

0
211, 32, Nt4
Nt4.57;1
62904

MADRAS LEGISLATIVE COUNCIL DEBATES

TWENTY-THIRD SESSION OF THE LEGISLATIVE
COUNCIL UNDER THE CONSTITUTION OF INDIA.

21st and 22nd April 1964.

Volume LVII (Nos. 1 and 2).

TABLE OF CONTENTS.

Tuesday, 21st April 1964.

	PAGES.
Personnel of the Government of Madras	i
Principal Officers of the Madras Legislative Council	ii
List of Members of the Madras Legislative Council with their Constituencies	iii-v
I Welcome to new Members	1
II Swearing in of new Members	1-2, 9
III Felicitations to new Members	2-3
IV Questions and Answers	3-9
V Government Motions.—	
(1) Nomination of two Members to associate with the Committee on Public Accounts of the Legislative Assembly for the year 1963-64	9
(2) Nomination of one Member to associate with the Committee on Estimates of the Legislative Assembly for the year 1963-64	10
VI Government Bills.—	
(1) The Madras Buildings (Lease and Rent Control) Amendment Bill, 1964 (L.A. Bill No. 17 of 1964)	10-21
(2) The Land Improvement Loans (Madras Amendment) Bill, 1964 (L.A. Bill No. 8 of 1964)	21-23
VII Papers laid on the Table of the House	24

Wednesday, 22nd April 1964.

I Questions and Answers	27-33, 63-72
II Calling attention to the collapse of a Higher Elementary School building in Madurai	33-35
III Government Bill—The Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964)	35-46 47
IV Election of Chairman	47-60
V Congratulatory speeches on the election of Chairman	60-62
VI Papers laid on the table of House	73-80
Index	

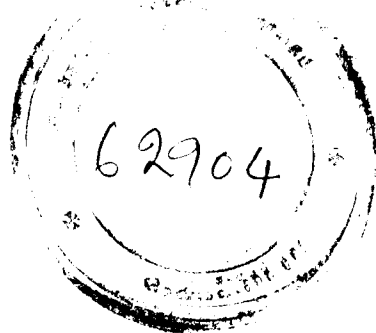
PERSONNEL OF THE GOVERNMENT OF MADRAS

GOVERNOR OF MADRAS.

SRI BISNURAM MEDHI.

MEMBERS OF THE COUNCIL OF MINISTERS.

- 1 THE HON. SRI M. BHAKTAVATSALAM : *Chief Minister in-charge of Public ; General Administration including the Board of Revenue and District Revenue Establishments ; Planning ; Finance ; Education ; Labour ; Legislature ; Elections ; Religious Endowments ; Official Language.*
- 2 THE HON. SRI R. VENKATARAMAN : *Minister in-charge of Industries, Commercial Taxes ; Nationalised Transport ; Technical Education ; Electricity ; Housing ; Handlooms ; Yarn ; Textiles ; Mines and Minerals ; Iron and Steel Control ; Prices and Supply of Goods Act ; Companies, Newsprint Control ; Ex-Servicemen ; Legislation on Chits ; Law ; Transport.*
- 3 THE HON. SRI P. KAKKAN : *Minister in-charge of Police ; Agriculture ; Minor Irrigation ; Animal Husbandry ; Harijan Welfare ; Prohibition ; Bhoodan and Gramdan.*
- 4 THE HON. SRI V. RAMAIAH : *Minister in-charge of Public Works ; Revenue ; Legislation on Money Lending (Rural Indebtedness) ; Legislation on Weights and Measures ; Indians Overseas ; Refugees and Evacuees ; Passports ; Ports.*
- 5 THE HON. SRIMATHI JOTHI VENKATACHELIAM : *Minister in-charge of Public Health and Medicine ; Women's and Children's Welfare ; Orphanages ; Accommodation Control ; Beggars ; Cinematograph Act.*
- 6 THE HON. SRI N. NALLASENAPATHI SARKARAI MANRADHAR : *Minister in-charge of Food ; Co-operation ; Courts ; Forests and Cinchona ; Khadi and Village Industries.*
- 7 THE HON. SRI G. BHUVARAHIAN : *Minister in-charge of Information and Publicity ; Registration ; Stationery and Printing, Government Press ; Prisons ; Approved Schools and Vigilance Services ; Fisheries.*
- 8 THE HON. SRI S. M. A. MAJID : *Minister in-charge of Municipal Administration ; Community Development ; Panchayats.*



THE MADRAS LEGISLATIVE COUNCIL.

PRINCIPAL OFFICERS.

Chairman.

THE HON. SRI M. A. MANICKAVELU.

Deputy Chairman.

SRI V. K. PALANISWAMY GOUNDER

Panel of Vice-Chairmen.

1. SRI K. RAMADASS.
2. DR. P. V. RAJAMANNAR.
3. SRI R. SIVASANKARA MEHTA.
4. * *

Secretary to the Council.

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

^a Elected as Chairman on the 22nd April 1964.

^{**} The term of membership of Sri S. T. Adityan expired with effect from the afternoon of the 20th April 1964, and consequently his Vice-Chairmanship also ceased with effect from that date.

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

Serial number and name of member.		Name and class of Constituency.
1	Abdul Wahab, K. S.	State Legislative Assembly.
2	Aditanar, Si. Pa.	Tirunelveli Local Authorities.
3	Anbazhagan, K.	Madras-Chingleput Teachers.
4	Arunachalam, T.S.	State Legislative Assembly.
5	Balasubramanya Ayyar, K., B.A., B.L.	Madras East Central Graduates.
6	Chidambara Mudaliar, A. ..	Madurai Local Authorities.
7	Chidambaram Pillai, I. A., M.A.	Kanyakumari Local Authorities.
8	Chidambaranathan, Dr. A, M.A., PH.D.	North Arcot-South Arcot Teachers.
9	Chitrarasu, C. P.	State Legislative Assembly.
10	Chubwala Jadhav, Mary C. ..	NOMINATED.
11	Damodaran, G. R., B.Sc. (Electrical) B.Sc. (Mech.), (Durham) M.I.E.E. (Lond.) M.I.E.	Salem-Coimbatore-Nilgiris Teachers.
12	Devaraja Mudaliar, T. V. ..	North Arcot Local Authorities.
13	Doraiswamy Naidu	Coimbatore-Nilgiris Local Authorities.
14	Durairaj, T.	Tiruchirappalli Local Authorities.
15	Ethirajulu, M.	State Legislative Assembly.
16	Hande, Dr. H. V.	Madras District Graduates.
17	Janakirama Mudaliar, E. ..	State Legislative Assembly.
18	Jayarama Reddiar, S.	Ramanathapuram Local Authorities.
19	Kamalakannan, K.	South Arcot Local Authorities.
20	Kothandaraman, K. K.	Coimbatore-Nilgiris Local Authorities.
21	Krishnamoorthy, G.	Thanjavur-Tiruchirappalli Teachers.
22	Krishnaswamy Vandayar, A.	State Legislative Assembly.
23	Lakshmanan Chettiar, SP. K.A.	Ramanathapuram Local Authorities.

Serial number and name of member.	Name and class of Constituency.
24 Lakshmanaswami Mudaliar, Dr. A., B.A., M.D., LL.D., D.Sc., D.C.L., F.R.C.O.G., F.A.C.S.	Madras District Graduates.
25 Lakshmi Krishnamurthi ..	State Legislative Assembly.
26 Menickavelu, M.A., B.A.B.L., (Chairman).	Do.
27 Manjubhashini, S. ..	NOMINATED.
28 Mohanlal Mehta ..	State Legislative Assembly.
29 Muthiah, C. ..	Thanjavur Local Authorities.
30 Muthiah Chettiar, M.A. ..	NOMINATED.
31 Natarajan, N. V. ..	State Legislative Assembly.
32 Palaniswamy Counder, V. K. (Deputy Chairman).	Do.
33 Ponnuswamy Villavarayar, J.	Do.
34 Rajah Iyer, M. ..	Madai-Ramanathapuram Teachers.
35 Rajagopal Pillai, M. ..	State Legislative Assembly.
36 Rajamannar, Dr. P. V. ..	NOMINATED.
37 Rajaram Naidu, K. ..	State Legislative Assembly.
38 Romadoss, K. ..	Do.
39 Ramakrishna Achari, K. ..	Do.
40 Ramalingam Pillai, V. ..	NOMINATED.
41 Ramasamy, K. R. ..	State Legislative Assembly.
42 Ramaswami Mudaliar, V.K. ..	Chingleput Local Authorities.
43 Ramaswamy, K. V. ..	State Legislative Assembly.
44 Ramaswamy Reddiar, O. P. ..	NOMINATED.
45 Rengaswamy, V., B.A. ..	Do.
46 Sambandhan, S. K., B.A. ..	Madras North Graduates.
47 Sambasiva Reddiar, A. ..	Salem Local Authorities.
48 Sankaralingam Pillai, M. ..	Tirunelveli-Kanyakumari Teachers.
49 Saraswathy Pandurangam ..	NOMINATED.
50 Sivanandam, Dr. T. V., M.B.B.S.	Madras West Central Graduates.
51 Sivasankara Mehta, R. ..	Madras Local Authorities.
52 Sivasubramania Pandian ..	Tirunelveli Local Authorities.

Serial number and name of member.	Name and class of Constituency.
53 Sreenivasan, Dr. A. M.R.C.P. (Lond.).	Madras South Graduates.
54 Subbiah Chettiar, M. ..	Tiruchirappalli Local Authorities.
55 Subramanyam, A. ..	State Legislative Assembly.
56 Thangavel Mudaliar, A. K. ..	South Arcot Local Authorities.
57 Thiagarajan, N. R. ..	Madurai Local Authorities.
58 Thirupurasundari, T. L.	NOMINATED.
59 Venkatachalam, R. ..	Salem Local Authorities.
60 Venkatachala Thevar, P. ..	Thanjavur Local Authorities.
61 Venkataraman, R., M.A., B.L. (Minister—Leader of the House).	State Legislative Assembly
62 Vijayarangam, G. ..	North Arcot Local Authorities.
63 Vacant.	

THE MADRAS LEGISLATIVE COUNCIL

TWENTY-THIRD SESSION OF THE LEGISLATIVE COUNCIL UNDER THE CONSTITUTION OF INDIA.

Tuesday, the 21st April 1964.

The House met in the Council Chamber, Fort St. George, at two of the clock, the Deputy Chairman (SRI V. K. PALANI-SWAMY GOUNDER) in the Chair.

I.—WELCOME TO NEW MEMBERS.

DEPUTY CHAIRMAN : Hon. Members, it is my very first and most pleasant duty to welcome you all to this first meeting after the recent biennial and bye-elections to this House. I extend a very hearty welcome to the five re-elected, fourteen newly elected, two re-nominated and one newly nominated Members and congratulate them.

This House has established very great traditions and conventions for fellowship, mutual regard, dignity and decorum. Members of this august House have always maintained a high standard in debates and discussion. I have no doubt that the Chair will continue to receive your help and co-operation in the maintenance of the prestige and dignity of the House.

II.—SWEARING-IN OF NEW MEMBERS.

DEPUTY CHAIRMAN : The first business before the House is the administration of oath or affirmation to the new Members as required under Article 188 of the Constitution of India. In accordance with the practice followed in the Legislature, the Secretary will call the name of the Minister, the names of the former Chief Minister and former Ministers and the names of other hon. Members in the alphabetical order. I request hon. Members to advance to the dais, make and subscribe the oath or affirmation, sign in the register and then resume their seats.

Members may sit in any of the vacant seats till the seats are allotted under Rule 62 of the Council Rules.

The Secretary then called the names of the new Members.

The following Members took the prescribed oath :—

- * 1. The Hon. Sri R. VENKATARAMAN (E).
- * 2. Sri M. A. MANICKAVELU (E).
3. Sri M. A. MUTHIAH CHETTIAR (E).
- * 4. Dr. A. LAKSHMANASWAMI MUDALIAR (E).
- * 5. Sri S. B. ADITYAN (E).
6. Sri A. CHIDAMBARA MUDALIAR (T).
7. Dr. A. CHIDAMBARANATHAN (T).

[21st April 1964]

- * 8. Sri C. P. CHITRARASU (T).
- 9. Sri M. ETHIRAJULU (T).
- 10. Dr. H. V. HANDE (E).
- 11. Sri K. K. KOTHANDARAMAN (T).
- 12. Srimathi LAKSHMI KRISHNAMOORTHY (E).
- 13. Sri MOHANLAL MEHTA (E).
- * 14. Sri N. V. NATARAJAN (T).
- 15. Sri V. K. RAMASWAMI MUDALIAR (E).
- 16. Sri M. SANKARALINGAM PILLAI (T).
- 17. Srimathi SARASWATHY PANDURANGAM (T).
- 18. Sri SIVASUBRAMANIA PANDIAN (T).
- * 19. Sri N. R. THIAGARAJAN (T).
- 20. Sri O. P. RAMASWAMI REDDIAR (T).

III.—FELICITATIONS TO NEW MEMBERS.

* THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, it is with very great pleasure that I offer to the re-elected members and to the new members my felicitations as well as the felicitations of this House, as its Leader. On the last occasion when some of the Members were retiring, I expressed the hope that all the retiring members would be re-elected. I seem to have proved a Prophet. Except for one very sad case, all the Members have been re-elected, and have taken the rightful place in the House. It is a tribute to the service which they have rendered during the last six years, and I am quite sure that they will continue to give their wise counsel and their very valuable guidance and advice in the years ahead of us. As far as the new Members are concerned, the House is now enriched by having two veterans and a few stalwarts. Sir, in the American national history, a patriot is one who had participated in the freedom struggle, that is, the War of Independence. According to our definition, a veteran is one who has been a Member of the Legislature before Independence. We have Sri M. A. Manickavelu Naicker, who was not only a Member of the Legislature in the pre-Independence days but also a Parliamentary Secretary in those days. We have Raja, Muthiah Chettiar, again a very effective Member and Minister in the former Government before Independence. The House extends its felicitations to them. We have an ex-Chief Minister, a forthright speaker, and one of the ablest men that our State has produced in Sri O. P. Ramaswami Reddiar. We are very happy that the Governor has been pleased to re-nominate him and allow him to continue his service, which he has been rendering to this State both in the very difficult days of the pre-Independence struggle as well as in the post-Independence period of administration, which the Congress Party has undertaken.

* Members who solemnly affirmed their allegiance to the Constitution.

(E) Members who took the prescribed oath in English.

(T) Members who took the prescribed oath in Tamil.

[21st April 1964] [Sri R. Venkataraman]

Among the new Members there are many eminent men who have made a mark in the public life, and who are educationally and otherwise very highly qualified. I have no doubt that their contribution to the House will be valuable and that the House will greatly benefit by their vast experience in the public life which they have had. I hope I would not be mistaken if I make special mention of one new Member, the daughter of our great patriot Sri S. Satyamurthi—I mean Srimathi Lakshmi Krishnamoorthy. Her father was one of the eminent orators of India. And if she proves to be even a chip of the old block, I am sure she will carry the House with her.

In the end, I wish to say only one thing. This House has established very high traditions in the matter of debate and in the form of address as well as the friendliness with which the Members move with each other. There has been no bitterness or rancour whatsoever in the House so far. I do hope the same spirit of cordiality will continue and that we will contribute our little share in the service of the motherland believing that our destiny is cast together to live in a country which is ours and to live together in brotherhood which is our duty.

Thank you, Sir.

IV.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Bug poison

* 173 Q.—DR. A. SREENIVASAN : Will the Hon. the Minister for Home be pleased to state—

(a) whether it is a fact that poisonous drugs to kill bugs are openly available in the market;

(b) whether any cases of suicides due to taking in of bug poison have come to the notice of the Government; and

(c) whether there is any proposal to introduce drugs which are not lethal to humans to kill bugs?

THE HON. SRI P. KAKKAN : (a) Bug killing drugs are sold only in shops which are licensed for the purpose.

(b) Yes.

(c) There is a proposal under consideration of the Government of India to amend the Import Trade Control Licences and the Poisons Rules, so as to require the dealers to market preparations for killing bed bugs only in a diluted form which may not be lethal to human beings.

(அ) மூட்டைப்பூச்சி மருந்துகள் விற்கப்படுவதற்காக கைசென்ஸ் கொடுக்கப்பட்டுள்ள கடைகளில் மட்டுமே அனை விற்கப்படுகின்றன.

(ஆ) ஆம்.

2-20
p.m.

[21st April 1964]

(உ) மூட்டைப் பூச்சி மருந்துகளால் மக்கள் உயிருக்கு அபாயம் ஏற்படாவண்ணம் அவற்றை தீர்த்த நிலையில் மட்டுமே விற்க வேண்டுமெனக் கட்டளையிடுவதற்காக இறக்குமதி வர்த்தகக் கட்டுப்பாட்டு லைசென்ஸ் விதிகள், விஷப்பொருள் விதிகள் ஆகியவற்றைத் திருத்த இந்திய அரசாங்கம் யோசித்து வருகிறதா?

டாக்டர் ஏ. சீனிவாசன் : தற்காலிகமாக இந்த மூட்டைப் பூச்சி மருந்தை எல்லோருக்கும் விற்காமல் இருக்க ஏதாவது வழி செய்ய முடியுமா?

கனம் திரு. பி. கக்கன் : எல்லோருக்கும் விற்கமாட்டார்கள். யாருக்கு விற்க வேண்டுமென்று பார்த்து அதன்படிதான் விற்கப்படும்.

டாக்டர் ஏ. சீனிவாசன் : யார் வேண்டுமானாலும் கடைசியில் நாலனு கொடுத்து வாங்கலாம். ஆகையால் கனம் மந்திரி அவர்கள் சொல்வது சரியாகப் படவில்லை. இருந்தாலும் மறுபடியும் பரிசீலனை செய்து கடைசியில் நாலனு எட்டனு கொடுத்து வாங்கி அனுவசியமாக உயிரை விடுகிறவர்களைத் தடுக்கவேண்டும். உயிரை விடுவதால் ஃபுட் பிராப்ளம் ஓரளவுக்குத் தீர்ந்துவிடுகிறது என்றாலும் அது நாகரிகத்திற்கு விசேஷமாக இருப்பதால் கொஞ்ச நாளாக்கு அதை விற்காமல் தடை செய்தால் அதைச் சாப்பிட்டு உயிரை விடும் ஏழைகள் காப்பாற்றப்படுவார்கள். அதை எழைகள் தான் சாப்பிட்டுவிட்டு பிரானை விடுகிறார்கள்.

DEPUTY CHAIRMAN : It is not a supplementary question. It is only a statement.

Dr. A. SREENIVASAN : I am explaining why it must be stopped.

DEPUTY CHAIRMAN : Next question.

Fire-arms.

* 171 Q.—**DR. A. SREENIVASAN :** Will the Hon. the Minister for Home be pleased to state the number of persons who have been given licences for the use of fire-arms in the City of Madras, as on 1st March 1964?

THE HON. SRI P. KAKKAN : 1835.

டாக்டர் ஏ. சீனிவாசன் : இந்தத் துப்பாக்கிகள் யார் யாருக்குக் கொடுக்கப்படுகின்றன என்று சர்க்கார் சொல்லமுடியுமா?

கனம் திரு. பி. கக்கன் : பலபேர்கள் தேட்கிறார்கள். பல காரணங்களையும் பரிசீலனை செய்து யாருக்குக் கொடுக்க முடியுமோ அதைப் பார்த்து அவர்களுக்குத்தான் அவை கொடுக்கப்படுகின்றன.

டாக்டர் ஏ. சீனிவாசன் : சென்ற கார்ப்பரேஷன் தேர்தலில் சில காண்டிபேட்டுகள் சில பேர்களை துப்பாக்கியைக் காட்டி பாராளுத்தியதாகவும் புரனி பண்ணியதாகவும் கூறில் விழுந்தது.

[21st April 1964]

நாமினேஷன் ஸ்தூபுட்டிவி செய்தாலும் தமர் காண்டிபேட்டோ அவர்கள் துப்பாக்கிகளை போலீஸில் சாஸ்பர் செய்யும்படி கவான்மெண்ட் சொல்லுமா?

கனம் திரு. பி. கக்கன் : எல்க்ஷனில் நிற்கிறவர்கள் குடிமக்களுக்குத் தெரிந்திடுவதற்காக வருகிறார்கள். துப்பாக்கியால் சுடுவதற்காக வரவில்லை. அப்படி ஏதாவது இருந்தால் அது அரசாங்கத்தின் கவனத்திற்கு வராமல் போக நக்க நடவடிக்கை எடுப்பார்கள்.

டாக்டர் ஏ. சீனிவாசன் : அனைத்து பெரிய மனிதர்கள் இருக்கிறார்கள். போலீஸில் உதிகை இருக்கிறது. என்னைப்போல இருப்பவர்கள் மிகவும் ஆதரவு எடுப்பார்கள். ஆகையால் காண்டிபேட்டோ நாமினேஷன் பைல் செய்து ஸ்தூபுட்டிவி செய்தால் போலீஸில் துப்பாக்கிகளை சாஸ்பர் பண்ணுமாறு செய்தால் ஜனங்களுக்கு சௌகரியமாக இருக்கும்.

கனம் திரு. பி. கக்கன் : துப்பாக்கி வைத்துக்கொள்பவர்கள் பணக்காரர்கள் வகைகள் என்றில்லை. யார் குற்றம் செய்தாலும் அரசாங்கம் நடவடிக்கை எடுக்கும். கவர் அங்கத்தினர் சொல்வதைப் பரிசீலனை செய்து பார்த்துக்கொள்.

திரு. ஆர். வெங்கடாசலம் : துப்பாக்கி லைசன்சு எந்த அடிப்படையில் கொடுக்கப்படுகிறது?

கனம் திரு. பி. கக்கன் : ஏற்று காரணங்களை வைத்துத் தான் துப்பாக்கி லைசன்சு கொடுக்கப்படுகிறது.

(1) Applicant's reliability.

(2) His ability to keep the weapon safe from theft or misuse.

(3) His need for such a weapon.

திரு. எம். சுப்பையா செட்டியார் : அரசியல் காரணங்களுக்காக துப்பாக்கி லைசன்சு கொடுப்பது மறுக்கப்பட்டதா?

கனம் திரு. பி. கக்கன் : அப்படி மறுக்கப்பட்டதாக என்னிடத்தில் தகவல் இல்லை. ஆகையால் காரணங்களுக்காகத்தான் தவிர்த்தப்பட்டிருக்கும்.

Overbridges.

* 175 Q.—**SRI K. S. ABDUL WAHAB :** Will the Hon. the Minister for Works be pleased to state—

(a) whether there is any proposal to construct overbridges at railway level crossings in Tiruchirappalli town; and

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

THE HON. SRI V. RAMAIAH (a) & (b) : Consideration of proposals for the construction of overbridges at the existing level crossings at mile 197/6 of the Grand Southern Trunk Road, south of

[21st April 1964]

Palakarai Railway Station and at Hebar Road, north of Palakarai Railway Station in Tiruchirappalli town 1,025 feet from mile 197/2 of the Grand Southern Trunk Road has been deferred along with twelve other similar schemes within Municipal limits outside the City of Madras in view of the National Emergency.

SRI K. S. ABDUL WAHAB : May I know the year when it was first initiated?

