entirely agree with him. I consider this necessary, especially from the point of view of the large number of Government servants who have recourse to the professional money-lenders. Unfortunately, the Government servants and others employed in firms cannot follow the precept of Shakespeare quoted by the hon. Member opposite that they should be neither borrowers nor lenders. Their unfortunate position is such and they have got so many social obligations that they are thrown into the hands of unscrupulous

[Sri T. Purushotham] [16th November 1957]

money-lenders. Some protection is necessary for them. As just now pointed out by the hon. Member Sri Balasubramanya Ayyar, they are put to great difficulties and are in most cases badly treated by money-lenders. At least for their sake, this Bill is necessary. The necessity for this Bill has been well explained by the hon. Member Dr. Guruswami Mudaliar. Of course, as I mentioned in another connection, a probe into the indebtedness of Government servants is absolutely necessary. We have already enquired into the problem of agricultural indebtedness. I should think that a similar enquiry should be made into the indebtedness of Government servants. I certainly agree with what the hon. Member Dr. John has just now said that we should provide cheap credit facilities for all, and more so, for our Government servants. Co-operative Banks with facilities for long-term loans should be started for the special benefit of Government servants, with adequate safeguards for efficient management. That is absolutely necessary. I hope that aspect will be taken note of by the Hon. the Leader of the House as he is in charge of 'Co-operation'. The hon. the Deputy Leader of the Opposition suggested that this measure should be tried only in a few places and not in all places. I would earnestly entreat the Government not to do so. It should be made applicable to the City of Madras and all urban areas without delay and I hope this aspect will receive the attention of the Government.

With these few words and reiterating what I said about Government servants. I support the Bill which, I feel, is absolutely necessary.

* SRI V. V. RAMASWAMI : கனம் மன்றத் தலைவர் அவர்களே, கடன் கொடுத்து வாங்கும் தொழிலைக் கட்டுப்படுத்துவதற்காகவும் ஒழுங்கு படுத்துவதற்காகவும் கொண்டு வரப்பட்டிருக்கும் இந்த மசோதாவை நான் வரவேற்கிறேன். எனக்கு முன் பேசிய ஸ்ரீ டி. புருஷோத்தம் கூறிய விஷயங்களிலிருந்து எனக்குத் தோன்றியது என்னவென்றால், இந்த மசோதாவைக் கொண்டுவருவதற்கு முன்பு ஒரு "ஸர்வே" எடுத்திருக்க வேண்டும் என்பதாகும். பொதுவாக நகரப்புறங்களில் மக்கள் சமுதாயத்தில் எந்த எந்த வகுப்பைச் சேர்ந்தவர்கள், எந்த வகையில் பொருள்தாரைத் துறையில் பாதிக்கப்பட்டிருக்கிறார்கள் என்று தெரிந்துகொள்வதற்கு ஒரு "ஸர்வே" எடுத்திருந்தால், அது மிகவும் உபயோகமாக இருந்திருக்கும். இப்போது கூட ரிசர்வ் பாங்க்கால் விவசாயத் துறையில் சர்வே எடுக்கப்பட்டதால், கிராமப்புறங்களில் விவசாயிகள் எவ்வளவு தூரம் கடன்பட்டிருக்கிறார்கள் என்பது புலனாயிற்று. ஆகவே, இந்த மாதிரியான மசோதாக்கள் வரும்போது, இவை நிறைவேறிய பிறகு இப்போதுள்ள கடன் வசதிகள் பாழாகக் கூடாது என்று விரும்புகிறார்கள். கடன் வாங்குபவர்கள் கேட்கும் அளவு பணம் அவர்களுக்கு சாதாரணமாகக் கிடைப்பதில்லையாதலால், எந்தவிதமான நிலைமை இருந்தாலும் அவர்கள் கடன்படவேண்டியதுதான் என்ற வாதத்தை நான் ஒப்புக் கொள்ள முடியாது. அபரிமிதமான வட்டி விகிதத்தைத் தவிர்ப்பதற்காகவும், கடனைக் கடன் வாங்கியவர்கள் திருப்பிக் கொடுப்பதால் காலதாமதம் செய்தால் கடன் கொடுத்தவர்கள் அவர்களுக்கு இழைக்கும் இன்னல்களையும் கொடுமைகளையும் தவிர்ப்பதற்காகவும் மசோதா கொண்டு வருவது பொருத்தமானதுதான்.

இந்த சந்தர்ப்பத்தில் நான் குறிப்பாக ஒன்றிரண்டு விஷயங்கள் சொன்ன விரும்புகிறேன். கிராமங்களிலுள்ள விவசாயிகளுக்குத்தான் கடன் அதிகமாகத் தேவையாக இருக்கிறது. குறிப்பாக, கடனுக்காக சொத்துக்களை

[16th November 1957] [Sri V. V. Ramaswami]

அடகு வைத்து பிறகு கடனைத் திருப்பிக் கொடுக்க முடியாத நிலையில் அவைகளை அவர்கள் இழந்ததால் தான், பெரும்பாலான கிராமவாசிகள் நிலமில்லாதவர்களாகவும், ஒரு சிலர் பெரிய மிராச்தார்களாகவும் இருக்கிறார்கள். ஆகவே, எல்லா இடங்களிலும் கடன் தேவைப்படுபவர்களுக்குக் கடன் கிடைப்பதற்கு ஏற்பாடு செய்ய வேண்டும். கடன் தேவைப்படும் உத்தியோகஸ்தர்களுக்குக் கடன் கிடைப்பதற்கு வசதிகள் செய்யவேண்டும். நகரப்புறத்திலிருப்பவர்கள் அனேக தேவைகளுக்காகக் கடன்படவேண்டியிருக்கிறது என்று சொல்லப்படுகிறது. அனேகமாக வடநாட்டு லேவா தேவிக்காரர்களும், வெளிநாடுகளிலிருந்து இங்கு வந்து லேவாதேவித் தொழில் செய்பவர்களும் கடன்பட்டவர்களை மிகவும் கொடுமைப்படுத்துவதாகச் சொல்லப்படுகிறது. ஆனால், ஒவ்வொரு ஊரிலும் கடன் கொடுத்து வரும் நம் நாட்டவர்களும் கடன்பட்டவர்களைக் கொடுமைப்படுத்துகிறார்கள் என்பதை நாம் ஒப்புக்கொள்ளவேண்டும். உதாரணமாக, எங்கள் ஊரில் முனிசிபாலிட்யில் வேலை செய்பவர்களில் அனேகமாக எல்லோரும் கடன் பட்டவர்களாக இருக்கிறார்கள்; அவர்கள் கடன் வாங்கியவர்களிடம் மிகவும் கஷ்டப்படுகிறார்கள். அவர்களுக்குக் கடன் கொடுப்பவர்கள் யார் என்று கவனிக்கும்போது, ஒரு நூறு ரூபாயை வைத்துக்கொண்டு நூறு பேருக்கு மாற்றி மாற்றிக் கொடுப்பவர்கள்தான் கடன் கொடுப்பவர்களாக இருக்கிறார்கள் என்பது தெரிகிறது. அந்த சிப்பந்திகள் சம்பளம் வாங்கும் தேதியில் அவர்களுடைய ஆபீஸ் முன் வந்து நின்றுகொண்டு அவர்களிடமிருந்து, கடன் கொடுத்தவர்கள் எப்படியாவது பணத்தை வாங்கிக் கொண்டு போய்விடுகிறார்கள். மேலும் காய்கறி விற்பவர்கள் கூட மிகவும் கடன் வாங்குகிறார்கள். கடன் கொடுப்பவர்கள் அவர்களுக்குக் காலையில் நான்கு ரூபாய் கொடுத்து, மாலைவில் அவர்களிடமிருந்து ஐந்து ரூபாய் பெற்றுக்கொள்கிறார்கள். ஆகவே கடன் கொடுப்பதையும் வாங்குவதையும் கட்டுப்படுத்தவும் ஒழுங்குபடுத்தவும் வேண்டும் என்பதற்காக இந்த மசோதாவைக் கொண்டுவரும் காலத்தில், கடன் தேவையாக உள்ளவர்களுக்குக் கடன் கிடைக்கக்கூடிய வசதிகளையும் செய்ய வேண்டியது அவசியமாக இருக்கிறது. அதற்கும் வழி செய்ய வேண்டும் என்பதை அரசியலார் மறந்துவிடக்கூடாது. சர்க்கார் ஊழியர்கள் பட்டம் கஷ்டங்களையும் தொல்லைகளையும் பார்த்தால் மிகவும் வருந்தவேண்டியிருக்கிறது. சர்க்கார் ஊழியர்களுக்குக் கடன் வேண்டுமென்றால், அவர்கள் கூட்டுறவு சொசைட்டிகளில் வாங்கிக்கொள்ள வேண்டும் என்று சொல்லப்படுகிறது. அவர்கள் வேறு இடங்களிலும் வாங்கிக்கொள்வதற்கு வழிவகை செய்து கொடுக்க வேண்டும். தற்சமயம் அவர்களுக்கு லேவாதேவிக்காரர்கள் அதிகமாகக் கடன் கொடுக்க முன்வருகிறார்கள். அவர்களிடமிருந்து கடனை வசூலிக்க உத்தரவாதம் இருக்கிறது என்ற காரணத்தால் அப்படிக் கொடுக்க முன் வருகிறார்கள். அவர்களுக்குக் கொடுத்தால் நேர்மையாகக் கிடைத்துவிடும் என்ற நம்பிக்கை இருக்கிறது. ஆகவே நிறையக் கூட்டுறவு சொசைட்டிகளை அமைத்து சர்க்கார் ஊழியர்களுக்குக் கடன் கொடுக்கும்படியான வசதிகளைச் செய்து கொடுக்கவேண்டும் என்று கேட்டுக்கொள்கிறேன். அப்படி அமைத்துக் கொடுத்தால், அவர்களுக்கு இப்பொழுது இருக்கக்கூடிய தொல்லைகள் எல்லாம் போய்விடும்.

நகரங்களிலுள்ள முனிசிபாலிட்டிகளிலும், இதர அரசாங்க ஆபீசுகளிலும் வேலை செய்யக்கூடிய ஊழியர்களுக்குக் கடன் கிடைப்பது கஷ்டமாக இல்லை. கூட்டுறவு சொசைட்டிகள் இல்லாமல் இருப்பதால் அவர்களுக்கு அநேகம் தொல்லைகள் ஏற்படுகின்றன. அவர்களுக்கும் நிச்சயமாகக் கடன் கிடைப்பதற்கு வேண்டிய வசதிகளைச் செய்து கொடுக்க ஏற்பாடு செய்ய வேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். அப்படி அரசியலாரே வசதிகள் செய்து கொடுத்தால், அவர்களுக்கு இப்பொழுது இருக்கக்கூடிய தொல்லைகள் இருக்காது.

தவிர, அநேகர் வட்டியை வாங்கும்போது மறைமுகமாக வங்கி வருகிறார்கள். அப்படி வாங்குகிறவர்களையும் சட்டத்தின் கீழ் கொண்டு வருவதற்கு அரசியலார் ஏற்பாடு செய்யவேண்டும் என்று கேட்டுக்கொள்கிறேன். ஏழை மக்கள் ரொம்பவும் கஷ்டப்படுகிறார்கள். மேலும், நிரந்தர

[16th November 1957]

SRI A. GAJAPATHY NAYAGAR : கனம் சபாநாயகர் அவர்களே, சட்ட சம்பந்தமான விஷயம் ஒன்றை நான் சொல்ல விரும்புகிறேன். **Transfer of licence to heir.** என்ற 19-வது பிரிவின் கீழ், "லைசென்ஸ் உடைய லேவாதேவிகாரர்கள் இறந்துபோய்விட்டால், அதற்குப் பிறகு, அவருடைய "லீசல் ரெப்ரெஸெண்டேடிவ்" என்று தன்னைச் சொல்லிக் கொள்ளக்கூடியவர் லேசென்ஸ் கொடுப்பவருக்கு மனுப்போட்டு, அந்த லேசென்ஸை தன் பெயருக்கு மாற்றிக்கொள்வதற்கு முயற்சிக்கலாம்" என்று சொல்லப்பட்டிருக்கிறது. அந்தப் பிரிவின் (3)-வது உப்பிரிவில் "licensing authority may, if he is satisfied that the applicant is in fact the legal representative of the deceased and that he is otherwise eligible to a licence under this Act, transfer the licence in the name of the applicant after obtaining from the applicant a declaration in the prescribed form." என்று சொல்லப்பட்டிருக்கிறது. சில சந்தர்ப்பங்களில், சிலில் பரொலிஜர் கோடின்படி, யார் தகுதியுள்ள "லீசல் ரெப்ரெஸெண்டேடிவ்" என்று தீர்மானிப்பது கோர்ட்டாருக்கே கடினமான விஷயம். மனுப் போட்டவர் இறந்தவருக்கு உண்மையிலேயே "லீசல் ரெப்ரெஸெண்டேடிவ்" என்று லேசென்ஸ் கொடுப்பவர் தீர்மானித்து விட்டால், மற்ற விதிகளுக்கு உட்படும் மனுப்போட்டவர் இருக்கும் படித்தில் அவருடைய பெயருக்கு இறந்தவரின் லேசென்ஸை அவர் மாற்றலாம் என்று (3)-வது உப்பிரிவில் சொல்லப்பட்டிருக்கிறது. "லேசென்ஸிங் அதிகாரி" யின் தீர்ப்புத்தான் கடைசித் தீர்ப்பா? அவருடைய தீர்ப்பிற்கு மேல் யாராவது வேறு இடத்திற்கு அப்பீல் போட முடியுமா? அவருடைய தீர்ப்பிற்குமேல் யாராவது கோர்ட்டில் வழக்குப் போட முடியுமா? இதை மசோதாவில் விளக்கமாகக் கூறவேண்டுமென்று சர்க்காரை நான் கேட்டுக்கொள்கிறேன்.

இந்த சந்தர்ப்பத்தில் ஒன்று சொல்ல விரும்புகிறேன். "கடன்பட்டார் நெஞ்சம் போல் கலங்கினான் இலங்கை வேந்தன்" என்பது எல்லோருக்கும் தெரியும். கடன் வாங்கியவன் படுப்பாட்டை விவரிக்க முடியாது. திருவள்ளுவர், கள் குடிக்க வேண்டாமென்றும், சூதாடவேண்டாமென்றும் சொல்லியிருக்கிறார். ஆனால், கடன் கொடுக்க வேண்டாமென்று அவர் சொல்லவில்லை. ஆகவே, கடன் தேவைப்படுபவர்களுக்குக் கடன் கொடுக்க வேண்டும். அவர்களுக்குக் கடன் வசதிகளைச் செய்து கொடுக்க வேண்டும். கடன் வாங்குபவர்களுக்கு லேவாதேவிகாரர்கள் நேரடியாகக் கடன் கொடுக்காமல் ஒரு ஸ்தாபனத்தின் மூலமாகவோ கூட்டுறவு ஸொசைட்டியின் மூலமாகவோ கடன் கொடுப்பதற்கான திட்டத்தை வகுத்து நிறைவேற்றினால், மசோதாவில் குறிப்பிட்டுள்ள குற்றங்கள் நீங்கிவிடும் என்று சொல்லிக்கொண்டு என் வார்த்தையை முடித்துக்கொள்கிறேன்.

*** SRI N. ANNAMALAI PILLAI :** கனம் தலைவர் அவர்களே, இந்த லேவாதேவி மசோதாவை ஆதரித்து சில வார்த்தைகள் சொல்ல விரும்புகிறேன். ஏழை ஜனங்களுக்கு இம் மசோதா வரப்பிரசாதம் போலவே வந்திருக்கிறது என்று நான் கருதுகிறேன். உயர்ந்த ஸ்திரீயுமுள்ள இந்த மசோதாவை யாரும் எதிர்த்துப் பேசுவதற்கில்லை; யாரும் எதிர்த்துப் பேசவும் மாட்டார்கள். கடன் வாங்குவது கடன் கொடுப்பது என்பது சரித்திர காலம் தொட்டு நடந்துவந்த ஒரு தொழில்-ஆகும். தேவாலயத்தில் சந்தரமூர்த்தி ஸ்வாமியைத் தடுத்தது ஆட்கொண்ட கதையில் அவர் ஒரு முறிச் சீட்டு எழுதிக் கொடுத்திருப்பதாகச் சொல்லப்பட்டிருக்கிறது. அரிச் சந்தரன் கடனுக்காக அடிமைப்பட்டான் என்ற உதை இருக்கிறது. எனக்கு முன்பு பேசிய கனம் நண்பர் ஸ்ரீ கஜபதி நாயகர் "கடன்பட்டார் நெஞ்சம் போல் கலங்கினான் இலங்கை வேந்தன்" என்ற அடிகளைச் சொன்னார். கடன் படுவது மிகவும் கொடுமையானது என்றும், ஆனால் அது தள்ள முடியாத என்றும் கருதப்படுகிறது. வாங்கிய கடனைத் திருப்பிக் கொடுக்க முடியாத நிலையில் கடன்பட்டவன் கலங்குவதைப் போல் இராவணன் கலங்கினான் என்று சொல்லப்பட்டிருக்கிறது.

[16th November 1957] [Sri N. Annamalai Pillai]

கடன் வாங்கியவர்களைப்பற்றி அவர்களுடைய அக்கம்பக்கத்து வீட்டுக் காரர்களை லேவாதேவிகாரர்கள் விசாரிப்பதுகூட குற்றம் என்று மசோதா சொல்லப்பட்டிருக்கிறது. அப்படி அக்கம்பக்கத்தில் விசாரிப்பதானது கடன் வாங்கியவரைத் துன்புறுத்துவதாக ஆகும் என்று சொல்லப்பட்டிருக்கிறது. அக்கம்பக்கத்தில் விசாரிக்காவிட்டால் கடன் வாங்கியவன் எந்த நிலையில் இருக்கிறான் என்பதை லேவாதேவிகாரர்கள் தெரிந்து கொள்ள முடியாது. கடன் வாங்கியவர்களிடம் கடனைக் கேட்டுத் தான் வாங்கவேண்டும். "பார்க்காத பயிரும் கேட்காத கடனும் கைக்கு வராது" என்று சொல்லப்பட்டிருக்கிறது. ஆகவே கேட்காத கடன், கொடுத்தவன் கைக்கு வந்து சேராது. ஆகையால் கடன் கொடுத்தவன் கடன்பட்டவனிடம் கடனைக் கேட்பதற்கு உரிமையுடையவனாக இருக்கவேண்டும். அதற்கான உரிமையை அவனுக்கு அளிக்கவேண்டும். (ஒரு கனம் அங்கத்தினர் : அந்த உரிமை கொடுக்கப்பட்டிருக்கிறது.) கடன்பட்டவர்களுக்கு மட்டுமே பாதுகாப்பளிக்காமல் கடன் கொடுத்தவர்களுக்கும் மசோதாவில் பாதுகாப்பளிக்கவேண்டும்.

லேசென்ஸ் பெற்றுத்தான் லேவாதேவி வியாபாரம் செய்யவேண்டும் என்று மசோதாவில் விதி வகுக்கப்பட்டிருக்கிறது. லேசென்ஸுக்கான கட்டணம் ரூ. 100-ஆக நிர்ணயிக்கப்பட்டிருக்கிறது. ரூ. 100-ஐக் கட்டி இந்த லேசென்ஸை வாங்கியவர்கள் கடன் கொடுத்து வட்டி வாங்கலாம். கிராமங்களில் பலர் கடன் கொடுத்து வருகிறார்கள்; பலர் கடன் வாங்கி வருகிறார்கள். கிராமங்களில் கடன் கொடுப்பவர்கள் சாதாரணமாக 1 சதவிகிதமோ ½ சதவிகிதமோ வட்டி வாங்குகிறார்கள். கிராமங்களில் அந்த மாதிரிக் கடன் கொடுப்பவர்களையும் இந்த மசோதா கட்டுப்படுத்துமா?

THE HON. SRI M. A. MANICKAVELU : வியாபாரம் பண்ணுகிறவர்களைத் தான் இந்த மசோதா கட்டுப்படுத்தும்.

*** SRI N. ANNAMALAI PILLAI :** வியாபாரம் பண்ணுகிறவர்களைத் தான் மசோதா கட்டுப்படுத்துகிறது என்று கனம் அமைச்சர் அவர்கள் சொல்கிறார்கள். சாதாரணமாக ஒருவருக்கொருவர் கைமாற்றாகப் பணம் கொடுத்து வாங்கும்போது, வட்டி வாங்குவதை மசோதா அனுமதிக்கிறதா இல்லையா என்பதை மசோதாவில் வியத்தமாகச் சொல்லிவிட்டால் நன்றாக இருக்கும்.

