

INDEX TO MADRAS LEGISLATIVE ASSEMBLY DEBATES

THIRD SESSION OF THE FIRST LEGISLATIVE
ASSEMBLY

15TH, 16TH, 17TH, 18TH AND 19TH AUGUST 1938

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Volume VII (Nos. 1 to 5).

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11

AP

PERSONNEL OF THE GOVERNMENT OF MADRAS.

GOVERNOR OF MADRAS.

HIS EXCELLENCY LORD ERSKINE, G.C.I.E. Took his seat on the 15th November 1934.

COUNCIL OF MINISTERS.

1. THE HON. MR. C. RAJAGOPALACHARIAR, Prime Minister. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT).

Provincial subjects—

Agency tracts.

Assumption of office by Governor.

Business and Secretariat Rules.

Business of Government—Distribution among Departments of the Secretariat.

Cabinet—Arrangements for meetings.

Civil Lists—Preparation.

Committees and conferences not pertaining to any other department of the Secretariat.

Correspondence—Objectionable—Censorship.

Criminal Investigation Department—Other than establishment.

Elections to the Provincial legislature including election offences and disputed elections.

Examinations—Government—Departmental—

Board of Examiners.

Foreign Governments and Indian States—Correspondence with.

General—Questions of a general nature which cannot be allotted to any particular department.

Government House—

(i) Establishments—

Band.

Bodyguard.

Governor's Secretary's office.

Medical.

Military Secretary's office.

(ii) Grants—

Contract.

Furniture.

Sumptuary.

Tour.

(iii) Personal staff of the Governor.

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT)—*cont.*

Provincial subjects—cont.

Government House—*cont.*

(iv) Works—

Construction.

Maintenance and furnishing.

Government Servants' Conduct Rules.

Handbook of Procedure and Precedents.

High Court Judges—Leave.

Holidays.

Indian Civil Service including annuities and listed posts.

Internal Security.

Islands—Laccadives, Amindivi and Minicoy.

Judicial and Executive functions—Separation of.

Land returns—General questions.

Legislative bodies (other than Madras)—Proceedings—Marking of subjects for the perusal of Members of Government.

Legislative Council and Legislative Assembly.

Madras Public Service Commission.

Magistrates (other than Honorary)—Suspension, removal, etc.

Ministers—Appointments and resignation.

Newspapers and Periodicals—Perusal of.

Office procedure.

Officers—European—Casualty report.

Ootacamund, Stonehouse Hill—Move to and from.

Petition Rules.

Political Handbook.

Political offences—Prosecutions.

Precedence—Warrant of—

Darbari Zamindars.

Prisoners, State.

Provincial works and buildings under the administrative control of the Chief Secretary.

Public Peace—Disturbance of.

Public Services—

Communal representation—General questions.

General questions and commissions of enquiry.

Notification (including exemptions).

Revised scales of pay.

Service associations.

Services under the control of the Local Government—

Statutory rules to regulate the method of recruitment, conditions of service, pay, allowances and pension—

General revision and amendments of existing rules.

Special tests—General questions and exemptions.

Statutory Rules and Orders—

Civil Services (Classification, Control and Appeal) Rules.

Senior Civil Services Rules

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT)—*cont.**Provincial subjects—cont.*Public Services—*cont.*

Subordinate Services—

Discipline and Appeal Rules.

Passage Rules.

Railway lands—Jurisdiction.

Religious or communal disputes.

Reports—

Fortnightly.

Matters of political and administrative importance.

Returns—Next of kin.

Secretariat—

Central Issue Branch.

Central Records Branch.

Establishment.

Library.

Manual.

Telegrams—Reuters and News Agency.

Visits—

Commander-in-Chief.

Distinguished foreigners.

Flag Officer, Commanding Royal Indian Navy.

Governors of other provinces.

Indian Chiefs.

Naval Commander-in-Chief.

Viceroy.

Warships, British and foreign.

Concurrent subjects—

Periodicals, Newspapers, Books and printing presses—Control of.

Federal subjects—

Conduct of elections to the Federal legislature including election offences and disputed elections.

Consuls—

British.

Foreign.

Council of State—Nomination of members.

Defence of India—

Army in India Reserve of Officers.

Auxiliary and Territorial forces.

Ex-army men.

Movement of troops.

Naval, military and air forces in India.

Ecclesiastical affairs.

External affairs.

Federal Public Services.

Federal Public Service Commission.

French Settlements in India.