THE HON. SRI V. RAMAIAH : No schemes have been taken up.

SRI K. S. ABDUL WAHAB : Was it not included in the Third Five-Year Plan?

THE HON. SRI V. RAMAIAH : We wanted to take it up. The preliminary work has been done, but we could not proceed with it because of the National Emergency?

SRI G. KRISHNAMOORTHY : Is there any proposal to construct an overbridge between Tiruvanaikoil and Srirangam at the level crossing?

THE HON. SRI V. RAMAIAH : A separate question may be put.

SRI M. RAJAH IYER : May I know the cost of the overbridge which is borne between the centre and the State and whether the Centre is prepared to pay the cost of the overbridge if we bear the cost of the approach roads?

THE HON. SRI V. RAMAIAH : The Centre at present is prepared to bear the cost of the bridge across the railway line. We will have to bear the cost of the approach roads.

SRI M. RAJAH IYER : Will not the Government consider the possibility of constructing more overbridges inasmuch as the cost of construction of the overbridge is borne by the Centre?

THE HON. SRI V. RAMAIAH : In practice we find the construction of the bridge over the railway line is cheaper than the approach roads. We bear all that in mind and whenever funds permit, we do go in.

SRI M. RAJAH IYER : If only we can find the necessary funds for the construction of the approach roads, all the unmanned level crossings would be eliminated.

THE HON. SRI V. RAMAIAH : It is a question of finance.

SRI S. K. SAMBANDHAN : As the cost of constructing the approach roads is higher than that of the overbridges, will this Government represent to the Government of India and try to get

21st April 1964]

THE HON. SRI V. RAMAIAH : We are not approaching the Government of India on that line. But now we have taken up with the Government of India the matter of getting the cost paid by the Government of India of all roads which are classified as National Highways.

SRI G. KRISHNAMOORTHY : Is it a fact that a sub-way costs less than an overbridge?

THE HON. SRI V. RAMAIAH : No.

SRI M. SUBBIAH CHETTIAR : As there are great delays in traffic at the level crossings, in spite of the Emergency, will the Government reconsider their attitude and see that these bridges are constructed immediately?

THE HON. SRI V. RAMAIAH : It may not be possible for us to construct immediately, but we are considering all aspects and also the resources available. Whenever funds permit, we do go in. We do not put a complete stop to the construction of roads.

SRI V. K. RAMASWAMI MUDALIAR : May I know how much money had been spent on these bridges before the decision to stop was taken?

THE HON. SRI V. RAMAIAH : We have not taken up these projects yet.

SRI K. S. ABDUL WAHAB : Was this overbridge included in the Second Five-Year Plan and was it not carried out because some influential persons and shop-keepers were affected in Tiruchirappalli?

THE HON. SRI V. RAMAIAH : I have no information on that.

Village Officers

* 176 Q.—SRI S. K. SAMBANDHAN : Will the Hon. the Minister for Works be pleased to state—

(a) whether any representation has been received recently from the village officers for the payment of their remuneration without delay and to increase their remuneration; and 2-30 p.m.

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

THE HON. SRI V. RAMAIAH : (a) Yes.

(b) The matter is being examined by the Government.

SRI S. K. SAMBANDHAN : Have representations also been made in regard to delay in the payment of remuneration and, if so, when are Government likely to decide about these matters?

THE HON. SRI V. RAMAIAH : Sir, they have made a number of representations and they are all under examination of the Government. As far as delay is concerned, I do not think there could be any undue delay in that. If the hon. Member puts a separate question on this particular aspect of the matter, I will look into the matter and tell him the real position.

[21st April 1961]

DR. A. CHIDAMBARANATHAN : What is the position of the village officers in Thanjavur district who have recently resigned consequent on payment of low remuneration to them?

THE HON. SRI V. RAMAIAH : Sir, so far as Thanjavur district is concerned, except the report I saw in the newspapers, I have not got any report from the Collector yet. As far as the question of remuneration is concerned, Government have announced that the entire problem would be looked into. All the officers in the other districts have taken that assurance in good spirit and they have not thought of any such action as some not all—in Thanjavur district have done.

SRI K. BALASUBRAMANYA AYYAR : To some extent it has been recognised that the village officers have grievances and, therefore, instead of depending on reports from the Collectors, may I put it to the Hon. Minister that he could make enquiries about them during his tours and redress them?

THE HON. SRI V. RAMAIAH : So far as the grievances are concerned, I am well aware of many of their grievances. But the agitation in the Thanjavur district to which reference was made by the hon. Member, does not merely concern the increase in the remuneration. There are many problems linked with it. Government have actually gone into them. A Cabinet Sub-Committee had gone into them and made recommendations and action was deferred because the panchayat administration came into force in the meantime. They expect some changes under it and it will be taken up some time this year. In the other House I have assured that this question will be considered during the course of this year.

SRI M. SUBBIAH CHETTIAR : Do the Government feel that the allowances paid to the village officers are adequate and with that they can live a decent life, and, if not, will the Government grant an increase as early as possible?

THE HON. SRI V. RAMAIAH : If we talk only in terms of money that is given to these officers, then it will be a big question. But here there are so many other questions which have to be looked into as far as the village officers are concerned. There is the problem of full-time employment or part-time employment. There are several other such questions to be settled. So we have to tackle the matter as a whole. If we attach importance only to one aspect of the matter, then we are likely to forget the other. That is why the whole matter was gone into by a Cabinet Sub-Committee. When the decision was about to be taken, the panchayat administration came in and the implementation of the recommendation of the Cabinet Sub-Committee was deferred. Now it will be taken up again.

DR. A. SREENIVASAN : When the Government are on this question, namely, examining the position of the village officers, will the Government consider the question of the hereditary rights of the village officers also?

April 1961]

THE HON. SRI V. RAMAIAH : As far as the hereditary system is concerned, the Supreme Court has held that it is not permissible under the Constitution.

DR. A. SREENIVASAN : Sir, is it a fact that the work of village officers has increased considerably as a result of the introduction of the Panchayat Raj?

THE HON. SRI V. RAMAIAH : Yes, Sir, after Government have taken up more developmental work, the work of the village officers has also increased.

DEPUTY CHAIRMAN : Questions are over.

II. SWEARING-IN OF NEW MEMBERS—cont.

DEPUTY CHAIRMAN : A new Member Sri K. Doraiswamyaidu has come. He will now be sworn in.

* The Member was sworn in (T).

V. GOVERNMENT MOTIONS.

- (1) NOMINATION OF TWO MEMBERS TO ASSOCIATE WITH THE COMMITTEE ON PUBLIC ACCOUNTS OF THE LEGISLATIVE ASSEMBLY FOR THE YEAR 1963-64.

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, Sir, I move—

"This House nominates the following two Members of the Council to associate with the Committee on Public Accounts of the Legislative Assembly for the year 1963-64 in the vacancies caused by the expiration of the term of office of Sri T. Joghee Gowder and Dr. A. Chidambaramanathan with effect from the afternoon of 20th April 1961 :—

1. Dr. A. Chidambaramanathan.
2. Sri A. Chidambaram Mudaliar."

DEPUTY CHAIRMAN : The question is—

"This House nominates the following two Members of the Council to associate with the Committee on Public Accounts of the Legislative Assembly for the year 1963-64 in the vacancies caused by the expiration of the term of office of Sri T. Joghee Gowder and Dr. A. Chidambaramanathan with effect from the afternoon of 20th April 1961 :

1. Dr. A. Chidambaramanathan.
2. Sri A. Chidambaram Mudaliar.

The motion was put and carried.

(T) The Member took the prescribed oath in Tamil.

* The Member solemnly affirmed his allegiance to the Constitution.

10

[21st April 1964]

- (2) NOMINATION OF ONE MEMBER TO ASSOCIATE WITH THE COMMITTEE ON ESTIMATES OF THE LEGISLATIVE ASSEMBLY FOR THE YEAR 1963-64.

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman Sir, I move—

‘ This House nominates the following one Member of the Council to associate with the Committee on Estimates of the Legislative Assembly for the year 1963-64 in the vacancy caused by the expiration of the term of office of Sri V. M. Surendra Rao with effect from the afternoon of 20th April 1964 :—

Sri C. Muthiah Pillai. ’

DEPUTY CHAIRMAN : The question is—

‘ This House nominates the following one Member of the Council to associate with the Committee on Estimates of the Legislative Assembly for the year 1963-64 in the vacancy caused by the expiration of the term of office of Sri V. M. Surendra Rao with effect from the afternoon of 20th April 1964 :—

Sri C. Muthiah Pillai. ’

The motion was put and carried.

VI.—GOVERNMENT BILLS.

- (1) THE MADRAS BUILDINGS (LEASE AND RENT CONTROL) AMENDMENT BILL, 1961 (L.A. BILL NO. 17 OF 1961)

THE HON. SRIMATHI JOTHI VENKATACHELUM : Mr. Deputy Chairman, Sir, I move—

‘ That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1961 (L.A. Bill No. 17 of 1961) as passed by the Assembly be taken into consideration. ’

Section 30 of the Madras Buildings (Lease and Rent Control) Act, 1960 provides for exemption to certain categories of residential and non-residential buildings from the entire provisions of the Act. As the Members are aware, there were no such exemption provisions in the Madras Buildings (Lease and Rent Control) Act, 1949 which was repealed and replaced by the Madras Buildings (Lease and Rent Control) Act, 1960. The exemption provisions were introduced in the Act of 1960.

The idea was to relax gradually all controls in the matter of buildings and as the first step towards this, it was provided that all new buildings and all big buildings on monthly rents above Rs. 250 in the case of residential buildings and Rs. 400 in the

21st April 1964] [Srimathi Jothi Venkatachelum]

case of non-residential buildings should be exempted from the accommodation control as well as the rent and eviction control provisions. It was hoped that with the encouragement given to the construction of new buildings, the position in regard to the shortage of accommodation generally would ease.

But in the actual working of these exemption provisions, the Government found that the landlords of buildings which were exempted took undue advantage and demanded exorbitant rents from their tenants threatening them with summary ejection in case their demands were not conceded. Even poor tenants who were in occupation of small portions of big buildings were subject to these hardships because of the exemption available to the buildings as a whole though the portion in their occupation was small on a monthly rent below the limits prescribed in section 30.

The Government after examining the whole position introduced in the Legislative Assembly on 13th November 1961 a Bill by which it was proposed to take away the exemptions except in regard to the buildings constructed after 30th September 1960. But the Select Committee of the Legislative Assembly to which the Bill was referred decided that the exemption should be on the basis of rent paid by the tenants and that the protection under the Act should not be extended to a tenant paying a monthly rent exceeding two hundred and fifty rupees in the case of a residential building or part thereof and four hundred rupees in the case of a non-residential building or part thereof. The principal Act was accordingly amended by the Madras Buildings (Lease and Rent Control) Amendment Act, 1962 (Madras Act 2 of 1962).

Since then the Government have been receiving representations from the business community in general and the owners of catering establishments in particular, that, in view of the exemption from the rent and eviction control provisions of the Act now available to non-residential buildings or parts of non-residential buildings under their tenancy on monthly rents above Rs. 400 they are harassed by landlords and put to difficulties and troubles and also threatened with ejection from their business premises. The Government have examined the whole question again and have come to the conclusion that the exemption now available to non-residential buildings or parts of such buildings on monthly rents exceeding Rs. 400 should be withdrawn so that all non-residential buildings except those constructed after 30th September 1960 are brought within the purview of the Act and the tenants in occupation of such buildings protected under the Rent Control and eviction control provisions of the Act. The exemption available to residential buildings or parts of such buildings fetching monthly rents exceeding Rs. 250 will be continued. With this object, section 30 of the Act is proposed to be amended as provided for in the Bill. The Legislative Assembly passed the Bill on 31st March 1964. I hope that this House also will accept and pass the Bill.

[21st April 1961]

DEPUTY CHAIRMAN: Motion moved—

‘That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1961 (L.A. Bill No. 17 of 1961), as passed by the Assembly, be taken into consideration’.

SRI K. BALASUBRAMANYA AYYAR: Mr. Deputy Chairman, I am aware that the Legislative Assembly has passed it, and we are a weak body and cannot change it. But there are some very important principles which, I think, the Government and also other hon. Members should take into consideration before they pass this Bill. You will remember, Sir, that in 1960 the Hon. Sri V. Ramiah (fortunately he is present here now) who was in charge of the Bill said tersely, when he moved the Bill consolidating the earlier legislation, that all principles of rent control and de-control would be taken into consideration and finally the Bill would be passed. During the Select Committee stage, Sri C. Subramaniam suggested that in the case of residential buildings fetching a rent of over Rs. 250 and in the case of non-residential buildings fetching a rent of over Rs. 400, they were not anxious to disturb the freedom of contract. The principle of the rent control legislation was that the Government would not interfere unnecessarily with the freedom of contract except for the purpose of protecting people when the necessity arose. It is all right. In the case of residential buildings, it must be all right, because there are poor tenants paying high rents. We all agreed. But so far as non-residential buildings are concerned, the limit was fixed at Rs. 400. The Hon. Sri C. Subramaniam suggested during the consideration of the Bill at the Select Committee that they were not unnecessarily disturbing the freedom of contract between the parties and that the matter would be settled by the law of demand and supply. Therefore it is we adopted this limit of Rs. 400 at the Select Committee stage and the Bill was passed in 1960. In 1962 when certain minor provisions were amended, this provision relating to the limit of Rs. 400 was not amended. Therefore, there was nothing disturbing in 1962 according to Government. Otherwise, they would have brought forward this amending Bill then itself. It was not done. In 1961, the limit of Rs. 250 for residential buildings has not disturbed the freedom of contract between the parties. And so, the principle enunciated by Sri C. Subramaniam holds good and is accepted. Only in the case of non-residential buildings, there seem to have been representations from the business community. All right. Let us see what their representation is and what is the effect of their representation. This is a matter of contract between parties. The business community are not poor tenants. Persons who are prepared to pay over Rs. 400 as rent can never be called poor tenants. They must have business warranting a payment of Rs. 400 as rent. Otherwise, they would not have agreed to pay this Rs. 400 as rent. If we take away the limit and if the landlord wants to fix the rent at over Rs. 400, what can he do? The hon. Member Raja Muthiah Chettiar will hear with me, when I

21st April 1961] [Sri K. Balasubramanya Ayyar]

say, that the Indian Bank has its own difficulty of paying high rent. What do we do then? It is an essential service, banking service. But what do we do? We enter into a five-year contract with option on both sides. Therefore, within these five years, what will happen? The owners cannot merely threaten with eviction proceedings. Even if they threaten, why should the Legislature be threatened? I do not see any reason why the Legislature should be threatened. It is a contract between the parties and they will be guided by the terms of the contract. Some one in favour of the businessmen may come here and say, ‘No, no; they will have written among themselves an agreement for a smaller amount.’ But remember that it is for an amount over Rs. 400. Therefore, the tenant must have been prepared to pay over Rs. 400. What is the nature and use of the non-residential buildings? The Government must remember that. The Income-tax Department goes to the rescue of the tenant. Half of the rent is deducted for expenses. It is shown in the return and they are allowed to deduct it from the income. Therefore, I ask, how is trade and commerce affected. I cannot understand how the Government are seriously affected. I should say that this must be evidently a matter which must be regulated by contract between the parties and the Government must hesitate to interfere. This principle has been accepted earlier and it is on the basis of acceptance of this principle by the Government during the select committee meetings in 1960 and also by the Legislature later on, that this limit of Rs. 400 was fixed for non-residential buildings. The Government have accepted the principle that freedom of contract should not be interfered with also because they want that housing accommodation should progress and increase in our country and that we should not unnecessarily interfere. Therefore it is I say that if rents are fixed at over Rs. 400 in the case of non-residential buildings, they are exempted. They have adopted a well-known principle in rent control. This well-known principle was accepted in 1960 after great deliberation in the Select Committee and also in both the Houses. There can be no new justification for saying that somebody has made a representation and therefore, we should bring in this Bill. Because people make representations, we do not pass Bills here, unless without the necessary legislation the people are very seriously affected. How are the people seriously affected? It is mentioned in the Statement of Objects and Reasons that it restricts trade and commerce. I say it cannot. There are people who can afford to pay Rs. 400 and more and they have entered into a contract for the purpose. When they enter into the contract, naturally according to our experience, there would be an agreement. The businessmen will not enter into agreements unnecessarily like other ordinary people occupying residential buildings, who sometimes make agreements month by month. Here we are dealing with businessmen. Business people are not people like many of us here. They always take care to see that the contract is laid out properly. Therefore, there can be no question of their being threatened with eviction.

[Sri K. Balasubramanya Ayyar] [21st April 1964]

I have seen this phrase 'threatening eviction' in the case of the Cultivating Tenants Protection Bill and in every other Bill relating to cultivating tenants. In their case there may be some justification. But I cannot see any justification for that phrase in the case of persons occupying non-residential buildings. There can be no justification for interference in the case of the business people. It is an interference with the freedom of contract. When the Government take away the exemption which has been granted by both the Houses of the Legislature, it must be for a better cause and a stronger cause than the one put forward.

DR. A. LAKSHMANASWAMI MUDALIAR: Sir, I rise to support all that Sri Balasubramanya Ayyar said against this Bill. I was a member of the Joint Select Committee which discussed this Bill threadbare in 1960. The Hon. Sri V. Ramaiah was there on the committee. We spent days and days over this Bill. We argued the matter and every part of the Bill was discussed threadbare. The Hon. Sri C. Subramaniam was also there. We did feel that the Hon. Sri V. Ramaiah understated the problem in all its aspects. I am not speaking for the poor businessman. We looked into his case, and therefore we fixed the limit of Rs. 400. A poor man paying a rent of over Rs. 400 per month and carrying on business, is an anomaly. We are speaking of the socialistic pattern of society. Are the Government going to protect those who are getting thousands of rupees and paying income-tax by saying that they cannot afford to pay Rs. 100? That there is rackrenting is a very familiar phrase used by the Government just to see that some people are benefited. In the proper case, I am all for benefiting them. But these people are not the people who stand in need of protection from the Government. Therefore, I think it is unfortunate that a Bill of this description should be brought in. The Amending Bill is an attempt to rob Peter to pay Paul. There is no case for thrusting protection on a class of people who are not starving. On the other hand, owners of buildings in urban areas have to pay property-tax and land-tax and may have to pay income-tax as well. Passing the Bill would do a grievous wrong to them and would go against the whole concept of justice and fairplay.

Of course, I shall certainly support the measure if it is to be sent to a Select Committee.

There is one other point. Whenever Bills of this nature are brought forward, we are kept in the dark as to the amount that will have to be spent on the heavy establishment that will have to be set up. When every business premises fetching a rent of over Rs. 400 comes under the purview of the Rent Control Act, has the Hon. Minister calculated the strength of the establishment that will have to be set up and what the charges are that will be incurred on the establishment? Instead of passing this Bill, more buildings may be constructed, multi-storied buildings may be

21st April 1964] [Dr. A. Lakshmanaswami Mudaliar]

put up in Mount Road which will accommodate the Rent Control office also. They will come up if the Hon. the Leader of the House gives his approval. But what is the object of bringing in this measure when there is no case whatsoever to give special treatment to a class of people who are by no means starved? I can understand the case of poor persons who carry on small trade being protected against eviction. What has happened to the traders now? Probably they will be paying a monthly rent of Rs. 200 or so. If it affects these people, then certainly we can think of helping them. But I am sorry to say that this Bill is a measure which is punitive in character.

DR. H. V. HANDE: Mr. Deputy Chairman, Sir, while I welcome the idea of withdrawal of the limit in respect of non-residential buildings fetching a rent of more than Rs. 400, I fail to see why the limit of Rs. 250 in the case of private buildings is not withdrawn. In fact, I see there is a greater necessity in the case of private buildings for the withdrawal of the limit.

SRI K. BALASUBRAMANYA AYYAR: There is no question of public and private buildings. Please say 'residential building'.

THE HON. SRI R. VENKATARAMAN: This is his maiden speech. Let him not be interrupted.

DR. H. V. HANDE: In the case of a residential building which fetches a rent of Rs. 160, there is the possibility of temptation for the landlord to increase it to Rs. 250, just to escape from the clutches of the rent control authority. That is my point. The upper middle classes and the middle classes paying a rent of Rs. 160 will suddenly find that they have to pay more than Rs. 250. The owner of the building wants to escape from the clutches of the Rent Control Officer. This particular measure seeks to withdraw the limit of Rs. 400 in respect of non-residential buildings. The non-withdrawal of exemption in the case of residential buildings will result in spiralling up of prices indirectly. All our attempts to hold the priceline will be futile. This increases the cost of living for the lower and upper middle classes. Therefore I find the necessity to withdraw this exemption is much more in the case of residential buildings. Now that the Amending Bill has come up before the House for consideration, let me point out a couple of anomalies that are there in the proper administration of the measure. For instance, there are people who are suddenly transferred from one place to another. There are certain categories of people who are without houses. I would like to know whether the Government have got a code of priority or these houseless people and on what basis they are given first priority. When a person is suddenly transferred from one place to another, is there any provision for the superior officer to inform the Rent Control authority immediately that a particular person is transferred and, therefore, is without a house? In the case of sudden transfers, from whom should he seek remedy? I am

[Dr. H. V. Hande] [21st April 1964]

asking a simple question before the House. We would like to know the code of priority adopted by the Government for the houseless people.

Let me make an appeal to the Hon. Minister that all complaints of commission and omission in the case of non-residential buildings will be looked into without fear or favour.

* SRI V. K. RAMASWAMI MUDALIAR: Mr. Deputy Chairman, Sir, I was one of those who served on the Joint Select Committee on the Rent Control Bill when the Hon. Minister Sri V. Ramaiah was in charge of the Bill. The Bill was then gone into in detail and then only the exemption limit was fixed. After three years of the passing of this Act, the Government have now come forward with this Amending Bill. My submission is that people who are having very good business and are having tens of thousands of rupees as turnover will also have the benefit of this exemption. Why should they be exempted when they are making a huge profit and when they are in a position to pay Rs. 400 and more? I agree with Dr. Mudaliar that they do not need the protection of the Government. In case exemption is granted in those cases, we will find that the Government will stand to lose so far as income-tax is concerned. The Corporation of Madras also will stand to lose. Again, the cost of maintenance of these buildings has gone up considerably. Another point is that it curbs the enthusiasm of the landowners to build any more houses. My submission is that at least some exemption limit should be fixed. Instead of Rs. 400, why not raise the exemption limit? If that is not done, it will work great hardship on the landowners. On the whole, if the amendment is passed, it does not bear any relation to equity or justice.

-60
m. * SRI G. KRISHNAMOORTHY: Mr. Deputy Chairman, Sir, this is a Bill intended to amend the original Act. As the hon. the Deputy Leader of the Opposition rightly pointed out, in a democratic state, we must remove all the accommodation controls; when we are aiming at national integration, this legislation which is already in force and which we try to further amend, is going to create divisions among the people.

Sir, somehow or other property owners have come to be looked upon as sinners to-day, whether they be owners of a piece of land, a vacant site or ground, a small house or a small shop. These people are called landlords. One who does not own this type of property but owns a lot of cash and does a lot of business and earns huge profits, is considered to be a tenant and these are days for tenants and not for landlords as those poor people are called.