கடன் கொடுப்பது ரொம்ப காலமாக பழக்கத்தில் இருந்து வந்திருக்கிறது. மசோதாவில் குறிப்பிடப்பட்டுள்ள சில குற்றங்களைச் செய்பவர்களுக்குக் கொடுக்கவேண்டிய தண்டனை, ஆறு மாத ஜெயில்வாசமோ ஆயிரம் ரூபாய் அபராதமோ அல்லது இரண்டுமோ என்று சொல்லப்பட்டிருக்கிறது. இந்த தண்டனை ரொம்ப அதிகமானது. இதற்குக் காரணம் கூறுகிறேன். மதிப்பிற்குரிய தலைவர் ராஜாஜி கொண்டுவந்த மது விலக்குச் சட்டம் வெற்றிகரமாக அமுல் நடத்தப்பட முடியாதிருந்த காலத்தில் அவரை அணுகி நான் சில விஷயங்களைச் சொன்னேன். 'மது விலக்குச் சட்டத்தில் இப்பொழுது வைத்திருக்கிற தண்டனையை இரண்டு வருஷமாகச் செய்துவிட வேண்டும்' என்று சொன்னேன். முதல் முறை சட்டத்தை மீறினால் ஆறு மாத ஜெயில் வாசமும், இரண்டாவது முறை சட்டத்தை மீறினால் ஒரு வருஷ ஜெயில் வாசமும், மூன்றாவது முறை சட்டத்தை மீறினால் இரண்டு வருஷ ஜெயில் வாசமும் கொடுக்க வேண்டுமென்றும், நான்காவது தடவை சட்டத்தை மீறினால் சட்டத்தை மீறுகிறவனுடைய சொத்தையே பறிமுதல் செய்ய வேண்டும் என்றும் நான் அவரைக் கேட்டுக் கொண்டேன். அதற்கு அவர் 'வழக்கமாக ஜனங்கள் மதுவைப் பருகிக் கொண்டு வந்து விட்டார்கள். அவர்களைத் திடீரென்று சாப்பிடக் கூடாது என்று சொல்லி அவர்களுடைய சொத்தைப் பறிமுதல் செய்தால் அது நன்றாக இருக்காது, அவர்கள் மதுவைச் சாப்பிடக்கூடாது என்று அடிக்கடி சொல்லி வந்தால், காலக்கிரமத்தில் அவர்களே சாப்பிடாமல் நிறுத்தி விடுவார்கள். அதனால் அதிகப்படியான தண்டனையை விதிக்க வேண்டியதில்லை' என்றும் நியாயமில்லையென்றும் சொன்னார்.

[Sri N. Annamalai Pillai] [16th November 1957]

அதைப் போலவே இப்பொழுது பரம்பரையாகக் கடன் கொடுக்கும் தொழில் நடத்திக்கொண்டு வருகிறவர்களுக்குத் திடீரென்று அபராதமும் ஜெயில் தண்டனையும் என்று சொன்னால், அதுவும் ஆறு மாத ஜெயில் தண்டனையும் ஆயிரம் ரூபாய் அபராதமும் என்று சொன்னால், அது ரொம்பவும் ஜாஸ்தி என்று நான் நினைக்கிறேன். ஆகவே, தண்டனை கொஞ்சம் குறைவாக இருக்கலாம் என்று தோன்றுகிறது. இந்த சமயத்தில் எனக்குப் பேசுவதற்கு சந்தர்ப்பம் கொடுத்ததற்கு என்னுடைய நன்றியைச் செலுத்திக்கொண்டு இன்னும் ஒரு வார்த்தையைச் சொல்லிவிட்டு நிறுத்திக்கொள்கிறேன்.

இரு சாராருக்கும், அதாவது வட்டி கொடுக்கிறவர்களுக்கும் வட்டி வாங்குகிறவர்களுக்கும் அனுகுணமாகச் சட்டம் இருக்க வேண்டும் என்று கேட்டுக் கொள்ளுகிறேன். மற்றொன்றையும் சொல்லிக்கொள்ள விரும்புகிறேன். ஒன்றிரண்டு பேர்கள் செய்கின்ற தவறுகளை வைத்துக்கொண்டு எல்லோருக்கும், அதாவது நல்ல முறையில் தொழிலை நடத்துகிறவர்களுக்கும்—அவர்கள் சிற்சில சமயங்களில் தவறுகள் செய்தால்—இப்படிப்பட்ட தண்டனை விதிப்பது பொருத்தமாக இருக்காது. பொதுவாக, இந்தச் சட்டம் ஏழைகளுக்கு அனுசூலமாக இருப்பதால், பெரிய அபாயத்திலிருந்து அவர்களைப் பாதுகாக்கக் கூடியதாக இருப்பதால், இந்த மசோதாவை வர வேற்று என்னுடைய வார்த்தையை முடித்துக்கொள்கிறேன்.

SRI N. NALLASENAPATHI SARKARAI MANRADIAR :

கனம் தலைவர் அவர்களே, நான் இந்த மசோதாவை ஆதரித்துப் பேசுகிறேன். இப்படிப்பட்ட ஒரு மசோதாவைக் கொண்டு வருவது அவசியமானது. ஆனால் மொத்தத்தில் பார்க்கும்போது, இதனால் விவசாயிகளுக்கு அனுசூலம் உண்டா என்று தெரியவில்லை. பொதுவாக, விவசாயத் துறையில் இருப்பவர்களுக்குக் கடன் கிடைப்பதில்லை. ஆனால் நில அடமான பாங்குகள் மூலமாகக் கடன் கொடுக்கிறார்கள் என்று வைத்துக்கொண்டாலும், விவசாயிகள் அவை மூலம் பலன் அடையக்கூடிய ஒரு சில திட்டங்கள் இருந்தாலும் விவசாயிகளுக்கு அதன் மூலமாகக் கடன் கிடைப்பதற்கும் வசதி இல்லை. அடமான பாங்குகள் மூலமாகக் கடன் வாங்குவதாக இருந்தாலும், லட்ச ரூபாய் சொத்தை அடமானமாக வைத்தால்தான் பத்தாயிரம் ரூபாய் கடன் வாங்கலாம். பாங்குகள் மூலமாகக் கடன் வாங்குவதாக இருந்தால், அப்படிப்பட்ட கஷ்டம் இருக்கிறது. ஆனால் வியாபாரிகளைக் கேட்டவுடன் அவர்கள் விவசாயிகளுக்குக் கடன் கொடுத்து வருகிறார்கள். கேட்டவுடனேயே கொடுக்கத் தயாராகவும் இருக்கிறார்கள். செக்யூரிட்டியாகக் கொடுக்கிறார்கள். ஆனால் சர்க்காரிடமிருந்து கடன் வாங்குவதாக இருந்தால், அப்படி செக்யூரிட்டி மூலமாகக் கொடுப்பதில்லை. அதற்கு சட்டத்தில் இடம் இருப்பதாகத் தெரியவில்லை. விவசாயிகளுக்கு நல்ல முறையில் அவர்களுக்குத் தேவையாக இருக்கின்ற நேரங்களில் கடன் கிடைக்கும்படியான ஏற்பாடுகளை சர்க்கார் செய்ய வேண்டும்.

விவசாயிகளிடமிருந்து என்ன வட்டி வாங்குகிறார்கள்? சர்க்கார் கொடுத்திருக்கும் கணக்கு ஒரு ரூபாய். ஆனால் அப்படி வட்டி வாங்குவதில்லை. ஐயாயிரம் ரூபாய் கடன் வேண்டும் என்றால் பத்தாயிரம் ரூபாய்க்கு எழுதி வாங்கிக்கொள்ளுகிறார்கள். ஏனென்றால் ஒரு ரூபாய் வட்டிப் பிரகாரம் பத்தாயிரம் ரூபாய்க்கு என்ன வட்டியாகுமோ, அதை ஐந்தாயிரம் ரூபாய்க்குக் கணக்குப் பண்ணி பத்தாயிரம் ரூபாய்க்கு எழுதி வாங்கிக்கொள்ளுகிறார்கள். அப்பொழுதுதான் ஐயாயிரம் ரூபாய்க்கு இரண்டு ரூபாய் வட்டி என்ற கணக்கு வரும்.

அதே போன்று இப்பொழுது உண்டியல் மூலமாகத் தொழில் நடத்துகிறார்கள். அவர்கள் ஒரு ரூபாய்க்குப் பணம் வாங்கி ஆறு ரூபாய் வட்டிக்குக் கொடுக்கிறார்கள். ஆனால் அந்தப்படி ஒரு ரூபாய் வட்டிக்கு

[16th November 1957]

[Sri N. Nallasenapathi Sarkarai Manradiar]

விவசாயிகளுக்குக் கடன் கிடைப்பதில்லை. இப்பொழுது சட்டம் கொண்டு வருவதைப் பார்த்தால், கடன் கொடுத்து வாங்குவது நல்ல முறையில் நடக்க வேண்டுமே என்று பயமாக இருக்கிறது. கடன் கொடுக்கிறவர்களுக்கும் கடன் வாங்குகிறவர்களுக்கும் மனப்பூசல் இல்லாமல் இருக்கும் படியாக இந்தச் சட்டத்தை ஒழுங்கான முறையில் செய்ய வேண்டும் என்று கேட்டுக்கொள்கிறேன். கிராமங்களில் கூட்டுறவு சபைகளை மூலமாகக் கொடுக்கல்—வாங்கல் நடப்பதை விட, விவசாயிகளே ஒருவருக்கொருவர் வாங்கிக்கொண்டு கொடுத்துக்கொண்டு வருகிறார்கள். அது நல்ல முறையில் இப்பொழுது நடந்து வருகிறது. அது பல விவசாயிகளுக்கு அனுசூலமாக இருக்கிறது. இப்படிப் பல காரியங்கள் கிராமங்களில் நடைபெற்று வருகின்றன. அப்படி நடைபெறுவதற்கு இடையூறு ஏற்படக் கூடாது. குறிப்பாக, ஸ்ரீ அண்ணாமலை பிள்ளை ஒன்றைக் குறிப்பிட்டார். அதாவது, கிராமங்களில் வாய் பேச்சிலேயே கடன் கொடுத்து வாங்கிக்கொண்டு இருக்கிறார்கள் என்றும் அது நல்ல முறையில் நடந்து கொண்டிருக்கிறது என்றும் குறிப்பிட்டார். அவர்களிடம் நல்ல மனப்பான்மை இப்பொழுது இருந்து வருகிறது. அப்படிப்பட்ட நல்ல மனப்பான்மைக்கு ஆபத்து வரக் கூடாது. அப்படி ஆபத்து வராது என்றும் அப்படிப்பட்ட ஆபத்துக்கு ஒன்றும் இடம் இல்லை என்றும் கனம் அமைச்சர் அவர்கள் சொல்லிவிட்டார்கள். இப்பொழுது கிராமங்களில் கடன் கொடுப்பவர்கள் மிக ஜாக்கிரதையாகத்தான் கொடுத்துக்கொண்டு வருகிறார்கள். அதற்கு இந்தச் சட்டத்தினால் எந்தவிதமான ஆபத்தும் வரக் கூடாது. கொடுத்த கடனை நிரப்பந்தம் செய்து வாங்கக் கூடாது என்று சொல்லி விட்டால், கிராமங்களில் கடன் கொடுக்காமலேயே இருந்து விடுவார்கள். அதற்கு இடம் கொடுக்கக் கூடாது. கிராமத்திலுள்ள விவசாயிகளுக்கு நல்ல முறையில் கடன் கிடைப்பதற்கு வேண்டிய வசதிகளைச் செய்து கொடுக்க வேண்டும் என்று கேட்டுக்கொண்டு என்னுடைய வார்த்தையை இத்துடன் முடித்துக்கொள்கிறேன்.

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, Sir, I am glad that the necessity for a measure like this has been conceded by hon. Members. But they pointed out the practical difficulties in the working of this measure.

Sir, the hon. the Deputy Leader of the Opposition said that no legislation could be in the nature of crippling credit facilities. I agree, Sir. But if we adopt the method that the hon. the Deputy Leader of the Opposition suggests, we may not be able to bring in any such legislation for quite a long time. I know there are difficulties and however much we may try to enhance the credit facilities that are available, we will only touch the fringe of the requirements of the people. Even as it is, I think, roughly about 15 per cent of the requirements of credit facilities are met either by the Government or by the co-operative agencies. The rest is met by money-lenders, both urban and rural. If we are to wait till we are able to afford credit facilities to all people, it will well nigh be impossible to regulate the business of money-lending. It will take quite a long time. Till then we cannot be sitting idle and allowing people to be put to difficulties that have been now mentioned by hon. Members. Therefore it is that the Government thought it fit to bring in this Bill. Already we are late in bringing in this Bill. This was pointed out by hon. Members. In other States like Bombay, Madhya Pradesh, Bihar and Bengal they passed a measure of this nature ten years ago. But we are bringing it only now.

[Sri M. A. Manickavelu] [16th November 1957]

In regard to punishment, it was pointed out that it was very severe. I may tell hon. Members that in the original Bill which was published in 1955, the punishment prescribed was one year's imprisonment and a fine of Rs. 1,500. It was reduced by the Joint Select Committee to six months' imprisonment and a fine of Rs. 1,000. By the amendment made in the Assembly the punishment of imprisonment has been restricted only to certain types of offences and the fine has been kept at Rs. 1,000. For minor offences such as not putting up the Board, not maintaining accounts and all that, there is no imprisonment. There is only fine for such offences. The fine of Rs. 1,000 is only the upper limit. When a case is launched, no Magistrate will impose the maximum fine of Rs. 1,000. For the first or second prosecution this maximum fine may not be imposed. That is only the maximum, as I said. It must be there in the Act to instil some fear in the minds of the money-lenders. Suppose you provide for a fine of only Rs. 5; nobody will be afraid of it. The maximum limit will be there in the measure. It won't be imposed all at once.

With regard to licence fee, in the original Bill it was Rs. 300. It has been reduced to Rs. 100. Even here I may say, Sir, it is only the maximum. I gave an assurance in the other House that it won't be hundred rupees. Under the rule-making powers we will take power and make it a reasonably low figure. It will be very much lower than the hundred prescribed in the Bill. So, people need not worry that it will be Rs. 100.

12-50
p.m.

Then, as regards notification, the Government rightly thought and hon. Members also agreed that they should have the power to notify areas as and when the necessity arose. By notifying certain areas in the first instance, they will gain experience. But still in the other House it was stated that we should straightway apply the provisions of this Bill to the whole State. We stated that it could not be done. I am glad that the Elders here have found the necessity for the provision regarding notification to be there.

Then, it was feared that any stray lending would also come within the purview of this Bill. No, Sir, it would not come within the purview of this Bill. It must be a regular or primary or subsidiary business. That is why we took away the clause relating to the learned profession in the original Bill. The members belonging to the learned profession do not do it as a profession. So, I may tell the hon. Member from Gudivatham that stray lending or lending amounts now and then would not come within the purview of this Bill.

Then, mention was made by the hon. the Deputy Leader of the Opposition that there should be some provision in the Bill for the repayment of money in instalments. I think that cannot be put in the statute as such. Already it is stated that we are interfering too much with others' rights and fundamental rights.

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SRI K. BALASUBRAMANYA AYYAR: According to the Civil Procedure Code, we can provide for payment in instalments.

* THE HON. SRI M. A. MANICKAVELU: That is a different thing. We cannot put it in the statute itself which will be awkward. Anyhow, when the matter goes to the Court, there they can do it. It may be asked, 'Why should we make anybody go to a court to fix instalments for payment?'. To avoid that, we cannot straightway provide for it in the statute itself.

DR. V. K. JOHN: There must be provision for an application by the debtor to the court to fix instalments for payment.

SRI K. BALASUBRAMANYA AYYAR: There is provision in clause 8 (1) which says—

'Where a money-lender refuses to accept the whole or any portion of the money or other property due in respect of his loan, the debtor may deposit the said money or property in the Court having jurisdiction to entertain a suit for recovery of such loan and apply to the Court to record full or part satisfaction of the loan, as the case may be.'

* THE HON. SRI M. A. MANICKAVELU: Thanks, that clause will go to some extent to relieve hardships.

Then, with regard to the determination of heir when a licensee dies, an hon. Member suggested that it should be determined by the court because the licensing authority might not be the proper authority who would know the implications of law. The idea is that the licensing authority will only decide whether a particular person is the son or heir of the deceased licensee. If any legal complications arise, the matter will go in appeal to a higher authority. Any decision by the licensing authority is not final.

Generally, I have tried to answer some of the points that were raised here. Regarding other points, I shall meet them when the clause-by-clause discussion takes place. Now, I request the House to adopt the motion before the House.

MR. CHAIRMAN: The question is—

'That the Madras Money-lenders Bill, 1957 (L.A. Bill No. 22 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.

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

The House then rose.

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(After lunch—3 p.m.)

II.—ANNOUNCEMENTS BY THE HON. CHAIRMAN—cont.

(1) MESSAGES FROM THE GOVERNOR—cont.

MR. CHAIRMAN: I have to announce to the House that I have received the following message from the Governor of Madras—

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

(2) MESSAGES FROM THE ASSEMBLY—cont.

MR. CHAIRMAN: I have also to announce to the House that I have received the following message, dated the 16th November 1957, from the Hon. the Speaker, Madras Legislative Assembly—

“In accordance with rule 114 of the Madras Assembly Rules. I transmit a copy of the Madras Appropriation (No. 3) Bill, 1957 (L.A. Bill No. 27 of 1957), as passed by the Legislative Assembly on the 16th November 1957 and signed by me, for the recommendations of the Council.

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

III.—GOVERNMENT BILLS—cont.

(1) THE MADRAS MONEY-LENDERS BILL, 1957 (L.A. BILL NO. 22 OF 1957)—cont.

MR. CHAIRMAN: Now, let us take up the clause by clause consideration of the Madras Money-lenders Bill, 1957.

Clause 2.

MR. CHAIRMAN: The motion is—

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

SRI K. BALASUBRAMANYA AYYAR: Sir, I move the following amendments standing in my name—

“After sub-clause (2), add the following as new sub-clause (2) (a)—

“(2) (a) “Commercial Loan” means a loan advanced to any person to be used by such person solely for the purpose of any business relating to trade, commerce, industry, mining, planting, transport or banking.”

“In item (ii) of sub-clause (6), after the words ‘co-operative society’ and before the words ‘or an advance’, insert the words ‘or a commercial loan’.”

“In item (vi) of sub-clause (6) omit the words ‘exceeding rupees three thousand’.”

[16th November 1957] [Sri K. Balasubramanya Ayyar]

“After sub-clause (6), add the following as new sub-clause (6) (a)—

“(6) (a) A loan to or by or a Deposit with any Society or Association registered under the Societies Registration Act of 1860 or to any other institution devoted to public religious or charitable objects.”

“After sub-clause (8), add the following as new sub-clauses 8 (a) and 8 (b)—

“(8) (a) An agriculturist, namely, a person who is engaged in the cultivation of lands to the possession of which he is entitled and is not assessed to income-tax under the Income-tax Act, 1922.

(8) (b) Any member of a learned profession, that is to say, any person whose name is borne on a register maintained in accordance with any special statute which prescribes particular qualifications for admission to the profession or disciplinary control over the members thereof and removal for sufficient cause of any such member from the register of the profession.”

All the amendments were duly seconded.

SRI K. BALASUBRAMANYA AYYAR: கனம் தலைவர் அவர்களே, கம்மர்வியல் லோனையும் இதில் சேர்க்க வேண்டுமென்று நான் ஒரு திருத்தம் கொண்டுவந்திருக்கிறேன். இதைப் போலவே ஒரு ஷரா பெங்கால் மணி-லெண்டர் ஆக்டில் இருக்கிறது. இது ரொம்பவும் முக்கியமானது. வியாபாரம் செய்கிறவர்கள், உற்பத்தி வேலை செய்கிறவர்கள் இவர்களைப் போன்றவர்கள் கடன் கொடுத்தால், அது இதன்கீழ் வரக் கூடாது. இது வியாபாரத்தை விருத்தி பண்ணுவதற்கு முக்கியமாக இருப்பதால், இந்தத் திருத்தம் ரொம்பவும் அவசியம் என்று நினைக்கிறேன். பம்பாயில் உள்ள சட்டத்திலும் இப்படிப்பட்ட ஒரு ஷரா இருக்கிறது. Loan for trade purposes என்று போட்டிருக்கிறார்கள். அம்மாதிரி ஒரு விதி இங்கேயில்லை. இது ரொம்பவும் நல்லது என்று நினைக்கிறேன். ஆகவேதான் நான் இந்தத் திருத்தத்தைக் கொடுத்திருக்கிறேன்.