Indian Chiefs and States.

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT)—*cont.*

Federal subjects—cont.

- Naval, military and air force works.
- Political charges.
- Political detenus from Indian States.
- Political Pensions.
- Preventive detention for reasons of State connected with defence, external affairs or the discharge of the functions of the Crown.
- Reforms.
- Regulation of ceremonials, titles, orders, precedence and civil uniform.
- Relations with States in India.
- Territorial Changes.

B. HOME DEPARTMENT.

Provincial subjects—

- Police including C.I.D. (Establishment), railway police and village police.
- Provincial works and buildings under the administrative control of the Police Department.

Concurrent subjects—

- Persons subject to preventive detention under Federal authority.

Federal subjects—

- Central Intelligence Bureau.
- Police—Extension of the powers and jurisdiction of members of a Police force belonging to any part of British India, to any area, in another Governor's province or Chief Commissioner's province, and the extension of the powers and jurisdiction of the members of a Police force belonging to any unit to railway areas outside that unit.
- Repatriation except in its relation to Labour.

C. FINANCE DEPARTMENT.

Provincial subjects—

- Accounts, Provincial (including classification and prescription of units).
- Annual financial statement (Budget).
- Appropriation Accounts and Auditor-General's report thereon.
- Audit of receipts and accounts of stores and stock.
- Commercial accounts.
- Economies in expenditure.
- Famine Relief Fund.
- Federal taxes and duties in which the Provinces are interested, such as Income-tax, Federal, Excises, etc.
- Financial Rules.
- Fundamental Rules (including Revised Leave Rules).

C. FINANCE DEPARTMENT—*cont.**Provincial subjects—cont.*

Loans and Advances.
 Local Fund Audit.
 Provincial balances.
 Public Debt of the Province including borrowings from the Government of India.
 Reappropriations.
 Re-employment of civil pensioners.
 Secretariat—Cash Bureau.
 Service Pensions including Provident Funds but not including Indian Civil Service Annuities.
 Supplementary Statements of expenditure.
 Taxation and allied measures—Initiation of.
 Travelling allowance rules.
 Treasury Rules.
 Ways and Means.

Federal subjects—

Corporation Tax.
 Currency, coinage and legal tender.
 Federal pensions, that is to say, pensions payable by the Federation or out of Federal revenues.
 Indian Audit and Accounts Service examination.
 Post Office Savings Bank.
 Public Debt of the Federation.

2. THE HON. MR. T. PRAKASAM, Minister for Revenue.
 Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Betting Tax Act.
 Board of Revenue (general).
 City Tenants' Protection Act.
 Constitution of districts, divisions and taluks.
 Court of Wards and Zamindars—
 Impartible Estates Act.
 Deputy Collectors.
 District Gazettes and Gazetteers.
 Duties in respect of succession to agricultural land.
 Estates Land Act.
 Famine relief.
 Floods.
 Inams.
 Irrigation (minor works)—
 Minor irrigation establishments.
 Minor irrigation works.
 Navigation.
 Water-rate.

Provincial subjects—cont.

Land Revenue administration as described under the following heads, namely:—

- Alienation of land revenue.
- Assessment and collection of land revenue.
- Colonization and disposal of Crown lands.
- Establishment.
- Land improvement and agricultural loans.
- Laws regarding land tenures—Easements—Relations of landlord and tenant—Collection of rents—Transfer and devolution of agricultural land.
- Maintenance of land records—Survey for revenue purposes—Records of rights.
- Management of Government estates.
- Miscellaneous.
- Revenue Recovery Act.

Lands—

- Acquisition.
- Alienation.
- Assignment.
- Encroachment.
- Land records.
- Military lands.
- Railway lands.
- Transfer of lands between Central and Provincial Governments.

Malabar Tenancy Act.

- Pensions—Hereditary not being political.
- Pounds and prevention of cattle trespass.
- Procedure in rent and revenue courts.
- Provincial works and buildings under the administrative control of the Land Revenue and Registration Departments.

Registration.

- Sale of Cloth Act.
- Season.
- Settlement—Kistbandi.
- Special funds.
- Stamp duty on documents—Rates of.
- Survey—Boundary disputes.
- Taxes on agricultural income.
- Transfer of villages.
- Treasure trove.
- Treasuries.
- Village accounts.
- Village establishments.
- Water-supply.
- Yeomials.

Concurrent subjects—

Recovery in a Governor's province or a Chief Commissioner's province of claims in respect of taxes and other public demands, including arrears of land revenue and sums recoverable as such, arising outside that province.