Now we have so many provisions in the Act. There is a clause which says that if the house had been constructed after 1960, it would not come under the provisions of the Act. Again if the rent of a residential building is over Rs. 250, it also will not come

21st April 1961] [Sri G. Krishnamoorthy]

under the purview of the Act. Tenants can do anything but the landlords are looked upon as people who always commit sins, who do not provide any amenities and who are always bent upon making money. Is this a correct attitude for the Government to take? Why should not the Government allow the problem to get itself solved by the operation of the law of supply and demand? Even in the report given by the Government proposing this amendment to the Act, Government have admitted that they have not been able to solve the housing problem. They have built so many houses. Wherever we go, within a radius of 20 miles of the City, we see buildings and houses coming up, we see brick and mortar and steel rolls in the streets. Yet in spite of this construction work progressing, the housing problem has not been solved.

Sir, the original Act was thought of as an emergency measure but still we continue it with a very big establishment to work it, and to mediate between the two classes of people, the tenants and the landlords. Is this necessary and are our landlords so unsympathetic as to extract money from their tenants? Are there not petty landlords solely depending on this income? Should they be deprived of this very just income for their subsistence which they ought to get according to the existing cost of living index? This amending Bill will cause considerable disadvantage to many though it may give some advantages to a few people. The right attitude on the part of the Government would be to study both sides of the question and see that the accommodation control is not there. This should be left to the sweet will and pleasure of the landlords and the tenants concerned. But the Government might say, once this Act is repealed, and there is no provision to control rents, then the landlords would pounce upon the tenants and increase the rents. After all, the rent should be regulated by the law of supply and demand. After all, there may be people ready to pay the rent. Why should the Government interfere in everything? That Government is the best which governs the least. Even in small affairs concerning the citizens, we are now regulating their conduct. That is why we see so much of annoyance is used to the general public. As was rightly pointed out by the hon. Member Dr. Hande, if this Amending Bill is passed, there will be demand from people occupying residential buildings to take away the limit of Rs. 250 even in case of residential buildings. They would like to have the same advantage now proposed to be granted to those occupying non-residential buildings. There is no guarantee that Government would not get similar petitions from them also. We would like to know as the hon. Member Dr. Hande pointed out, the reasons why Government have not included residential buildings also in this amending Bill. As the hon. the Deputy Leader of the Opposition pointed out, we should try to help poor people who live in houses fetching rents of Rs. 250 and below and not people who are in business and earn quite a good lot. As was rightly pointed out by the Hon. the Leader of the Opposition people paying rent of Rs. 400 and over

[Sri G. Krishnamoorthy] [21st April 1961]

should be doing roaring business and earning good profits these days. What are the reasons that moved the Government to take a sympathetic view of the case of these people alone and not those in occupation of the residential buildings, must be made clear by the Government.

திரு. எம். சுப்பையா செட்டியார் : கனம் உறுப்பினர் அவர்களே, இந்த Rent Control Amendment Bill விஷயமாக நான் வார்த்தைகள் பேச விரும்புகிறேன். இப்போது அரசாங்கம் தொடர்ந்திருக்கின்ற Control கொண்டு வருவது போல் இந்த 1960-ம் வருஷ Rent Control சட்டத்திலும் Control கொண்டு வந்திருக்கிறார்கள். இப்படியே புதிதாகக் கட்டப்பட்டிருக்கின்ற அபாங்கம் விரும்புகிறார்கள் தெரிகிறது. வியாபாரிகளுக்கு 400 ரூபாய் வரையில் கொடுக்கிறார்கள் பஸ் தொந்தரவுகள் இருக்கின்றன. அந்த மாதிரி தொந்தரவு பட்டதைச் சொல்லி இருக்கிறார்கள். அவர்களுக்குப் பாதுகாப்பு கொடுக்க வேண்டும் என்ற கையெழுத்தாகப் பட்டத்தைத் திருத்த வேண்டும் என்று கொண்டு வந்திருக்கிறார்கள்.

போதுமான பஸ் காரியங்கள் நடந்துகொண்டு சில தொந்தரவுகள் ஏற்பட்டதான் சேர்ந்தும் சில தொந்தரவுகளுக்காக அரசாங்கம் அதை மாற்றக் கூடாது. அரசாங்கம் பஸ்களை வசதியை வைத்துக் கொண்டு வர ஜீவனம் நடத்தி வருகிறார்கள். ரூ. 400-க்கு மேல் ஒரு வியாபாரி வசதியை கொடுக்கக் கூடிய நிலையில் இருக்கும்போது அந்த வீட்டுக்காரர் வியாபாரியிடம் விரோதமாக இருக்கமாட்டார். அவர்களும் தப்பித்தண்டாவதற்குப் போகமாட்டார்கள். அந்த வியாபாரிகளும் பாம்பரை பம்பரையாக ஒரே கட்டிடத்தில் இருந்து நான் வியாபாரம் செய்கிறார்கள். ஆயிரத்தில் ஒருவர்தான் இடைஞ்சல் செய்வார். இதைக் காரணமாக வைத்துக் கொண்டு ரூ. 400-க்கு மேல் ஏற்றக்கூடாது என்று சொல்வது தவறு. விலைவாசி எப்படி ஏறிக்கொண்டே போகிறது என்று தெரியும். 1950-க்கு முன் இருந்த அதே வசதியை வைத்து இருக்க வேண்டும் என்று கேட்பது நியாயம் இல்லை. இதை அரசாங்கம் உணர் வேண்டும்.

எனக்கு ஒரு சந்தேகம் வருகிறது. ஆறாம் கமிட்டியின் வியாபாரிகளிடமிருந்து donation வாங்குவதற்காக, வியாபாரிகளுக்காக இந்த தன்மையைச் செய்கிறார்களோ என்று சந்தேகப்படுகிறேன். நான் உறுதியாக சொல்வதற்கில்லை. இந்த மாதிரியான காரியங்களுக்கு இடம் கொடுக்கக்கூடாது. குடியிருப்பவர்களுக்கு விலக்கு கொடுத்தால்கூட வியாபாரிகளுக்கு இடம். அந்த மாதிரி குடித்தனம் இருப்பவர்களுக்கு விலக்கு இல்லாமல், வியாபாரிகளுக்குமட்டும் போடுவது சரியில்லை. வியாபாரத்தில் இருப்பவர்கள் இந்த விவகாரத்திற்குப் போகமாட்டார்கள். அவர்கள் கூடுமானவரை, வீட்டுக்காரர்களின் நல்லெண்ணத்தை வைத்துக் கொண்டுதான் காரியம் செய்கிறார்கள். அப்படி இருக்கும் போது அரசாங்கம் தொடர்ந்திருக்கின்ற எல்லாம் Control கொண்டு வரக் கூடாது. அரசாங்கத்தின் தயவை மக்கள் எதற்கும் எதிர்பார்க்க

21st April 1961] [திரு. எம். சுப்பையா செட்டியார்]

வேண்டும் என்று இருப்பதை எதற்கு வேண்டும். இப்படி புதிதாக Control கொண்டு வருவதற்கிட இருக்கிற Control களை எதற்கு அரசாங்கம் முயற்சி செய்யவேண்டுமென்று கேட்டுக்கொள்கிறேன்.

THE HON. SRIMATHI JOTHI VENCATACHELLUM : Mr. Deputy Chairman, Sir, I am grateful to the hon. Members for their criticisms and for their suggestions. The hon. Deputy Leader of the Opposition said that Government once decided to do away with this control. Finding the difficulties of the people, particularly the Government servants, in getting proper accommodation, certain provisions were enacted under the Act of 1960 with a certain amount of relaxation of control. Though it was the idea of the Government to gradually relax control, as a first step towards that, it was decided that all new buildings put up after 30th September 1960 could be completely exempted from the purview of the Act and we also fixed a limit of Rs. 250 in respect of residential buildings and Rs. 450 in respect of non-residential buildings that would come under the scope of the Act. In the actual working of the Act we found that while a number of new residential buildings had come up, no new non-residential building had come up after the enactment of the Act. Apart from that, most of the business concerns, we found, were located in rented buildings. It will be perfectly all right if the landlords enhance the rent up to a certain limit. But we find that the rent is enhanced twice and even three times four hundred rupees. These buildings could not be brought under the purview of the Act.

SRI K. BALASUBRAMANYA AYYAR : They accepted it. 3-10 p.m.

THE HON. SRIMATHI JOTHI VENCATACHELLUM : But the hon. the Deputy Leader of the Opposition does not know the number of suits filed in the Civil Courts.

SRI K. BALASUBRAMANYA AYYAR : I would like to know a number of suits filed.

THE HON. SRIMATHI JOTHI VENCATACHELLUM : Not by that. Even in spite of the fact that the tenants were willing pay enhanced rents, they were threatened and harassed with eviction proceedings. For this reason, the Government have brought forward this Bill. It is the duty of the Government to protect not only the business community but also people occupying residential buildings. But in the case of residential buildings, only a few representations were received by the Government and they were considered by the Government. But as a very large number of businessmen have made representations to the Government and as their cases were pending in the Court, the Government thought it right to interfere. Whatever be the agreement between landlord and the tenant, the Government are not aware of. It was only when it came to a question of harassment of the tenants by the landlords, the Government thought they should come forward with this legislation. There is no difficulty in the case of

[Srimathi Jothi Vencatachellum] [21st April 1961]

residential buildings. As the hon. Member Dr. Hande pointed out, residential buildings also fetching a rent of more than Rs. 250, should be brought within the purview of the Act. But, new residential buildings have come up in sufficient numbers after 1960. In the case of non-residential buildings, not many new buildings have come up. The catering establishments have to continue in the same old rented buildings. We have to protect the interests of the catering establishments.

SRI K. BALASUBRAMANYA AYYAR: Hotel people are those who make lot of money.

THE HON. SRIMATHI JOTHI VENCATACHELLUM: The landlords have got the right to enhance the rent, but I do not think it will be correct for any landlord to evict the tenants after having taken them as tenants for a number of years. This will not only affect their business but also their very life itself. Considering all these things, it is necessary to bring forward this Bill. Sir, the hon. the Deputy Leader of the Opposition said that the Hon. Sri V. Ramaiah who was the Chairman of the Joint Select Committee and also the Member in charge of this Bill in 1960, was very reasonable. I may say, Sir, that I am also very reasonable. (Laughter). I do not think there should be any controversy over this simple Bill, though it might affect certain landlords. I request the House to accept the Bill.

DEPUTY CHAIRMAN: The question is—

“That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1961 (L.A. Bill No. 17 of 1961), as passed by the Assembly, be taken into consideration.”

The motion was put and declared carried.

SRI K. BALASUBRAMANYA AYYAR: I demand a poll.

* THE HON. SRI R. VENKATARAMAN: Mr. Deputy Chairman, it is customary in this House to call the names of Members block by block to stand in their places. Since seats have not yet been allotted, and as this is the first day of the meeting after the biennial elections, those in favour of the Motion and those against the Motion may be asked to stand in their places, and then a count taken.

DEPUTY CHAIRMAN: Those who are for the motion will stand in their places first and those against next, and then the neutral.

Twenty-four Members stood in favour of the motion, eleven against, and two neutral.

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

21st April 1961] [Deputy Chairman]

Clauses 2 and 3 were put and carried.

Clause 4 and the Preamble were put and carried.

THE HON. SRIMATHI JOTHI VENCATACHELLUM: Sir, I move—

“That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1961 (L.A. Bill No. 17 of 1961), as passed by the Assembly, be passed.”

DEPUTY CHAIRMAN: Motion moved—

“That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1961 (L.A. Bill No. 17 of 1961), as passed by the Assembly, be passed.”

SRI K. BALASUBRAMANYA AYYAR: Sir, I hope the Deputy Chairman will appeal to the Hon. Minister not to bring in another Bill covering residential buildings. Representations should be carefully looked into and merely because there are representations we should not take action.

DR. A. LAKSHMANASWAMI MUDALIAR: Sir, it is stated that representations have been received by the Government. I ask for those representations to be placed on the table of the House so that the Members may look into them and see what sort of people have made representations and what their object in making the representations is. This Act was expected to be extinct by this time. But it is being given life year after year. I hope this House will be given an opportunity to go into all the matters connected with this Bill. We are not unreasonable people. We have supported the Government in many a measure. We will support them here also, if there is any need for this.

DR. H. V. HANDE: I hope the Hon. Minister will give sympathetic consideration to the representations of those interested in the rents of residential buildings.

DEPUTY CHAIRMAN: The question is—

“That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1961 (L.A. Bill No. 17 of 1961), as passed by the Assembly, be passed.”

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

(2) THE LAND IMPROVEMENT LOANS (MADRAS AMENDMENT)
BILL, 1961 (L.A. BILL NO. 8 OF 1961).

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

“That the Land Improvement Loans (Madras Amendment) Bill, 1961 (L.A. Bill No. 8 of 1961), as passed by the Assembly, be taken into consideration.”

[Sri V. Ramiah] [21st April 1964]

The Technical Committee on Land Mortgage Banks constituted by the Reserve Bank of India recommended *inter alia* that the mortgages executed in favour of a land mortgage bank as security for the loan issued by it should be given priority over any claim of Government resulting from the loans granted under the Land Improvement Loans Act, 1883 (Central Act XIX of 1883), after the execution of the mortgage in favour of the Land Mortgage Bank.

Section 28 of the Madras Co-operative Land Mortgage Banks Act, 1931 (Madras Act N of 1931), already provides that the mortgages executed in favour of a land mortgage bank should be given priority over any claim of the Government arising from the loans under the Land Improvement Loans Act, 1883 (Central Act XIX of 1883), granted after the execution of the mortgage. But under the proviso to sub-section (1) of section 7 of the Land Improvement Loans Act, 1883 (Central Act XIX of 1883), loans granted under that Act get priority over the interest of mortgagees of the land for the benefit of which the loan has been granted. In order to remove the apparent conflict between the provisions of these two enactments, it has been decided to undertake legislation to amend the proviso to sub-section (1) of section 7 of the Land Improvement Loans Act, 1883 (Central Act XIX of 1883). Sub-section (3) of section 32 of the Madras Co-operative Societies Act, 1961 (Madras Act 53 of 1961), also provides that the charge created by sub-section (1) of that section in favour of a registered society should be given priority over any claim of the Government arising from a loan granted under the Land Improvement Loans Act, 1883, after the grant of the loan by the society. Opportunity is therefore being availed of to amend the Land Improvement Loans Act, 1883, to remove the apparent conflict between the provisions of the said Act and the Madras Co-operative Societies Act, 1961, also.

This Bill seeks to achieve these twin objects. I move that the Bill be taken into consideration.

DEPUTY CHAIRMAN: Motion moved—

"That the Land Improvement Loans (Madras Amendment) Bill, 1961 (L.A. Bill No. 8 of 1961), as passed by the Assembly, be taken into consideration."

204 m. DR. H. V. FANDE: Mr. Deputy Chairman, Sir, the proposed amendment of sub-section (1) of section 7 of the Central Act XIX of 1883 is, in my opinion, dangerous because it encourages the mortgagee to raise a loan without any control and it also encourages the mortgage banks to give loans with greater ease, thereby contributing to the increase in land price. Besides, there is always the serious risk of the Government not getting the money back from the mortgagee. I hope the Hon. Minister and the Members will take these facts into consideration before accepting this amendment.

[21st April 1964]

* THE HON. SRI R. VENKATARAMAN: Mr. Deputy Chairman, I think the hon. Member has not fully appreciated the purpose of the amendment as well as the effect of the amendment. As the law now stands, the loans given under the Land Improvement Act have a priority over any other debt while the land mortgage banks, have a priority under another enactment. There is a conflict between the Land Mortgage Bank Act and the Land Improvement Act. Now, in the case of a loan given, after the land improvement loan is granted by the land mortgage bank, it will take its precedence after the land mortgage bank loan. Conversely if a land improvement loan is given after the loan given by the land mortgage bank, then notwithstanding the fact that under the Land Improvement Act, there is priority for that loan, we are providing now that it should not get priority. Otherwise, the loans given by the co-operative land mortgage banks will suffer. Therefore, we have said that priority will be determined by the order in which the loan are given and in order to effectuate that, this amendment has been brought in. It will not encourage anybody to borrow. In any event, loans under the Land Improvement Act are not given so easily, nor can the loans from the land mortgage bank be obtained so easily.

திரு. ஏ. கே. தங்கவேல் முகவியார்: Land Mortgage Bank ஓட்டியவர்கள் மீது பிறந்த கடன்கள் முதல் முறையில் வரவேண்டும் என்று நினைக்கிறார்கள். Improvement Loans க்கு வாய்ப்பு இல்லாவிட்டால்.

DEPUTY CHAIRMAN: The question is—

"That the Land Improvement Loans (Madras Amendment) Bill, 1961 (L.A. Bill No. 8 of 1961), as passed by the Assembly, be taken into consideration."

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

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI V. RAMIAH: Sir, I move—

"That the Land Improvement Loans (Madras Amendment) Bill, 1961 (L.A. Bill No. 8 of 1961), as passed by the Assembly, be passed."

DEPUTY CHAIRMAN: The question is—

"That the Land Improvement Loans (Madras Amendment) Bill, 1961 (L.A. Bill No. 8 of 1961), as passed by the Assembly, be passed."

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

DEPUTY CHAIRMAN: The House will now adjourn and meet again at 5 p.m. tomorrow.

The House then adjourned.

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

* 219. Short review of the activities of the Harijan Welfare Department for the half ended year 30th September 1962.

@ 220. Notification issued with G.O. Ms. No. 362, Rural Development and Local Administration, dated 14th February 1964 regarding constitution of Alandur Municipality from 1st April 1964.

@ 221. Notification issued with G.O. Ms. No. 319, Rural Development and Local Administration, dated 11th February 1964 regarding constitution of Alinagaram Municipality with effect from 1st April 1964.

* 222. Short review of the activities of the Public Works Department during the first half of the year ended 30th September 1962 in so far as they relate to major building schemes.

@ 223. Notification issued with G.O. Ms. No. 1158, Public (General-M), dated 16th September 1963 relating to introduction of Tamil in the Highways and Rural Works and Public Health Departments.

@ 224. Notification issued with G.O. Ms. No. 346, Rural Development and Local Administration, dated 13th February 1964 relating to the change of name of Lakshminadikuppaiyam Panchayat Union as Sullampet Union in the West Coimbatore Development district.

21st April 1964]

APPENDIX I.

(vide Item VI (d) on page 10.)

L.A. Bill No. 17 of 1964.

(As passed by the Assembly.)

A Bill further to amend the Madras Buildings (Lease and Rent Control) Act, 1960.

B. it enacted by the Legislature of the State of Madras in the Fifteenth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Madras Buildings (Lease and Rent Control) Amendment Act, 1964.

2. *Amendment of section 30, Madras Act 18 of 1960.*—In section 30 of the Madras Buildings (Lease and Rent Control) Act, 1960 (hereinafter referred to as the principal Act),—

(i) in clause (ii), the word “or” occurring at the end shall be omitted;

(ii) clause (iii) shall be omitted;

(iii) in the Explanation, for the words, brackets and figures “clauses (ii) and (iii)”, the word, brackets and figures “clause (ii)” shall be substituted.

3. *Certain pending proceedings to abate.*—Every proceeding in respect of any non-residential building or part thereof pending before any court or other authority or officer on the date of the publication of this Act in the *Fort St. George Gazette* and instituted on the ground that such building or part was exempt from the provisions of the principal Act by virtue of clause (iii) of section 30 of the principal Act, shall abate in so far as the proceeding relates to such building or part. All rights and privileges which may have accrued before such date to any landlord in respect of any non-residential building or part thereof by virtue of clause (iii) of section 30 of the principal Act, shall cease and determine and shall not be enforceable:

Provided that nothing contained in this section shall be deemed to invalidate any suit or proceeding in which the decree or order passed has been executed or satisfied in full before the date mentioned in this section.

THE MADRAS LEGISLATIVE COUNCIL

Wednesday, the 22nd April 1964.

The House met in the Council Chamber, Fort St. George, at five of the clock, the Deputy Chairman (SRI V. K. PALANI-SWAMY GOUNDER) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

State Housing Board

* 177 Q.—SRI S. K. SAMBANDHAN : Will the Hon. the Minister for Industries be pleased to state—

(a) the procedure, if any adopted in regard to the allotment of houses under the various housing schemes by the State Housing Board; and

(b) whether it is a fact that sites are auctioned by them and, if so, the reasons therefor?

THE HON. SRI R. VENKATARAMAN : (a) The Government have laid down certain criteria and conditions for allotment of houses/flats constructed by the State Housing Board and its Units under the various Housing Schemes, and the allotment is done by an Allotment Committee of five members of the State Housing Board, subject to the conditions, etc., laid down by Government.

(b) The State Housing Board sells certain plots located at strategic and attractive places, and generally abutting main roads, by public auction. The profit gained through such public auction will be utilised for the purpose of reducing the price of the plots to be allotted to low income group persons, as permitted in the Union Government's Scheme.

SRI S. K. SAMBANDHAN : Will the Hon. Minister tell us whether by merely auctioning the sites, as the Hon. Minister told us, the price of the plots would be reduced, which is the intention of the Government?

THE HON. SRI R. VENKATARAMAN : Yes, Sir. The intention of the Government is that the price should be reduced in respect of plots sold to the low income group people. There are certain areas which business people would be willing to buy even at higher prices. Therefore, higher prices are charged for the plots located in these strategic areas and the amount so gained is distributed to slum dwellers and to low income group dwellers.

[22nd April 1964]

SRI S. K. SAMBANDHAN : Is it a fact that the sites are auctioned only in attractive places for people who can pay higher prices, or are all the plots sold in auction in all the places?

THE HON. SRI R. VENKATARAMAN : Sir, only about 15 per cent of the plots could be auctioned and even they should be on the main roads, particularly roads of 80 or 100 feet width and junctions of roads, etc.

SRI G. KRISHNAMOORTHY : Have the Government found by experience that they are able to reduce the price of plots sold to the low income group people and, if so, what is the percentage of reduction secured by them?

THE HON. SRI R. VENKATARAMAN : Sir, the Housing Board Schemes are on no profit-no loss basis. The amount which we get from the auction is taken into the general pool and then it is distributed to other parties such as the middle income group people, the low income group people, and the slum dwellers. Therefore, the price of these plots gets reduced.

DR. H. V. HANDE : What are the steps that the Government propose to take to prevent people from indiscriminately applying for these plots in the name of certain existing and non-existing brothers-in-law and sisters-in-law and subsequently getting them transferred in their own name, thus making it a source of income? What are the measures that the Government propose to take to prevent such malpractices?

THE HON. SRI R. VENKATARAMAN : Sir, we have definite rules. We have said that a person applying for a site should not have a site or house in his name or in the name of his wife or in the name of his children. I cannot say that some abuse does not take place because Government officers do not have X-ray eyes. They have only the same eyes as other people have. Whatever information is furnished in the forms filled up by them and whatever further information we get whenever a plot is allotted, somebody else complains about it and we get further information from such complaints--from these, we see that persons who are already owning plots do not get it.