“(2) (a) ‘Commercial loan’ means a loan advanced to any person to be used by such person solely for the purpose of any business relating to trade, commerce, industry, mining, planting, transport or banking.”

வியாபாரத்திற்கு ஏற்றுமதி, இறக்குமதி, இண்டஸ்ட்ரி, தொழில் உற்பத்தி, மைனிங் இதற்கெல்லாம் பணம் ஜாஸ்தி வேண்டியிருக்கும். அதனால் உற்பத்தி ஜாஸ்தி ஆகலாம். இந்தத் திருத்தத்தை ஏற்றுக்கொண்டால், உலகத்திற்கும் கெடுதல் இல்லை, ஸ்டேட்டிற்கும் கெடுதல் இல்லை.

அடுத்தபடியாக, 6-வது உபபிரிவிற்கு 6 (எ) என்று சேர்க்க வேண்டுமென்று ஒரு திருத்தம் கொண்டுவந்திருக்கிறேன். Societies Registration Act of 1860-ன் கீழ் சில தர்ம ஸ்தாபனங்களை ரெஜிஸ்டர் செய்திருக்கிறார்கள். அதன்படி பணமும் இந்த ஸ்தாபனத்தில் போடலாம், கடனும் வாங்கிக்கொள்ளலாம். அவைகள் கூட்டுறவு ஸ்தாபனங்கள் மாதிரி நடைபெறுகின்றன. இதைப் போல பல சட்டங்களில் இருக்கிறது. ஜாயின்ட் செலக்ட் கமிட்டியில் கூட இதைச் சேர்த்துக் கொள்ள வேண்டுமென்று சொன்னேன். சரி என்று சொன்னார்கள். ஏதோ காரணங்களால் இதில் சேர்த்துக்கொள்ளவில்லை. எவ்வளவோ தர்ம காரியங்கள் நடைபெற்று வருகின்றன. இப்படிப்பட்ட ஸ்தாபனங்கள்

[Sri K. Balasubramanya Ayyar] [16th November 1957]

மூலமாக பணம் கொடுத்து வாங்குவதை “மணி லெண்டிங்” என்று சொல்லக் கூடாது. வட்டிக்குப் பணம் கொடுத்து அதன் மூலமாக அந்தத் தர்ம ஸ்தாபனத்தின் பணம் விருத்தி செய்துகொள்ளப்படுகிறது. ஆகவே,

“(6) (a) A loan to or by or a Deposit with any Society or Association registered under the Societies Registration Act of 1860 or to any other institution devoted to public religious or charitable objects.”

என்ற திருத்தத்தையும் சேர்த்துக்கொள்ள வேண்டுமென்று கேட்டுக் கொள்கிறேன். ஜாயின்ட் செலக்ட் கமிட்டியில் சேர்த்துக்கொள்கிறோம் என்று சொன்னார்கள். ஆனால் இதில் சேர்த்துக்கொள்ளவில்லை.

அடுத்தபடியாக, 6-வது உட்பிரிவில் அதாவது, “an advance made on the basis of a negotiable instrument as defined in the Negotiable Instruments Act, 1881 (Central Act XXVI of 1881), other than a promissory note” என்று இருந்தது. “ப்ரோ நோட் நீங்கலாக” என்று இருந்ததை எடுத்துவிட்டு “3,000 ரூபாய்க்கு மேற்பட்டது” என்று மாற்றியிருக்கிறார்கள். அலெக்சாண்டரில் அப்படிப்பட்ட மாற்றம் செய்திருக்கிறார்கள் போலிருக்கிறது. எதற்காக மாற்றினார்கள் என்பது தெரியவில்லை. வியாபாரத் துறையில் உண்டியல் தொழில் ரொம்பவும் அவசியமாகியிருக்கிறது. வட நாட்டார்தான் இப்படிப்பட்ட உண்டியல் தொழில் நடத்துகிறார்கள் என்று நினைத்து இப்படிப்பட்ட மாற்றம் செய்தார்களோ என்னமோ? இப்படிப்பட்ட தொழில் வட நாட்டார்தான் பண்ணுகிறார்கள் என்று சொல்வதற்கில்லை. ஜால்தி வடநாட்டார் பண்ணினாலும் நம் ஜனங்களும் பிரதிபாதி அப்படிப்பட்ட தொழில் செய்கிறார்கள். ஆகவே, ஏற்கனவே இருந்தபடி இருப்பதில் தவறு ஒன்றுமில்லை. ஏதோ ஒன்று அல்லது ஒன்றாக வட்டிக்குக் கொடுத்து வாங்கிக்கொண்டு வருகிறார்கள். ஆகவே, ப்ரோநோட் என்று இருப்பதை எடுக்க வேண்டிய அவசியமில்லை என்று நினைக்கிறேன்.

SRI N. ANNAMALAI PILLAI: இந்த மூன்று விஷயங்களையும் ஏற்கனவே சட்டத்தில் இருந்து எடுத்துவிட்டார்களா?

SRI K. BALASUBRAMANYA AYYAR: இந்த மூன்று விஷயங்களையும் சட்டத்தோடு புதியதாகச் சேர்க்க வேண்டியதுதான். போன வருஷம் வந்த “பில்லில்” விவசாயிகளைப்பற்றி இருந்தது. இப்பொழுது அலெக்சாண்டரில் அதை எடுத்து விட்டார்கள். An advance made by an agriculturist to his tenant என்று சேர்த்திருக்கிறார்கள். விவசாயி தன்னுடைய குத்தகைக்காரனுக்குப் பணம் கொடுத்தால் அந்தப் பணத்தை இதில் சேர்க்க வேண்டாமென்று சொல்கிறார்கள்? அதை நான் ஒப்புக்கொள்கிறேன். இப்பொழுது சிறு விவசாயிகளுக்குப் பணம் இல்லாமல் இல்லை. ரிசர்வ் பாங்கிலிருந்து எங்களுக்கு ரிப்போர்ட் வந்திருக்கிறது. எனக்கு பாங்கு சம்பந்தம் இருப்பதால், எனக்கு அதைப்பற்றி நன்றாகத் தெரியும். விவசாயிகளுக்கு ஜாஸ்திப் பணம் கொடுக்கிறார்களாம். கூட்டுறவு சொசைட்டிகளும் பணம் கொடுக்கிறார்களாம். விவசாயிகளே ஒருவருக்கொருவர் கொடுத்து வாங்கிக்கொண்டு வருகிறார்களாம். ஆகவே விவசாயிகளைப் பற்றி மசோதாவில் போட்டால், விவசாயிகளுக்குப் பணம் கொடுக்க மாட்டோம் என்று சொன்னாலும் சொல்வார்கள். ஆகவே, ஏற்கெனவே இருந்தபடி இருந்தால் நல்லது என்று தோன்றுகிறது.

THE HON. SRI C. SUBRAMANIAM: Here, ‘money-lender’ means a person whose main or subsidiary occupation is the business of advancing and realizing loans. Casual lending is not included here.

16th November 1957]

SRI K. BALASUBRAMANYA AYYAR: இந்தத் திருத்தங்கள் எல்லா வற்றையும் கொண்டுவந்து விடலாம். அரசாங்கமே கொண்டுவந்தாலும் நன்றாக இருக்கும். இவைகளையெல்லாம் ஏற்றுக்கொண்டால், பெரிய கெடுதல் வரும் என்று சொல்வதற்கில்லை, சொல்லவும் தயாராயில்லை. விவசாயிகள் என்று இருப்பதை எடுக்க வேண்டாம். எடுக்காமல் இருந்தால் நன்றாக இருந்திருக்கும்.

டாக்டர்களையும் வக்கீல்களையும் பற்றிய பிரச்சினையில் கனம் மந்திரி அவர்கள் சொன்னதை நான் ஒப்புக்கொள்கிறேன். அவர்கள் பணம் கொடுத்து-வாங்குவது இயற்றப்படும் சட்டத்தினால் பாதிக்கப்பட்டது. அது சம்பந்தமாக வேறு சட்டங்கள் இருக்கின்றன. வக்கீல்கள் சம்பந்தமாக “லீகல் ப்ராசீடியூனரஸ் ஆக்ட்”-ல் சில விதிகள் இருக்கின்றன. அவர்களையெல்லாம் இயற்றப்படும் சட்டத்தின் விதிகளுக்கு உட்படுத்தவில்லை என்று மசோதாவில் குறிப்பிட்டால், அவர்களுக்கு அது கௌரவத் வத்தைக் கொடுக்கும். ஆதலால்தான், இந்தத் திருத்தத்தை இங்கே போட வேண்டுமென்று நான் நினைக்கிறேன். ஆனால் இதைப் போட வேண்டாம் என்று சர்க்கார் சொன்னால், நான் என் கோரிக்கையை விட்டுவிடத் தயாராயிருக்கிறேன்.

3-10 p.m.

THE HON. SRI C. SUBRAMANIAM: Because they cannot be money-lenders, it would be anomalous to put them here.

* THE HON. SRI M. A. MANICKAVELU: கனம் சபாநாயகர் அவர்களே, வக்கீல்கள், டாக்டர்கள் முதலியவர்களை இந்த மசோதா கட்டுப்படுத்தக்கூடாது என்பதற்காக ஒரு திருத்தம் கொடுக்கப்பட்டிருக்கிறது. அது தொழில் சம்பந்தமான கடன் என்று சொல்லப்படுகிறது. “தொழில் சம்பந்தமானது” என்று சொல்லிக்கொண்டு வேறு விதமாக நடந்து கொள்ளக்கூடும். ஆகையால் ரூபாய் 3,000-க்கு உட்பட்ட இத்தகைய கடன்களைச் சட்டம் கட்டுப்படுத்தும் என்று மசோதாவில் சொல்லப்பட்டிருக்கிறது. ரூபாய் 3,000-க்கு மேற்பட்ட இத்தகைய கடன்களைச் சட்டம் கட்டுப்படுத்தாது. அப்படி விதி வகுக்காவிட்டால், தொழில் சம்பந்தமானது என்று சொல்லிக் கொண்டு சிலர் சட்டத்திற்கு “டிமிக்கி” கொடுப்பதற்கு பிரயத்தனம் செய்யக்கூடும்.

SRI T. PURUSHOTHAM: Is the word ‘டிமிக்கி’ a parliamentary term?

THE HON. SRI C. SUBRAMANIAM: Yes.

SRI K. BALASUBRAMANYA AYYAR: It is colloquial. It is not a Tamil word. It is a Hindustani word.

SRI A. M. ALLAPICHAJ: The correct word is ‘dhoki’. It is an Urdu word which means ‘give the slip’.

MR. CHAIRMAN: That is quite parliamentary. (Laughter.)

*THE HON. SRI M. A. MANICKAVELU: டாக்டர்கள், வக்கீல்கள் முதலியவர்கள் பணம் கொடுத்து-வாங்குவது, வாலாயமாக லேவாதேவி செய்யப்படுவதாகக் கருதப்படாது. ஆகையால் இந்தத் திருத்தம் அவசியமில்லை என்று நினைக்கிறேன்.

விவசாயிகளைப் பொறுத்தவரையில், வருமான வரி கட்டுபவர்களையே கட்டுப்படுத்தும் முறையில் மசோதாவில் முதலில் விதி இருந்தது. நேற்று நடந்த விவாதத்தின்போது, விவசாயி என்ற பெயரைச் சொல்லிக்கொண்டு சட்டத்திலிருந்து தப்பித்துக்கொள்வதற்கு சிலர் பிரயத்தனப்படலாம் என்று தெரிந்தது. ஆகையால், தன்னிடம் வேலை பார்க்கும் விவசாயிக்கு மிராசதார் கடன் கொடுப்பது சட்டத்திற்கு உட்படாது. என்றும், கடன்

[Sri M. A. Manickavelu] [16th November 1957]

கொடுப்பதையே 'ப்ரைமரி' அல்லது 'ஸப்லிடியரி' தொழிலாகக் கொண் டிருக்கும் விவசாயிகளைச் சட்டம் கட்டுப்படுத்தும் என்றும் இப்போது விதி வகுக்கப்பட்டிருக்கிறது. ஆகையால் கிராமங்களில் ஒரு விவசாயி மற்றொரு விவசாயிக்கு சாதாரணமாகக் கொடுக்கும் கடன்களைச் சட்டம் கட்டுப் படுத்தாது. எனவே, இந்தத் திருத்தம் அவசியமில்லை என்று சொல்லிக் கொள்கிறேன்.

MR. CHAIRMAN: Is the hon. Member pressing his amend-
ments?

SRI K. BALASUBRAMANYA AYYAR: I am withdrawing
the amendments.

The amendments were, by leave, withdrawn.

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 4.

MR. CHAIRMAN: The motion is—

'That clause 4 do stand part of the Bill'.

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

"In sub-clause (2) for the words 'one hundred rupees'
substitute the words 'fifty rupees'."

In moving this amendment, I have got the support of my very
respected colleague who is not here just now. The maximum is
fixed at Rs. 100. It may be reduced to Rs. 50. I agree this Rs. 100
is only the maximum but even this should be only Rs. 50. In the
Bengal, Madhya Pradesh and Bombay Acts, it is only five rupees.
And the licence has to be renewed every year here.

The amendment was duly seconded.

THE HON. SRI C. SUBRAMANIAM: It is only the maximum.
For renewals, we will have lower rates. When we frame rules,
we will see that the renewal rate is kept sufficiently low.

*THE HON. SRI M. A. MANICKAVELU: மசோதாவில்தான் ரூ. 100
என்று குறிப்பிட்டிருக்கிறோம். இப்படியே வைப்பதாக இல்லை. சாதாரணமாக
அதற்குள்ளதான் இருக்கும். கனம் அங்கத்தினர் ரூ. 50 என்று குறிப்பிட்
பட்டிருக்கிறார். ரூ. 100-க்குப் போகாது. எது நியாயமானதோ, அதுதான்
இருக்கும் என்று சொல்லிக்கொள்கிறேன்.

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

SRI K. BALASUBRAMANYA AYYAR: Yes.

The amendment was, by leave, withdrawn.

Clause 4 was put and carried.

Clauses 5 and 6 were put and carried.

16th November 1957]

Clause 7.

MR. CHAIRMAN: The motion is—

'That clause 7 do stand part of the Bill.'

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

"Add the following proviso at the end of clause 7:—

'Provided that the Government may after due considera-
tion of the credit facilities obtaining in the State by notification
prescribe a maximum rate of interest other than that specified in
sub-clause (1).'

கனம் சபாநாயகர் அவர்களே, இந்தத் திருத்தத்தை நான் வற்புறுத்த
விரும்புகிறேன். அது நியாயம் என்று எனக்குத் தோன்றுகிறது. வட்டி
விகிதம் சாதாரணக் கடன்களுக்கு அதிகபட்சம் 12 சதவிகிதமும் ஸெக்யூரிடி
யுள்ள கடன்களுக்கு 9 சதவிகிதமுமாக நிர்ணயிக்கப்பட்டிருக்கிறது. அது
நியாயமானதுதான். ஆனால், நாம் 'பாங்கு ரேட்' என்பதையும் கவனிக்க
வேண்டும். இங்கிலாந்தில் பாங்கு ரேட் 7 சதவிகிதத்திலிருந்து 9 சதவிகித
மாக ஆகியிருக்கிறது. அது இன்னும் உயரும் என்று எதிர்பார்க்கப்படுகிறது.
நான்கூட இன்டியன் பாங்கில் டைரக்டராக இருக்கிறேன். நான் பாங்கு
ரேட்டின் நிலவரத்தைப் பார்த்து வருகிறேன். பாங்குகள்கூட பணம் கடன்
கொடுப்பதற்குக் கஷ்டப்படுகிறார்கள். இதற்காக இந்த அளவை மாற்ற
வேண்டுமென்று நான் சொல்லவில்லை. அப்போதைக்கப்போது யுக்தமான
வட்டி விகிதத்தை அனுமதிக்கத்தக்க முறையில் விதியை வகுக்கவேண்டும்.
என்றைக்கும் ஒரே வட்டி விகிதம் இருக்கும்படியாக விதியை வகுக்கக்கூடாது.
இது எல்லோரும் ஒப்புக்கொள்ளத்தக்க திருத்தம். இதை சர்க்கார் ஒப்புக்
கொள்ள வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

* SRI T. PURUSHOTHAM: Sir, I second the amendment.
I think this is a most reasonable amendment. The hon. Member
Sri K. Balasubramanya Ayyar has told us that the rate of interest
is subject to fluctuation. He does not say that the rate should be
raised. The proviso which is proposed to be introduced will give
powers to the Government to revise the rate of interest when
necessary after due consideration. Even in regard to Government
loans to local bodies, the rate of interest is subject to revision year
after year. In fact, the rate of interest is fixed in all such cases of
Government loans every year. I think this is a very reasonable
amendment and I hope the Government will accept it.

* THE HON. SRI M. A. MANICKAVELU: இந்த ஷரா ஒரு உசிதமான
ஷரா என்று நான் கருதுகிறேன். இம்மாதிரியாக ஒரு அதிகாரத்தை
நாம் எடுத்துக்கொண்டால், வட்டி விகிதாசாரத்தை மாற்றினால் அதைத்
தப்பாக எடுத்துக்கொண்டு கவர்ன்மென்ட், அவர்கள் இஷ்டப்பிரகாரம்
"மானிபுலேட்" பண்ணுகிறார்கள் என்ற குற்றச் சாட்டு வரும். இன்னும்
நமக்குத் தோன்றிய மாதிரிச் செய்தால், நாம் ஏதோ சில காரியங்களுக்காக
நமக்குத் தோன்றியபடி செய்கிறோம் என்று சொல்லுவார்கள். அப்படி
குற்றம் வராமல் இருப்பதற்குத்தான் இது இப்படி வைக்கப்பட்டிருக்கிறது.

THE HON. SRI C. SUBRAMANIAM: Actually it is our inten-
tion to vary the rate now and then and that would be provided for
in the rules.

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The amendment was, by leave, withdrawn.
Clauses 7, 8 and 9 were put and carried.

Clause 10.

MR. CHAIRMAN : The motion is—

‘ That clause 10 do stand part of the Bill.’

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

‘ In the second proviso to sub-clause (3) of clause 10, omit the words “ whether by the Inspector or ”.’

The amendment was duly seconded.

SRI K. BALASUBRAMANYA AYYAR : Sir, in the proviso, it is said, “ Such Magistrate may return the books, accounts, records, files and documents or any of them to the person from whose custody they were removed by the Inspector, after taking from such person such security as the Magistrate considers necessary for the production of the books, accounts, records, files and documents when required whether by the Inspector or by the Court or may pass such other orders as to their disposal as appear just and convenient to the Magistrate.” We have given power to the Court. After the Magistrate is seized of the whole thing, he will act in his discretion. Why then should power be given to the Inspector? “ After taking from such person such security as the Magistrate considers necessary ” is all right. “ When required whether by the Inspector or by the Court ” is not understandable. I say the Court alone must have the power and the Inspector must apply to the Court. That will be the proper thing. The Inspector by himself should not do that. That is the purpose of my amendment. This sort of provision is being made in all other cases.

* THE HON. SRI M. A. MANICKAVELU : Sir, I do not have much objection to this amendment. But I may tell the hon. Member that in practice this may not arise. That is one thing. Apart from that, for this small amendment, is it worth while to go back to the Assembly? In that view, I am not accepting the amendment.

THE HON. SRI C. SUBRAMANIAM : This was done in the Joint Select Committee. It is not in respect of cases which may come before the Court, that the accounts, books, etc., are seized. But they may be seized for the purpose of inspection also. The Joint Select Committee thought that it might be for the purpose of inspection by the Inspector and that it should not be left completely to the discretion of the Inspector to retain them. If it is a case, the Inspector cannot go and ask. Therefore, to guarantee that the accounts, books, etc. would not be tampered with, this was brought in so that the party might have satisfaction. That even for purposes of regular verification, the Inspector should go and move the Court is unnecessary. Because, it is the Inspector that has got to deal with it and finally decide.

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SRI K. BALASUBRAMANYA AYYAR : I am not stating so. I will explain myself. If the Magistrate orders the proper return of the accounts, books, etc., then the “ Magistrate may return . . . to the person from whose custody they were removed . . . after taking from such person such security as the Magistrate considers necessary for the production of the books, accounts, records, etc., when required whether by the Inspector or by the Court . . . ” In asking for the security, he says ‘ whenever required by me or by the Inspector ’. Why should he say so? He says that security should be given to the Court. In that order, he won’t say ‘ No, No. The Inspector asks for it, you must immediately give it ’. That is what I am objecting to. Once the Court is seized of the matter, he asks for a security in respect of production to the Court. The Hon. Minister is referring to the first stage. I am referring to the second stage.