Registration of deeds and documents.

Stamp duties other than duties or fees collected by means of judicial stamps, but not including rates of stamp duty.

Federal subjects—

Duties in respect of succession to property other than agricultural land.

Excise duties on tobacco and other goods manufactured or produced in India except those assigned to the province.

Lands vested in or in the possession of His Majesty for the purposes of Federation.

Opium so far as regards cultivation and manufacture or sale for export.

Salt.

Stamp duty—Rates of in respect of bills of exchange, cheques, promissory notes, bills of lading, letters of credit, policies of insurance, proxies and receipts.

Survey of India.

3. THE HON. MR. YAKUB HASAN, Minister for Public Works. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Canals—Irrigational and navigable.

Drainage and embankments, water-storage and water-power.

Gas and gas works.

Hydro-electric schemes.

Inland waterways and traffic thereon.

Irrigation—Major works.

Isolated tombs of European Government servants and their families including isolated tombs of historical or archaeological interest and of British soldiers, non-commissioned officers and their families.

Minor ports.

Minor railways, light and feeder railways.

Provincial works and buildings under the administrative control of the Public Works and Electricity Departments.

Public works (roads, bridges, ferries, ropeways, etc.).

Railway—Accidents.

Rivers—Conservancy.

Taxes on boats.

Tramways—Extra municipal.

*Concurrent subjects—***Boilers.****Electricity.**

Shipping and navigation on inland waterways as regards mechanically propelled vessels, carriage of passengers and goods on inland water-ways.

Federal subjects—

Air craft and air navigation; regulation and organization of air traffic and of aerodromes.

Carriage of passengers and goods by sea, or by air.

European cemeteries.

Lighthouses, including light ships and beacons.

Major ports—Constitution and powers of port authorities therein.

Marine—Maritime shipping and navigation, including shipping and navigation on tidal waters; admiralty jurisdiction. Port quarantine and marine hospitals.

Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.

Railways other than minor railways—Construction and regulation.

Taxes on railway fares and freights.

Terminal taxes on goods or passengers carried by railway, water or air.

Works and buildings vested in or in the possession of His Majesty for the purposes of the Federation.

4. THE HON. DR. P. SUBBARAYAN, Minister for Education and Legal Departments. Took his seat on the 30th July 1937 and is in charge of the following portfolios:—

A. EDUCATION.*Provincial subjects—*

Appeals from educational staff employed under local boards and municipal councils.

Books—**Copyright—**

Registration of.

Books and periodicals—Questions relating to their purchase and supply to public offices.

Certificate of age and qualification.

Civil Orphan Asylum.

Education including, European and Anglo-Indian education and educational questions relating to the Corporation of Madras and local bodies.

Examinations except Public Service Notification and Board of Examiners.

Government Presses.

Libraries.

A. EDUCATION—*cont.*

Provincial subjects—cont.

Literary, scientific, religious and other societies and associations.

Liveries and clothing.

Madras Record Office.

Museums.

Preservation and translation of ancient manuscripts.

Provincial gazetteers.

Stationery and printing.

Translators to Government.

Zoological gardens.

Concurrent subjects—

Legal, medical and other professions.

Federal subjects—

Ancient and historical monuments.

Archæology and Epigraphy.

Copyright.

Federal agencies and institutes for research, for professional or technical training, or for the promotion of special studies.

The Imperial Library, the Indian Museum and any other similar institution controlled or financed by the Federation.

B. LEGAL.

Acts.

Advising Government—

(a) in matters of litigations, appeals, etc.;

(b) on legal questions which are not of sufficient importance to necessitate a reference to the Advocate-General.

Bills, non-official—Scrutiny of.

Government Bills—Drafting and scrutiny.

Law Officers—References to.

Legal assistance to Government servants.

Legal and legislative publications, such as Codes, Acts, Manuals, etc.

Legislation—Secretariat work connected with.

Legislature—Rules of procedure and standing orders of—Scrutiny.

Notifications—Scrutiny of.

Subsidiary legislation, viz., Statutory Rules and Orders (other than Service Rules) and generally assist other departments in all matters of a legal nature that may be referred to it.

5. **THE HON. DR. T. S. S. RAJAN**, Minister for Public Health. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Adulteration of foodstuffs and other articles.

Appeals from medical and public health staff employed under local boards and municipal councils.

Burials and burial grounds other than European cemeteries.