திரு. ஆர். வெங்கட்டராமன் : இந்த மாநில சிடி மசூதி போர்டின் விநியோக முறைப்படி, குடிசைகள் அல்லது கடைகளைப் பற்றி எந்தெந்த விதமான அபிவிருத்திகளும் பெற்றுள்ளன? அப்படி உள்ளவர்கள் எந்தெந்த பேர் அந்த விடுகளைப் பெற்றிருக்கிறார்கள்?

கனம் திரு. ஆர். வெங்கட்டராமன் : அம்மாதிரி புதிய குடிசை அல்லது கடைகள் கட்டிவைக்க அவசியமான காலத்தில் பெற்று விடுவார்கள். அம்மாதிரி பஸ் ஸ்டாண்ட் பெற்றுக் கொடுக்கக் கொடுத்திருக்கிறார்கள். அம்மாதிரி புதிய விநியோக சேவையை எந்தெந்த அம்சத்திலே நிறுத்தி வைக்கிறது என்பதை சொல்ல முடியும்.

[22nd April 1964]

DR. H. V. HANDE : Apart from wives and children, I find a number of other relations, sons-in-law, sisters-in-law, and brothers-in-law and all sorts of relations get these plots and later on they transfer them to some other person. What measures do the Government propose to take to prevent this type of malpractice? That is my question, Sir.

THE HON. SRI R. VENKATARAMAN : Sir, I do not think it is a malpractice if a son-in-law or a brother-in-law who has no House but is eligible for a plot under the other rules gets it. Because his wife is related to another person, or he is married to somebody else's sister, he should not be deprived of purchasing a plot. The rule in all cases is to see whether the person has a house or land or site of his own. If he has, he is not eligible. If he does not have, then he becomes eligible.

DR. H. V. HANDE : Is it not necessary according to the rules that the solvency of the person should be gone into? If a person is fully solvent and is capable of buying the property, then do the Government think it is proper? I would like to know him the plot. If it is sold to a person who is not at all solvent, then do the Government think it is proper? I would like to know whether proper investigations are made into the financial standing of the person before the plot is allotted to him?

THE HON. SRI R. VENKATARAMAN : Sir, that is being done. We look into the capacity of the individual to pay. Sometimes people who do not have the capacity to buy the property apply for middle income group houses and then it shows that they want to profiteer out of this. We go into all these very carefully. There is a committee of five members who scrutinize the applications. But we can act only on the basis of the information furnished by the applicants and the members of the Committee.

Credit purchase of handloom fabrics

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

(a) whether any facility for credit purchase of handloom fabrics from co-operative institutions is available to teachers in aided schools; and

(b) if not, the reasons therefor?

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

(b) Credit sales were allowed to all Non-Gazetted Government Servants and employees of local bodies. But it was found that in cases of employees of Local Bodies, there were heavy arrears to be collected and several cases of impersonation. The concession granted to employees of local Bodies was, therefore, withdrawn. It is not possible to extend it to teachers of aided schools.

[22nd April 1961]

SRI G. KRISHNAMOORTHY: Sir, now that the Government are to pay the teachers straight from their own funds cent per cent, may I know what difficulty there is in considering the proposal to extend the grant of this concession to the aided schools also?

THE HON. SRI R. VENKATARAMAN: In the light of the changed circumstances, the matter may be again represented and Government will examine it.

SRI S. K. SAMBANDHAN: Will the Hon. Minister tell us whether the co-operative institutions have represented to the Government that there are huge arrears due from the non-gazetted officers?

THE HON. SRI R. VENKATARAMAN: Yes, Sir. We have received a number of representations saying that the arrears are mounting, and they represented that this concession may be stopped. But this being a great facility, we hope that the people who purchase cloth on instalment basis will realise the advantages and then pay regularly.

திரு. எம். சங்கரலிங்கம்மின்னை: கன்வியாருமரி மாவட்ட தனியார் பன்வி ஆபீசியர்கள் அரசாங்கத்தால் நேரடியாக சம்பளம் கொடுக்கப்படுகிறார்கள். அவர்களுக்கு இந்தச் சலுகை நீடிக்கும் படி செய்ய நடவடிக்கை எடுக்கப்படுகிறதா?

கனம் திரு. ஆர். வெங்கட்டராமன்: இப்போது நடவடிக்கை எடுக்கப்படவில்லை. கனம் அங்கத்தினர் இந்த விதமான சலுகை அவர்களுக்குக் கொடுக்க வேண்டுமென்று எழுதினால், சர்க்கார் இவர்களுக்கு அந்தப் பரிசீலனை செய்யும்.

SRI S. K. SAMBANDHAN: Will the Hon. Minister tell us whether the Government would give any guarantee to the co-operative institutions in respect of arrears from the non-gazetted officers?

THE HON. SRI R. VENKATARAMAN: There is no such proposal, Sir.

SRI M. SUBBIAH CHETTIAR: Is there any proposal to recover the arrears overdue for a long time from the salary paid to the non-gazetted officers?

THE HON. SRI R. VENKATARAMAN: The problem has not become acute that much. If it becomes, then we have to consider various remedies.

SRI M. RAJAH IYER: It was stated that the local body servants allowed arrears to accumulate. There had been arrears in respect of non-gazetted officers also. Why should a concession that was expressly given to the local body servants be withdrawn? Would that not be a reflection on the creditworthiness of those

[22nd April 1961]

people? When there is a guarantee of the pay disbursing officer to recover the amounts and pay to the societies, why was this concession withdrawn in respect of these people alone?

THE HON. SRI R. VENKATARAMAN: Sir, in the case of the Government servants also, there were defaults. But in the case of the local body servants, there was an additional handicap, namely, there were cases of impersonation. Therefore, the concession was stopped.

SRI G. KRISHNAMOORTHY: Is it a fact that while the Government themselves have authorised the local bodies to grant this concession to their servants, the local bodies were reluctant to do so?

THE HON. SRI R. VENKATARAMAN: Sir, provided the local bodies agree to pay the money to the societies, the concessions may be extended on their own responsibility.

SRI M. RAJAH IYER: Has there been any representation from the local body servants that this concession should not be cancelled? Simply because there have been a few cases of impersonation, is it proper to punish the entire body of local body servants?

THE HON. SRI R. VENKATARAMAN: Sir, the first consideration is security for the money. We find that the security for the money in the case of local body servants is rather poor. Therefore, it was stopped.

SRI S. K. SAMBANDHAN: Will the Hon. Minister tell us whether they will extent the concession to the teachers if the managements of the aided institutions come forward to give the necessary security?

THE HON. SRI R. VENKATARAMAN: Sir, it is a hypothetical question. The situation must arise and then Government will examine.

DR. A. SREENIVASAN: How many cases of impersonation were there during the past one year?

THE HON. SRI R. VENKATARAMAN: A number of cases.

DR. A. SREENIVASAN: Will the Hon. Minister give us the number?

THE HON. SRI R. VENKATARAMAN: A separate question may be put.

5-10
p.m.

Distribution of electricity

* 179 Q.—SRI K. S. ABDUL WAHAB: Will the Hon. the Minister for Industries be pleased to state the names of private licensees and the local authorities who distribute electricity and the areas under their control?

THE HON. SRI R. VENKATARAMAN: A statement^a is placed on the table of the House.

[22nd April 1964]

SRI K. S. ABDUL WAHAB : What steps do the Government propose to take to satisfy the public complaint of dissatisfaction against the management of the private licensee?

THE HON. SRI R. VENKATARAMAN : In July of this year, there will be discussion on the Electricity Board budget. This is a question which involves a statement of policy. Therefore, I will not be able to answer the question in an interpellation. This may be taken up when the budget of the State Electricity Board is taken up for discussion later on.

SRI M. SUBBIAH CHETTIAR : Sir, has there not been any complaint from the public that the private licensee is not doing the job pretty well?

THE HON. SRI R. VENKATARAMAN : Yes, Sir. There are a number of cases.

SRI K. S. ABDUL WAHAB : Sir, is there any proposal to nationalise some or all of the private electrical undertakings?

THE HON. SRI R. VENKATARAMAN : I cannot be persuaded to make a policy statement during the interpellation time.

Loans to unemployed goldsmiths

* 180 Q.—SRI M. SUBBIAH CHETTIAR : Will the Hon. the Minister for Industries be pleased to state—

(a) the amount, if any, allotted for the grant of loans to unemployed goldsmiths;

(b) the conditions under which the loans are granted; and

(c) the amount of loan disbursed to unemployed goldsmiths, if date?

THE HON. SRI R. VENKATARAMAN : (a) to (c) A statement is placed on the table of the House.

SRI M. SUBBIAH CHETTIAR : From the statement placed on the table of the House, it is seen that nearly a sum of Rs. 30 lakhs has been allotted. But actually it is only Rs. 15 lakhs. May I know, Sir, how many applications have been sanctioned and how many are pending?

THE HON. SRI R. VENKATARAMAN : This relates to the period up to the end of the 9th February. Subsequently, we have allotted up to Rs. 30 lakhs. If a separate question is put, I will be able to give the break-up.

SRI M. SUBBIAH CHETTIAR : Sir, after the first year, the loans have to be repaid in fourteen half-yearly instalments. Will the Government allow the recovery of the amount to be made after three years, because the goldsmiths are suffering from great difficulties?

[22nd April 1964]

THE HON. SRI R. VENKATARAMAN : This goldsmiths are not now engaged in repayment. They are now engaged in getting loans, and when they put forth their difficulties when repayment starts, we will consider them.

SRI K. S. ABDUL WAHAB : Sir, it seems there is a proposal before the Government to assign some of the lands of the affected goldsmiths to the Harijans near Cuddalore. Will the Government interfere and safeguard the rights of the affected goldsmiths?

THE HON. SRI R. VENKATARAMAN : If a specific question is put, I will look into it.

SRI M. SUBBIAH CHETTIAR : Sir, is there any proposal to start small scale industries for the convenience of the goldsmiths?

THE HON. SRI R. VENKATARAMAN : Yes, Sir. The Government have got a proposal to start four industrial co-operatives in which the goldsmiths will be engaged in production not only of gold and silver articles but also a number of multi-metal articles.

DEPUTY CHAIRMAN : Questions are over.

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

II.—CALLING ATTENTION TO THE COLLAPSE OF A HIGHER ELEMENTARY SCHOOL BUILDING IN MADURAI.

SRI G. KRISHNAMOORTHY : Mr. Deputy Chairman, Sir, I beg to call the attention of the Hon. the Chief Minister to a matter of urgent public importance, namely, the collapse of a higher elementary school building in Madurai, involving the loss of many young lives and causing severe injuries to many. The House is anxious to know in detail the steps taken by the Government to afford relief to the injured in this tragic accident.

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, it is with deep regret that I rise to make the following statement.—

The Saraswathi Higher Elementary School in which the mishap occurred is a mixed school situated on the Rajah Mill Road, Madurai Municipality. The school was started in 1953 and it gradually developed into a very big institution with 3,700 students on its rolls and a staff of 99 teachers (91 women and 8 men).

The school is accommodated in 8 separate buildings. The building that met with the calamity consists of 2 wings with 3 floors each. It was put into use in 1956 with only the ground floor. The superstructure was built only last year. The building measures 71½ feet by 40 feet by 31.3 feet in dimensions. The ground floor is built of lime and rock stones. The superstructure is built of lime mortar and bricks. This structure has

[Sri R. Venkataraman] [22nd April 1964]

been constructed from the management funds. The average breadth of the wall of the structure is 10 inches. The Collector of Madurai has reported that several defects were noticed in the construction of the building. Very little cement appears to have been used, the construction being made of lime mortar and bricks. This building accommodated 48 sections and the strength of the pupils that can be accommodated in this building is roughly calculated to be 1,200. One wing of this building has collapsed. It is learnt that the third floor of this wing came down at 11-45 a.m. on 4th April 1964 on the second floor which in turn collapsed and the inmates who were there at that time were caught under the debris. That was a holiday and only children attending the special classes were there at the time of the tragedy. The number that died is 35; 34 students and 1 meal carrier woman.

Within half an hour of this mishap, all officers and men of the town police, fire brigade, etc., were engaged in rescue operations. Besides them, great service was also rendered by the men of the T.V.S. organisations and the Harvey Mills. The District Superintendent of Police, Madurai (Urban), was in direct charge of the operations. The Divisional Inspector of Schools, Madurai and the District Educational Officer, Madurai, were also on the spot rendering necessary assistance.

Between 12 noon and 1 p.m. on 4th April 1964, 196 inmates of the school were rescued and sent to the hospital. Of them 35 were dead (34 students and 1 meal-carrier woman). Out of the rest, 130 were treated as in-patients in the hospital which included the Headmistress and 5 other teachers. Thirty-one were treated as out-patients. The dead bodies were handed over to the parents at 6 p.m. At the hospital, adequate arrangements were made for the nursing of the injured persons.

In order to afford adequate relief to the injured persons and to the parents of the bereaved, the Government have taken immediate action. Necessary instructions have been issued to the Dean, Erskine Hospital, Madurai, and others concerned that—

(i) the treatment of all children and adults injured in the accident must be completely free in the Government Erskine Hospital, Madurai;

(ii) in the case also of those children who were discharged on the 4th instant after treatment and who are re-admitted into the hospital for further examination and treatment, the treatment must be completely free;

(iii) in the case of all the injured children and adults who are treated either as in-patients or as out-patients, the administration of expensive drugs, injections, etc., should not be charged and should be free of cost;

(iv) The first X-ray as well as any subsequent X-rays taken of the injured must be free;

22nd April 1964] [Sri R. Venkataraman]

(v) if any expensive medicines required for being administered on the injured are not available in the hospital, they should be purchased at the cost of the Government and no charges should be collected from the patients.

The Director of Public Instruction, who has visited the scene of the tragedy, has given an assurance to the parents of the school children who were injured that they need not have to sit for the annual examinations and that they would be promoted to the next higher class. The Revenue Divisional Officer, Madurai, has conducted a detailed enquiry into the incident. His report has just been received and is being examined. The Executive Engineer (Special Buildings Division), Madurai, has been asked to conduct an enquiry into the technical reasons for the collapse.

Action is also being taken by Government to get all the school buildings in the State inspected.

III.—GOVERNMENT BILL.

THE MADRAS BHODAN YAGNA (AMENDMENT) BILL, 1964
(L.A. BILL NO. 10 OF 1964)

THE HON. SRI P. KAKKAN : Sir, I move—

“That the Madras Bhodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as passed by the Assembly, be taken into consideration”.

5-20
p.m.

தலைவர் அவர்களே, 1964-ம் ஆண்டு தமிழ்நாடு “னிதான யக்ஞ” (சேர்த்து) பதோதாவை, ஆலோசனைக்கு எடுத்துக்கொள்ளுமாறு அறிவித்து கேட்டுக் கொள்கிறேன்.

ஸ்ரீ ஆச்சார்ய விநோபா பானே அவர்கள், ஆரம்பித்து வைத்த பெரும் இயக்கமான பூதான யக்ஞத்தைப் பற்றி இந்த சபைக்கு அறிவும், பூதானத் திட்டத்தை அமுல் நடத்த 1958-ம் ஆண்டு தமிழ்நாடு பூதான யக்ஞ சட்டம் (1958-ம் ஆண்டு, சென்னை சட்ட சபை) இந்த சபையில் நிறைவேறியதை இங்குள்ளவர்கள் அறிவார்கள். மேற்சொன்ன சட்டத்தை நிறைவேற்றவில்லை என்பது சில குறைபாடுகளையும், அனுபவத்தில் கண்ட கஷ்டங்களையும் தீவிரமாக கவலை வகையில் திருத்தம் செய்ய வேண்டிய அவசியம் இப்போது ஏற்பட்டிருக்கிறது.

பூதான நிலங்களைப் பெற்றவர்கள், ஒன்று சேர்ந்து, கூட்டு முறையாக சாகுபடி செய்வதற்கான வசதியளிக்கப்படவில்லை. இந்த நில அவசியம் என்று கருதப்படுகிறது. இதற்காக, பூதான நிலங்கள் பெற்றவர்கள் அங்கத்தினர்களாக இருக்கும் கூட்டுறவு கங்களை உருவாக்கவும், அவற்றின் மூலம் கூட்டுச் சாகுபடி செய்ய வழி அமைக்க வேண்டியுள்ளது. எனவே, கூட்டுறவு கங்களுக்கும், பூதான நிலங்களை அளிக்கும் அதிகாரம், மாநில போர்டுகளுக்கும் உரிமையளிக்கப்பட்டுள்ளது.

[Sri P. Kakkan]

[22nd April 1964]

இப்போதுள்ள சட்டத்தின் 2 (ஏ) பிரிவில், "கொடமதான ஊர்" என்பதற்குப் பொருள் வரையறுக்கப்பட்டுள்ளது. அதன்படி ஒரு சேர் அமைந்துள்ள கொடமதான ஊர்கள் நவீனமற்ற, 'அறிவிப்பு' (Notarisation) செய்ய முடியவில்லை. எனினும், அந்தக் கொடமதானில் தானம் செய்யும் தபர்களின் எண்ணிக்கை, தானம் செய்து கொடுக்கப்பட்ட படிபடி யானவை, முன்பென்ன சட்டத்தின் பொருள் விளக்கத்துக்குப் பொருந்துவதாக இல்லாததால், இதற்கென்ற முறையில், கொடமதான ஊர்" என்பதன் பொருள் விளக்கம் தக்க வகையில் திருத்தப்படும்.

கொடமதான ஊர்களில் முதலான யக்குந்துக்காக வழங்கப்பட்ட நிலங்கள் உள்ளன, அந்த நிலங்களில் நிலமில்லாத ஏழை ஜனங்கள் ஒரு இடத்தில் கொடுக்காத நிலங்களை அந்த ஊரில் நிறுத்தப்பட்டுள்ள சர்வோதய பஞ்சாயத்துக்கு வழங்க வேண்டுமென்று தோன்றியது. அதற்கு ஏற்றபடி, சட்டத்தை திருத்தி, முதலான நிலங்களை கொடமதான ஊர்களில் உள்ள சர்வோதய பஞ்சாயத்துக்களுக்கு வழங்கும் அதிகாரத்தை மாநிலப் பேரங்கீட்டுத் தர உத்தேசிக்கப்பட்டுள்ளது.

இப்போதுள்ள சட்டப்படி, தானம் கொடுக்கப்பட்டுள்ள நிலங்களை அந்தந்த தாலுகா தாசில்தார் அல்லது உதவி தாசில்தார் விசாரணை செய்து காயம் செய்ய வேண்டியிருக்கிறது. இதில் ஏற்பட்டுள்ள ஒருகூலி குறைவைத் தக்க தற்போதுள்ள முறையை ஒரு சிறிது மாற்றி பின்வருமாறு அமைக்க உத்தேசிக்கப்பட்டுள்ளது. இப்போது கொண்டு வரப்பட்டுள்ள திருத்தங்களின்படி உறுதிமொழிகளை மாநிலப் பேரங்கீட்டுத் தாக்கல் செய்யவேண்டும் செயின்ட் ஜார்ஜ் கோட்டை கெஜட்டில், நியமித்தல் முறையில் அலுவலர் மாநிலப் பேரங்கீட்டு, வெளியிடும். அதற்குப் பின்பு அந்த உறுதிமொழிகள், அந்தந்த விசாரணை அதிகாரிக்கு Inquiry Officer-க்கு அனுப்பப்படும். குறிப்பிட்ட கால எல்லைக்குள், அப்போதுள்ள ஏதாவது வரையிட்டால், விசாரணை அதிகாரி, உறுதிமொழியை காயம் செய்யும். அப்போது வரப்பெற்றால் அலுவலர் கேட்ட பின்பு, உறுதிமொழியைக் காயம் செய்யலாம்; அல்லது செல்லுபடியாகாதென்று தள்ளியும் விடலாம். உறுதிமொழியைக் காயம் செய்யும்போது, விசாரணை அதிகாரியின் உத்தரவின் தகல் ஒன்று, அந்த விஷயத்தைப் பற்றிய நடவடிக்கை தந்தாலேஜைக்குடன், மாநிலப் பேரங்கீட்டு அனுப்பப்பட வேண்டும். மாநிலப் பேரங்கீட்டு, அந்த உத்தரவை செயின்ட் ஜார்ஜ் கோட்டை கெஜட்டில் வெளியிடும். பொது ஜனங்கள் தெரிந்த கொள்ள, காய உத்தரவின் தகல் ஒன்றை சம்பந்தப்பட்ட நிலப் பதிவு அதிகாரிக்கு (சப்-ரெஜிஸ்ட்ரார்) மாநிலப் பேரங்கீட்டு அனுப்பி அவ்வளவுகால தந்தாலேஜைகளில் பதிவு செய்ய ஏற்பாடு செய்யும். விசாரணை அதிகாரி சித்திரம் நடவடிக்கைகள் பற்றி பாகாமல் இருக்கும் காலத்தில், முதலான யக்குந்துக்காக வழங்கப்பட்ட நிலங்களைச் சாசுவது செய்வதற்கான ஏற்பாடுகளை மேற்கொள்ள, மாநிலப் பேரங்கீட்டு அதிகாரம் வழங்கப்படுகிறது.

22nd April 1964]

[Sri P. Kakkan]

இப்போதுள்ள சட்டப்படி, நிலங்களைத் தானம் செய்வது, அதைப்பற்றி உறுதிமொழி தருவது முதலிய தந்தாலேஜைகளுக்கு, ஸ்டாம்பு கட்டணம் செலுத்துதல், வில்லங்க அத்தாட்சி (Encumbrance certificate) செலுத்த தொகை கட்டிதல் முதலிய வற்றிலிருந்து விதிவிலக்கு அளிக்கப்பட்டுள்ளது. சதிபத்தின், மதுரை மாவட்ட நீதிபதி District Judge of Madurai அளித்த என். நம்பர் 115-62 என்ற தீர்ப்பின், 1882-ம் ஆண்டு சொத்துக்கள் மாற்றம் பற்றிய சட்டத்தினால் (Transfer of Property Act, 1882) 1908-ம் ஆண்டு இந்தியப் பதிவுச் சட்டத்தினால் (இந்தியன் ரிஜிஸ்ட்ரேஷன் ஆக்ட், 1908) சாஸ்ப்பட்டுள்ளதற்கெற்பு, நில தானங்கள் பற்றிய பத்தியங்கள் பதிவு செய்யப்படவில்லை என்ற காரணத்தினால்தான், முதலான யக்குந்துக்கு வழங்கப்பட்ட நில தானங்கள் மீது செல்லுபடியாகாமல் போய் விட்டன. எனவே, ஸ்டாம்பு கட்டணம் செலுத்தவிலகிவிடுத்து மட்டுமின்றி, 'பதிவு செய்யவேண்டியது அவசியமே' என்பதில் இருந்தும், விதிவிலக்கு தந்து, சட்டத்தைத் திருத்த எண்ணியுள்ளோம். சட்டப்படி பத்தியங்கள் பதிவு செய்யப்படாத காரணத்தால் செல்லுபடியாகாமல் போன உறுதிமொழிப் பத்தியங்கள், செல்லத்தக்கவகையில் செய்யவும் உத்தேசிக்கப்பட்டுள்ளது. அதற்கென்ற வகையில், சட்டத்தின் விதிமுறைகளைத் தக்க முறையில் மாற்றி அமைக்க உத்தேசிக்கப்பட்டுள்ளது.