THE HON. SRI C. SUBRAMANIAM : I am also referring to the second stage only. We wanted that it should be properly safeguarded and that the Inspector should not get it for himself. Later on, the books are not required by the Court, if no case is pending before the Court. Supposing I institute proceedings in the Court, then no Court will order that the accounts should be produced before the Inspector. But this is where the Inspector wants to proceed with inspection of accounts, books, etc. In such a case, is it necessary for him again to go and move the Court for production of accounts, books, etc.? The Court has intervened and the genuineness has been looked into. We can provide in the rules that when he calls for these documents, they should be returned within 24 hours or whatever it might be. That we can provide in the rules. It is not necessary to say that the Inspector should be asked to go to the Court and get at the books even for his inspection. The purpose will be served—it should not be completely with the Inspector—if he is made to return them within 24 hours or so. It should be without reference to the Court. That is why we have used that expression. I do not think any practical difficulty will arise. We can make ample provision in the rules to meet any difficulties.

The amendment was, by leave, withdrawn.

Clause 10 was put and carried.

Clauses 11 to 13 were put and carried.

Clause 14

MR. CHAIRMAN : The motion is—

‘ That clause 14 do stand part of the Bill.’

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

‘ After sub-clause (3), add the following as new sub-clause (4) :—

“ (4) The licensing authority may on a further application in that behalf revoke or modify such cancellation for sufficient reasons shown to him.”’

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SRI T. PURUSHOTHAM : I second the amendment, Sir.

SRI K. BALASUBRAMANYA AYYAR : By this amendment, I am asking that where the licence is cancelled, the licensing authority be given power to change his mind after further examination and then revoke or modify the order and grant it if he so wants. If such a provision is there, it will be helpful.

* SRI T. PURUSHOTHAM : I second the amendment which provides for revoking or modifying the earlier orders. Similar provision was made recently in the Madras Veterinary Practitioners Registration Bill also. I hope this amendment would be accepted, as a provision of this nature would be desirable. I second the amendment.

* THE HON. SRI M. A. MANICKAVELU : I do not think it will be a sound provision, for it will be something like the accused becoming the judge. I am not accepting the amendment.

THE HON. SRI C. SUBRAMANIAM : Even supposing a licence is refused, I do not think the same person should revoke or modify it immediately. It may perhaps be done after some three or four months in the usual course. But to give him power of revision immediately is not necessary or good. It may give rise to other consequences also.

The amendment was, by leave, withdrawn.

Clause 14 was put and carried.

Clauses 15 to 17 were put and carried.

Clause 18.

3-30 P.M. MR. CHAIRMAN : The motion is—

'That clause 18 do stand part of the Bill.'

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

'In sub-clause (1), for the words "one thousand rupees" substitute the words "one hundred rupees".'

The amendment was duly seconded.

SRI K. BALASUBRAMANYA AYYAR : Mr. Chairman, Sir, I am not referring to other matters, but only to this clause which says :—

'Whoever contravenes any of the provisions of this Act or of any rule made thereunder or of any terms or conditions of a licence granted or deemed to be granted thereunder or makes a claim or a statement which is false or which he does not believe to be true shall . . .'

Wherever he commits a mistake, there would be imprisonment, and other sections follow. This applies not to the provisions of this Act only. It says : . . . or rules made thereunder or terms and conditions of licence . . . If he commits small mistakes in respect of the terms and conditions of the licence, then he may be punished. I am not saying, 'they will punish

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him'. I am alive to that fact. But, Sir, distinction should be made between serious mistakes and small mistakes. In the case of serious mistakes such as false claims and other things, it should be there. I agree. But here small mistakes and serious things are clubbed together. That is the difficulty.

THE HON. SRI C. SUBRAMANIAM : Imprisonment has been taken out, I think. The hon. Members will find that no complaint can be lodged except with the consent of the prescribed authority. When this was discussed in the Assembly, we thought that the Inspector might not be the proper person. That is why we have put in 'prescribed authority'. It may be the Deputy Registrar of Co-operative Societies or an officer of that status. He will look into the matter and see whether it is a fit case to be taken to the Court. Certainly, small cases will not be lodged in the courts. That is why we have given that safeguard to the money-lenders also and said that the prescribed authority can lodge the complaint.

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, Sir, the amendment in effect wants to strike off one zero, that is, to reduce the fine from Rs. 1,000 to Rs. 100. In the original Bill we had provided for imprisonment also. But we have removed that now. We have got only fine now and no imprisonment. The fine will be not exceeding Rs. 1,000. That means that we don't go beyond that but only limit ourselves to that or below that. Ordinarily, one need not expect that the fine will be Rs. 1,000 all at once.

SRI A. M. ALLAPICHAJ : Usually it won't be Rs. 25 or Rs. 50.

The amendment was, by leave, withdrawn.

Clause 18 was put and carried.

Clauses 19 to 22 were put and carried.

Clause 1 and the Preamble were put and carried.

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

'That the Madras Money-lenders Bill, 1957 (L.A. Bill No. 22 of 1957), as passed by the Legislative Assembly, be passed'.

MR. CHAIRMAN : The question is—

'That the Madras Money-lenders Bill, 1957 (L.A. Bill No. 22 of 1957), as passed by the Legislative Assembly, be passed'.

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

(2) THE MADRAS (TRANSFERRED TERRITORY) RE-ENACTING BILL, 1957
(L.A. BILL NO. 24 OF 1957)

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

'That the Madras (Transferred Territory) Re-enacting Bill, 1957 (L.A. Bill No. 24 of 1957), as passed by the Legislative Assembly, be taken into consideration'.

[Sri C. Subramaniam]

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Sir, this matter arose out of the legislation passed by the President under Article 357 of the Constitution of India. As hon. Members are aware, in the Travancore-Cochin State as it existed then, a constitutional crisis arose as a result of which Article 356 of the Constitution was applied and the governance of the territory was taken over by the Parliament and the President. Under the Constitution, it is open to the Parliament to legislate for that State even though it may be a subject coming under List II or authorise anybody else to legislate for that State. Parliament, therefore, authorized the President to enact legislation for the purpose of governance of the Travancore-Cochin State at that time. Very many enactments were passed during that period and in the ordinary course, they should have expired on the 1st of November, after the expiration of one year. Since the Kanyakumari area has now been added on to the Madras State, the laws applicable to that area till we make another law would be the laws of the Travancore-Cochin State. So, this enactment applied to the Kanyakumari area. Since the enactments were otherwise lapsing by 1st of November, we issued an Ordinance extending the life of these enactments. Now this legislation is brought forward to regularize the Ordinance and to extend the life of the enactments till we consider here the various enactments and see whether they could continue or whether alternative provisions should be made. All this will be duly examined and, therefore, I hope the House will accept this legislation.

MR. CHAIRMAN : Motion moved—

' That the Madras (Transferred Territory) Re-enacting Bill, 1957 (L.A. Bill No. 24 of 1957), as passed by the Legislative Assembly, be taken into consideration '.

SRI K. BALASUBRAMANYA AYYAR : Sir, I pointed out at the time the Ordinance was passed that there was a section about limitation in the Holdings (Stay of Execution Proceedings) (Madras Amendment) Act of 1957. Therefore, I submit that limitation should also be provided for here. Otherwise, the Act may continue to apply to that particular territory. Was that question examined? I should like to know about it, Sir.

THE HON. SRI C. SUBRAMANIAM : An Ordinance was issued and we are specifically repealing that Ordinance by this legislation. Therefore, the stay clause may not be necessary.

MR. CHAIRMAN : The question is—

' That the Madras (Transferred Territory) Re-enacting Bill, 1957 (L.A. Bill No. 24 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 to 5 were put and carried.

The Schedule was put and carried.

Clause 1 and the Preamble were put and carried.

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

' That the Madras (Transferred Territory) Re-enacting Bill, 1957 (L.A. Bill No. 24 of 1957), as passed by the Legislative Assembly, be passed '.

MR. CHAIRMAN : The question is—

' That the Madras (Transferred Territory) Re-enacting Bill, 1957 (L.A. Bill No. 24 of 1957), as passed by the Legislative Assembly, be passed '.

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

(3) THE CATTLE-TRESPASS (MADRAS AMENDMENT) BILL, 1957
(L.A. BILL NO. 25 OF 1957).

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

' That the Cattle-trespass (Madras Amendment) Bill *, 1957 (L.A. Bill No. 25 of 1957), as passed by the Legislative Assembly, be taken into consideration '.

Sir, this is a very short Bill with two clauses only. Now, in the present enactment there is provision for appeal when there is conviction and fine. But when a compensation is awarded, there is no provision for appeal. It was pointed out in a judgment of the High Court that such a provision should be there. If compensation is given and if that person wants to appeal, a provision is necessary. That is why we have introduced a provision for that in this Bill.

Then, Sir, before the separation of the Executive and the Judiciary, the term " District Magistrate " was mentioned in the Act and he had power to deal with matters under certain sections of the Act. Now, after the separation, though the Collector continues to do it, the phraseology existing in the Act is " District Magistrate ". We are now explicitly stating that it is " District Collector " and not " District Magistrate."

These are the two provisions in respect of which amendments have been included in the Bill.

MR. CHAIRMAN : The question is—

' That the Cattle-trespass (Madras Amendment) Bill, 1957 (L.A. Bill No. 25 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 3 were put and carried.

Clause 1 and the Preamble were put and carried.

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

‘That the Cattle-trespass (Madras Amendment) Bill, 1957 (L.A. Bill No. 25 of 1957), as passed by the Legislative Assembly, be passed.’

MR. CHAIRMAN: The question is—

‘That the Cattle-trespass (Madras Amendment) Bill, 1957 (L.A. Bill No. 25 of 1957), as passed by the Legislative Assembly, be passed.’

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

(4) THE MADRAS PAYMENT OF SALARIES AND REMOVAL OF
DISQUALIFICATIONS (SECOND AMENDMENT) BILL, 1957
(L.A. BILL NO. 20 OF 1957).

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

‘That the Madras Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1957 (L.A. Bill No. 20 of 1957), as passed by the Legislative Assembly, be taken into consideration.’

This Bill relates to the salaries to be paid to the Deputy Speaker of the Assembly and the Deputy Chairman of this House. Now the Deputy Chairman and also the Deputy Speaker are being paid a salary of Rs. 300 in addition to emoluments and other allowances which they may be paid as Members of the Legislature. The status of the Deputy Speaker and the Deputy Chairman has been considered by the Government of India and they have addressed us to consider this aspect, viz., that they should be placed on a par with the Deputy Ministers and that their salaries and emoluments should be as for Deputy Ministers. But we do not have Deputy Ministers and we used to have only Parliamentary Secretaries. So, we have placed them on a par with the Parliamentary Secretaries and we are providing salaries and allowances as for Parliamentary Secretaries. I hope there would not be any objection to the passage of this Bill, considering the status of the Deputy Chairman and also the status of the Deputy Speaker and considering the work that they have to transact. I do not think that the salary that we are providing is too much. The only regret is that it was not done earlier. But there are certain consequences which would follow this and they become full-time officers of this House.

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MR. CHAIRMAN: Motion moved—

‘That the Madras Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1957 (L.A. Bill No. 20 of 1957), as passed by the Legislative Assembly, be taken into consideration.’

* SRI T. PURUSHOTHAM: Mr. Chairman, Sir, I gladly support this measure. Even in 1954-55 while discussing the Budget, I proposed that the Deputy Speaker and the Deputy Chairman of the Assembly and the Council respectively should be paid salary on a par with the Parliamentary Secretaries. This question would appear to have been considered by the Conference of Presiding Officers of our Legislatures as a general question and they seems to have made the proposal to the Government of India. I am sure hon. Members will agree that our Deputy Chairman and Deputy Speaker too have been doing very good work and that we should not grudge giving them this enhanced salary. In this connexion, I would also propose that the Deputy Speaker and the Deputy Chairman should be provided with motor cars. The Hon. the Minister for Finance has just now stated that we should maintain the status and dignity of these Deputy Presiding Officers, and we should welcome their being provided with motor cars at the cost of Government. I hope the Government will consider this suggestion.

Speaking about this measure, one small matter I should like to bring to the notice of the Government. In the rules framed under the Payment of Salaries and Removal of Disqualifications Act, with regard to travelling allowance of Members, the definition of ‘Committee’ is given as the ‘Committee of the Assembly, Joint Select Committee’ and so on, and as not to include any Committee appointed by the State Government. So, the Members of the Legislature, whenever they attend any meeting of the Committee appointed by the State Government, are not given daily allowance and travelling allowance at the rates fixed for Members of the Legislature. This is a small matter and I hope the Government will examine it and see that even for the committees appointed by the Government, the Members of the Legislature are allowed to draw the same allowances prescribed for Members of the Legislature. After all, the same principle, that the status and the dignity of the Members of Legislature should be maintained, applies to this case as well. It is not so much for the money value of it but the status and dignity attached to the Members of the Legislature should be maintained and I hope this proposal will receive favourable attention at the hands of the Government.

Also, there is so much of difficulty and delay in drawing the travelling allowance of Members when they attend these departmental committees. So it is at the meeting of the House Committee of the Council held recently, we passed a resolution recommending for the consideration of the Government the amendment of rule 17 of the Legislature Members’ Travelling Allowance

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Rules with a view to remove the difficulties experienced, by suitable modification and simplification of the rules. I am sure this recommendation would have reached the Government. I would appeal to the Hon. the Minister for Finance to sympathetically view it and see that a simplified procedure is adopted. After all, non-officials do not know all the intricacies of procedure and they should be given necessary facilities in the matter of drawal of travelling allowance. I request the Government to consider these matters. I hope that my main request to provide Deputy Presiding Officers with motor cars also will be sympathetically considered by the Government. I also appeal to the Hon. Chairman to support my proposal. I offer my personal compliments to the Deputy Chairman of the Council on the great assistance and guidance he gives us in all matters and on the great work he is doing as Deputy Chairman of this Council. I believe that this Bill is a present to him on this day when he has begun to speak in Tamil.

* DR. V. K. JOHN : Mr. Chairman, Sir, I give my full and enthusiastic support to this Bill and associate the Members of the Opposition in that support. We would have been very pleased if retrospective effect had been given to this Bill at least from the beginning of the financial year, that is, from 1st April. I do not know why it has not been given. The ordinary rule is that no retrospective effect should be given.

3-50 a.m. At least from 1st April of this year, both the Deputy Chairman and the Deputy Speaker could be paid. The Government should also consider the suggestion made by the previous speaker that a car may be placed at the disposal of the Deputy Chairman and the Deputy Speaker. I am glad that the Government have taken up the matter and have increased the salary and allowances of the Deputy Presiding Officers. Sir, I want to make another suggestion also. I think a professional gentleman in the position of the Deputy Chairman should be able to practise. After all, this is only an increase in the allowance.

THE HON. SRI C. SUBRAMANIAM : Now, the Bill provides for payment of salary. Till now they were being paid an allowance.

* DR. V. K. JOHN : My own view of the matter is that nothing prevents the Deputy Chairman from practising his profession.

* DR. A. SREENIVASAN : Mr. Chairman, Sir, I do not want to be unpleasant on this occasion. I am not able to understand the reason underlying the spirit of this Bill. The Hon. the Finance Minister spoke about status. When the Congress Party was in Opposition, it questioned the large sums of money that were squandered by the then Government and said, "This is a poor country and, therefore, the status of a person does not depend upon the money he gets by way of salary". Even now, among us there are a number of people, who are absolutely poor, but yet we hold

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them in respect. There are a number of millionaires amongst us whom we also treat as 'dust'. The Hon. the Finance Minister has simply stated, "We want to enhance the salary of the Deputy Speaker and the Deputy Chairman." We will have no objection at all but for the fact that the question of status was raised. As already pointed out by me, when the Congress Party was in Opposition, it always thought that the status of a person did not depend upon the money he was getting.

There is one other point which I would like to mention. If I remember rightly, when the hon. the Deputy Chairman was elected to this post, the then Chief Minister consulted the hon. the Leader of the Opposition and then he was unanimously elected. I also remember to have read in the newspapers that the hon. the Leader of the Opposition congratulated the Ministry on having gone out of the way in consulting the Opposition in a matter of this kind. The same practice could have been followed in this case as well and the Bill could have been straightway introduced and passed.

SRI K. BALASUBRAMANYA AYYAR : Sir, I am sorry that the reference about status is not understood properly. What the Hon. Minister, Sri C. Subramaniam said was that for the purpose of fixing the salary of the Deputy Presiding Officers, he was referring to the question of status. He said that the Government of India held the view that the Deputy Presiding Officers should be given the same salaries and allowances as were allowed to the Deputy Ministers of States. But as they were not having Deputy Ministers, it was thought that they should be placed on a par with Parliamentary Secretaries. Therefore, I do not think that we can draw from that the inference that he wanted to say generally that the status of a person after the attainment of Independence depended upon the salary he drew. I do not think we can attribute that statement to the Hon. Minister. If we can attribute that statement to him, I would also agree with the hon. Member Dr. A. Sreenivasan. The Hon. Minister did not mention anything like that.

Another suggestion was made that the Deputy Presiding Officer should be allowed to practise. But that is a different matter. Lastly, I must confess that I am prepared to support this Bill because it is Sri A. M. Allapichai who is the Deputy Chairman. With these few words, I support this Bill.

THE HON. SRI C. SUBRAMANIAM : Sir, I do not think I have to answer any point after the hon. Member Sri K. Balasubramanya Ayyar has spoken. The salary of a person does not fix his status. If that were so, all the Ministers would occupy a status below that of the Secretaries to Government. One of the reasons why we wanted that the Deputy Presiding Officers should be on a par with Deputy Ministers or Parliamentary Secretaries was that they should not be put to the embarrassing necessity of either appearing in court or carrying on any other profession which would embarrass

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them in practising a lawyer or some other profession. That was why it was thought that with the salaries and allowances, they should be able to lead a respectable life. It may be that Sri A. M. Allapichai does not need this amount at all. He is a lawyer with a good deal of practice. But we should contemplate anybody occupying that place and he should be in a position to discharge efficiently his functions as Deputy Speaker or Deputy Chairman. It is only under those circumstances that their emoluments have been increased now.

I do not think that there is any case for giving retrospective effect, because it is not with the intention of putting something into the pockets of either the Deputy Speaker or the Deputy Chairman that we are passing this Bill. The Bill can stand, as it is without being given retrospective effect.

MR. CHAIRMAN : The question is—

“ That the Madras Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1957 (L.A. Bill No. 20 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 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM : I move—

“ That the Madras Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1957 (L.A. Bill No. 20 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 (Second Amendment) Bill, 1957 (L.A. Bill No. 20 of 1957), as passed by the Legislative Assembly, be passed.”

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

MR. CHAIRMAN : Congratulations to the Deputy Chairman.

(5) THE MADRAS PRESERVATION OF PRIVATE FORESTS (AMENDMENT) BILL, 1957 (L.A. BILL NO. 21 OF 1957).

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

“ That the Madras Preservation of Private Forests (Amendment) Bill, 1957 (L.A. Bill No. 21 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

Sir, I must confess I feel a little crest-fallen to make this move in the immediate presence of the hon. the Deputy Leader of Opposition. When I last moved for extension, I did not then

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that I would have to come again before this House for another extension. I am really sorry that the prophecy of the Deputy Leader of the Opposition has proved true. With the best of intentions, we could not help it. These provisions are sought to be incorporated in the Forests Bill that is being got ready. Meanwhile, certain areas have been removed from our State and have been included in Kerala and Mysore. At least for that I have to come before the Legislature. Taking advantage of that fact and also the fact that we are not able to do all the preliminary things, I make bold to come before the Legislature in spite of the gentleman sitting opposite to me and I do hope that he would not start a tirade against the Government after I have explained all these things.