மதோதாவின் பத்திய அம்சங்களை, கருக்கமாக குறிப்பிட்டேன். இந்த மதோதாவின் "தொக்கங்கள், காரணங்கள் பற்றிய அறிக்கையில்" இதன் தொக்கத்தைப் பற்றி விரிவாகக் கானலாம். சட்ட சபையில் நிறைவேற்றப்பட்ட இந்த மதோதாவைத் தற்போது கொடுக்கப்பட்ட திருத்தங்களுடன் ஆலோசனைக்கு எடுத்துக் கொள்ளுமாறு கேட்டுக்கொள்கிறேன்.

MR. DEPUTY CHAIRMAN: Motion moved—

"That the Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as passed by the Assembly, be taken into consideration".

SRI V. K. RAMASWAMI MUDALIAR: Mr. Deputy Chairman, Sir, I move the following amendment—

"That the Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as passed by the Assembly, be referred to a Select Committee".

About the personnel of the Committee, I leave it to the Hon. Minister.

MR. DEPUTY SPEAKER: The motion and the amendment are before the House for discussion.

[22nd April 1961]

SRI V. K. RAMASWAMY MUDALIAR: Sir, I find, after going through this Bill, that there are many discrepancies. The very fact that the Government have given a lot of amendments shows that the Bill was passed in haste and that it was not prepared properly. One important thing is that it clashes with the Central Act, this is, the Transfer of Property Act. Again, here an unscrupulous man can sell the land to whomsoever he likes and then he can say afterwards that he has donated the land. Take this there are so many other discrepancies also. Though I understand the urgency of the Bill, still I would request the Hon. Minister to agree to refer this Bill to a Select Committee. Even if the Government amendments are passed, they have to go to the Assembly once again. Therefore, my submission is that my proposal to refer the Bill to the Select Committee may be accepted.

SRI S. K. SAMBANDHAN: I second the amendment, Sir.

கனம் திரு. பி. கக்கன் : கவர் தலைவரவர்களே, இந்த மசோதா எற்கனவே கொண்டு வரப்பட்டிருக்க வேண்டியது. ஆனால் சில காரணங்களால், செய்ய வேண்டிய வேலைகள் எல்லாம் தாமதப்படுகிறது. நிவம் கொடுத்ததை எடுக்கிறதற்கு பிரயத்தனம் செய்து கொண்டிருக்கிறார்கள். எற்கனவே சட்டத்திலுள்ளதை நிறைவேற்றுவதற்காக இந்தத் திருத்தம் கொண்டு வரப்பட்டிருப்பதால், இதை ரைக் கமிட்டியின் பரிசீலனைக்கு விடவேண்டிய திட்டம் என்று கேட்டுக் கொள்ளுகிறேன்.

DR. H. V. HANDE: Mr. Deputy Chairman, Sir, the purpose of this amendment, as I see it, is to give the Bhoodan land to certain societies, the Sarvodaya panchayat and also certain co-operative societies. But I am a little surprised that this amendment has been brought in at all. Actually when Acharya Vinobha Bhave started this movement, his idea was to give the land to the landless poor. But by this amendment, by a stroke of the pen of the Government, the right of the poor is curtailed to a certain extent because the Government get the power to transfer his land to certain societies. What is the actual function of the societies I really wonder because as soon as this is transferred to the societies, the second problem crops up how the society is going to redistribute it, what is the agency which watches the proper redistribution, and why the Government should take upon themselves such wide powers as distributing this land to these societies. The very purpose for which Acharya Vinobha Bhave tried his utmost and worked in every nook and corner of India is completely lost by this amendment. Therefore, I request this House to reconsider this and decide that it should be given only to the landless poor who are in want.

There is another important point. Certain new officers, inquiry officers, are supposed to be put in. What exactly is the role of these officers and what is the rank of these officers? They are supposed to be directly answerable to the Bhoodan Board. But

[22nd April 1961] [Dr. H. V. Hande]

could we not take care to see that these officers are made answerable to the Collectors of the respective districts instead of straightaway to the Board? Then, what is the rank of these officers? Are we not giving wider powers to these officers? Then there are already Deputy Tahsildars to look after this work, this is only duplication of work. These two points I wish to be clarified by the Hon. Minister.

SRI K. BALASUBRAMANYA AYYAR: Mr. Deputy Chairman, Sir, I welcome this Bill. There is no objection to it. Giving the land to the Sarvodaya Movement is a good thing. There is nothing wrong about it. The Sarvodaya Panchayat will give it only to the landless poor. Because 'Sarvodaya' is mentioned, it does not mean that the land will not be given to the landless poor persons. The Sarvodaya Panchayat has been constituted for the purpose of helping the landless people. We are not going against the object of Acharya Vinobha Bhave.

But, unfortunately, various provisions are put in which are not clear. The Government themselves have given notice of amendments. There are also other difficulties. For the purpose of effectuating this Act, not for opposing it, for the purpose of seeing that Bhoodan takes a smooth effect on the landless people, this may be considered in detail. That is the point I wish to make.

* THE HON. SRI R. VENKATARAMAN: Mr. Deputy Chairman, Sir, the point raised by the hon. Member Sri V. K. Ramaswami Mudaliar that it clashes with the Transfer of Property Act has been thoroughly examined and I beg to submit that with the amendment proposed by the Government, there will be no clash at all. Actually in the Bill as it was originally introduced in the other House, one of the provisions in the corresponding Act has been overlooked and that has now been brought again as an amendment here. The only question that could be raised is that this seeks to override the law of Transfer of Property. But if the hon. Members will look at the original Act, they will find that under section 17 of the Act, there is a provision for an elaborate enquiry in which first the lands which are donated to the Bhoodan Yagna should be notified in the gazette, then objections called for and after the objections are heard, the question must be decided. Even after it is decided, under section 23, a person can at any stage file a civil suit to set aside the grant to bhoodan. But what we have now sought to do by this amendment is this. There are certain formalities such as registration and other things which have not been observed by the people who donated lands. The person donates the lands but then he refuses to sign the document, he refuses to go over to the Registrar's office and do the registration. These are all formalities which are required to be performed by persons who donate the lands. The donor says: 'I not merely give the lands, but I am also asked to

[Sri R. Venkataraman] [22nd April 1964]

go to the Registrar, this person and that. I am not prepared to undertake all those responsibilities. Therefore, what we have said is, notwithstanding anything which the formalities which we have mentioned may require such as non-attestation, non-registration, etc., lands which have been confirmed by the officer will be notified and on such notification the transfer would be valid and final.

We have also provided for something more in this amendment. It is by way of abundant caution. It may be that a person after donating the lands to the bhoodan, can go and sell the very same lands to somebody else. Because this grant to bhoodan is not registered in the land registry, the purchased *bona fide* for value may get a better title than the Bhoodan Panchayat. Therefore, we have said that in cases where the enquiry has been made and an order has been passed, it is the duty of the officer concerned to send it to the Register and get it registered so that it may be a notice to all people.

I do not think there is any grave irregularity or serious conflict with the Transfer of Property Act. The measure is most wholesome and I would request the House to accept it.

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

“ That the Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as passed by the Assembly, be referred to a Select Committee ”.

The amendment was put and lost.

MR. DEPUTY CHAIRMAN: The question is—

“ That the Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as passed by the 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 4.

MR. DEPUTY CHAIRMAN: The motion is—

“ That clause 4 do stand part of the Bill ”.

THE HON. SRI P. KAKKAN: Mr. Deputy Chairman, Sir, I move the Government amendment to clause 4. It is a very long amendment and it might be taken as read.

THE HON. SRI R. VENKATARAMAN: I think it is better the hon. Members understand the significance of the amendment. Therefore, I will read the whole thing.

22nd April 1964]

THE HON. SRI P. KAKKAN: Mr. Deputy Chairman, Sir, I move—

“ In clause 4, for items (v) and (vi), substitute the following items :—

“ (v) for sub-section (5), the following sub-section shall be substituted, namely :—

“ (5) (a) Where the Inquiry Officer passes an order under sub-section (4) confirming a declaration, he shall, as soon as may be, communicate the order along with the record of his proceedings to the State Board.

(b) As soon as may be after the receipt of the order referred to in clause (a), the State Board shall—

(i) publish such order in the *Fort St. George Gazette*, and

(ii) send a copy of such order duly authenticated by any officer authorised by the State Board in this behalf to the registering officer under the Indian Registration Act, 1908 (Central Act XVI of 1908) within the local limits of whose jurisdiction the land to which the order relates is situate and such registering officer shall register such order :

Provided that no fee shall be payable for such registration and it shall not be necessary for any officer of the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration.

(vi) for sub-section (6), the following sub-section shall be substituted, namely :—

“ (6) Upon such registration, all the right, title and interest of the donor in such land shall, notwithstanding anything contained in any other law for the time being in force but subject to the provisions of section 23, stand transferred to, and vest in, the State Board for the purposes of the Bhoodan Yagna ”.

MR. DEPUTY CHAIRMAN: The question is—

“ In clause 4, for items (iv) and (vi), substitute the following items :—

“ (v) for sub-section (5), the following sub-section shall be substituted, namely—

(5) (a) Where the Inquiry Officer passes an order under sub-section (4) confirming a declaration, he shall, as soon as may be, communicate the order along with the record of his proceedings to the State Board.

(b) As soon as may be after the receipt of the order referred to in clause (a), the State Board shall—

(i) publish such order in the *Fort St. George Gazette* and

[Mr. Deputy Chairman] [22nd April 1964]

(ii) send a copy of such order duly authenticated by any officer authorised by the State Board in this behalf to the registering officer under the Indian Registration Act, 1908 (Central Act XVI of 1908) within the local limits of whose jurisdiction the land to which the order relates is situate and such registering officer shall register such order :

Provided that no fee shall be payable for such registration and it shall not be necessary for any officer of the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration.

(vi) for sub-section (6), the following sub-section shall be substituted, namely—

“(6) Upon such registration, all the right, title and interest of the donor in such land shall, notwithstanding anything contained in any other law for the time being in force but subject to the provisions of section 23, stand transferred to, any vest in, the State Board for the purposes of the Bhoodan Yagna.”

The amendment was put and carried.

Clause 4, as amended, was put and carried

Clauses 5 to 10 were put and carried.

Clause 11.

MR. DEPUTY CHAIRMAN : The motion is—

“That clause 11 do stand part of the Bill”.

THE HON. SRI P. KAKKAN : Mr. Deputy Chairman, Sir,
In clause 11,—

(a) in the opening paragraph and in sub-clause (a), after the words “under the principal Act”, insert the words “as in force immediately before the commencement of this Act”;

(b) add the following provisos :—

“Provided that in the case of every order confirming a declaration under sub-section (4) of section 17 of the principal Act before the commencement of this Act, the State Board shall, within four months from the date of such commencement, send a copy of such order authenticated by an officer authorised by the State Board in this behalf to the registering officer under the Indian Registration Act, 1908 (Central Act XVI of 1908), within the local limits of whose jurisdiction the land to which the order relates is situate and such registering officer shall register such orders :

Provided further that no fee shall be payable for such registration and it shall not be necessary for any officer of the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration :

Provided also that notwithstanding anything contained in section 11 or sub-section (5) of section 17 of the principal Act, as in force immediately before the commencement of this Act,

22nd April 1964 [SRI P. KAKKAN]

all the right, title and interest of the donor in such land shall stand transferred to and vest in the State Board or the Sarvodya Panchayat, as the case may be, only on registration of the copy of the order under the first proviso.

Explanation.—For the removal of doubts, it is hereby declared that if in any case the declaration or grant of any land donated under the principal Act has been registered under the Indian Registration Act, 1908 (Central Act XVI of 1908), before the commencement of this Act, the copy of the order confirming the declaration in respect of such land under sub-section (4) of section 17 of the principal Act shall not be deemed to require registration under this section.”

MR. DEPUTY CHAIRMAN : The amendment is before the House for discussion. 5-40 p.m.

SRI K. BALASUBRAMANYA AYYAR : Sir, I have one difficulty here. I shall read out clause 11. It says—

“Notwithstanding anything contained in any judgment, decree or order of any court, no donation of any land for the Bhoodan Yagna or for Gramdan and no grant of any such land made or deemed to have been made under the principal Act shall be deemed to be invalid on the ground only that the donation or the law relating to transfer of property or registration . . .”

My first doubt is whether we should sweepingly say . . . any law relating to transfer of property . . . Because there are so many disabilities under the law will all those disabilities be covered by this? Mere formalities like attestation, etc., in the transfer of property can be imagined, but not fundamental sections dealing with the disabilities under the law of Transfer of property. These may also be brought under the purview of this clause. The Hon. Minister may say that under section 17 of the original Bhoodan Yagna Act, the validity or invalidity would have been looked into. But there is one other difficulty that struck me. The clause says, “Notwithstanding anything contained in any judgment, decree or order of any court . . .” Suppose there is a fraudulent transfer of property and the judgment says that it is a fraudulent transfer. Is this also to be brought within the scope of the clause? It is all right so far as section 17 is concerned. But take the case of a judgment in which there has been an adjudication in regard to the transfer of property saying that it is a fraudulent transfer or fraudulent preference. In this case, how will clause 11 apply? It is, as I said, all right in the case of section 17 of the Act but we are not dealing merely with section 17 but with all decrees, judgments, and orders. The transfer of property may not be invalid merely on the ground of formalities not being fulfilled, like attestation, etc. It will not be proper to say that all donations of land not made in accordance with the transfer of property Act shall not be invalid. It will be all right if we say that donation of land for Bhoodan shall not be

[Sri K. Balasubramanya Ayyar] [22nd April 1964]

invalid on the ground only that it has not been made after fulfilling the formalities under the Transfer of Property Act like attestation, etc. This is the point. But if a judgment says that the transfer is invalid on the ground that it is a fraudulent transfer and in fraud of creditors, that particular section will be affected. There are a number of sections in the Transfer of Property Act. The answer of the Hon. Minister is perfectly all right so far as section 17 of the principal Act is concerned. If there was anything which said that the formalities had not been fulfilled, it is all right. They would have enquired under section 17 whether the Bhoodan was perfectly all right, and whether it was not a fraudulent transfer or preference. If there was a fraudulent transfer, they would have rejected. They have got the power to do so. But in the case of a judgment which says that it is a fraudulent transfer, they cannot say that it is a valid transfer of property. That is the difficulty.

THE HON. SRI R. VENKATARAMAN: Mr. Deputy Chairman, a number of donations of land made by several persons to the Bhoodan movement have been set aside and held invalid on the ground that there was no attestation, then there was no registration and also that the formalities relating to the Transfer of Property Act were not fulfilled. Taken as a whole, the clause only validates all those cases in which the transfer has not been made in accordance with the Transfer of Property Act, provided now we register it and then we publish it. Sir, it is possible to conceive of cases in which there might have been a judgment where a transfer or a grant or a gift in favour of Bhoodan might have been in fraud of creditors or might be vitiated by some other consideration. But in those cases, my submission is that, in the first place, they would have already been considered under section 17, because the moment a land is said to be given as a donation to Bhoodan, it is published in the gazette, and publication in the gazette is considered to be notice in respect of that land. After this, the second portion of section 23 will come into operation. Even now if a person files a civil suit saying that a particular land has been granted to Bhoodan, it is liable to be set aside on the ground of fraudulent declaration, one of the things which vitiate a contract. Then, Sir, the effect of section 23 is not taken away by this. Therefore, my submission is that we are now validating generally all those transfers which have been set aside. Then after validation . . . (Interruption by Sri K. Balasubramanya Ayyar). I am coming to that. If we had merely left it with the present clause 11, the hon. Member Sri Balasubramanya Ayyar's objection would be valid. But it must be read with the amendment to that clause, which says that it must now be published again. Then it is only on registration all previous transfers would be held to be proper transfers. My submission is that in this case a suit would still lie to say that this is a fraudulent transfer. In any event my submission is that if actually a particular judgment is there which says that a certain transfer of property is no transfer at all, then it is vitiated by any one of the conditions which vitiate

[22nd April 1964] [Sri R. Venkataraman]

normally the transfer of property. The officer would not include it in Bhoodan, because under section 17, an enquiry has to be made. He would have conducted the enquiry, and he would have found that it was not property which could be included. He would have excluded that property. Any judgment in a stray case might possibly be conceived in which the property which has been transferred might not be held to be validly transferred. Section 23 will still apply, and therefore it will not be possible for the Bhoodan to register it under the new clause. This is my interpretation.

SRI K. BALASUBRAMANYA AYYAR: Sir, clause 11 should not compel an officer. That is my point. This clause will compel the officer to say, "No, no; what can I do; there is the wording 'no law relating to transfer of property'; therefore, I would not go into the question"; That is the difficulty. It is all right for the Hon. Minister and others to be reasonable. But when this goes before the Enquiry Officer, all technical objections will be raised. This clause 11 will be put before him. He will say, "This transfer is covered by clause 11, please don't talk". I do not want such a thing to happen. I am for Bhoodan. That is why I am saying all these. I am not obstructing the Bill. I am saying all these because I do not want there should be any difficulty for any Enquiry Officer. Why should we leave it to the civil court? Why not make it clear here itself? Let us be clear in clause 11. Let us say that other sections in the Transfer of Property Act will not apply and that only that section dealing with attestation, etc., will apply. It is better to say that here. Why should we take the risk? Somebody will abuse the legislation if we do not make it clear here itself. I am not here arguing against the Bill. I am only saying that the clause be properly worded so that no technical objection can be raised by any one later on.

THE HON. SRI R. VENKATARAMAN: Sir, there is the proviso which says—

"Provided also that notwithstanding anything contained in section 11 or sub-section (5) of section 17 of the principal Act, as in force immediately before the commencement of this Act, all the right, title and interest of the donor in such land shall stand transferred to and vest in the State Board or the Sarvodaya Panchayat, as the case may be, only on registration of the copy of the order under the first proviso."

A second registration would be required in those cases where there has been no previous registration. I, therefore, would be required at the time of registration. I, therefore, submit that it is open to the people to say that this cannot be registered for the reason that it is vitiated because of the judgment.

SRI K. BALASUBRAMANYA AYYAR: The Hon. Minister may go on arguing. But the land will not be cultivated.

[22nd April 1964]

MR. DEPUTY CHAIRMAN : The question is—

In clause II—

(a) in the opening paragraph and in sub-clause (a), after the words “under the principal Act”, insert the words “as in force immediately before the commencement of this Act”;

(b) add the following provisos:—

“Provided that in the case of every order confirming a declaration under sub-section (1) of section 17 of the principal Act before the commencement of this Act, the State Board shall, within four months from the date of such commencement, send a copy of such order authenticated by an officer authorised by the State Board in this behalf to the registering officer under the Indian Registration Act, 1908 (Central Act XVI of 1908) within the local limits of whose jurisdiction the land to which the order relates is situate and such registering officer shall register such orders:

Provided further that no fee shall be payable for such registration and it shall not be necessary for any officer of the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration:

Provided also that notwithstanding anything contained in section 11 or sub-section (5) of section 17 of the principal Act, as in force immediately before the commencement of this Act, all the right, title and interest of the donor in such land shall stand transferred to and vest in the State Board or the Sarvodaya Panchayat, as the case may be, only on registration of the copy of the order under the first proviso.

Explanation.—For the removal of doubts, it is hereby declared that if in any case the declaration or grant of any land donated under the principal Act has been registered under the Indian Registration Act, 1908 (Central Act XVI of 1908) before the commencement of this Act, the copy of the order confirming the declaration in respect of such land under sub-section (1) of section 17 of the principal Act shall not be deemed to require registration under this section.”

The amendment was put and carried.

Clause II, as amended, was put and carried.

Clause I and the Preamble were put and carried.

THE HON. SRI P. KAKKAN : Sir, I move—

“That the Madras Bhodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as amended, be passed.”

MR. DEPUTY CHAIRMAN : The question is—

“That the Madras Bhodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as amended, be passed.”

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

[22nd April 1964]

MR. DEPUTY CHAIRMAN : The House will now rise and meet again at 6 p.m. 5 50 p.m.

The House then adjourned.

(The House re-assembled at 6 p.m.)

(Deputy Chairman in the Chair.)

IV.—ELECTION OF CHAIRMAN

MR. DEPUTY CHAIRMAN : The next item on the Agenda to-day is the election of the Chairman under Article 182 of the Constitution of India. Nominations for this Office have already taken place.

Under rule 12 (1) of the Madras Legislative Council Rules, I have first to read out to the House the names of Members who have been duly nominated together with those of their proposers and seconders. They are:

<i>Serial number and name of Candidates.</i>	<i>Name of the proposer.</i>	<i>Name of the seconder.</i>
(1)	(2)	(3)
1. Sri M. A. Manickavelu Naicker.	Sri R. Venkataraman	Sri K. Rajaram.
2. Sri M. A. Manickavelu Naicker.	Sri N. R. Thyagarajan.	Sri A. Sambasiva Reddiar.

As only one Member has been validly nominated for election, namely, Sri M. A. Manickavelu Naicker, I declare him duly elected as Chairman, Madras Legislative Council. (Cheers).

It only remains for me to tender to the Hon. Sri M. A. Manickavelu Naicker my sincere congratulations on his election and I call upon him to occupy the Chairman's Chair. When the Hon. the Chairman goes to occupy the Chair, I request all hon. Members to stand up and resume their seats only after the Chairman has taken his seat. After he takes his Chair, congratulatory speeches will be made. Now, I request the Leader of the House and the Leader of the Opposition to conduct Sri M. A. Manickavelu Naicker to the Chair.

(Then, the Hon. Sri M. A. Manickavelu Naicker was conducted to the Chair by the Hon. Sri R. Venkataraman and Dr. A. Lakshmanaswami Mudaliar and he occupied the Chair amidst cheers.)

V.—CONGRATULATORY SPEECHES ON THE ELECTION OF CHAIRMAN.

MR. CHAIRMAN : Now I call upon the Leader of the House to speak.

THE HON. SRI R. VENKATARAMAN : Mr. Chairman allow me to offer the felicitations of this House on your unanimous election as Chairman of this august body. You are no stranger

[Sri R. Venkataraman] [22nd April 1961]

to this House. In fact, you are the seniormost legislator in this House to-day. Having started your career in the Legislature as early as 1926, you have been a Member of the Legislature in the pre-Independence era and have also been a Member of the Legislature of Madras in the post-Independence period. You have also been a Member of the Rajya Sabha for the last two years and have gained vast and varied experience of the functioning of the legislatures in this country.

Your services to the State are too well-known to need a recount. As a Minister of this Government for ten years, you have rendered yeoman service to this State, and more than that, you have endeared yourself to the people of the State as well as to all the Members of the Legislature. Your high sense of humour will always stand you in good stead so that when difficult situations—which I hope will not arise at all in this House—if at all ever occur, you will be able to smoothen the situation with your usual wit and humour.

Sir, you are one of those who are very well versed in the procedures of Legislature. While others have studied the procedures of Legislature, I must say you have grown with it. Your long experience in the several Legislatures of the country has given you a mastery over the procedures which, in my opinion, are very important in a democratic institution. Sometimes people are tempted to disregard procedures, holding them as obstruction. It is my humble view that unless the rules and regulations are strictly observed and unless the procedures are properly followed, intelligent debate will become impossible.

Sir, in the legislatures of our country we have a bicameral system, and in the bicameral legislature the Upper House or the Second Chamber, has certain functions and responsibilities. Though the Second Chamber functions under certain restrictions imposed under the Constitution, it has also certain responsibilities to see that the legislation as well as the administrative action gets a second examination before it is finalised. Even in the administration, as you are aware, there is always a second opinion taken in respect of various acts that we perform. Similarly, in enactments it is very necessary to have a second opinion of another body which will scrutinise the legislative enactments as well as the administrative acts of the Government. Therefore, this House has an important role to play and in the discharge of its responsibilities you, as the architect, will play an important role and see that the House is led in the proper way to discharge its onerous responsibilities.

Personally you are a friend of every one of us and that gives you a very great advantage. You have been one of us in every sense of the word—friendly and familiar—and you have always associated yourself with all the good causes in the State. Now it has been given to you to preside over a House which has set up very high traditions and which has in the years it has been in

22nd April 1961] [Sri R. Venkataraman]

existence contributed a great deal to the efficient and effective functioning of democracy in our State. I may assure you, Sir, that as Chairman you will not have many difficult moments. You have in the Opposition a leader who can be said to be an ornament to any legislature in any part of the world. Speaking on the occasion when I made a reference to the retiring Members, I said and I cannot say anything better than that—"I will only make a small reference to our distinguished Leader of the Opposition, Dr. A. Lakshmanaswami Mudaliar. With his vast and varied experience not only of the Assemblies and Councils in our country, but also of the many International Organisations like the UNESCO and the WHO, Dr. Mudaliar brought to bear on the discussions in the House a maturity of wisdom and a persuasive manner which is inimitable by any one". We shall stand as two pillars and sustain your integrity and your authority and we shall see to it that these two pillars are not brought down by even the mightiest Samson. (Cheers)

Sir, I wish you all the best and may I say that we look forward to a period of very fruitful co-operation with you where you will be able to help, guide and assist us in the discharge of our responsibilities. Thank you. (Cheers.)

6-10
p.m.

DR. A. LAKSHMANASWAMI MUDALIAR: Mr. Chairman, Sir, it gives me very great pleasure to associate myself with all the sentiments that the Hon. the Leader of the House has expressed. As he has correctly stated, Sir, you are not a stranger to this House. Even when after Independence this House was reconstituted, though you were not a Member of this house you were by no means a *rara avis*. In fact, Sir, I think you spent more of your time in this House than any other Minister who did not belong to this House.

Sir, your rare gift in managing many of those complex laws relating to Revenue and the experiences you have taught us in regard to the various persons connected with the revenue administration are still fresh in our minds.

Sir, you have had, as the Hon. the Leader of the House, said varied experiences as a parliamentarian. You were a member of the old Legislative Council, a member of the new Legislative Assembly of this State and the Rajya Sabha, not to mention of the opportunities to have had also to look into the Lok Sabha as a visitor. I can assure you, Sir, that this House does not yield to any one in the matter of maintaining the integrity and the purposefulness for which this House has been constituted. I can also assure you, Sir, that although you may have been accustomed to walk-outs in other chambers, one of the golden principles that we follow in this House is to stick to our seats and face opposition, instead of turning round and walking out. I can also assure you, Sir, that we will look upon you as a person who is independent of party affiliations since you have taken the Chair and I am sure you will conduct yourself in that manner.

22nd April 1961] [திரு. ஐ. வி. சாமசாமி செட்டியார்]

எல்லாம் உடையவர்கள் என்பதை நான் அறிவேன். ஆகையினால் தலைமுறையிலே இந்த சாபபாய தனக்கு நடத்தி, இந்த சாப யின் கொள்கையினை நிற்குமா தனக்குக் காப்பாற்றுவார்கள் என்பதில் சந்தேகமே இல்லை. உங்களை இந்த சாபக்குத் தலைவராக தேர்ந்தெடுத்ததைப்பற்றி நான் பாராட்டுகிறேன். கடவுள் அருளால் எல்லாம் செவ்வனே தாட பெறுவேனாகமென்று கடவுளைப் பிசார்த்தித்துக் கொண்டு உங்களைப் பாராட்டுகிறேன்.

SRI M. A. MUTHIAH CHETTIAR : Mr. Chairman, Sir, I am indeed very happy that the first opportunity that I have to speak in this House is to offer my felicitations to you on your unanimous election as the Chairman of this House. I should like to associate myself with the very happy sentiments expressed by the Hon. the Leader of the House, the Hon. the Chief Minister and the hon. the Leader of the Opposition and the hon. Member Sri O. P. Ramasami Reddier, and to say that you are not a stranger to this House but you are one among us for many years in this kind of life.

I am in this connection reminded of the day when the question of the necessity of the Upper Houses was discussed very violently. I am glad that there are some here who took part in the deliberations of those days asking for the institution of the Upper House. I know you from about 1920. I know that you have always held a conservative view ever since. I came to know you as a Member of this House in 1926.

e day when the
 was used very
 e you took part in
 e substitution of the
 I know that you
 I came to know
 * 62904
 when I saw

SRI M. A. MUTHULIAM CHETTIAR: When I say 'Conser-
vative' I mean the orthodox view. In politics orthodoxy is neces-
sary occasionally. If this House is to be termed in any way, I
should certainly say that this House has occasionally taken an
orthodox view and rightly so. The orthodox view taken by this
House on many occasions had been completely endorsed by the
Lower House, where I have been a Member for 32 long years.
There I had many opportunities to refer to the contribution made
to the debates in this House by the Hon. Sri M. Bhaktavatsalam
the then Leader of the House, Sri R. Venkataraman, the present
Leader of the House and Dr. A. L. Mudaliar, the hon. Leader
of the Opposition and also Sri K. Balasubramanya Ayyar and
thanking them for their views expressed in this House and also for
making the Government go back to the Lower House with further
amendments. It was this to which the hon. the Leader of the
House referred when congratulating you on your election, namely
that a second review or a second thought—in modern language,
'second look' they say in New Delhi—is necessary. From that
orthodox point of view, we could not have found a better person
than you with such vast experience to preside over this House,
which is a reviewing House. It may be that there are certain
occasions when it may not be possible to accept all the suggestions
made by the Members who differ from the Government. But,

6-20
p.m.

[Sri M. A. Muthiah Chettiar] [22nd April 1964]

at the same time, though the amendments moved by the Opposition may not be accepted, it certainly gives an opportunity to the Government to give further explanations and also to assure the House that in the working of the Bill or the particular proposition, they will take care to see that the complaints brought to the notice of the Government are borne in mind. To that extent, this Upper House plays a great part. So, it is very fitting that a person of your experience should have been chosen to preside over the destinies of this House, and we have no doubt that you will be able to conduct the proceedings of the House in such a manner as to enhance the prestige of the House.

Sir, I must thank you for giving me this opportunity to speak about the manner in which I should like to see this House function. I started by saying that you are a person of vast experience in administration and that you have completed ten years as Minister first in charge of Land Revenue and then in charge of Land Revenue and Health. The two portfolios are very important portfolios. Now the country must have known that for many years from 1900 onwards eminent civilians have been in charge of the Revenue portfolio. With your experience I hope you will be able to sympathise with the problems that may be mentioned by the Members of this House and allow the expression of viewpoints by the Opposition.

It only remains for me to say this, namely, that Madras played a leading part during the making of the Constitution to ask for the institution of the Upper House. Madras was one of the few Provinces where the Upper House was allowed to come into existence. Before 1937, all of us are aware that there was only one House in the Province. Staunch Congressmen who opposed the institution of Upper House are now asking for the Upper House and are pressing for the creation of the Upper House, Sir, the Upper House plays a very useful part. It is not necessary to term the Upper House as the House of Lords. There is no question of House of Lords in this country. In this country everybody is equal to every one else. With the present measures of taxation in this country, there is no question of any class at all in this country, as everybody will agree. Sir, there is one satisfaction for all of us who dominate the Upper House. We dominate in the name of what? After the coming into existence of the Upper House in 1937, we had the Right Hon. V. S. S. Sastri and Sri C. Ramalinga Reddi in the Upper House as Members. They were two distinguished Members of the Upper House. Sri C. Rajagopalachari, who was the Chief Minister of Madras in 1937 used to feel that going into the Upper House was a very difficult matter for him. In the Lower House with about 165 members behind him, he would easily carry through the proceedings.

Sir, to our advantage we were really able to do something useful. As the Leader of the Opposition, I had the great satisfaction of relentless opposition for 2½ years. I used to thank Sir C. Ramalinga Reddi and the Right Hon. V. S. S. Sastri for the

[Sri M. A. Muthiah Chettiar] [2nd April 1964]

way in which they debated the subjects in the Upper House. They were really functioning in a very useful way in the Upper House. Sir, your office of Chairman of the Legislative Council is as important as the office of the Speaker of the Lower House. With these few words, Sir, I wish to offer my felicitations to you.

One word more, Sir. Yesterday it was given to the Leader of the House to felicitate the new Members, and at the end of it, there was a suggestion that one of the new Members should express thanks. I was hoping that a senior Member of this House, namely, Sri O. P. Ramaswami Reddiar, former Chief Minister (who also thought of it), would express thanks. Since he has not done that with his permission, I am sure the new Members would expect me to offer our warmest thanks to the Leader of the House for the welcome that he has given us, and we shall assure him that we will deserve his welcome by taking a very intelligent part in the proceedings of this House. That is the only way in which we can repay his felicitations. I wish to offer our fullest co-operation to you, Sir, and to the Leader of the House in the deliberations of this House. I shall once again thank him on behalf of myself and the other new Members and I may also say, Sir, on behalf of you also, for the felicitations given to us. As Chairman, you are not permitted to give what you are permitted to give as a senior Member of this House. So, I am sure you would agree with me when I thank him on your behalf also for the very warm welcome he gave us yesterday. We shall tell him that we will give our best co-operation to him in the proceedings of this House.

திரு. கே. பாலகாசாமிநாயகர் : கனம் தலைவர் அவர்களே, தங்களுக்குத் தன் வாழ்க்கை முறையை அந்தக் கட்சியிலே மூன்று நாள்கள் பேசுவது பேரின்பமாகவே, நமக்குக் குறைவாக இருக்கிறது போல் இருக்கிறது என்று இப்போதே நான் கருதிக் கொண்டு இருக்கிறேன். அப்படி இல்லை என்று இப்போது நெம்பு ஏற்படுகிறது. என்னால் பேசச் சொன்னதாலே ரொம்ப நாளாக 1952-ல் இருந்து தங்களுக்குப் பழகியது ஒரு கௌரவம். அதிலும் எங்கெங்கு சொல்லுகிறேன் (சிரிப்பு). பல சமயம் தங்களைத் தவிர்த்து அதை நான் தெரிவித்துக் கொண்டிருக்கிறேன். இருந்திருக்கிறேன். அதனால் சொல்ல வேண்டியது பண்ணக்கூடியவர் இவர் என்று கூட நினைக்கிறேன். ஆனால் அப்படி இல்லை. எனினால் உங்களுக்கு நான் சொல்லுகிறேன் ரொம்ப சரி என்று தோன்றி இருக்கலாம். அதைத்தான் தெரிவித்துக் கொண்டு இருக்கிறேன். அதிலிருந்து நான்கொல்லாம் இப்படிச் சொப்பனமும் என்றால், நினைவு மனதிலே இருக்கிறதை வெளியில் சொல்லாமல் வெளியே மனதில் நினைத்துக் கொண்டு இருக்கிறேன். அது நான் வெளியே மனதில் நினைத்துக் கொண்டு இருக்கிறேன். எனினால் ஒரு பெரிய விஷயத்தில் இருக்கப் பட்டவர்களுக்கு, எனினால் இதை எல்லாம் சொல்லிக் கொண்டு நினைவோடு அதைச் சொல்லு கொண்டு இருக்கலாம் நினைவு சேர்மானம் இருப்பது ரொம்ப கஷ்டமாக இருக்கும். அந்த விஷயத்தில் எந்த உடனே எல்லாவற்றையும்

[திரு. கே. பாலசுப்பிரமணிய ஐயர்] [22nd April 1964]

மறந்து விட்டு, அந்த வகானத்திற்குத் தகுந்தபடி எதையும் மனதில் வைக்காமல், ஒருவருக்கொருவர் பட்சபாததின்லாமல் பார்ப்பதும் தன்ருக, கோவாமக நடத்திக் கொண்டு போவதும், இதை எல்லாம் உங்களுக்குக் கூற நான் விரும்புகிறேன். அதிகம் சொந்திடி பண்ணுகிற கூட்டமல்ல. மற்றவர்கள் பாய்கிறார்கள், அதைப் போல் பாய்கிறது, ஓடுகிறது. அந்த மாதிரி வேலைகளில் லாம் செய்கிறதில்லை. என்னென்றும், வயதும் ஆகிவிட்டது, வலிவும் கிடைக்கிறது. அந்த மாதிரி செய்யக் கூடாதென்ற எண்ணத்திலே இருக்கிறவர்கள் . . .

MR. CHAIRMAN : ஆனால் அதிகமாகப் பேசுகிறீர்கள்.

திரு. கே. பாலசுப்பிரமணிய ஐயர் : அதனாலே எங்களுக்கு பயமோ, கஷ்டமோ இல்லை. நீங்கள் காங்கிரசுடன் ஒருவதற்கு முன்னால் 'Toilers' Party — உழவர்கள் கூட்டத்திலே—இருந்தீர்கள் அந்த சமயத்தில் . . .

MR. CHAIRMAN : Commonwealth Party.

திரு. கே. பாலசுப்பிரமணிய ஐயர் : இரண்டு, மூன்று பெயர் சொல்லிக் கொண்டிருந்தார்கள். எனக்கு சந்தேகமாக இருந்தது. ஆனால் கடைசியில் எல்லோரும் ஒன்றாகச் சேர்ந்துவிட்டார்கள். நீங்கள் ஆறு பேர் இருந்தீர்கள். நீங்கள் சேர்ந்ததால் ஆளும் கட்சிக்கு பலம் ஏற்பட்டது என்று அப்போது சொல்லிக் கொண்டிருந்தார்கள். அப்படி ஆளும் கட்சிக்கு பலம் பெரித்தவர்கள் என்று நான் சந்தேகிப்புகிறேன். ஆனால் இனிமேல் அப்படி பலம் கொடுக்கக் கூடாது (கிரிப்பு). நான் எதற்காகச் சொல்லுகிறேன் என்றால், எல்லோருக்கும் பலம் கொடுக்க வேண்டும். அது தான் உங்கள் வேலை. அதை நீங்கள் தவறாகச் செய்கிறீர்கள் என்பது எனக்குத் தெரிகிறது. எனக்கு இருக்கிற சந்தேகமெல்லாம் எல்லாவும் உங்களுக்கு வேறுபடி இருந்தாலும், அதைக் காண்பிக் காமல் வேடிக்கையாகப் பேசுகிறீர்கள். அது சொம்ப அலகியம். வேடிக்கையாக மூலிக் சொல்லி, அந்தக் போக்கிலேயே கோபமாகப் பேசுகிறவர்களுக்குக் கூட மாந்தம் வரும். அப்படி நல்ல முறையில் நீங்கள் நடத்திக் கொண்டிருக்க வேண்டும்.

6-30
p.m.

மேல் சட்ட சபை என்று சொன்னார்கள். அப்படிச் சொல்லக் கூடாது. மேல் சட்ட சபை என்று மரியாதைக்காகச் சொல்லுகிறோம். Upper House என்று Constitution -ல் இல்லை. அதைக் தெரிவித்துக் கொள்ளுகிறேன். Upper Lower என்றெல்லாம் பேசுகிறது மேலும் சண்டைக்குத்தான் காரணமாகும். ஆகவே இது இரண்டாவது சட்ட சபை. அங்கே இல்லாதவர்கள் சிலபேர் ஒங்கே சேருகிறார்கள். இந்தச் சட்ட சபை இருக்கலாம் என்று ஒரு அபத்தம் வந்து விட்டது. அதிலே பயந்து கொண்டிருக்கிறீர்கள். நான்கொல்லாம், போக வேண்டியதுதான். என்று அப்போது தலைவராக இருந்த காமராஜ் அவர்கள் ஒன்று சொன்னார். எனக்கு சொம்ப திருப்தியாக இருந்தது சொல்லாமோ, என்னவோ, அதைச் சொல்லிவிடுகிறேன். அப்போது

[திரு. கே. பாலசுப்பிரமணிய ஐயர்] [22nd April 1964]

சொன்னார், நான்கள் இருக்கிறதா வேண்டாமா. என்றால், ருக்க வேண்டியது சொம்ப அலகியம், பல பேர் தொத்தியு ன்ணினால், இங்கே அவர்களை அனுப்பலாம் என்று சொன்னார். சிரிப்பு). அது பெரிய உண்மை என்று என் மனதிலே பட்டது. அதைச் சொல்லலாமோ என்னவோ. அதிலிருந்து நான் தவறாக டக்கிறது தம்புடைய வாயும். அந்த மாதிரி வந்தவர்கள் மங்களெல்லாம். எல்லாவற்றையும் நீங்கள் தவறாகப் பார்த்து சாம்ப தவறாகச் செய்கிறீர்கள். சட்டத்திலே நீங்கள் பாரிந்து சாம்ப அலகியம். சேர்மானம் இருக்கிறவர்கள் சட்டத்திலே தன்ன சொல்லுகிறது என்று கவனிக்காமல் இருக்கலாம். இருக்க முடியும். அது தப்பு என்று சொல்லுவதற்கு எனக்கு அதிகார மில்லை. அப்படி நீங்கள் இருக்க மாட்டீர்கள் என்று எனக்குத் தெரியும். நீங்கள் ஏற்கனவே சட்டம் பாரிந்திருப்பது நல்ல காரியம். அதற்காக சட்டம் பாரிந்தவர்கள் சேர்மானம் இருக்கக் கூடாதென்று நான் சொல்லுவதற்கில்லை. இருந்தாலும் சட்டம் தெரிந்திருக்கிறது சொம்ப நலம். அதற்கு தகுதி உங்களுக்கு இருக்கிறது. சொம்ப நான் நீங்கள் தவறாக இருந்து—ஆறு வருஷம் தீர்ச்சியம்—ஆறு வருஷம் தவறாக இருந்து இந்த சட்ட சபைக்கு கொண்டம் அளிப்பீர்கள் என்று தம்பி தங்களை மனப்பூர்வமாக வாழ்த்துகிறேன்.

SRI V. K. RAMASWAMI MUDALIAR : Mr. Chairman, Sir, I hope you will maintain the dignity and uphold the best traditions set up by the distinguished Chairman like Vithalbhai Patel and Sir P. Rajagopalachari. You are a parliamentarian with a rich experience and know the procedure well. I am sure you will conduct yourself very well and be a 'Maniekam' in the Chair. I wish you well.

* டாக்டர் அ. சிதம்பரநாதன் : தலைவரவர்களே, தங்களுடைய பத்து ஆண்டுகளாகப் பழஞ்சும் வயதும் பெற்று இருக்கிறேன். அதிலும் சிறப்பாக இந்த அமையிலே பெற்ற ஆறு ஆண்டுகளாக இருந்து பழக்கக் கடிய நல் வாழ்வுப் பெற்றவர்களில் நானும் ஒருவன். தங்களுடைய அருங் குணங்களையும், சமர்த்தித்தையும் மற்ற உறுப்பினர்கள் மெச்சுவதைப் போல் நானும் மெச்சிக் கொண்டிருந்ததுண்டு. தங்கவிடம் ஒதுபாற் கோடாரை—சமன் செய்து சிறந்ததும் கோல் போன்ற தன்மையிருக்கிறது. அது தாங்கள் இந்த அமையின் தலைவராக இருக்கும் தாய்களில் பெரிதும் பயன்படும் என்று உறுதியாக நம்புகிறேன். இங்கு தலைவராக வருபவர்களுக்குத் துணிவும் சிறந்த சாமர்த்தியமும், ஒதுபாற் கோடாரை ஆகிய பண்புகள் திறைத்திருக்க வேண்டும் என்று சொல்வார்கள். இவையெல்லாம் தங்கவிடம் திறைந்துள்ளன என்ற நம்பிக்கை எனக்கு உண்டு. இந்த அமையின் தலைவராகத் தேர்த்தெடுக்கப்பட்ட இந்த நாளில் தங்களுடைய வழக்கமான இனிமை வாய்ந்த பண்புகளோடு, தாங்கள் தெருநான் இந்தத் தலைமைப் பதவியிலிருந்து, எங்களுக்கு தல்வழி காட்டுவீர்கள் என்ற உறுதியான நம்பிக்கை இருக்கிறது என்பதைத் தெரிவித்துக்

[1961-ம் ஆ. சிதம்பரநாதன்] [22nd April 1961]

கொள்கிறேன். தங்களுடைய தெடுக்காக பார்லிமென்டரி அனுபவமான இடத்தில் கட்டாயம் தங்களுக்குத் துணை நிற்கும் என்பதில் யாதொரு ஐயமும் இல்லை. ஏனென்றால், இரட்டை ஆட்சிக் காலத்திலும் பங்கு கொண்டு சரிவர, ஆட்சி நடத்திய சிறப்பறிக்க பெற்றவராகத் தங்களுக்கும் ஒருவர். இந்தப் பகுதியில் உள்ள உறுப்பினர்களின் சார்பில் தங்களுக்கு இறைவன் அருளினால், நல்ல கட்டமைப்பும் தன்மையும், தெருநான் அனுபவமும் இன்னும் மன்துறாக என்று வாழ்த்தாக் கூறுகிறேன்.

திரு. ஆர். வெங்கடாசலம்: மதிப்புக்குரிய தலைவரவர்களே, தாங்கள் இந்த அவையின் தலைவராக தேர்த்தெடுக்கப்பட்டதை யோட்டி, இந்தச் சபையின் முதல்வரும், எதிர்க் கட்சித் தலைவரும், முதலமைச்சரும், மற்றுமுள்ள பல உறுப்பினர்களும் தங்களைப் பாராட்டி இருக்கிறார்கள். நானும் நான் சார்ந்திருக்கிற பிராவிட முன்னேற்றக் கழகத்தின் சார்பில் இரண்டு ஒரு வாழ்த்தைகளைத் தங்களுக்கும் பாராட்டு கூறும் முகத்தான் கூற விரும்புகிறேன்.

தலைவரவர்களே, இந்த சபையின் முதல்வரும், எதிர்க் கட்சித் தலைவரும் தங்களைப் பாராட்டினார்கள். தாங்கள் இந்த சபையின் தலைவராக போட்டியின்றி, தேர்த்தெடுக்கப்பட்டதன் மூலம் இந்தச் சபையில் தங்களுக்குள்ள அருள்பெரும் மதிப்பையும் உறுப்பினர்களுக்குத் தங்களுடைய உள்ள நம்பிக்கைக்கு அது எடுத்துக்காட்டாக அமைந்திருக்கிறது. அதுவும், அறிவினும், ஆற்றலினும் மற்றும் அனுபவத்திலும் வயதிலும் இன்னும் எல்லா வகையிலும் நிறப்புப் பெற்ற தாங்கள் இந்தச் சபையின் தலைவராக தேர்த்தெடுக்கப்பட்டதன் காரணமாக இந்தச் சபையின் நடவடிக்கைகளுக்குத் தாங்கள் சிகரம் வைத்ததுபோல் இருக்கிறார்கள். இந்த சபையில் தங்கள் சேவையின் மூலம் தமிழ் நாட்டு சட்ட மன்றங்களுக்கு இருக்கும் கௌரவத்தைப் பாதுகாக்கக் கூடிய முறையில் தாங்கள் நடந்து கொள்வீர்கள் என்ற நம்பிக்கையில் தங்களைப் பாராட்டி, இத்கூடன் என் உரையை முடித்துக் கொள்ளுகிறேன். வணக்கம்.