MR. CHAIRMAN : Motion moved—

“ That the Madras Preservation of Private Forests (Amendment) Bill, 1957 (L.A. Bill No. 21 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

* DR. V. K. JOHN : Sir, after hearing the Hon. Minister, I do not think I can very seriously criticise the Government or use any strong language. But, at the same time, I want to bring to the notice of the Government that this Bill which has been introduced pending further legislation, was first passed in 1946 and then it was again passed in 1949. It was extended by two years in the first instance and then year after year it has been extended up to December 1957. But we should not forget that there are some provisions in the Act which stay proceedings and which also provide for taking up proceedings after the expiration of this temporary enactment. I refer to sections 5 and 11. Then there is also a provision in section 3 which says : ‘ No owner of any forest shall, without the previous sanction of the District Collector, sell, mortgage, lease or otherwise alienate the whole or any portion of the forest ’. But sub-section (1) (b) (ii) says : ‘ Any alienation made on or after the 16th August 1956 in contravention of clause (a) shall be null and void ’. This we are now repealing. That means what was null and void till to-day becomes valid. I do not see why we are repealing that at all because once an Act provided ‘ any alienation is null and void if made after 16th August 1956 ’, it should continue. How such a provision can be repealed and why it should be repealed pass my understanding. Besides, any sale, mortgage, lease or alienation otherwise is void under the particular provision if done without the Collector’s consent. I think that there was some mistake in drafting clause 3 of the Bill. Perhaps the Hon. Minister will explain the position. The same criticism holds good in the case of clause 4 also which seeks to omit clause (b) of the Explanation to sub-section (1) of section 5 of the Principal Act. I find that in 1954 there was an amendment introducing clause (b) which is now to be omitted. But I do not know why it should go. What I submit is that we have now waited from 1946 till 1957. We are now taking two more years and let it not be said on the

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expiry of two years—I am sure, it may be said, if the same Minister continues—that they had no time to bring in the promised comprehensive legislation. Last time, when the Bill came up, it was said that it would be effective only for two years. I am pleased that the Minister regrets having to bring in this Bill. Still, I do not see why it should continue for two years. The Act could continue for one year.

Sir, we are trying to protect private forests. We are trying to see that they are not destroyed by any means. But I find public forests belonging to Government are being destroyed in various places. May I now recall what I mentioned in this House once before? 9,000 odd fine, tall trees were sold away in Kodaikanal some time ago to some private party at three rupees a tree without a public auction and without inviting tenders. It was a big scandal in Kodaikanal last summer. Trees were purchased as standing trees—trees alive—at three rupees a tree and sold by the purchaser at fifty to three hundred rupees a tree. The purchaser from Government paid such a low price. It was said that some Government official went and found this purchaser. First of all, the trees should not have been sold because they were not dead. Even if they were dead, the timber might have been sold at a higher price. I want to bring this to the notice of the Hon. Mr. Manickavelu so that he may investigate the whole thing. If no steps have been taken in the matter so far, I would like to know the reasons. I am anxious that such a thing should not be repeated because the reputation of the Government is involved. Trees may be dead on account of lack of rain. Trees may become dry. Such trees may be cut down. But how could anyone sell live trees and that at the ridiculously low price of three rupees? I would be very pleased if the Hon. Minister investigates the matter and tells us how it all happened, who was responsible for it, and if he would see to it that such a thing does not happen again.

THE HON. SRI C. SUBRAMANIAM: The hon. the Deputy Leader of the Opposition will find that the sections now sought to be removed are outdated.

* DR. V. K. JOHN: I found some difficulty in understanding the provisions. If they are outdated, it is all right. That is why I requested the Hon. Minister, when we repealed a number of Acts a few days ago, to have all these published every year. He said that it was not possible to publish an authorized version every year. But the Government can publish a volume containing all amendments. Now it was difficult to find the section which was sought to be amended.

THE HON. SRI C. SUBRAMANIAM: I think it was there.

* DR. V. K. JOHN: It was found later on. It was not to be found in the book that was handed over to me. Suppose we have a volume printed every year. Then, I am sure all these difficulties will not arise.

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THE HON. SRI C. SUBRAMANIAM: With great respect to the hon. the Deputy Leader of the Opposition, who is a prominent lawyer, may I point out that it is found in this book also?

* DR. V. K. JOHN: It was not in the book handed over to me.

THE HON. SRI C. SUBRAMANIAM: I am not changing the book. This is the same that was given to the Deputy Leader of the Opposition. It is the same book I am looking into now.

* DR. V. K. JOHN: I would suggest we issue a volume containing all the amendments to statutes every year.

THE HON. SRI C. SUBRAMANIAM: I have already agreed to do that.

* DR. V. K. JOHN: The Hon. Minister said that it was not possible to issue every year or to reprint every year all these. But I would suggest that we print every year the amendments to the various Acts in one volume. If we give the chronology, then we can find out what amendments we have made.

* THE HON. SRI M. A. MANICKAVELU: The simple object of this Bill is to extend the life of the Act by two years in order to bring in the necessary legislation covering all aspects of the question in the meantime and, incidentally, to remove the specific provisions relating to Malabar and South Kanara.

* DR. V. K. JOHN: The second paragraph of the statement of Objects and Reasons says: 'It is also proposed to amend the Act by omitting portions relating to private forests in the Malabar and the South Kanara districts'. Not that the Act has been amended.

THE HON. SRI C. SUBRAMANIAM: This is the proposal.

* THE HON. SRI M. A. MANICKAVELU: Quite a number of these private forests exist in Malabar and South Kanara. There are private forests elsewhere also but not to the extent they are there. To the extent the Act affects the forests in Malabar and South Kanara, the provisions have been repealed.

The hon. the Deputy Leader of the Opposition also referred to cutting of trees in Kodaikanal. I remember to have answered him effectively on a previous occasion when he raised the same question. I do not remember what I said on that occasion but I replied to him effectively. The other points raised by him were all answered by my Colleague here.

MR. CHAIRMAN: The question is—

"That the Madras Preservation of Private Forests (Amendment) Bill, 1957 (L.A. Bill No. 21 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, 3 and 4 were separately put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

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

“ That the Madras Preservation of Private Forests (Amendment) Bill, 1957 (L.A. Bill No. 21 of 1957), as passed by the Legislative Assembly, be passed.”

MR. CHAIRMAN : Motion moved—

“ That the Madras Preservation of Private Forests (Amendment) Bill, 1957 (L.A. Bill No. 21 of 1957), as passed by the Legislative Assembly, be passed.”

* DR. V. K. JOHN : It has been the practice in the Council for some time to circulate the original section which is to be amended to the Members so that they may know what it is that is sought to be amended. In the previous session, it was done. But during this session, it has not been done.

MR. CHAIRMAN : It has been done.

DR. V. K. JOHN : If it has been done, it is all right. But I have not received it.

* SRI A. M. ALLAPICHAJ : With reference to the point raised by the hon. the Deputy Leader of the Opposition, it is really difficult, when amendments are circulated, for hon. Members to find out the provisions of the original Act and to make up their minds to say things which they want to say.

4-10
p.m.

Therefore, what I wish to suggest is that every hon. Member of this House should be supplied with at least the Civil Court Manual; at least on these occasions, we should be supplied with a copy of it. Otherwise, it would be very difficult for practising lawyers here.

* THE HON. SRI R. VENKATARAMAN : After passing this Bill, I do not think it is going to be of much use to the hon. Deputy Chairman for his practice. (Laughter.)

MR. CHAIRMAN : The question is—

“ That the Madras Preservation of Private Forests (Amendment) Bill, 1957 (L.A. Bill No. 21 of 1957), as passed by the Legislative Assembly, be passed.”

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

(6) THE MADRAS GENERAL SALES TAX AND THE MADRAS MEDIUM COTTON MILL CLOTH (SALES TAX) (AMENDMENT) BILL, 1957
(L.A. BILL NO. 23 OF 1957).

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

“ That the Madras General Sales Tax and the Madras Medium Cotton Mill Cloth (Sales Tax) (Amendment) Bill, 1957, (L.A. Bill No. 23 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

* Printed as Appendix III on pages 414-416 infra.

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Sir, under sub-section (2) of section (3) of the Madras General Sales Tax Act, 1939 and under section 3 of the Madras Medium Cotton Mill Cloth (Sales Tax) Act, 1954, the additional tax on mill cloth, etc., imported into this State either from outside the territory of India or from any other State in India is leviable on the first sale effected in the State of Madras by a dealer after the import of the said goods into this State. It has been held by the Government till now that the first seller liable to this additional tax in respect of the commodities referred to above is the first resident dealer and not a non-resident dealer. In accordance with this view, the additional tax is being levied now on the first sale by a resident dealer, and collected so far.

Recently, a judgment of the Sales Tax Appellate Tribunal has given an interpretation to rule 4-A and said that where a consignor sends goods to the State of Madras designating himself as the consignee, then the person who effects the sale is the non-resident consignor and that, therefore, the tax is payable by that non-resident consignor. Consequent on that decision, the Madras Textile Merchants made representations to the Government that on the analogy of that decision, the collection of tax from the resident dealers in Madras in respect of the additional levy under sub-section (2) of the Sales Tax Act and under section 3 of the Mill Cloth Act should be only from the non-resident dealer and not from the resident dealer. The difference between the language of rule 4-A which was interpreted by the Sales Tax Appellate Tribunal and the language of section 3, clause (2), of the General Sales Tax Act has to be noted. In this connexion, an amendment to the law as it now stands became necessary in respect of “ the first sale after import ”. The Sales Tax Appellate Tribunal in subsequent decisions has interpreted this section and held that the sales tax is leviable on the resident dealer and has confirmed the practice which has been followed by the department so far. Since a difference of opinion has arisen and since it is likely to lead to a certain amount of confusion, Government want to set at rest the confusion and make it clear that the person who is liable to pay the tax under section 3, clause (2), of the General Sales Tax Act and under section 3 of the Medium Cotton Mill Cloth Act is the resident dealer after import.

I do not think any hon. Member will have any complaint with regard to the amendment. Now, the Bill further makes the operation of this section retrospective from the date on which the Amending Act came into force. I know that there is a certain amount of hostility to the concept of making any legislation retrospective, but in this case, it is only to confirm the existing law and practice. It has been accepted by the mercantile community and no new imposition or levy is contemplated by making this retrospective. Sir, Government have also taken note of the possible objection by the mercantile community. Taking advantage of the decision of the Sales Tax Appellate Tribunal, they had not collected the tax from

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the party when the decision was made known to them. Therefore, by making the law retrospective in operation, they should not be compelled to pay the tax. Government have decided to issue executive instructions in this regard that whenever the dealers prove to the satisfaction of the authorities concerned that the tax had not been collected by the resident dealer after import, the levy will not be made on him. I am quite sure that this will allay all possible fears of anyone being compelled to pay the tax which he has not collected.

The next question is with regard to conversion of the rate into decimal coinage. Under the Madras Medium Cotton Mill Cloth (Sales Tax) Act, the rate of tax is stated to be one anna and three pies per rupee of turnover which works out to 7.8125 per cent. It is now proposed to express this rate in terms of percentage to be in conformity with the decimal system of coinage and round it off to 8 per cent. The excess is only 0.1875 per cent which, I am sure the House will agree, is negligible.

The Bill is a simple one and I trust it will be accepted by the House.

MR. CHAIRMAN : Motion moved—

“That the Madras General Sales Tax and the Madras Medium Cotton Mill Cloth (Sales Tax) (Amendment) Bill, 1957, (L.A. Bill No. 23 of 1957), as passed by the Legislative Assembly, be taken into consideration.”

The motion is now before the House for discussion.

* DR. V. K. JOHN : Mr. Chairman, Sir, the Hon. the Leader of the House who moved this Bill in very persuasive language allayed one fear that dealers who had not collected the tax from the purchasers would not be compelled to pay the tax to the Government. However, I must take very serious objection to clause 4 of this Bill under the heading “Validation”. It provides—

“Notwithstanding any judgment, decree or order of any court or Tribunal, no tax levied or collected or purporting to have been levied or collected—

(a) on or after the 23rd August 1954 under the first proviso to sub-section (2) of section 3 of the principal Act, or

(b) on or after the 28th March 1956 under the first proviso to section 3 of the Madras Medium Cotton Mill Cloth (Sales Tax) Act . . .

and before the date of publication of this Act in the *Fort St. George Gazette* shall be deemed to be invalid or ever to have been invalid merely by reason of the fact that this Act was not in force

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at the relevant time and all such taxes levied or collected or purporting to have been levied or collected during the aforesaid periods shall be deemed always to have been validly levied or collected in accordance with law.”

Now, Sir, there are two objections to this. The court of law might make a decree or decision which might be valid in cases other than those concerned with that decision. Now, I think it is very objectionable that you should ask the parties in whose favour the decision was made by a court or tribunal to do anything which will make that order a nullity. I want to make matters clear. As far as these parties are concerned, the Government are not interfering with the decree or order. But that decree or order or the principles which are enunciated in the order of the tribunal or the court might be applied to others. It is a different question whether you will collect this tax from others. But you should never disturb the decree or order passed by a court and the persons, the assesseees in whose favour the decree or order is given, should not be asked to pay the amount. If you do that, that means that you are acting as a court of appeal, a revising authority. Therefore, I submit that you should not, whether by executive order or otherwise, collect the tax from a party in whose favour judgment or order is given.

As far as the others are concerned, because it is said that the Government will not collect the tax from anybody, if he has not collected the money from the purchaser though the wording is ‘purported to have been collected or levied’, the fear that it will be collected need not be there. The Hon. Minister who moved the Bill said that although the wording in the clause was ‘purported to have been collected’, nevertheless it was open to the Government not to collect it. Therefore, I take it that that injustice will not be there. 4-20 p.m.

Then, the question is, if the person has collected the money whether he should pay it to the Government. Originally the Act said, ‘If you collect the sales tax rightly or wrongly, that tax should go to the Government because the seller is only a collecting agent of the Government.’ It is not a sales tax. It is only a purchase tax, paid by the purchaser and the salesman or the seller is only a collecting agency for the Government. If the money is collected, certainly it should not be kept by the seller. The question is, if it is not recovered by the Government, whether it should not be refunded to the purchaser. It might be said that the amount involved is only a few annas or rupees or even a few naye paise, and that, therefore, it would be difficult to find the purchaser and refund the amount. But there may be cases where you might have collected large sums of money from the purchaser, which collection was illegal when it was made. If that be the case, I do not see any reason why the Government should take advantage of it. That money ought to be refunded, in all cases where it is

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possible or convenient to do so. There is nothing wrong in it. I say this because this validation, this setting aside of decrees or orders by courts should not be made a precedent for other pieces of legislation. I, therefore, submit that clause 4 is a very objectionable one. But some explanation has been given by the Hon. Minister and I do hope that in all cases of injustice, Government by executive order will see that no injustice is done.

One word more, Sir. I would repeat, what the hon. Deputy Chairman said just a few minutes ago, that it is advisable to give to the Members of the Council and the Assembly authorised copies of the Acts, Madras Acts and Central Acts, which we can amend or repeal. Some of us may have copies of these Acts, but others may not have. Everyday we are bringing in amendments. We do not know which Act is amended. The Members would like to study them. When these copies are made—the Government may make them as soon as possible—they may give a copy to the Members of the Legislature. Secondly, I would suggest all amendments made during a particular year may go into one volume so that we may take the book and find out whether any particular Act has been amended in the previous year. Here is an amendment to the original Act. I am told that this has been circulated. Some Members might not have got it. But that is not enough. I would strongly support the suggestion made by the hon. the Deputy Chairman that copies of Acts may be distributed to all Members of the Council and the Assembly.

* **SRI V. V. RAMASWAMI :** மன்றத் தலைவர் அவர்களே, இப்பொழுது கனம் அமைச்சர் அவர்கள் விற்பனை வரி திருத்த மசோதாவைக் கொண்டு வந்திருக்கிறார்கள். பல கோர்ட்டுகளில் கொடுக்கப்பட்டுள்ள பல தீர்ப்புகளை ஒட்டியும் விற்பனை வரிச் சட்டத்தில் சில திருத்தங்களைச் செய்யவேண்டும் என்ற நிர்ப்பந்தம் ஏற்பட்டிருப்பதாலும், அதன் மூலமாக யார்தான் வரியைக் கொடுக்கவேண்டும் என்று திட்டவட்டமான ஒரு நிலைமையை ஏற்படுத்தவேண்டும் என்பதற்காகவும், இந்தத் திருத்தத்தைக் கொண்டு வந்திருப்பதாகச் சொன்னார். மற்றும் இது சம்பந்தப்பட்ட வியாபாரிகளுக்குத் தொல்லை இல்லாமல் இருப்பதற்காகவும் இதைக் கொண்டு வந்திருப்பதாகவும் சொன்னார். அதை நான் வரவேற்கிறேன்.

அடுத்தபடியாக, கனம் அமைச்சர் அவர்கள் பேசும்போது, இதற்கு 'ரெட்ராஸ்பெக்டிவ் எபெக்ட்' கிடையாது, 'முன்னிலிருந்து பணத்தை வசூல் செய்வதாக உத்தேசம் இல்லை' என்று குறிப்பிட்டார். அதையும் நான் வரவேற்கிறேன். இதற்கு முன்பு இருந்த சட்டத்தின் பிரகாரம் வசூல் செய்யாமல் இருப்போம் என்று சொன்னதையும், அதை முன்கூட்டியே அனுபவத்தில் இருந்ததைப் பார்த்துவிட்டு இப்பொழுது அப்படி இல்லாமல் வியாபாரிகளுக்குத் திருப்தி அளிக்கும் அளவில் இதைக்கொண்டு வந்திருப்பதையும் கண்டு நான் திருப்தியுடன் இதை வரவேற்கிறேன். இந்த முறை வியாபாரிகளுக்கும் திருப்தி அளிக்கும். இது சம்பந்தமாக, துணி, சர்க்கரை, புகையிலை முதலிய விஷயங்களைக் கவனத்தில் எடுத்துக் கொண்டு, அவைகளின்பேரில் விற்பனை வரி, சங்க வரி வசூலிக்கப்படுமா என்பதை மத்திய அரசாங்கத்தைக் கேட்டு ஒரு முடிவுக்கு வரவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். இன்னும் சட்டத்திலுள்ள பல கஷ்டங்களைக் கண்டுவான முறையில் தீர்த்து வைக்க முயற்சி எடுத்துக்கொள்ள வேண்டும் என்றும் கேட்டுக்கொள்ளுகிறேன்.

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டாக்டர் லோகநாதன் அவர்களுடைய ரிப்போர்ட்டு அரசாங்கத்தினிடம் சமர்ப்பிக்கப்பட்டிருக்கும் என்று நினைக்கிறேன். அப்படி சமர்ப்பிக்கப் பட்டிருந்தால், அதன் மேல் என்ன நடவடிக்கை எடுக்கப் போகிறார்கள் என்பதையும் அறிய விரும்புகிறேன்; அவருடைய ரிப்போர்ட்டின்பேரில் மசோதா கொண்டு வரும்போது, அது மசோதாவாக வருவதற்கு முன் அந்த ரிப்போர்ட்டை சட்டசபையின் முன்னால் வைத்து சபையின் ஆலோசனையைக் கேட்டு அதற்கு மேல் மசோதாவை நிறைவேற்றுவார்களா என்பதையும் அறிய விரும்புகிறேன்.

* **THE HON. SRI R. VENKATARAMAN :** Mr. Chairman, Sir, I wish to clear a possible misapprehension on the part of the hon. the Deputy Leader of the Opposition. This Bill does not seek to validate something which has been held to be invalid. On the contrary, the question is who should pay the tax. The levy was a matter of doubt, and in order to clarify the doubt, we said, the existing practice would continue, that is, the dealer who was the first seller after the import and who resided in the State would continue to be the person on whom the tax would be levied.

Now, I come to the next point, viz., validation. Even according to clause 4, we are not validating anything which has been held by any Tribunal to be an invalid levy. On the contrary, what we are now doing is to continue to have all the taxes levied and collected from the resident dealer in respect of the sales in which the consignor and consignee happens to be the same person and that is valid. Actually that has been the practice in the trade also and they have collected it. Only after a different interpretation was given to a rule, that is, the rule which related to the transaction prior to 1953-54, that is, prior to the amendment, a doubt arose and some questions were raised by dealers. In order to set at rest the doubt, validation has been made. Even without making validation, we could have collected it, according to the subsequent decision of the Sales Tax Appellate Tribunal, from the person who was a resident dealer. Then that might have led to further litigation in this matter. Therefore, I am quite sure that whatever be the criticism with regard to the validation of past transactions by a future or subsequent legislation, that would not apply to the facts of this case.

My hon. and esteemed Friend Sri V. V. Ramaswami asked me about the report of Dr. Lokanathan. I have pleasure in announcing to this House that the report of Dr. Lokanathan has been received by the Government only a few hours ago, I should say. The Government have not looked into the matter. They will examine it and then they will bring forward suitable legislation in accordance with the needs of the State and the needs of the community.

MR. CHAIRMAN : The question is—

'That the Madras General Sales Tax and the Madras Medium Cotton Mill Cloth (Sales Tax) (Amendment) Bill, 1957 (L.A. Bill No. 23 of 1957), as passed by the Legislative Assembly, be taken into consideration.'

[16th November 1957]

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

Clauses 2, 3 and 4 were put and carried.

Clause 1 and the Preamble were put and carried.

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

‘That the Madras General Sales Tax and the Madras Medium Cotton Mill Cloth (Sales Tax) Amendment Bill, 1957 (L.A. Bill No. 23 of 1957), as passed by the Legislative Assembly, be passed.’

MR. CHAIRMAN : The question is—

‘That the Madras General Sales Tax and the Madras Medium Cotton Mill Cloth (Sales Tax) Amendment Bill, 1957 (L.A. Bill No. 23 of 1957), as passed by the Legislative Assembly, be passed.’

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

(7) THE MADRAS (TRANSFERRED TERRITORY) EXTENSION OF LAWS
BILL, 1957 (L.A. BILL NO. 26 OF 1957)

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

‘That the Madras (Transferred Territory) Extension of Laws Bill*, 1957 (L.A. Bill No. 26 of 1957), as passed by the Legislative Assembly, be taken into consideration.’

This is another legislation arising out of the reorganization of the State. Under the States Reorganization Act, the laws which were in force in the areas which had been transferred from the Travancore-Cochin State to the Madras State were laws which were applicable to those areas when they formed part of the Travancore-Cochin State. It was left to the Madras Legislature to consider whether any changes should be made in respect of those laws and to pass necessary legislation for that purpose. Now, we are examining all the Acts which are applicable to the Madras State and then with necessary modifications will extend those laws to the Kanyakumari area also so that the laws may be uniform throughout the Madras State. This legislation deals with only a few of the enactments. Other enactments also are under scrutiny and when they are ready, further legislation would be brought forward to extend those enactments also to the Kanyakumari area. I request that the motion may be accepted by this House.

MR. CHAIRMAN : Motion moved—

‘That the Madras (Transferred Territory) Extension of Laws Bill, 1957 (L.A. Bill No. 26 of 1957), as passed by the Legislative Assembly, be taken into consideration.’

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DR. V. K. JOHN : Mr. Chairman, Sir, it is very desirable that the laws should be uniform throughout the State. While I support this Bill, I express the hope that the Government will not take too long a time or many years to examine the laws and bring forward a uniform legislation throughout the State.

MR. CHAIRMAN : The question is—

‘That the Madras (Transferred Territory) Extension of Laws Bill, 1957 (L.A. Bill No. 26 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 11 were put and carried.

The Schedule was put and carried.

Clause 1 and the Preamble were put and carried.

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

‘That the Madras (Transferred Territory) Extension of Laws Bill, 1957 (L.A. Bill No. 26 of 1957), as passed by the Legislative Assembly, be passed.’

MR. CHAIRMAN : The question is—

‘That the Madras (Transferred Territory) Extension of Laws Bill, 1957 (L.A. Bill No. 26 of 1957), as passed by the Legislative Assembly, be passed.’

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

(8) THE MADRAS APPROPRIATION (NO. 3) BILL, 1957 (L.A. BILL
NO. 27 OF 1957).

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

‘That the Madras Appropriation (No. 3) Bill*, 1957 (L.A. Bill No. 27 of 1957), as passed by the Legislative Assembly, be taken into consideration.’

We have already discussed the various Demands. It is in accordance with those Demands that this Appropriation Bill is being presented to this House. I hope that this House will unanimously pass this Bill.

MR. CHAIRMAN : The question is—

‘That the Madras Appropriation (No. 3) Bill, 1957 (L.A. Bill No. 27 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.

[16th November 1957]

Clause 2 was put and carried.

The Schedule was put and carried.

Clause 1 and the Preamble were put and carried.

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

‘That the Madras Appropriation (No. 3) Bill, 1957 (L.A. Bill No. 27 of 1957), as passed by the Legislative Assembly, be passed.’

Sir, a very important and exciting session comes to a close and I am sure all the Members also will feel relieved along with me.

MR. CHAIRMAN : The question is—

‘That the Madras Appropriation (No. 3) Bill, 1957 (L.A. Bill No. 27 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 *sine die*.

The House then adjourned *sine die*.

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

** 105. Notification issued with G.O. No. 3521, Revenue, dated 6th September 1957, regarding amendment to sub-rule (2) of rule 11 of the Madras Cultivating Tenants Protection Rules, 1955 [Laid on the table of the House under section 7 (2) of the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955)].

106. Fertiliser (Control) Order, 1957 issued with G.O. Ms. No. 1946, Food and Agriculture, dated 9th May 1957 under section 3 of the Essential Commodities Act, 1955 (X of 1955).

107. Notification issued with G.O. Ms. No. 2266, Food and Agriculture, dated 25th July 1957 amending clauses 13, 14, 23, schedule and Forms A and D of the Fertiliser (Control) Order, 1957.

108. Notification issued with G.O. Ms. No. 2446, Food and Agriculture, dated 14th August 1957, appointing certain officers under the Fertiliser (Control) Order, 1957.

109. Notification issued with G.O. Ms. No. 2590, Food and Agriculture, dated 30th August 1957 directing the fees payable for the grant of renewal of a licence or for the grant of a certificate of registration under the Fertiliser (Control) Order, 1957.

110. Notification issued with G.O. Ms. No. 3049, Food and Agriculture, dated 28th September 1957 regarding amendment to rule 5 of the Madras Requisitioning and Acquisition of Immovable Property Rules, 1957, framed under the Madras Requisitioning and Acquisition of Immovable Property Act, 1956 (Madras Act XLII of 1956.)

** Laid on the table of the House on the 15th November 1957.

[16th November 1957]

111. Notification issued with G.O. No. 2922, Revenue, dated 18th July 1957, as amended by Memorandum No. 76272, J/57-5, Revenue, dated the 28th September 1957, regarding framing of rules under sections 3-A to 3-C of the Madras Estates Land (Reduction of Rent) Act, 1947.

Notifications issued under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948.

112. Notification issued with Memorandum No. 4125 J/57-3, Revenue, dated 23rd July 1957, under section 1 (5) omitting the entry “Enusonai” against the entry “205 Shulagiri” and adding the entry “Kumbaralapalee” at the end against the entry “205 Shulagiri” in the Revenue Department Notification No. 5627, dated 19th December 1950.

113. Notification issued with G.O. Ms. No. 2275, Revenue, dated 5th June 1957, under section 1 (5) substituting “234 Meoramadugu” under the heading “Salem district” for the entry “234 Moramadugu” Moramadugu Uthalahalli, Sajjalapalli, Mankampalli” in the schedule issued with Revenue Department Notification No. 5627, dated 19th December 1950.

114. Notification issued with Memorandum No. 30678 J/57-3, Revenue, dated 25th June 1957, omitting the entry “5 Siddamma Agraharam” in the schedule issued with the Revenue Department Notification No. 72, dated 15th February 1952.

115. Notification issued with Memorandum No. 67775-J-57-2, Revenue, dated 30th August 1957, omitting the entry “1051 Idayanavayal” under the heading “Ramanathapuram district” in the schedule issued with Revenue Department Notification No. 280, dated 1st September 1951.

116. Notification issued with G.O. Ms. No. 1833, Revenue, dated 1st May 1957, amending certain rules consequent on the amendments to the Act made by the Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1956 (Act XLIV of 1956).

117. Notification issued with Memorandum No. 70913-J-57-2, Revenue, dated 9th September 1957 under section 1 (5), omitting the entries “234 Anaimangalam” and “236 Manjadi” occurring in column (2) under the heading “Tanjore district” in the schedule issued with Revenue Department Notification No. 280, dated 1st September 1951.

118. Notification issued with G.O. Ms. 2942, Revenue, dated 19th July 1957 under section 1 (4), appointing the 15th day of August 1957 as the date on which the provisions of the Act other than sections 1, 2, 4, 7, 8, 9, 58-A, 62, 67 and 68 shall come into force in the undertenure estate of Sivaganga zamindari, Ramanathapuram district.

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119. Notification issued with G.O. No. 3410, Revenue, dated 30th August 1957 under section 62 (2) (3) adding new proviso to the rule issued with the Revenue Department notification, dated 4th October 1950.

120. Notification issued with G.O. No. 1933, Revenue, dated 1st May 1957, under section 67 (1) and (2) (c) amending the schedule to the rule published with Revenue Department Notification, dated 5th August 1949 with annexure.

121. Notification issued with G.O. No. 2840, Revenue, dated 12th July 1957 and G.O. Ms. No. 3547, Revenue, dated 7th September 1957, regarding the Settlement of estates taken over under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, in the Coimbatore district.

122. Notification issued with G.O. Ms. No. 2616, Home, dated 8th October 1957, regarding the remission of fees chargeable under Article 10 (j) and 10 (k) of Schedule II to the Madras Court-fees and Suits Valuation Act, 1955 (Madras Act XVI of 1955) on communications relating to public causes, other than covering letters to or endorsements on petitions, from M.L.As., M.L.Cs. and M.Ps., and falling under the said Articles.

123. Bills passed by the Assembly and received therefrom in the Council:

* (a) The Madras Money-lenders Bill, 1957 (L.A. Bill No. 22 of 1957).

† (b) The Madras (Transferred Territory) Re-enacting Bill, 1957 (L.A. Bill No. 24 of 1957).

† (c) The Cattle-trespass (Madras Amendment) Bill, 1957 (L.A. Bill No. 25 of 1957).

† (d) The Madras Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1957 (L.A. Bill No. 20 of 1957).

† (e) The Madras Preservation of Private Forests (Amendment) Bill, 1957 (L.A. Bill No. 21 of 1957).

† (f) The Madras General Sales Tax and the Madras Medium Cotton Mill Cloth (Sales Tax) Amendment Bill, 1957 (L.A. Bill No. 23 of 1957).

† (g) The Madras (Transferred Territory) Extension of Laws Bill, 1957 (L.A. Bill No. 26 of 1957).

* Circulated by special messengers on 14th November 1957 and also circulated in the Chamber on the 15th November 1957.

† Sent by special messengers to M. L.Cs. on 14th November 1957.

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APPENDIX I.

[Vide item III (1) on page 350 supra.]

L.A. BILL No. 22 OF 1957.

(As passed by the Assembly.)

A Bill to regulate and control the business of money-lenders in the State of Madras.

WHEREAS it is expedient to make provision for the regulation and control of the business of money-lenders in the State of Madras; BE it enacted in the Eighth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Money-lenders Act, 1957.

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

(3) It shall come into force in any area on such date as the Government may by notification specify which date shall not be earlier than the expiry of one month from the publication of the notification, and the Government may cancel or modify any such notification.

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

(1) 'bank' means a banking company as defined in section 5 of the Banking Companies Act, 1949 (Central Act X of 1949) and includes the State Bank of India and the State Bank of Hyderabad;

(2) 'co-operative society' means a society registered or deemed to be registered under the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), or under the Travancore-Cochin Co-operative Societies Act, 1951 (Travancore-Cochin Act X of 1952);

(3) 'Government' means the State Government;

(4) 'interest' includes the return to be made over and above what was actually lent, whether the same is charged or sought to be recovered specifically by way of interest or otherwise, but does not include any sum charged by a lender in accordance with the provisions of this Act or any other law for the time being in force, for or on account of costs, charges or expenses;

(5) 'licence' means a money-lender's licence granted under this Act;

(6) 'loan' means an advance whether of money or in kind at interest, and includes any transaction which the Court finds in substance to amount to such an advance, but does not include—

(i) a deposit of money or other property in a Government Post Office Savings Bank or in a bank, in a company as defined in the Companies Act, 1956 (Central Act I of 1956), or with a co-operative society;

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(ii) an advance made by a bank or a co-operative society or an advance made from a provident fund to which the Provident Funds Act, 1925 (Central Act XIX of 1925) applies;

(iii) an advance made by Government or by any person authorized by Government to make advances in their behalf, or by any local authority;

(iv) an advance made by any authority specified by Government by notification;

(v) an advance made bona fide by any person carrying on any business, not having for its primary object the lending of money, if such loan is advanced in the regular course of such business;

(vi) an advance made on the basis of a negotiable instrument as defined in the Negotiable Instruments Act, 1881 (Central Act XXVI of 1881), exceeding rupees three thousand;

(vii) an advance made to its members by any Nidhi or Permanent Fund registered under any law in force in India;

(viii) an advance made under any Chit Fund Scheme;

(xi) an advance made by an agriculturist to his tenant;

(7) a person shall be deemed to 'molest' another person if he—

(a) obstructs or uses violence to, or intimidates, such other person, or

(b) persistently follows such other person from place to place or interferes with any property owned or used by him or deprives him of, or hinders him in the use of, any such property, or

(c) loiters at or near a house or other place where such other person resides, or works, or carries on business, or happens to be, or

(d) does any act calculated to annoy or intimidate the members of the family of such other person, or

(e) moves or acts in a manner which causes or is calculated to cause alarm or danger to the person or property of such other person;

(8) 'money-lender' means a person whose main or subsidiary occupation is the business of advancing and realizing loans, but excludes a bank or a co-operative society;

Explanation.—Where a person who carries on in the State of Madras the business of advancing and realizing loans is resident outside the State of Madras, the agent of such person resident in the State of Madras shall be deemed to be the money-lender in respect of that business for the purposes of this Act.

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(9) 'principal' in relation to a loan means the amount actually lent to the debtor;

(10) 'year' means the financial year.

3. *Money-lender to obtain licence.*—(1) No person shall, on and after the date on which the provisions of this Act are brought into force in any area carry on, or continue to carry on, business as a money-lender at any place in such area, except under and in accordance with the terms of a licence.

(2) Where a money-lender has more than one shop or place of business, whether in the same town or village or in different towns or villages he shall obtain a separate licence in respect of each such shop or place of business.

(3) (a) Where a money-lender is a registered firm the licence shall be obtained in the firm's name.

(b) Where a money-lender is an undivided Hindu family, the licence shall be obtained in the name of the manager, or the karnavan or the yajaman, as the case may be, described as such in the licence.

(c) Where a money-lender is any other association of individuals, not required to be registered under the Companies Act, 1956 (Central Act I of 1956), a separate licence shall be obtained by each such individual in his name describing himself as a member of the association:

Provided that nothing contained in the sub-section shall affect the operation of section 69 of the Indian Partnership Act, 1932 (Central Act IX of 1932).

4. *Grant and refusal of licences.*—(1) Every application for a money-lender's licence shall be in writing and shall be made to the licensing authority prescribed under this Act:

Provided that a person under the age of eighteen years shall be eligible to apply for a licence only through a guardian:

Provided further that if any person acting as a guardian on behalf of a minor applies for, and obtains, a licence under this Act, such guardian shall be subject to all the provisions of this Act as if the licence has been granted to himself.

(2) Every licence shall be granted in such form and subject to such conditions as may be prescribed including conditions as to payment of licence fees not exceeding one hundred rupees.

(3) The licensing authority may by order in writing refuse to grant a licence if such authority is satisfied—

(a) that the applicant has not complied with the provisions of this Act or the rules made thereunder in respect of an application for the grant of a licence; or

(b) that the applicant has made wilful default in complying with or knowingly acted in contravention of any requirement of this Act; or

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(c) that the applicant has—

(i) knowingly participated in or connived at any fraud or dishonesty in the conduct of or in connexion with the business of money-lending; or

(ii) been found guilty of an offence under Chapter XVII or Chapter XVIII of the Indian Penal Code (Central Act XLV of 1860); or

(iii) been found guilty of an offence under section 11 or section 13 on two or more occasions; or

(d) that the applicant has had his licence cancelled within six months before the date of application.

(4) Any person aggrieved by an order of the licensing authority under sub-section (3) may within one month from the date of communication of such order to him, appeal to the prescribed authority.

(5) Every licence granted under this Act shall, subject to the provisions of sub-section (7), expire on the last day of the year in which it was granted.

(6) A licence granted under sub-section (2) may be renewed from year to year and the provisions of sub-sections (1) to (5) shall apply in relation to the renewal of a licence as they apply in relation to the grant of a licence.

(7) If orders refusing to renew a licence are not communicated to a money-lender by the licensing authority before the expiry of his current licence, the money-lender shall, notwithstanding such expiry, be deemed to have a valid licence till orders are received by him on his application for renewal.

(8) Nothing in this section shall be deemed to disentitle a money-lender, whose licence has expired or has not been renewed, from taking steps to recover any loan advanced during the period when the licence was in force.

5. *Change of place of business by money-lender.*—No money-lender shall change his place of business without previous notice to the licensing authority and without having the address of the new place of business duly endorsed on his licence.

6. *Money-lenders to exhibit their names over shops.*—Every money-lender shall always keep exhibited over his shop or place of business his name with the word "money-lender" and its equivalent in the regional language.

7. *Interest and charges allowed to money-lenders.*—(1) No money-lender shall charge interest on any loan, at a rate exceeding nine per cent per annum, simple interest, where the loan is a secured loan, or at a rate exceeding twelve per cent per annum, simple interest, where the loan is not a secured loan.

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(2) A money-lender may demand and take from the debtor such charges and in such cases, as may be prescribed.

(3) A money-lender shall not demand or take from the debtor any interest, profit or other sum whatsoever in excess of that payable under sub-section (1).

8. *Power to deposit in Court money due on loan.*—(1) Where a money-lender refuses to accept the whole or any portion of the money or other property due in respect of his loan, the debtor may deposit the said money or property into the Court having jurisdiction to entertain a suit for recovery of such loan and apply to the Court to record full or part-satisfaction of the loan, as the case may be.

(2) Where any such application is made, the Court shall, after due inquiry, pass orders recording full or part-satisfaction of the loan as the case may be.

(3) The procedure laid down in the Code of Civil Procedure, 1908 (Central Act V of 1908), for the trial of suits shall, as far as may be, apply to applications under this section.

(4) An appeal shall lie from an order passed by a Court under sub-section (2) as if such an order relates to the execution, discharge or satisfaction of a decree within the meaning of section 47 of the Code of Civil Procedure, 1908 (Central Act V of 1908).

9. *Money-lender to keep books, give receipts, etc.*—(1) Every money-lender shall—

(a) regularly record and maintain or cause to be recorded and maintained, an account showing for each debtor separately—

(i) the date of the loan, the amount of the principal of the loan, the rate of interest charged on the loan and the nature of security taken, if any; and

(ii) the amount of every payment received by the money-lender in respect of the loan, and the date of such payment;

(b) give to the debtor or his agent a receipt for every amount paid by him, duly signed and, if necessary, stamped at the time of such payment;

(c) on requisition in writing made by the debtor furnish to him, or if he so requires, to any person mentioned by him in that behalf in his requisition a statement of account signed by himself or his agent, showing the particulars referred to in clause (a) and also the amount which remains outstanding on account of the principal and of interest and charge such fee therefor as the Government may prescribe:

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Provided that no such statement shall be required to be furnished to a debtor if he is supplied by the money-lender with a pass book in the prescribed form containing an up-to-date account of the money-lender's transactions with the debtor; and

(d) submit such returns relating to the loans advanced by him to the Inspector concerned, in such form and at such times as may be prescribed.

(2) All records or entries made in the books, accounts and documents referred to in sub-section (1) shall be in such language as may be prescribed in respect of any area.

(3) A debtor to whom a statement of account has been furnished under clause (c) of sub-section (1) and who fails to object to the correctness of the account shall not by such failure alone be deemed to have admitted the correctness of such account.

(4) In the receipt to be given under clause (b) of sub-section (1) or in the statement of account to be furnished under clause (c) of that sub-section, the figures shall be entered only in Arabic numerals.

(5) In any suit or proceeding relating to a loan if the Court finds that a money-lender has not maintained an account as required by clause (a) of sub-section (1), he shall not be allowed his costs.

(6) If any money-lender fails to give the debtor or his agent a receipt as required by clause (b) of sub-section (1) or to furnish on a requisition made under clause (c) of that sub-section a statement of account as required therein within one month after such requisition has been made, he shall not be entitled to any interest for the period of his default.

(7) Notwithstanding any agreement between the parties or any law for the time being in force, when a statement is furnished to a debtor under this section on any day during a month, the interest due shall be calculated as payable for the entire month irrespective of the fact that such statement is furnished on any such day.

10. Appointment of Inspectors and their powers.—(1) The Government or any authority or officer empowered by them may, by notification, appoint one or more persons to be Inspectors for the purposes of this Act and specify in such notification the local limits of the jurisdiction.

(2) Every Inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

(3) (a) A Magistrate of the first-class in the mufassal or a Presidency Magistrate in the Presidency town, may, on receiving a report from an Inspector that a person carries on without a licence or that a money-lender carries on in contravention of the

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provisions of this Act or the conditions of the licence granted thereunder the business of money-lending at any place within the jurisdiction of such Magistrate, issue a warrant empowering the Inspector to enter such place with such assistants as he considers necessary and inspect the books, accounts, records, files, documents, safes, vaults and pledges in such premises. On receiving such warrant, the Inspector may enter the place and inspect the books, accounts, records, files, documents, safes, vaults and pledges in such premises and may take to his office for further investigation such books, accounts, records, files and documents as he considers necessary :

Provided that if the Inspector removes from the premises any books, accounts, records, files and documents, he shall give to the person in charge of the place, a receipt describing the books, accounts, records, files and documents so removed by him :

Provided further that within twenty-four hours of the removal of the books, accounts, records, files and documents from the premises, the Inspector shall either return them to the person from whose custody they were removed or produce them in the Court of the Magistrate who issued the warrant. Such Magistrate may return the books, accounts, records, files and documents or any of them to the person from whose custody they were removed by the Inspector, after taking from such person such security as the Magistrate considers necessary for the production of the books, accounts, records, files and documents when required whether by the Inspector or by the Court, or may pass such other orders as to their disposal as appear just and convenient to the Magistrate.