திரு. கே. எஸ். அப்துல் வகாப்: மதிப்புக்குரிய தலைவரவர்களே, தாங்கள் இந்த மன்றத்தின் தலைவராக தேர்த்தெடுக்கப்பட்டதைப் பாராட்டி, என் சார்பிலும் நான் சார்ந்திருக்கிற இந்திய யூனியன் முன்னிர் விக் கட்சியின் சார்பிலும் வாழ்த்துத் தெரிவித்துக் கொள்ளுகிறேன். காங்கிரஸ் கட்சியின் சார்பில் தங்களை இந்த தலைமைப் பதவிக்கு ஒரு வேட்பாளராக நியமிக்கப்பட்ட அன்றே இந்த சபைக்கு நீங்கள் தான் தலைவர் என்று உங்களை அறிந்த லிபி கா. ஆனாலும் இந்தத் தேர்தலில் எதிர்ப்பின்றி, எகமனதாக நீங்கள் தேர்த்தெடுக்கப்படுவதை நேற்று மத்தியானம் உரைக்கும் தாங்களே அறிந்திருக்கமாட்டார்கள். மூன்று பேர் தேர்த்திருந்தால் ஒரு token contest எதிர்க் கட்சிக்காரர்கள் கொடுத்திருக்க லாம். அந்த வாய்ப்பு பலருக்கு இருந்தது. ஆனால் யாரும் அப்படிச் செய்ய முற்படவில்லை. அது இந்த மன்றத்தில் எதிர்க் கட்சியைச் சார்ந்தவர்களின் பெருந்தன்மையைக் காட்டுகிறது.

22nd April 1961] [திரு. கே. எஸ். அப்துல் வகாப்]

தங்கள் வருகையை எங்களின் அன்புக்காரம் நீட்டி வரவேற்கிறோம். அவர்களுடைய பெருந்தன்மையை அது எடுத்துக்காட்டுகிறது. அவர்கள் நீட்டும் அந்த அன்புக் கரத்தை தாங்களும் அது போன்றே அன்புடன் அவர்களைத்துக் கொள்ள வேண்டும் என்று தங்களைக் கேட்டுக் கொள்ளுகிறேன்.

இந்தச் சட்டமன்றத்தில் நீங்கள் வசிக்கும் இந்த ஸ்தானத்தில் எத்த வகையில் இனிமேல் நடந்து கொள்ளுவீர்கள் என்று ஆராயும் போது மின் குருக்கு நீச்சல் பழகிக் கொடுக்க வேண்டுமோ என்று சொல்வார்கள். அது போன்று நீண்ட காலமாக பார்லிமென்டு அரசியலில் பழகி இருக்கும் தங்களுக்கு சட்ட மன்ற நடப்புகள் மிகத் தெரிவாகத் தெரியும். மிகவும் திறமையுடனும், நல்ல அந்தஸ்துடனும் இந்த மன்றத்தின் மதிப்பையும் கௌரவத்தையும் உயர்த்தக் கூடிய நிலையில் காரியங்களை நடத்துவீர்கள் என்ற நம்பிக்கை எங்கள் எல்லோருக்கும் உண்டு. நமது தொழிலமைச்சர் அவர்கள் ஆரம்பத்திலேயே ஒன்று சொன்னார்கள். இந்த சட்ட மன்றத்திற்கு ஒரு உயர்த்த பண்பாடு இருக்கிறது. "Very high tradition" என்று குறிப்பிட்டார்கள். அந்த tradition ஐ இந்தச் சட்ட மன்றம் நீண்ட காலமாகக் காப்பாற்றி வந்துள்ளது என்றும் குறிப்பிட்டார்கள். அந்த tradition ஐ மேலும் காப்பாற்ற வேண்டிய பெரும் பொறுப்பு தங்களைச் சார்ந்தது என்று சொல்லிக் கொள்ளுகிறேன். இதற்கு முன் இருந்த தலைவர் அந்த tradition -க்கு எந்த வகையான இருக்கும் ஏற்படாத வண்ணம் மிகத் திறமையாக காரியங்களை நடத்தி வந்திருக்கிறார்கள். அவர்கள் காங்கிரஸ் கட்சியைச் சேர்ந்தவராக இருந்தாலும் சபை நடவடிக்கைகளில் அவர் எந்தப் பங்குதெற்றுப் பாரபட்சம் காட்டாத முறையில் நடந்து பல ருடைய போற்றுகளுக்குப் பாத்திரமானார்கள். அவர்கள் நல்ல பல பண்பாடுகளை ஏற்படுத்தியிருக்கிறார்கள். அந்தப் பண்பாடு களில் நீங்கலும் கவனம் செலுத்தி, அதைப் பின்பற்றினால் அது உங்கள் பொறுப்புகளை மிக வெற்றிகரமாக நிறைவேற்ற உதவிகர மாக இருக்கும்.

கடைசியாக முன்பிருந்த தலைவர் கடைசியாகப் பேசியபோது சொன்ன வாசகம் எனக்கு நினைவுக்கு வருகிறது. அன்றைய தேதியில் இந்த சட்ட மன்றத்தில் 61 உறுப்பினர்கள் அங்கம் வகித் திருந்தார்கள். இந்த 61 உறுப்பினர்களும் ஒவ்வொருவரும் தெருங்கிய ஆகும் நண்பர்களாகப் பழகினார்கள் என்று பெருமை யாகச் சொன்னார்கள். அந்த முறையில் இந்த மன்றத்திலுள்ள எல்லா உறுப்பினர்களுடைய அபிமானமான நட்புகளைப் பெறக் கூடிய நகுதியை எல்லா தலைவரும் பெற்று விட முடியும் என்று சொல்ல முடியாது. ஆனால் பிரயத்தனப்பட்டால் பெற முடியும். அந்த முறையில் நீங்களும் பிரயத்தனப்பட்டு உங்கள் பணியை வெற்றிகரமாக முடிக்க வேண்டும் என்று கேட்டுக் கொண்டு, உங்க ளுடைய நல் வாழ்வுக்கும் உங்களுடைய வெற்றிகரமான பணிக்கும் என்னுடைய வாழ்த்தை தெரிவித்துக் கொள்ளுகிறேன்.

[22nd April 1964]

6-40 p.m. Mr. CHAIRMAN : Mr. Leader of the House, Mr. Leader of the Opposition, Mr. Deputy Chairman, Mr. Chief Minister and other Hon. Ministers, and Hon. Members, let me at the outset thank you very much for electing me unanimously to this high office of honour and responsibility. The Members have set and are successively setting a splendid example in the country by carrying out the tradition of electing the Presiding Officer of the House without a contest. It is as it ought to be because whatever may be the rivalries of political parties, you have in your wisdom thought that they have no place regarding this office of dignity and detachment from politics.

Hon. Members would have noted that I was literally dragged and thrust in the Chair by the two hon. leaders of different categories. This ceremony has an historical background and tradition. I think it was in the days of Charles I of England that the Speaker of the Parliament went in person to the King, as it was customary then, to convey the proceedings of the Parliament. Unfortunately, they were derogatory and not to the liking of the King. Therefore, the King was angry at that and he promptly arrested the Speaker and put him in jail. That incident made the Parliamentarians shy at the Speakership and were unwilling to accept that office. So, the Members had to be induced and even forcibly dragged and conducted to the Chair. I am to-day the victim of that quaint and fascinating tradition.

As I sat on the Chair, a provoking thought flashed in my mind. I wondered why I who should be sitting at the present moment in the Rajya Sabha at Delhi am now before you here. The working of the mind is a remarkable piece of mental process and a quick and electric one at that. So, the answer to that immediately came in the words of Shakespeare :

“ There's a divinity that shapes our ends, Rough-hew them how we will ”.

So, hon. Members will now understand the secret of my being with them here and now.

Now, I have a misgiving about my present role here. The other day you were pleased to shower encomiums and congratulations on my esteemed friend, Dr. Cherian, on the eve of his retirement from the Chairmanship. Therefore, it is a difficult and an unenviable job to succeed a strong, good, dignified and effective holder of an office in whatever walks of life it may be and especially so in the Legislature. So, if I were to succeed even to a small extent in my new career as the Presiding Officer, I shall require in abundance your goodwill, kindness, sympathetic co-operation, a spirit of give and take, and above all, your traditional wisdom. That would really make my task easy and smooth, and also redound to the credit of this progressive State of States and the glorious culture of Tamil Nad.

22nd April 1964] [Mr. Chairman]

The other day and also to-day the Leader of the House touched upon my autobiography and it requires a little dilation. It is true that I entered the Legislative Council in 1926 as one of the three elected members from the district of North Arcot when the whole district was a constituency. I was considered then to be the youngest Member when the Council was full of elderly men with whiskers and turbans and no fashionable lady members. I was just a budding lawyer then. But Law is a jealous mistress and I was not faithful to her, and she promptly divorced me as I was flirting with the pomp and glamour of the Ministerial set-up then. The Ministers then travelled luxuriously in railway saloons and as a Parliamentary Secretary which office was then like a Chota Minister, I travelled all over India—from Simla to Cape Comorin, from Calcutta to Rawalpindi, including Kashmir, and all the important places in the whole of India.

I contested in five general elections, succeeded in four and lost one, which means four-fifth of success, or it works out to 80 per cent success. It may be a first class or a distinction, but it is not a cent per cent success. I felt sorry then that I did not get cent per cent success. Now, keen cricketers do know that their fans are not satisfied with even 98 or 99 runs but always hanker after a century. Similarly, I felt I should have had a cent per cent success. But I consoled myself when I found that even great and successful statesmen had had reverses in elections as in the case of Winston Churchill and, coming nearer home, Mr. Kumaraswami Raja and Mr. R. K. Shanmukham Chetty who was then the Speaker of the Lok Sabha.

My career from 1952 to 1962 is a comparatively modern one enacted before your immediate presence and you would have formed both favourable and unfavourable judgments, and you will hereafter also have ample opportunity of judging my present role. I would only earnestly request of you to give me your tolerance and sympathetic co-operation. That way lies the making or marring of my present career.

I remember the hon. the Leader of the Opposition, on the last occasion, I believe, referred to the functioning of the Chairman's eye. He said that the Chairman should have his eyes turned to the left also and not always to the right. Now I can assure the hon. the Leader of the Opposition that the present incumbent has also two eyes, quite sound and effective, in spite of the spectacles. Only I wish that I had the mythological third eye with which I could survey the whole House. Now I assure the hon. the Leader of the Opposition that I will instruct both of my eyes to see that they are balanced and also quite effective in seeing to the right and to the left of the House.

Now it would not be news to the hon. the Leader of the Opposition that I also have two ears and they are quite sound and ear-worthy. They would enable me to hear everything that is going on in the House both to the good and to the dismay of certain

[Mr. Chairman] [22nd April 1964]

Members. Well, as in the case of the eye. I do not wish to have a third ear because even mythologically, a third ear has not been provided for as in the case of the eye.

Now, it only remains for me to thank the Hon. the Leader of the House for the very kind and affectionate sentiments he has expressed about me and then to thank the hon. the Leader of the Opposition, the Hon. the Chief Minister, my hon. Friend the Ex-Minister—that is the phrase usually used and, therefore, I may be excused for using it—Sri Balasubramanya Ayyar and some of the new friends and others. Only now my hon. Friend Sri Balasubramanya Ayyar has created an impression in me that he can do better, speaking in Tamil than in English. He was very eloquent and it was very effective. In the matter of this eulogy or sentiments expressed, I wish to take them under three categories, namely, (1) arising out of kindness, (2) arising out of convention and (3) arising out of a desire to say something of reality. So there is a mixture of all these in the sentiments expressed about me and I take it that most of them fall under the first two categories. Encomiums falling under the third category only may be due to me.

6-50
p.m.

Now, I may also inform the House that I have become colourless and have shed my party affiliation. (Cheers) I am above all parties. I shall certainly maintain the impartiality of this House and the dignity of the House and hold the scales even. My hands have not become rickety and so they can hold the scales all right. (Laughter).

It is very pleasant to hear from all sections of this House that the best traditions of legislature are kept up in this House, there have been no unseemly incidents and there is a sort of give and take, what we call a *bonhomie* spirit prevailing in this House. I will try my very best to rise to the occasion and maintain the dignity and privileges of the House and in this I hope to get the sympathetic co-operation, goodwill and affection of the hon. Members of this House.

I wish you all a very pleasant holiday after your labours in the Budget session and this second meeting. We may meet again after two or three months. Till then I bid you adieu.

I once again thank you all for the very kind sentiments and good wishes expressed from all sections of this House.

The House will now adjourn *sine die*.

The House then adjourned *sine die*.

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

* 225. *Half yearly report on the Administration of the Indian Boilers Act (V) 1923 in the State of Madras (from 1st April 1963 to 30th September 1963)*

22nd April 1964]

† 226. Notification issued with G.O. Ms. No. 934, Industries, Labour and Co-operation, dated 20th February 1964 regarding appointment of Inspectors and authorities under the Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1958 in the added territories.

† 227. Notification issued with G.O. Ms. No. 3246, Home, dated 14th October 1963, regarding amendments to the Management of Special Homes and Work Homes in the State of Madras.

‡ 228. Notification issued with G.O. Ms. No. 3666, Food and Agriculture, dated 19th December 1963 regarding establishment of regulated markets at Panjai Pulampatti and Andkigur in Coimbatore District.

‡ 229. Notification issued with G.O. Ms. No. 865, Industries, Labour and Co-operation (Labour), dated 17th February 1964 regarding issue of the Minimum Wages (Undisbursed Amounts) (Madras) Rules, 1963.

‡ 230. Notification issued with G.O. Ms. No. 9, Legislative Assembly, dated 6th March 1964 regarding amendment to the Madras Legislature Travelling Allowance Rules, 1955.

‡ 231. Notification issued with G.O. Ms. No. 512, Rural Development and Local Administration, dated 6th March 1964 regarding procedure for the election of Chairman of the Thiruvottigur and Cuddalore Municipal Councils.

‡ 232. Notification issued by the Joint Collector, Coimbatore, Rec. No. 53891/63-EA, dated 4th January 1964 relating to removal of Sri P. Muthusamy Gounder from the Office of the Vice-President of the Pothipalayam Panchayat, Dharapuram Taluk, Coimbatore District.

‡ 233. Notification issued with G.O. Ms. No. 324, Home, dated 4th February 1964 regarding exemption from the payment of tax leviable under the Madras Motor Vehicles Taxation Act, 1931, motor car bearing registration number MSW 9862 belonging to the Trade Commissioner for France to South India on and from the date on which the vehicle was brought into this State.

‡ 234. Notification issued with G.O. Ms. No. 121, Food and Agriculture, dated 17th January 1964 regarding establishment of regulated markets at Lalqudi, Perambalur, Keeranur, Padukottai and Thottiam in the Tiruchirappalli District.

235. Notification issued with G.O. Ms. No. 138, Food and Agriculture, dated 17th January 1964 relating to market area and notified market areas to the markets at Aruppukottai and Singampuneri in Ramanathapuram District.

[22nd April 1964]

‡ 236. Notification issued with G.O. Ms. No. 260, Home, dated 29th January 1964 regarding exemption from payment of tax leviable under the Madras Motor Vehicle Taxation Act, 1931 vehicle bearing registration number MDN 5793 belonging to the United Nations International Children's Emergency Fund and assigned to the District Medical Officer, The Nilgiris.

‡ 237. Notification issued with G.O. Ms. No. 51, Home, dated 6th January 1964 regarding amendments to the Madras Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953.

* Kept in the Legislature Library for perusal by M.L.C's.

† Sent by post to all M.L.C's. on 10th April 1964.

‡ Laid on the table of the House on 21st April 1964.

APPENDIX I.

[Vide answer to starred question No. 179 on page 31.]

Names of private licensees and the local authorities who distribute electricity.

Private Licensees.

1. The South Madras Electric Supply Corporation Limited, Tiruchirappalli.

Areas of supply of electricity under the control of the private licensees and the local authorities.

Private Licensees.

1. (a) *Trichy-Srirangam Electric Licence*.—The entire revenue taluks of Tiruchirappalli, Lalgudi, Musiri, Kulitakai, Perambalur and part of the Udayarpalayam taluk lying to the west of East Longitude 79° 10' municipal limits of Srirangam and municipal Cantonment and Central Jail limits of Tiruchirappalli in the Tiruchirappalli district and part of the Thanjavur taluk lying to the west of East Longitude 79° in the Thanjavur district including all Government and Railway lands lying within such limits.

(b) *Mayavaram — Mannargudi — Tiruvarur Electric Licence*.—The revenue taluks of Sirkali, Tiruthuraiipoondi, Pattukottai, Mayavaram, Mannargudi, Nannilam and Arantangi and the revenue taluk of Nagapattinam with the exception of Nagapattinam Municipality and of a strip of land lying within 5 miles on either side of the Railway line from Nagapattinam westwards up to East Longitude 79° 40' and part of the revenue taluk of Thanjavur lying to the east of

22nd April 1964]

Names of private licensees and the local authorities who distribute electricity.

Private Licensees—cont.

2. The Kumbakonam Electric Supply Corporation Limited, "Oriental Buildings", Madras-1.
3. The Nagapattinam Electric Supply Company, Limited, "Oriental Buildings", Madras-1.
4. The Salem-Erode Electricity Distribution Company, Limited, 14, Old Court House Street, Calcutta-1.

Areas of Supply of electricity under the control of the Private Licensees and the local authorities.

Private Licensees—cont.

East Longitude 79° and south of the Tiruchirappalli-Nagapattinam railway line with the exception of the area lying within Thanjavur Municipality and a distance of three miles therefrom.

2. The revenue taluks of Papanasam and Kumbakonam and part of Thanjavur taluk bounded on the north by the river Coleroon, on the east by the Papanasam taluk, on the west by Longitude 79° 3' and on the south by latitude 70° 50' 10° 50'.

3. Area within the Municipal limits of Nagapattinam and a strip of land lying five miles on either side of the Southern Railway line from Nagapattinam westwards up to Longitude 70° 40'.

4. (i) Area within a radius of six miles of the Salem Town Railway Station, together with the area enclosed within two tangential lines drawn from this circular area to the village of Madungulam in the north and to the village of Molasi in the South, the left bank of the Cauvery river between these villages forming the western boundary;

(ii) Area within the municipal limits of Erode.

[22nd April 1964]

C 11-1-7

5. The Vellore Electric Corporation Limited, 20, Second Line Beach, Madras.

6. The Tinnevely-Tuticorin Electric Supply Company Limited, 14, Old Court House Street, Calcutta-1.

7. The Shencottah Electric Supply Agency, Shencottah.

22nd April 1964]

5. Area within a radius of six miles of the licensee's Power House site at Vellore and the area comprised within two parallel lines 12 miles apart extending 18 miles eastwards from a vertical line drawn north and south through the site of the existing power station and drawn tangential to the existing circular area.

6. Area within a radius of five miles of the road bridge between Tinnevely and Palamcottah over the Tambaraparni river together with the area within a radius of five miles on the Tuticorin Railway Station, and a strip of land five miles wide lying on each side of the transmission line between Tuticorin and Palamcottah.

7. Revenue taluks of Shencottah and Pathanapuram except the Punalur Paper Mill area in the revenue taluk of Pathanapuram.

NOTE.—It is understood that the Punalur area ceased to be part of the area of the licensee in 1951.

Local Authority Licensees.

1. Municipal Council, Madurai.
1. Area within the municipal limits of Madurai including all Government and the Railway lands lying within such limits.

[22nd April 1964]

22nd April 1964]

APPENDIX II.

[Vide answer to starred question No. 180 on page 32.]

Clause (a) An allotment of Rs. 30.06 lakhs has so far been made for the grant of loans to goldsmiths affected by the Gold Control Rules under the following two schemes :—

(i) Scheme for the sanction of loans up to Rs. 2,000 under the State Aid to Industries Act to goldsmiths for setting up small industries; and

(ii) Special Scheme for the disbursement of a loan up to Rs. 2,000 to one member in a family of displaced goldsmiths to set up petty trade.

Clause (b).—Loans to displaced goldsmiths under the State Aid to Industries Act are granted for starting even common place and processing industries in relaxation of the general policy of granting such loans only for such of those industries as produce essential consumer goods and other articles or ancillary parts to feed larger industries that are in short supply. The loans are disbursed in accordance with the rules framed under the Act. The loan is granted on personal surety. An application fee of Rs. 20 is charged. The rate of interest is 3 per cent.

The applicants for loans under the Special Scheme should have been residents of this State for a period of at least two years as on 1st January 1963. Only one person in a family of displaced goldsmith will be eligible for the loan under the scheme. Families of displaced goldsmiths which have availed themselves of the loan assistance to goldsmiths under the State Aid to Industries Act will not be eligible for loans under this Scheme. The loan will be disbursed in 2 suitable instalments spread over a period of six months, and will bear interest at the rate of 4 per cent per annum. The first instalment will be disbursed immediately after the loan is sanctioned and the second instalment will be disbursed by the competent authority on his satisfying himself that the first instalment has been utilized for the purpose for which the loan was sanctioned. The entire loan will be recovered in 11 half-yearly instalments commencing one year after the date of disbursement of the second instalment of the loan. The loan will be sanctioned on the personal security of the applicant and on the production of a certificate from an Officer of the Revenue Department not below the rank of a Tahsildar to the effect that the applicant is a displaced goldsmith and that he has no alternative means of employment and after obtaining a bond from the applicant in the prescribed form. The bond will be free from stamp duty and registration fees. The loanees under the Scheme shall bind themselves to be subject to the provisions of the Revenue Recovery Act for the recovery of the loan amount due from them.

Clause (c).—Amount disbursed up to 29th February 1964—

Rs. 4,65,650 under the State Aid to Industries Act.

Rs. 10,33,368 under the Special Scheme.

Name of private licensees and the local authorities who distribute electricity.

Local Authority Licences—cont.

2. Municipal Council, Thanjavur.

3. Municipal Council, Karur.

4. Municipal Council, Coimbatore.

5. Municipal Council, Pollachi.

Areas of supply of electricity under the control of the Private licensees and the local authorities.

Local Authority Licences—cont.

2. Area within the municipal limits of Thanjavur and a distance of 3 miles thereof, excluding the area of supply of the Kumbakonam Electric Supply Corporation Limited.

3. Area within the municipal limits of Karur.

4. Area within the municipal limits of Coimbatore.

5. Area within the municipal limits of Pollachi.

[22nd April 1964]

APPENDIX III.

[Vide Item III on page 35.]

L.A. Bill No. 10 of 1964 (As passed by the Assembly).

A Bill to amend the Madras Bhoodan Yagna Act, 1958.