(b) An Inspector shall have authority to require any person whose testimony he may require regarding any loan or any money-lending business, to attend before him or to produce or cause to be produced any document and to examine such person on oath.

(4) An Inspector may apply for assistance to an officer-in-charge of a police station and take police officers to accompany and assist the Inspector in performing his duties under this Act.

11. Money-lender advancing smaller amount or securing higher interest than specified in the accounts, etc., to be punishable.—(1) Any money-lender whether licensed or not—

(a) who actually advances an amount less than the amount shown in his accounts or registers or other document relating to the loan, or

(b) who takes or receives interest or any other charge at a rate higher than the rate shown in the accounts, registers or document aforesaid or allowed under this Act shall be punished with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

(2) If a money-lender is convicted of an offence under sub-section (1), the Court convicting him may cancel his licence as a money-lender.

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12. *Cognizance of offences.*—No court shall take cognizance of an offence punishable under this Act or the rules made thereunder except on a complaint in writing made by any prescribed authority.

13. *Penalty for molestation of debtor.*—Whoever molests or abets the molestation of any debtor for the recovery of any loan shall be punished with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

14. *Power to cancel licences, etc.*—(1) The licensing authority may, at any time, during the term of any licence, cancel it by an order in writing—

(a) if the licensee carries on the business in contravention of any of the provisions of this Act or the rules made thereunder or of the conditions of the licence, or

(b) if any reason for which the licensing authority could have refused to grant the licence to the money-lender under sub-section (3) of section 4, is brought to the notice of that authority after the grant of the licence, or

(c) if the licensee is convicted for an offence under section 11 or section 13, or

(d) if the licensee maintains false accounts or is found to molest or abet the molestation of any debtor for the recovery of any debt.

(2) Before cancelling a licence under sub-section (1), the licensing authority shall give the licensee a notice in writing stating the grounds on which it is proposed to take action and requiring him to show cause against it within such time as may be specified in the notice.

(3) Any person aggrieved by an order of the licensing authority cancelling a licence may, within one month of the date of communication of such order to him, appeal to the prescribed authority.

15. *Publication of order of cancellation.*—Every order of cancellation of a licence under this Act shall be notified in the District Gazette and also on the notice board of the office of the licensing authority.

16. *No compensation for cancellation of licence.*—A person whose licence is cancelled under section 14 shall not be entitled to any compensation in respect of such cancellation or to the refund of any fee paid in respect of such licence.

17. *Penalty for carrying on business without licence.*—Whoever carries on the business of money-lending without a licence or otherwise than in conformity with the terms and conditions of a licence shall be punished with fine which may extend to one thousand rupees :

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Provided that a person shall not be deemed to carry on the business of money-lending without a licence if he had ceased to carry on the business of money-lending but was taking steps to recover any loan advanced by him.

18. *Penalties.*—(1) Whoever contravenes any of the provisions of this Act or of any rule made thereunder or of any terms or conditions of a licence granted or deemed to be granted thereunder or makes a claim or a statement which is false or which he does not believe it to be true shall, if no other penalty is elsewhere provided for in this Act for such contravention, be punished with fine which may extend to one thousand rupees.

Explanation.—The cancellation of a licence under section 14 shall not be deemed to be a penalty for the purpose of this sub-section.

(2) Where a contravention of any of the provisions of this Act or of any rule made thereunder of which a person is convicted consists of an omission to do a thing, the Magistrate may, when convicting the offender, direct him to do the thing before an appointed day and may on the failure of the offender to do the thing before the said day, pass an order, whether the offender appears in court or not on that day, cancelling his licence.

19. *Transfer of licence to heir.*—(1) Where a licensee under this Act dies, any person claiming to be his legal representative may apply to the licensing authority for transferring in his name the licence standing in the name of the deceased.

(2) Every such application shall be in such form and shall contain such particulars as may be prescribed.

(3) The licensing authority may, if he is satisfied that the applicant is in fact the legal representative of the deceased and that he is otherwise eligible to a licence under this Act, transfer the licence in the name of the applicant after obtaining from the applicant a declaration in the prescribed form.

(4) Any licence transferred under sub-section (3) shall be deemed to have been granted to the applicant himself and shall be valid for the period for which it would have been valid if the licence had not been transferred; and the provisions of this Act shall apply accordingly.

20. *Jurisdiction to try offences.*—No Presidency Magistrate not being a salaried Presidency Magistrate and no other court inferior to that of a salaried Magistrate of the first class shall try any offence punishable under this Act.

21. *Contracts not to be void on account of offence.*—Where a money-lender is guilty of an offence punishable under this Act any contract made by him in relation to his business of money-lending shall not be void by reason only of that offence nor shall he, by reason only of that offence, lose his right to the loan and the interest and other charges, if any, payable in respect thereof.

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22. *Power to make rules.*—(1) The State Government may, after previous publication, make rules to carry out the purposes of this Act.

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

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

(b) the form and the particulars to be contained in an application for a licence under this Act;

(c) the terms and conditions subject to which a licence may be granted;

(d) the form in which books, accounts and documents specified in this Act shall be recorded, maintained, kept or used;

(e) the procedure which should be followed and the powers which may be exercised by the authorities exercising functions, holding inquiries and hearing appeals under this Act.

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

APPENDIX II.

[Vide item III (2) on page 379 supra.]

L.A. BILL No. 24 OF 1957.

(As passed by the Assembly)

A Bill to re-enact certain enactments in their application to the transferred territory in the State of Madras.

WHEREAS the President of India, by a Proclamation made under Article 356 of the Constitution on the 23rd March 1956, declared that the powers of the Legislature of the State of Travancore-Cochin shall be exercisable by or under the authority of Parliament; AND WHEREAS those powers have been conferred on the President by the Travancore-Cochin State Legislature (Delegation of Powers) Act, 1956 (Central Act 29 of 1956);

AND WHEREAS in pursuance of those powers certain laws have been enacted by the President;

AND WHEREAS the Proclamation had ceased to operate in the transferred territory on the 1st day of November 1956;

AND WHEREAS clause (2) of Article 357 of the Constitution provides that the laws so enacted shall cease to have effect on the expiration of a period of one year after the Proclamation has ceased to operate

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except as respects things done or omitted to be done before the expiration of the said period unless sooner repealed or re-enacted by Act of the appropriate Legislature;

AND WHEREAS it is expedient to re-enact permanently some of the laws in their application to the transferred territory;

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

1. *Short title and commencement.*—This Act may be called the Madras (Transferred Territory) Re-enacting Act, 1957.

2. *Definition.*—In this Act, “ transferred territory ” means the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.

3. *Permanent re-enactment of certain Acts.*—The President's Acts specified in the Schedule, in their application to the transferred territory, are hereby re-enacted permanently.

4. *Re-enactment not to affect operation of amendment or adaptation made before this Act.*—The re-enactment of any President's Act by section 3 of this Act shall not be deemed to affect the operation of any amendment or adaptation made in the President's Act so re-enacted or in any enactment amended by that Act, on or after the 1st day of November 1956 and before the commencement of this Act.

5. *Repeal of Madras Ordinance III of 1957.*—The Madras (Transferred Territory) Re-enacting Ordinance, 1957 (Madras Ordinance III of 1957), is hereby repealed.

SCHEDULE.

PRESIDENT'S ACTS PERMANENTLY RE-ENACTED.

(See section 3.)

Year.	Number.	Short title.
(1)	(2)	(3)
1956	I	The Travancore-Cochin State Aid to Industries (Amendment) Act, 1956.
1956	II	The Travancore-Cochin Agricultural Posts and Diseases (Amendment) Act, 1956.
1956	III	The Travancore-Cochin Indebted Agriculturists Relief Act, 1956.
1956	IV	The Travancore-Cochin Land Conservancy (Amendment) Act, 1956.
1956	V	The Travancore-Cochin Police (Amendment) Act, 1956.
1956	VII	The Travancore-Cochin Irrigation Act, 1956.
1956	VIII	The Travancore-Cochin Interpretation and General Clauses (Amendment) Act, 1956.
1956	IX	The Municipal (Amendment) Act, 1956.
1956	X	The Travancore-Cochin Compensation for Tenants, Improvements Act, 1956.
1956	XI	The Travancore-Cochin Lime-shells (Control) Act, 1956.

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APPENDIX III.

[Vide item III (3) on page 381 supra.]

L.A. BILL No. 25 OF 1957.

(As passed by the Assembly)

A Bill to amend the Cattle-trespass Act, 1871, in its application to the State of Madras.

WHEREAS it is expedient to amend the Cattle-trespass Act, 1871 (Central Act I of 1871), in its application to the State of Madras 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 Cattle-trespass (Madras Amendment) Act, 1957.

2. *Amendment of Central Act I of 1871.*—In sections 4, 5, 12, 14, 17 and 31 of the Cattle-trespass Act, 1871 (Central Act I of 1871) (hereinafter referred to as the principal Act), for the words “Magistrate of the District” wherever they occur, the words “District Collector” shall be substituted.

3. *Insertion of new section 22-A in Central Act I of 1871.*—After section 22 of the principal Act, the following section shall be inserted, namely :—

“22-A. *Appeal against order of compensation.*—(1) Any person who has been ordered by a Magistrate under section 22 to pay compensation may appeal from the order, as if such person had been convicted on a trial held by such Magistrate.

(2) When an order for payment of compensation to a complainant is made in a case which is subject to appeal under subsection (1), the compensation shall not be paid to him before the period allowed for the presentation of the appeal has elapsed, or, if an appeal is presented, before the appeal has been decided and, where such order is made in a case which is not so subject to appeal, the compensation shall not be paid before the expiration of one month from the date of the order.”

APPENDIX IV.

[Vide item III (4) on page 382 supra.]

L.A. BILL No. 20 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 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 Payment of Salaries and Removal of Disqualifications (Second Amendment) Act, 1957.

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2. *Amendment of section 4, Madras Act XX of 1951.*—For subsection (2) of section 4 of the Madras Payment of Salaries and Removal of Disqualifications Act, 1951 (Madras Act XX of 1951) (hereinafter referred to as the principal Act), the following subsection shall be substituted, namely :—

“(2) There shall be paid to the Deputy Speaker, a salary of five hundred rupees per mensem and also a consolidated house rent and conveyance allowance of two hundred and fifty rupees per mensem.”

3. *Amendment of section 5, Madras Act XX of 1951.*—For subsection (2) of section 5 of the principal Act, the following subsection shall be substituted, namely :—

“(2) There shall be paid to the Deputy Chairman a salary of five hundred rupees per mensem and also a consolidated house rent and conveyance allowance of two hundred and fifty rupees per mensem.”

I certify that this is a Money Bill.

U. KRISHNA RAU,
Speaker, Madras Legislative Assembly.

FINANCIAL MEMORANDUM.

Under sections 4 (2) and 5 (2) of the Madras Payment of Salaries and Removal of Disqualifications Act, 1951 (Madras Act XX of 1951), the Deputy Speaker of the Legislative Assembly and the Deputy Chairman of the Legislative Council are now being paid a salary of Rs. 300 each per mensem. They are not eligible for any house rent allowance or conveyance allowance. It has since been decided that the salaries and allowances of the Deputy Presiding Officers of the State Legislature should be equal to those of the Parliamentary Secretaries of this State, viz., a salary of Rs. 500 per mensem and a consolidated house rent and conveyance allowance of Rs. 250 per mensem. The decision has been taken in accordance with the suggestion of the Government of India that the salaries and allowances payable to the Deputy Presiding Officers of the State Legislatures should be equal to those payable to the Deputy Ministers of the State. Since there are no Deputy Ministers in this State; it is proposed to allow them the pay and allowances applicable to the Parliamentary Secretaries. The extra expenditure involved in the proposal is Rs. 900 per mensem or Rs. 10,800 per annum recurring.

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APPENDIX V.

[Vide item III (5) on page 386 supra.]

L.A. BILL No. 21 OF 1957.

(As passed by the Assembly)

A Bill further to amend the Madras Preservation of Private Forests Act, 1949.

WHEREAS it is expedient further to amend the Madras Preservation of Private Forests Act, 1949 (Madras Act XXVII of 1949), 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 Preservation of Private Forests (Amendment) Act, 1957.

2. *Amendment of section 1, Madras Act XXVII of 1949.*—In section 1 of the Madras Preservation of Private Forests Act, 1949 (Madras Act XXVII of 1949), (hereinafter referred to as the principal Act)—

(i) in sub-section (2), clause (i) and the Explanation thereto shall be omitted;

(ii) in sub-section (3), for the words, figures and letters “ the 2nd December 1957 ”, the words, figures and letters “ the 2nd December 1959 ” shall be substituted.

3. *Amendment of section 3, Madras Act XXVII of 1949.*—Sub-clause (ii) of clause (b) of sub-section (1) of section 3 of the Principal Act shall be omitted.

4. *Amendment of section 5, Madras Act XXVII of 1949.*—Clause (b) of the Explanation to sub-section (1) of section 5 of the Principal Act shall be omitted.

APPENDIX VI.

[Vide item III (6) on page 390 supra.]

L.A. BILL No. 23 OF 1957.

(As passed by the Assembly.)

A Bill further to amend the Madras General Sales Tax Act, 1939, and to amend the Madras Medium Cotton Mill Cloth (Sales Tax) Act, 1954.

WHEREAS it is expedient further to amend the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), and to amend the Madras Medium Cotton Mill Cloth (Sales Tax) Act, 1954 (Madras Act XLI of 1954), for the purposes hereinafter appearing:

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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 the Madras Medium Cotton Mill Cloth (Sales Tax) (Amendment) Act, 1957.

(2) Section 2 shall be deemed to have come into force on the 23rd August 1954 and section 3 (a) (ii) and (iii) shall be deemed to have come into force on the 28th March 1956.

2. *Amendment of section 3, Madras Act IX of 1939.*—In sub-section (2) of section 3 of the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939) (hereinafter referred to as the principal Act)—

(i) in the first proviso, for the words “ by a dealer ”, the words “ by a dealer who is residing in the State of Madras and ” shall be substituted;

(ii) in the second proviso, for the words “ by a person ” the words “ by a dealer ”, for the words “ such person ”, the words “ a dealer residing in the State of Madras and not exempt from taxation under the next succeeding sub-section ” and for the words “ person assessed ”, the words “ dealer assessed ” shall be substituted.

3. *Amendment of section 3, Madras Act XLI of 1954.*—In section 3 of the Madras Medium Cotton Mill Cloth (Sales Tax) Act, 1954 (Madras Act XLI of 1954)—

(a) in sub-section (1)—

(i) in the opening paragraph, for the words “ calculated at the rate of one anna three pies for every rupee in his turnover ”, the words “ calculated at eight per cent of his turnover ” shall be substituted;

(ii) in the first proviso, for the words “ by a seller ”, the words “ by a seller who is residing in the State of Madras and ” shall be substituted;

(iii) in the second proviso, for the words “ by such person ”, the words “ by a person residing in the State of Madras and not exempt from taxation under sub-section (3) of section 3 of the principal Act ” shall be substituted;

(b) in sub-section (2), for the words “ the rate of one anna three pies ”, the words “ the rate of eight per cent ” shall be substituted.

4. *Validation.*—Notwithstanding any judgment, decree or order of any court or Tribunal, no tax levied or collected or purporting to have been levied or collected—

(a) on or after the 23rd August 1954 under the first proviso to sub-section (2) of section 3 of the principal Act, or

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(b) on or after the 28th March 1956 under the first proviso to section 3 of the Madras Medium Cotton Mill Cloth (Sales Tax) Act, 1954 (Madras Act XLI of 1954),

and before the date of publication of this Act in the *Fort St. George Gazette* shall be deemed to be invalid or ever to have been invalid merely by reason of the fact that this Act was not in force at the relevant time; and all such taxes levied or collected or purporting to have been levied or collected during the aforesaid periods shall be deemed always to have been validly levied or collected in accordance with law.

APPENDIX VII.

[Vide item III (7) on page 396 supra.]

L.A. BILL No. 26 OF 1957.

(As passed by the Assembly.)

A Bill to extend certain laws to the transferred territory in the State of Madras.

WHEREAS it is expedient to provide that certain laws should be extended to, and by virtue of such extension should be in force in, the transferred territory in the State of Madras;

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 (Transferred Territory) Extension of Laws Act, 1957.

(2) It shall come into force at once.

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

(a) “existing law” means any law, Ordinance, Proclamation, regulation, order, by-law or rule passed or made before the commencement of this Act by any Legislature, authority or person having power to make such a law, Ordinance, Proclamation, regulation, order, by-law or rule.

(b) “transferred territory” means the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.

3. *Extension of enactments.*—So much of the enactments specified in the Schedule as is in force on the date of the commencement of this Act in the State of Madras except in the transferred territory and relates to matters with respect to which the State Legislature has power to make laws for the State is hereby extended to, and shall be in force in, the transferred territory.

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4. *Construction of references to laws not in force in the transferred territory.*—(1) Any reference in any enactment specified in the Schedule to a law which is not in force in the transferred territory shall, in relation to that territory, be construed as a reference to the corresponding law, if any, in force in that territory.

(2) Any reference in any existing law which continues to be in force in the transferred territory after the commencement of this Act to any law repealed by section 6 shall, in relation to that territory, be construed as a reference to the enactment specified in the Schedule corresponding to the law so repealed.

5. *Construction of reference to authorities where new authorities have been constituted.*—Any reference, by whatever form of words, in any existing law to any authority competent at the date of the passing of that law to exercise any powers or discharge any functions in the transferred territory shall, where a corresponding new authority has been constituted by or under any enactment now extended to the transferred territory, have effect as if it were reference to that new authority.

6. *Repeal of corresponding laws.*—If, immediately before the commencement of this Act, there is in force in the transferred territory any Act, Ordinance, Proclamation, regulation, order, by-law, rule or other law corresponding to an enactment specified in the Schedule, whether such Act, Ordinance, Proclamation, regulation, order, by-law, rule or other law is in force by virtue of section 119 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) or by virtue of any other legislative power, such corresponding law shall, upon the commencement of this Act, stand repealed to the extent to which the law relates to matters with respect to which the State Legislature has power to make laws for the State.

7. *Savings.*—(1) The repeal by section 6 of this Act of any corresponding existing law shall not affect—

(a) the previous operation of any such law or anything done or duly suffered thereunder, or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under any such law, or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law, or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(2) Subject to the provisions of sub-section (1), anything done or any action taken including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation,

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form, by-law or scheme framed, certificate, permit or licence granted or registration effected, under such corresponding existing law shall be deemed to have been done or taken under the corresponding provision of the enactment as now extended to, and in force in, the transferred territory and shall continue in force accordingly, unless and until superseded by anything done or any action taken under the said enactment.

8. *Powers of courts and other authorities for purposes of facilitating application of laws.*—For the purpose of facilitating the application in the transferred territory of any enactment specified in the Schedule, any court or other authority may construe such enactment with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the court or other authority.

9. *Extension of Madras Acts VIII of 1923 and XXXII of 1950.*—(1) The Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923), as amended by sub-section (2) is hereby extended to, and shall be in force in, the transferred territory; and sections 4 to 8 shall apply in relation to that Act as if it had been included in the Schedule.

(2) The Act aforesaid shall be amended as follows, that is to say, in section 2, after clause (ix), the following clause shall be added as clause (x), namely—

“(x) ‘Village headman’ and ‘village accountant’ in relation to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district respectively include ‘village officer’ and ‘village assistant’.”

(3) The Madras Animals and Birds Sacrifices Prohibition Act, 1950 (Madras Act XXXII of 1950), as amended by sub-section (4) is hereby extended to, and shall be in force in, the transferred territory; and sections 4 to 8 shall apply in relation to that Act as if it had been included in the Schedule.

(4) The Act aforesaid shall be amended as follows, that is to say, for clause (c) of section 2, the following clause shall be substituted, namely :—

“(c) ‘temple’ means, in any area in the State elsewhere than in the Kanyakumari district and the Shencottah taluk of the Tirunelveli district, a temple as defined in section 6, clause (17) of the Madras Hindu Religious and Charitable Endowments Act, 1951 (Madras Act XIX of 1951), and in any area in the Kanyakumari district and the Shencottah taluk of the Tirunelveli district, a temple as defined in section 2, clause (1) of the Travancore-Cochin Temple Entry (Removal of Disabilities) Act, 1950 (Travancore-Cochin Act XXVII of 1950).”

10. *Repeal of Travancore Act XI of 1119 and Travancore-Cochin Acts V of 1125 and XVII of 1951.*—The Travancore Rationing Preparatory Measures Act, 1119 (Travancore Act XI of 1119), the Travancore-Cochin High Court Act, 1125 (Travancore-Cochin Act

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V of 1125) as subsequently amended, and the Code of Civil Procedure (Travancore-Cochin Amendment) Act, 1951 (Travancore-Cochin Act XVII of 1951), in so far as they apply to, and are in force in, the transferred territory are, subject to sections 4, 5, 6 and 7, hereby repealed.

11. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Act or of any enactment extended to the transferred territory by this Act, the State Government, as occasion may require, may, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

THE SCHEDULE.

(See section 3.)

Year.	Number.	Short title.
(1)	(2)	(3)
CENTRAL ACTS.		
1849	X	The Madras Revenue Commissioner Act, 1849.
1850	XII	The Public Accountants' Default Act, 1850.
1850	XVIII	The Judicial Officers' Protection Act, 1850.
1850	XXXVII	The Public Servants (Inquiries) Act, 1850.
1873	III	The Madras Civil Courts Act, 1873.
1882	V	The Indian Easements Act, 1882.
1883	XIX	The Land Improvement Loans Act, 1883.
1884	XII	The Agriculturists' Loans Act, 1884.
1887	IX	The Provincial Small Cause Courts Act, 1887.
1890	XI	The Prevention of Cruelty to Animals Act, 1890.
1894	IX	The Prisons Act, 1894.
1897	III	The Epidemic Diseases Act, 1897.
1898	III	The Lepers Act, 1898.
1899	XIII	The Glanders and Farcy Act, 1899.
1900	III	The Prisoners Act, 1900.
1917	V	The Destruction of Records Act, 1917.
1920	V	The Provincial Insolvency Act, 1920.
1920	XXXIII	The Identification of Prisoners Act, 1920.
1923	XXIII	The Legal Practitioners' (Women) Act, 1923.
1932	XXIII	The Criminal Law Amendment Act, 1932.
MADRAS REGULATIONS.		
1803	I	The Madras Board of Revenue Regulation, 1803.
1803	II	The Madras Collector's Regulation, 1803.
1822	IX	The Madras Revenue Malversation Regulation, 1822.
1823	III	The Madras Revenue Malversation (Amendment) Regulation, 1823.
1828	VII	The Madras Subordinate Collector's and Revenue Malversation (Amendment) Regulation, 1828.
1832	III	The Madras Revenue Malversation (Amendment) Regulation, 1832.
MADRAS ACTS.		
1865	VI	The Madras Official Seals Act, 1865.
1866	II	The Madras Cattle-diseases Act, 1866.
1869	III	The Madras Revenue Summonses Act, 1869.
1893	V	The Madras Revenue Enquiries Act, 1893.
1894	I	The Madras Board of Revenue Act, 1894.
1920	IV	The Madras Children Act, 1920.
1920	VII	The Madras Town-Planning Act, 1920.
1922	V	The Madras State Aid to Industries Act, 1922.
1926	V	The Madras Borstal Schools Act, 1926.
1930	III	The Madras Gaming Act, 1930.
1933	XX	The Madras Commercial Crops Markets Act, 1933.
1934	X	The Madras Co-operative Land Mortgage Banks Act, 1934.

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Year.	Number.	Short title.
(1)	(2)	(3)
MADRAS ACTS—cont.		
1936	XVI	The Madras Famine Relief Fund Act, 1936.
1937	III	The Madras Probation of Offenders Act, 1936.
1937	X	The Madras Prohibition Act, 1937.
1939	X	The Madras Entertainments Tax Act, 1939.
1940	XV	The Madras Livestock Improvement Act, 1940.
1940	XIX	The Madras Rinderpest Act, 1940.
1945	XIII	The Madras Prevention of Begging Act, 1945.
1947	XVI	The Madras Tuberculosis Sanatoria (Regulation of Buildings) Act, 1947.
1947	XXXI	The Madras Devadasis (Prevention of Dedication) Act, 1947.
1947	XXXVI	The Madras Shops and Establishments Act, 1947.
1948	III	The Madras Suppression of Disturbances Act, 1948.
1948	XXV	The Cotton Ginning and Pressing Factories (Madras Amendment) Act, 1948.
1950	XXXIV	The Code of Civil Procedure (Madras Amendment) Act, 1950.
1951	XV	The Madras Warehouses Act, 1951.
1953	X	The Cotton Ginning and Pressing Factories (Madras Amendment) Act, 1953.
1954	II	The Madras Contingency Fund Act, 1954.
1954	XXXIII	The Madras Dramatic Performances Act, 1954.
1955	IX	The Madras Cinemas (Regulation) Act, 1955.
1956	XXXI	The Code of Criminal Procedure (Madras Amendment) Act, 1956.

MEMORANDUM OF DELEGATED LEGISLATION.

Clause 11 of the Bill confers on Government power to remove by order any difficulty which may arise in giving effect to the provisions of the Bill. The delegated legislation is necessary to give effect to the provisions of the Bill when enacted and is of a formal character.

FINANCIAL MEMORANDUM.

Clause 3 of the Bill provides for the extension of the enactments specified in the Schedule to the transferred territory and clause 6 provides for the repeal of the corresponding laws in force in that territory. There is already the requisite machinery in the transferred territory for carrying into effect the provisions of the corresponding laws in force therein and this machinery may be sufficient to carry into effect the provisions of most of the enactments now extended. There may not therefore be marked additional expenditure on this account. The amounts constituting the Contingency Fund and the Famine Relief Fund have not been altered in extending the Madras Contingency Fund Act, 1954 and the Madras Famine Relief Fund Act, 1936. Consequently no additional expenditure will arise on this account also. But the provisions of certain other Acts included in the Schedule such as the Land Improvement Loans Act, 1883 and the Agriculturists' Loans Act, 1884, when enacted and brought into force will no doubt involve expenditure out of the Consolidated Fund of the State. It is not possible to specify at this stage the exact amount that may have to be expended for the purpose of carrying into effect the provisions of the Acts extended.

16th November 1957]

APPENDIX VIII.

[Vide item III (8) on page 397 supra.]

L.A. BILL No. 27 OF 1957.

(As passed by the Assembly.)

A Bill to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the service of the financial year which commenced on the 1st April 1957.

WHEREAS it is necessary to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the service of the financial year which commenced 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 (No. 3) Act, 1957.

2. *Supplementary appropriation out of the Consolidated Fund for the financial year which commenced on the 1st April 1957.*—The State Government may appropriate out of the Consolidated Fund of the State, for the financial year which commenced on the 1st April 1957, a further sum not exceeding seventy-seven lakhs forty-one thousand and three hundred rupees, being moneys required to meet the supplementary grants made by the Madras Legislative Assembly for that year, as set forth in column (3) of the Schedule.

THE SCHEDULE.

Demand number.	Services and purposes.	Sums voted by the Legislative Assembly not exceeding.
(1)	(2)	(3)
		RS.
I	Land Revenue Department	4,23,000
VII	General Sales Tax and other taxes and duties—Administration.	64,800
XI	District Administration and Miscellaneous	2,00,000
XIII	Jails	73,600
XV	Education	13,63,100
XVI	Medical	3,28,500
XVII	Public Health	58,700
XVIII	Agriculture and Fisheries	3,37,800
XXI	Industries and Cinchona	73,300
XXII	Harijan Uplift	44,50,000
XXIV	Civil Works—Works	15,000
XXV	Civil Works—Establishment and Tools and Plant	53,200
XXXIX	Capital Outlay on Industrial Development	200
XL	Capital Outlay on Civil Works	3,55,000
XLV	Loans and Advances by the State Government	2,50,100
	Total	77,41,300

I certify that this is a Money Bill.

U. KRISHNA RAU,
Speaker, Madras Legislative Assembly.

16th November 1957.

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UNDER THE CONSTITUTION OF INDIA.

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‘We have now passed the motion and nothing can be done now unless the decision is rescinded. The hon. Member should have drawn my attention before I put the motion to the vote of the House.’

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[Sri V. V. Ramaswami] [16th November 1957]

தரமாக மாதாமாதம் சம்பளம் வாங்கக்கூடியவர்களுக்கு இப்பொழுது கஷ்டம் இருக்கிறது. அதை நீக்குவதற்கு உடனடியாக ஏதாவதும் வசதி செய்து கொடுக்க வேண்டியது அவசியமாக இருக்கிறது. இந்த மசோதாவை அமுல் நடத்தும்போது, கடன் வாங்கியவர்களைக் கடன் கொடுத்தவர்கள் அவமதிக்காமல் இருப்பதற்கு வேண்டிய ஏற்பாடுகளையும் செய்து கொடுக்க வேண்டும். கடன் வாங்குவதற்கு இப்போதுள்ள வசதி மாறு படாமல் இருக்கக்கூடிய அளவில், இந்த மசோதாவை அமுலுக்குக் கொண்டுவரவேண்டும் என்றும் கேட்டுக்கொள்ளுகிறேன். அப்படி அமுல் செய்தால்தான், இந்தத் தொழில் ஒழுங்காக நடைபெறும். இம்மாதிரி யான நிலைமை இருந்தால்தான், நடைமுறையில் சங்கடம் இல்லாமல் நடைபெறும். அதற்கு வேண்டிய ஏற்பாடுகளை அரசியலார் செய்யவேண் டும் என்று கேட்டுக்கொண்டு இந்த மசோதாவை ஆதரித்து இத்துடன் முடித்துக்கொள்ளுகிறேன்.

* SRI A. M. ALLAPICHAJ: Mr. Chairman, Sir, there is a request from my hon. Friends that I should speak in Tamil. If I commit mistakes, I think my hon. Friends won't find fault with me.

கனம் தலைவர் அவர்களே, இன்றைய தினம் இந்தே சபையின்முன் வைக்கப்பட்டிருக்கும் மசோதா மிகவும் முக்கியமானது. அரசாங்கத்தார் கடன்பட்டவர்களுடைய தொல்லைகள் எல்லாவற்றையும் நன்கு ஆராய்ந்து இந்த மசோதாவைக் கொண்டுவந்திருக்கிறார்கள். நமது தோழர் ஸ்ரீ புருஷோத்தம் அவர்கள் அரசாங்க சிப்பந்திகளுக்குக் கடன் கிடைப்பதற்கான சில ஏற்பாடுகளைச் செய்யவேண்டும் என்று கூறியிருக்கிறார்கள். அது மிகவும் நல்ல கருத்து. ஆனால் ஒரு விஷயம் எனக்குத் தெரியும். அரசாங்க உத்தியோகஸ்தர்கள் உண்மையாகத் தேவையான அளவுக்குக் கடன் வாங்கும் பட்சத்தில், அவர் சொன்ன யோசனை சரியான யோசனை தான். ஆனால் எனக்குத் தெரியும். சில அரசாங்க சிப்பந்திகள் "ரேஸ்" க்குப் போவதற்குக் கடன் வாங்குவதுண்டு. "ரேஸ்"க்குப் போவதற்குக் கடன் வாங்குவதோடு இன்னும் கலியாணங்கள் முதலியவைகளுக்கும் கடன் வாங்குகிறார்கள். அதாவது 100 ரூபாயில் முடியக்கூடிய கலியாணங் களுக்கு ஆயிரம் ரூபாய் செலவுப்பதால் கடன் வாங்குகிறார்கள். இப்படி அனாவசியமாகச் செலவுகள் செய்வதற்காகவும் கடன் வாங்குவது உண்டு. அரசாங்க சிப்பந்திகளுக்கு எவ்வளவு சம்பளம் வருகிறதோ, அதற்குத் தக்கபடிதான் கடன் வாங்கவேண்டும் என்று அரசாங்கம் ஒரு நியதியை ஏற்படுத்தினால் நன்றாக இருக்கும். அப்படி வைத்தால், அரசாங்க சிப்பந்திகள் "ரேஸ்"க் காகவும் அனாவசியச் செலவுகளுக்காகவும் கடன் வாங்கும்படியான நிலைமை இல்லாமல் போய்விடும்; அப்படி ஏற்பாடு செய்தால் அனாவசியமான கடன்கள் வாங்குவதைத் தடுக்க முடியும் என்பது என்னுடைய அபிப்பிராயம். அரசாங்கம் வேண்டிய கூட்டுறவு சங்கங்களை அமைத்து அவற்றின் மூலமாக அரசாங்க சிப்பந்திகளுக்குக் கடன் கிடைக்கும்படி வசதி செய்வதோடு சொசைட்டிகள் மூலமாகக் கடன் அவர்களுக்குக் கொடுப்பதாக இருந்தாலும் அல்லது வேறு எந்த விதத்தில் அரசாங்க சிப்பந்திகள் கடன் வாங்குவ தாக இருந்தாலும், அவர்கள் சர்க்காருடைய உத்தரவிலாமல் வாங்கக் கூடாது என்றும் சர்க்கார் ஒரு உத்தரவு போட வேண்டும். அப்படிப் பட்ட ஒரு சட்டம் கூட இப்பொழுது அமுலில் இருப்பதாகவும், அது சரியான படி அமுல் செய்யப்படவில்லை என்றும் எனக்குத் தெரியவருகிறது. அப்படிச் செய்தால்தான் ஒரு வகையில் அரசாங்க சிப்பந்திகளை நாம் கட்டுப் பாற்ற முடியும். இல்லாவிட்டால் அவர்கள் ரொம்பவும் கஷ்டப்படுவார்கள்.

இன்னொரு முக்கியமான விஷயத்தையும் நான் குறிப்பிட விரும்பு கிறேன். இப்பொழுது கொண்டுவரப்பட்டிருக்கிற மசோதா ரொம்பவும் முக்கியமான மசோதா. ஏனென்றால் கடன் கொடுப்பவர்கள் கடன் வாங்கு கிறவர்களைப்பற்றி பணத்தை ஏராளமாகப் பிடுக்கிக்கொள்ளுகிறார்கள்.

16th November 1957] [Sri A. M. Allapichai]

எனக்கு நேராகத் தெரியும். சிலர் ஆயிரம் ரூபாய் வைத்துக்கொண்டு கடன் கொடுக்க ஆரம்பித்து பத்துப் பதினைந்து வருஷங்கள் கழித்து ஸ்சாதி பிரபுவாசி இருக்கிறார்கள். ரூ. 100 கடன் கொடுத்துவிட்டு ரூ. 250 அல்லது ரூ. 300-க்கு, ரூ. 400-க்கு அல்லது ரூ. 500க்கு பாண்டுகளை எழுதி வாங்கிக்கொண்டிருக்கிறார்கள். கடன் வாங்குகிறவனுக்கு பாண்டில் என்ன எழுதியிருக்கிறது என்றுகூடத் தெரியாமல் பணம் வேண்டிய அவசரத்தில் கையெழுத்துப் போட்டிருப்பது எனக்கு நன்றாகத் தெரியும். ஆனால் கூட்டுறவு சொசைட்டிகளை அப்படிச் சொல்ல முடியாது. அவர்கள் எவ்வளவோ நல்ல முறையில் நடந்துகொண்டு வருகிறார்கள். சிறிய வியாபாரம் செய்யக் கூடியவர்கள் இப்படிக் கடன் வாங்கிக்கொண்டு, தங்களுடைய வியாபாரத்தை நடத்துவதும் நம் எல்லோருக்கும் நன்கு தெரியும். அப்படிச் குறைவான பணம் கொடுத்துவிட்டு கொடுப்பவர்கள் அதிகப்படியான பணத்திற்கு பாண்டு எழுதி வாங்கிக்கொள்வதால், கடன் வாங்கியவர்கள் தங்களுடைய சொத்துக்களைக்கூட இழந்திருப்பது நம் எல்லோருக்கும் நன்கு தெரியும். ஆகவே இப்படிக் கடன் கொடுப்பது, வாங்குவதை நாம் கொஞ்சம் கண்காணிக்க வேண்டியதவசியமாக இருக் கிறது.

அடுத்தபடியாக, எதிர்க் கட்சி உப-தலைவர் அவர்கள் முக்கியமாக ஒரு விஷயத்தைப்பற்றிக் குறிப்பிட்டார்கள். சட்டத்தை இயற்றிவிட்டதால், பொறுப்பு முடிந்தவிட்டதாகக் கருதக்கூடாது. சட்டம் சரியாக நிறைவேற்றப்படுகிறதா என்பதை அரசாங்கம் கவனிக்கவேண்டும். நாம் ஏதாகிலும் சட்டம் இயற்றினால் அதில் என்ன கோளாறுகள் இருக்கின்றன, அதை எப்படி அமுல் நடத்த முடியாமல் செய்யலாம் என்றெல்லாம் பார்ப்பார்கள். அதற்கு அரசாங்கம் இடம் கொடுக்கக் கூடாது. சட்டத்தில் என்ன நிபந்தனைகள் இருக்கின்றன என்பதைக் கண்டுபிடித்து அதற்கு முரணாக வேலை செய்ய முயற்சி செய்வார்கள். அதனால் அவர் சொல்லிய படி எந்தெந்த இடங்களில் இந்தச் சட்டம் அமுலுக்கு வரும் என்று நிர்ணயிக்கிறார்களோ, அங்கேயெல்லாம் முடிந்தவரையில் கூட்டுறவு சொசைட்டிகளை வைத்து ஜனங்களுக்குப் பணத்தைக் கடனாகக் கொடுக்கும் படியான ஏற்பாடு செய்ய வேண்டும். அப்படி ஜனங்களுக்குக் கடன் கிடைக்கும்படியான வசதி செய்து கொடுத்தால் கடன் வாங்குகிறவர்களுக்குள்ள தொல்லைகளை நீக்கிவிடலாம். இல்லாவிட்டால் ஜெயிலுக்குப் போகிறவன் ஜெயிலுக்குப் போய்க்கொண்டு தான் இருப்பான்; "டெகா யிடி" பண்ணுகிறவன் "டெகாயிடி" பண்ணிக்கொண்டுதான் இருப் பான்; சாராயம் காய்ச்சபவன் சாராயம் காய்ச்சிக்கொண்டுதான் இருப் பான்; திருடுபவன் திருடிக்கொண்டேதான் இருப்பான். ஆகவே, ஜெயி லுக்குக் குற்றவாளிகளை அனுப்புவதால்மட்டும் குற்றங்களைக் குறைத்துவிட முடியும் என்று நம்புவதற்கில்லை. ஜனங்கள் குற்றங்கள் செய்யக்கூடிய சூழ்நிலை இல்லாதபடி செய்து ஜனங்களைக் காப்பதற்கு, தங்களாலான முயற்சிகளையெல்லாம் செய்யவேண்டியது சர்க்காரின் கடமையாகும். இந்த மசோதாவிலுள்ள விதிகள் எல்லாம் சுற்றந்தவையாகத்தான் இருக்கின்றன. ஆனால் இதோடு நாம் திருப்தியடைந்துவிடக்கூடாது. சர்க்காரின் பொறுப்பு இன்னும் இருக்கிறது. கோவாப்பேரடிவ ஸொஸைட்டிகளை ஏற்படுத்தக் கூடிய இடங்களில் சர்க்கார் அவைகளை ஏற்படுத்த வேண்டும். சர்க்காரிடம் ஏராளமான பணம் இல்லை என்பது எனக்குத் தெரியும். இருந்தாலும் தங்களாலானதை சர்க்கார் செய்யவேண்டும். லேவாதேவிக் காரர்களிடம் சர்க்கார் "கடன் வாங்குபவர்களுக்குக் கடன் கொடுப்பதற்காக நாங்கள் கோவாப்பேரடிவ் சொசைட்டி வைக்கப்போகிறோம். நீங்களும் பணத்தை அதில் முதலாகப் போடலாம். ஸொஸைட்டிக்கு வரும் லாபத்தில் உங்க ளுக்குரிய பங்கை உங்களுக்குக் கொடுக்கிறோம்." என்று வாக்களித்தால், அவர்களும் ஸொஸைட்டியில் பணம் போடுவதற்கு முன்வருவார்கள் என்று நான் நம்புகிறேன். டாக்டர் ஜான் அவர்களும் ஸ்ரீ புருஷோத்தம் அவர்களும் சொன்ன விஷயங்களை சர்க்கார் கவனித்து செய்யவேண்டிய வைகளைச் செய்தால் நன்றாக இருக்கும் என்று சொல்லிக்கொண்டு என் வார்த்தையை முடித்துக்கொள்கிறேன்.

12-30
p.m.