Be it enacted by the Legislature of the State of Madras in the Fifteenth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Bhoodan Yagna (Amendment) Act, 1964.

2. *Amendment of section 2, Madras Act XV of 1958.*—In section 2 of the Madras Bhoodan Yagna Act, 1958 (Madras Act XV of 1958) hereinafter referred to as the principal Act),—

(i) in clause (a), for the words “landless poor persons or for community purposes”, the words “landless poor persons, co-operative societies of Sarvodaya Panchayats or for community purposes” shall be substituted;

(ii) for clauses (d) and (e), the following clauses shall be substituted, namely :—

“(d) ‘Gramdan land’ means land donated for Gramdan in a Gramdan village and includes any land in such village donated for the Bhoodan Yagna and granted under sub-section (1) of section 19 to the Sarvodaya Panchayat constituted for that village;

(e) ‘Gramdan village’ means any revenue village or villages or part or parts thereof in which—

(i) not less than two-thirds of the number of persons residing and owning lands donate all their lands for Gramdan, or

(ii) not less than one-half of the total extent of the lands owned by persons residing in such village or villages or part or parts is donated by persons residing and owning lands therein donating all their lands for Gramdan, and which the Government may, by notification, declare to be a Gramdan village”;

(iii) after clause (e), the following clause shall be inserted, namely :—

“(ee) ‘Inquiry Officer’ means the Tahsildar or the Deputy Tahsildar in independent charge, having jurisdiction in the taluk or sub-taluk where lands donated for the Bhoodan Yagna are situate or such officer as the District Collector may, by notification, appoint for such village or villages where lands donated for the Bhoodan Yagna are situate, as may be specified in the notification;

3. *Amendment of section 16, Madras Act XV of 1958.*—For sub-section (3) of section 16 of the principal Act, the following sub-section shall be substituted, namely :—

“(3) Every declaration made under sub-section (1) shall be

[22nd April 1964]

4. *Amendment of section 17, Madras Act XV of 1958.*—In section 17 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) The State Board shall, as soon as may be, after the filing of every declaration under sub-section (3) of section 16, publish the declaration in the *Fort St. George Gazette* and in such other manner as may be prescribed and forward the declaration to the Inquiry Officer concerned.”;

(ii) in sub-section (2), for the words “Tahsildar or the Deputy Tahsildar in independent charge, having jurisdiction in the taluk or sub-taluk where the land is situate”, the words “Inquiry Officer” shall be substituted;

(iii) in sub-section (3), for the words “Tahsildar or the Deputy Tahsildar, as the case may be”, the words “Inquiry Officer” shall be substituted;

(iv) in sub-section (4),—

(a) for the words “Tahsildar or the Deputy Tahsildar, as the case may be”, the words “Inquiry Officer” shall be substituted;

(b) the following sentence shall be added at the end, namely :—

“Where there is no objection, the Inquiry Officer, after making such inquiry as he deems fit, shall, as soon as may be, by order, confirm the declaration or declare it null and void.”;

(v) in sub-section (5), for the words “Tahsildar or the Deputy Tahsildar”, the words “Inquiry Officer” shall be substituted;

(vi) for sub-section (6), the following sub-section shall be substituted, namely :—

“(6) Where the Inquiry Officer passes an order under sub-section (4) confirming a declaration, he shall, as soon as may be, communicate the order along with the record of his proceedings to the State Board, who shall thereupon publish the order of the Inquiry Officer in the *Fort St. George Gazette* and on such publication, the donation of land shall, subject to the provisions of section 23, be irrecoverable.”;

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

“(7) Where the Inquiry Officer passes an order under sub-section (4) declaring the declaration null and void, he shall, as soon as may be, communicate a copy of such order to the State Board. On the passing of such order, the donation shall stand cancelled and the donar shall be deemed to continue to have all his right, title and interest in such land as if he had not made any declaration under sub-section (1) of section 16.”;

[22nd April 1964]

(viii) after sub-section (8), the following sub-section shall be added, namely :—

“(9) Pending the completion of the proceedings under this section, the State Board may, subject to such terms and conditions as may be agreed upon between the donor and the State Board arrange for the cultivation of the lands donated for the Bhoodan Yagna under sub-section (1) of section 16 as it thinks fit”.

5. *Amendment of section 18, Madras Act XV of 1958.*—In section 18 of the principal Act, for the words “may apply to the Tahsildar or the Deputy Tahsildar, in independent charge, as the case may be, having jurisdiction, for possession and the Tahsildar or the Deputy Tahsildar, may”, the words “may apply to the Inquiry Officer for possession and the Inquiry Officer may” shall be substituted.

6. *Amendment of section 19, Madras Act XV of 1958.*—In section 19 of the principal Act,—

(i) in sub-section (1), after the words “for community purposes”, the words “or to a co-operative society or Sarvodaya Panchayat” shall be inserted ;

(ii) after subsection (1), the following sub-section shall be inserted, namely :—

“(1-A) Where any land vested in the State Board and situated in a Gramdan village is granted to the Sarvodaya Panchayat constituted for that Gramdan village, such land shall be deemed, for all purposes of this Act, to be a Gramdan land vested in the Sarvodaya Panchayat and shall thereupon be dealt with accordingly; and in respect of any land so vested in the Sarvodaya Panchayat, the State Board shall not have any rights or be subject to any obligations under this Act”.

7. *Amendment to section 20, Madras Act XV of 1958.*—In section 20 of the principal Act, in the proviso to sub-section (3), for the words “Tahsildar or the Deputy Tahsildar” the words “Inquiry Officer” shall be substituted.

8. *Amendment of section 23, Madras Act XV of 1958.*—In section 23 of the principal Act—

(i) for the words “Tahsildar or the Deputy Tahsildar”, wherever they occur, the words “Inquiry Officer” shall be substituted.

(ii) the words “as the case may be” shall be omitted.

9. *Substitution of new section for section 24, Madras Act XV of 1958.*—For section 24 of the principal Act, the following section shall be substituted, namely :—

“24. *Exemption from registration and stamp duty.*—Notwithstanding anything contained in any other law, every declaration and every grant of land made or deemed to have been made

22nd April 1964]

under this Act shall be and be deemed always to have been exempt from registration and payment of stamp duty and of encumbrance certificate fee”.

10. *Amendment of section 28, Madras Act XV of 1958.*—In section 28 of the principal Act—

(i) in sub-section (1), the words “by notification” shall be omitted;

(ii) in clause (b) of sub-section (2), the words “co-operative societies or Sarvodaya Panchayats” shall be added at the end;

(iii) for sub-section (3), the following sub-sections shall be substituted, namely :—

“(3) All rules made under this Act shall be published in the *Fort St. George Gazette*, and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule, order or notification made or issued by the Government under this Act shall, as soon as possible after it is made or issued, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule, order or notification or both Houses agree that the rule, order or notification should not be made or issued, the rule, order or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule, order or notification”.

11. *Validation of donation and grant of land.*—Notwithstanding anything contained in any judgment, decree or order of any court, no donation of any land for the Bhoodan Yagna or for Gramdan and no grant of any such land made or deemed to have been made under the principal Act shall be deemed to be invalid on the ground only that the donation or the grant of and as aforesaid was not made in accordance with any law relating to transfer of property or registration, and any such donation or grant of land shall, for all purposes, be deemed to be and to have always been validly made and accordingly—

(a) all acts, proceedings or things done or taken by the Madras State Bhoodan Yagna Board or the Sarvodaya Panchayat or by any other authority or officer or person under the principal Act in relation to lands donated for the Bhoodan Yagna or for Gramdan or the grant of lands by the said Board or the management of Gramdan lands by the said Panchayat shall for all purposes be deemed to be and to have been always been done or taken in accordance with law.

[22nd April 1964

(b) no suit or other proceeding shall be maintained or continued in any court for the declaration of title to, or the recovery of possession of, any land donated for the Bhoodan Yagna or for Gramdan on the ground that the donation was not made in accordance with the law relating to transfer of property registration.

(c) no court shall enforce any decree or order declaring any donation of land for the Bhoodan Yagna or for Gramdan to be valid or directing the recovery of possession of any such land from the person who donated it or any other person claiming under him, on the ground referred to in clause (b).

INDEX TO MADRAS LEGISLATIVE COUNCIL DEBATES

TWENTY-THIRD SESSION OF THE LEGISLATIVE
COUNCIL UNDER THE CONSTITUTION OF INDIA.

21st and 22nd April 1964.

Volume LVII (Nos. 1 and 2).

	PAGES.
A	
ABDUL WAHAB, Sri K.S.—	
Election of Chairman	56-57
ADITYAN, Sri S.B.—	
Sworn in	1
AGRICULTURAL PRODUCE MARKETS ACT, 1959—	
Establishment of regulated markets at Lalgudi, Perambalur, Keeranur, Pudukkottai and Thottam in Tiruchirappalli district, under notification laid on the table	61
Establishment of regulated markets at Punjai Pulampatti and Andhiyur in Coimbatore district under—, notification laid on the table	61
Market area and notified market areas for markets at Aruppukottai and Singampureri in Ramanathapuram district, notification laid on the table	61
B	
BALASUBRAMANYA AYYAR, Sri K.—	
Bills—	
Bhoddan Yagna (Amendment) Bill, 1964	39, 43-44, 45
Buildings (Lease and Rent Control) Amendment Bill, 1964 ..	12-14, 20, 21
Election of Chairman	53-55
BENDE INDUSTRIAL PREMISES (REGULATION OF CONDI- TIONS OF WORK) ACT, 1958—	
Appointment of Inspectors and authorities under—in added terri- tories, notification laid on the table	61
SHAKTAVATSALAM, The Hon. Sri M.—	
Election of Chairman	50
BHOODAN YAGNA (AMENDMENT) BILL, 1964—	
See Bills—	
BILLS—	
Bhoddan Yagna (Amendment) Bill, 1964—	
Considered and passed	35-46

BILLS--cont.	PAGES
Buildings (Lease and Rent Control) Amendment Bill, 1964-- Considered and passed	10-21
Land Improvement Loans (Madras Amendment) Bill, 1964 Considered and passed	21-23
BUG POISON-- Question <i>re</i> cases of suicide due to	3-4
BUILDINGS (LEASE AND RENT CONTROL) AMENDMENT BILL, 1964-- <i>See</i> Bills--	
G	
CHAIRMAN, Mr.-- Election of Sri M. A. Manickavelu as	47-60
CHIDAMBARA MUDALIAR, Sri A.-- Sworn in	1
CHIDAMBARANATHAN, Dr. A.-- Election of Chairman Sworn in	55-56 1
CHITRARASU, Sri C. P.-- Sworn in	2
COMMITTEES-- Estimates Committee, nomination of Council Members to Public Accounts Committee, association of Council Members with	10 9
D	
DEPUTY CHAIRMAN-- Announcement <i>re</i> election of Chairman Swearing in of new Members Welcome to new members	47 1-2, 9 1
DORAISWAMY NAIDU, Sri K.-- Sworn in	9
E	
ELECTRICITY-- Question <i>re</i> names of private licensees and local authorities who distribute	31-32
ESTIMATES COMMITTEE-- <i>See</i> Committees--	
ETHIRAJALU, Sri M.-- Sworn in	2
F	
FIRE-ARMS-- Question <i>re</i> number of licences granted as on 1st March 1964	4-5

	PAGES
G	
GOLDSMITHS-- Question <i>re</i> amount allotted for grant of loans to unemployed	32-33
H	
HANDE, Dr. H. V. -- Bills -- Bhoodan Yagna (Amendment) Bill, 1964 Buildings (Lease and Rent Control) Amendment Bill, 1964 Land Improvement Loans (Madras Amendment) Bill, 1964 Sworn in	38-39 15-16 22 2
HANDLOOM FABRICS -- Question <i>re</i> Cro fit purchase of--by teachers in aided schools	29-31
HARIJAN WELFARE DEPARTMENT-- Review of activities for half-year ended 30th September 1962	24
I	
INDIAN BOILERS ACT (V), 1923-- Report (half-yearly) on the administration of --, in the State of Madras --, laid on the table	69
J	
JOTHU VENKATACHELUM, The Hon. SRIMATHI-- Bill--Buildings (Lease and Rent Control) Amendment Bill, 1964	10-11, 19, 20
K	
KAKKAN, The Hon. Sri P. -- Bill--Bhoodan Yagna (Amendment) Bill, 1964	35-38 40-43, 46
KOTHANDARAMAN, Sri K. K.-- Sworn in	2
KRISHNAMOORTHY, Sri G. -- Bill--Buildings (Lease and Rent Control) Amendment Bill, 1964 Collapse of a higher elementary school building in Madurai, calling Minister's attention to	16-18 33
L	
LAKSHMANASWAMI MUDALIAR, Dr. A.-- Bill--Buildings (Lease and Rent Control) Amendment Bill, 1964 Election of Chairman Sworn in	14-15, 21 49-50 1
LAKSHMI KRISHNAMOORTHY, SRIMATHI-- Sworn in	2

L—cont.

LAND IMPROVEMENTS LOANS (MADRAS AMENDMENT) BILL,
1964—

See Bills—

LEGISLATURE TRAVELLING ALLOWANCE RULES, 1955—

Amendment to—, notification laid on the table 61

M

MANICKAVELU, Sri M. A.—

Elected as Chairman of the Council 47

Sworn in 1

MATTER OF URGENT PUBLIC IMPORTANCE—

Collapse of a higher elementary school building in Madurai, Calling
attention to 33-35

MEMBERS OF LEGISLATIVE COUNCIL—

Felicitations to 2-3

Welcome to new 1

MINIMUM WAGES (UNDISBURSED AMOUNTS) (MADRAS)
RULES, 1963—

Issue of—, notification laid on the table 61

MOHANLAL MEHTA, Sri—

Sworn in 2

MOTOR VEHICLES TAX—

Exemption of motor car MSW 9862 from—, notification laid on the
table 61Exemption of vehicle No. MDN 5793 from—, notification laid on
the table 62MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS)
RULES, 1953—

Amendments to—, notification laid on the table 62

MUNICIPAL COUNCILS—

Election of Chairman of Thiruvottiyur and Cuddalore Municipal
Councils, notification re procedure for—, laid on the table .. 61

MUNICIPALITY—

Constitution of Alandur—, notification laid on the table 24

Constitution of Allinagaram—, notification laid on the table .. 24

MUTHIAH CHETTIAR, Sri M. A.—

Election of Chairman 51-53

Sworn in 1

N

NATARAJAN, Sri N. V.—

Sworn in 2

O

OFFICIAL LANGUAGE—

Introduction of Tamil in Highways, Rural Works and Public Health
Departments, notification laid on the table 24

O—cont.

OVERBRIDGES—

Question re Construction of flat railway level crossings at Tiruchi-
rappalli Town 5-7

P

PANCHAYAT(S)—

Removal of Sri P. Muthusamy Gounder from the Office of Vice-
President of Pothipalayam Panchayat, Dharapuram taluk, Coim-
batore district, notification laid on the table 61

PANCHAYAT UNIONS—

Lakshminaikkenpalayam changed as Sultanpet,—notification laid on
the table 24

PAPERS LAID ON THE TABLE OF THE HOUSE—

Agricultural Produce Markets Act, 1959—

Establishment of regulated markets at Lalgudi, Perambalur,
Keeranur, Pudukkottai and Thottan in Tiruchirappalli district
under—(G. O. Ms. No. 121, Food and Agriculture, dated 17th
January 1964) 61Establishment of regulated markets in Punjai Pulimpatti and
Andhiyur in Coimbatore district under—(G. O. Ms. No. 3666,
Food and Agriculture, dated 19th December 1963) 61Market area and notified market areas to markets at Aruppu-
kottai and Sangamouneri in Ramnathapuram district (G. O.
Ms. No. 38, Food and Agriculture, dated 17th January 1964) .. 61Alandur Municipality, Constitution of—(G. O. Ms. No. 362, Rural
Development and Local Administration, dated 14th February,
1964) 24Allinagaram Municipality, Constitution of—(G. O. Ms. No. 319,
Rural Development and Local Administration, dated 11th Feb-
ruary 1964) 24Beedi Industrial Premises (Regulation of Conditions of Work) Act,
1948—Appointment of Inspectors and authorities under—in
added territories—(G. O. Ms. No. 994, Industries—Labour and
Co-operation, dated 20th February 1964) 61Election of Chairman of Thiruvottiyur and the Cuddalore Munici-
pal Councils, procedure for—(G. O. Ms. No. 512, Rural Develop-
ment and Local Administration, dated 6th March 1964) .. 61Harijan Welfare Department—Review of activities for half-year
ended 30th September 1962 24Indian Boilers Act (V), 1923—Report (Half-yearly) on the adminis-
tration of—in the State of Madras 60Legislature Travelling Allowance Rules 1955—amendment to—
(G. O. Ms. No. 9, Legislative Assembly, dated 6th March 1964) .. 61Minimum Wages (Undisbursed Amounts) (Madras) Rules, 1963—
Issue of—(G. O. Ms. No. 845, Industries Labour and Co-operation
(Labour), dated 17th February 1964) 61

Motor Vehicles tax—

Exemption of motor car MSW 9862 from—(G. O. Ms. No. 324,
Home, dated 4th February 1964) 61Exemption of vehicle No. MDN 5793 from—(G. O. Ms. No. 260,
Home, dated 29th January 1964) 62Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953—
amendments to—(G. O. Ms. No. 51, Home, dated 6th January
1964) 63

PAPERS LAID ON THE TABLE OF THE HOUSE —cont.

Official Language	
Introduction of Tamil in Highways, Rural Work and Public Health Departments (G.O. Ms. No. 143, Public (General-M), dated 16th September 1962)	24
Panchayat—Removal of Mr. Mathiaswami Gounder from the office of Vice President of Pattipalam Panchayat, Otharapattinam Taluk, Coimbatore District (Public Collector's Notification No. 53891/62 B-4, dated 3-1-1963)	61
Panchayat Union—Lakshminarasimhan changed in Saltmpet (G.O. Ms. No. 346, Rural Development and Local Administration, dated 13th February 1963)	24
Public Works Department—Review of activities for half-year ended 30th September 1962	24
Rules for Management of Special Homes and Workhouses in Madras State—Amendments to (G.O. Ms. No. 3245, Home, dated 14th October 1962)	61
PUBLIC ACCOUNTS COMMITTEE	
See Committees—	
PUBLIC WORKS DEPARTMENT—	
Review of activities for half-year ended 30th September 1962, laid on the table	24
Q	
QUESTIONS AND ANSWERS.	
ABDUL WAHAB, Sri K. S.—	
Question re electricity—Names of private licensees and local authorities who distribute	31-32
Overbridges at railway level crossings at Tiruchirappalli Town, construction of	5-7
KRISHNAMOORTHY, Sri C.—	
Question re handloom filatures, credit purchase of—by teachers in aided schools	29-31
SAMBANDHAN, Sri S. K.—	
Question re State Housing Board, procedure for allotment of houses under various housing schemes by	27-29
Village Officers—Representation for payment of remuneration without delay	7-9
SREENIVASAN, Dr. A.—	
Question re—burial pass, cases of tribute due to	
Firearms—number of licences granted	3-4
March 1964	4-5
SUBBLAH CHETTIAR, Sri M.—	
Question re goldsmiths—Amount allotted for grant of loans to unemployed	32-33

RAMAIAH, THE HON. SRI V.

Bills—Land Improvement Loans (Madras Amendment) Bill, 1961	21-22
--	-------

RAMASWAMI MUDALIAR, Sri V.K.—

Bills—

Bloodan Yagna (Amendment) Bill, 1964	37, 38
Buildings (Lease and Rent Control) Amendment Bill, 1964	16
Election of Chairman	55
Sworn in	2

RAMASWAMI REDDIAR, Sri O.P.—

Election of Chairman	50-51
Sworn in	2

RULES FOR MANAGEMENT OF SPECIAL HOMES AND WORKHOUSES IN THE STATE OF MADRAS—

Amendments to—, notification laid on the table	61
--	----

S

SANKARALINGAM PILLAI, Sri M.—

Sworn in	2
----------------	---

SARASWATHY PANDURANGAM, SRINATHI—

Sworn in	2
----------------	---

SCHOOLS—

Collapse of a higher elementary school building in Madurai, Minister's attention called to	33-35
--	-------

SIVASUBRAMANIA PANDIAN, Sri—

Sworn in	
----------------	--

STATE HOUSING BOARD—

Question re procedure for allotment of houses under various housing schemes by	27-29
--	-------

SUBBLAH CHETTIAR, Sri M.—

Bill—Buildings (Lease and Rent Control) Amendment Bill, 1964	18
--	----

SWEARING IN OF MEMBERS—

Adityan, Sri S.B.; Chidambaram Mudaliar, Sri A.; Chidambaram Nathan, Dr. A.; Chitrarasu, Sri C.P.; Gopalswamy Naidu, Sri K.; Ethirajulu, Sri M.; Hando, Dr. H.V.; Kothandaraman, Sri K.K.; Lakshminaraswami Mudaliar, Dr. A.; Lakshmi Krishnamoorthy, Srinathi; M. M. Kaveeru, Sri M.A.; Mohanlal Mehta, Sri; Muthiah Chettiar, Sri M.A.; Natarajan, Sri N.V.; Ramaswami Mudaliar, Sri V.K.; Ramaswami Reddiar, Sri O.P.; Sankaralingam Pillai, Sri M.; Saraswathi Pandurangam, Srinathi; Sivasubramania Pandian, Sri; Thiagarajan, Sri N.R.; Venkataraman, The Hon. Sri R.	1-2, 9
---	--------

T

THIAGARAJAN, Sri N.R.—

Sworn in	2
----------------	---

V

VENKATACHALAM, Sri R.—

Election of Chairman	56
----------------------------	----

VENKATARAMAN, THE HON. SRI R.—

Bills—

Bloodan Yagna (Amendment) Bill, 1964	39-40
	44-45

V—cont.

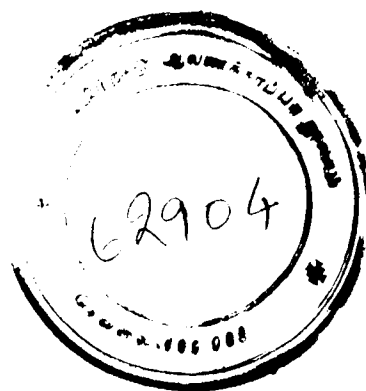
VENKATARAMAN, THE HON. SRI R.—cont.

B.I.s—cont.

Buildings (Lease and Rent Control) Amendment Bill, 1964 ..	20
Land Improvement Loans (Madras Amendment) Bill, 1964 ..	23
Election of Chairman	47-49
Estimates, Committee—nomination of Council Members to ..	10
Felicitations to new Members	2-3
Higher Elementary School building in Madurai, Statement re collapse of a	33-35
Public Accounts Committee, association of Council Members with	9
Sworn in	1

VILLAGE OFFICERS—

Question re Payment of remuneration without delay to— representation re	7-8
--	-----



தமிழ்நாடு ஆவணக்காப்பக நூலகம்,
எழும்பு, சென்னை-600 008.

தவணை!த்தாள்.

சேஷன் :

பி. எண் :

[illegible]

S.F. 259A-6-1,00,000-30-1-84.