Provincial subjects—cont.

Choultries.
 Fairs.
 Hospitals and dispensaries.
 Inns and inn-keepers.
 Langarkhanas including Triplicane Poor House.
 Medical Administration, including medical questions relating to the Corporation of Madras and local bodies.
 Pilgrimages within British India.
 Places of Public Resort Act.
 Provincial works and buildings under the administrative control of the Public Health Department.
 Public Health, including public health questions relating to the Corporation of Madras and local bodies.
 Registration of births, deaths and marriages.
 Religious and charitable endowments.
 Sanitation.
 Stores—Rules and general questions.
 Town-planning.
 Vital statistics.

Concurrent subjects—

Health insurance, including invalidity pensions; old age pensions.
 Lunacy and lunatic asylums.
 Prevention of the extension from one unit to another of infectious or contagious diseases affecting men.

6. THE HON. MR. V. I. MUNISWAMI PILLAI, Minister for Agriculture and Rural Development. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

A. DEVELOPMENT DEPARTMENT.

Provincial subjects—

Agriculture including agricultural education.
 Agricultural statistics.
 Cinchona.
 Cottage Industries.
 Fisheries.
 Forests, including ryots' and panchayat forests.
 Money-lending and money-lenders.
 Protection of wild animals and birds.
 Provincial works and buildings under the administrative control of the Agriculture, Cinchona, Fisheries, Forest, Veterinary Departments.
 Rural indebtedness.
 Statistics for purposes of provincial matters.
 Veterinary department including Veterinary Education.

A. DEVELOPMENT DEPARTMENT—*cont.**Concurrent subjects—*

Prevention of the extension from one unit to another of infectious or contagious diseases or pests affecting animals or plants.

Statistics for the purpose of any of the matters in the concurrent field.

Federal subjects—

Botanical survey.

Census.

Fishing and fisheries beyond territorial waters.

Meteorology—Federal organizations.

Standards of weight.

Statistics for the purpose of any of the Federal matters.

Zoological survey.

B. REVENUE DEPARTMENT.

Provincial subjects—

Excise duties on the following goods manufactured or produced in India—

(a) Alcoholic liquors for human consumption.

(b) Opium, Indian hemp and other narcotic drugs and narcotics; non-narcotic drugs.

(c) Medicinal and toilet preparations containing alcohol, opium, etc.

Production, manufacture, possession, transport, purchase and sale of intoxicating liquors, opium and other drugs and narcotics.

Provincial works and buildings under the administrative control of the Excise Department.

7. THE HON. MR. V. V. GIRI, Minister for Industries and Labour. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Co-operative Societies.

Depressed classes and labour.

Development of industries other than cottage industries.

Economic conditions including wages and prices (not famine relief).

Marketing.

Mines and oil-fields and development of mineral resources.

Provincial works and buildings under the administrative control of the Co-operative, Industries and Labour Departments.

Taxes on mineral rights.

Trade and commerce.

Unemployment; relief of the poor.

Unincorporated trading associations.

Concurrent subjects—

Contracts, including partnership, agency, contracts of carriage and other special forms of contract.

Factories.

Indian Partnership Act.

Industrial and Labour disputes.

Trade unions.

Unemployment insurance.

Welfare of labour—

Employer's liability and workmen's compensation.

Provident funds.

Federal subjects—

Banking—Conduct of banking business by corporations.

Cheques, bills of exchange, promissory notes and other like instruments.

Corporations—Incorporation, regulation and winding up of trading corporations, including banking, insurance and financial corporations but not including co-operative societies.

Customs duties including export duties.

Development of industries where development under Federal Control is declared by Federal Law to be expedient in the public interest.

Emigration and immigration in their relation to Labour.

Geological survey.

Import and export across customs frontiers.

Indian Companies Act.

Insurance—The Law of insurance and the conduct of insurance business.

Inventions, designs, trade marks and merchandise marks.

Mines and oil-fields and mineral development—Regulation of (to the extent to which such regulation and development under Federal Control is declared by Federal Law to be expedient in the public interest) and regulation of labour and safety in mines and oil-fields.

Provident insurance societies.

Repatriation, in its relation to Labour.

Tariffs.

Taxes on the capital of individuals or of companies.

8. THE HON. MR. S. RAMANATHAN, Minister for Public Information. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Presidency Administration Report.

Publicity—Free or concessional supply of Government publications.

Publicity—General.

9. THE HON. MR. K. RAMAN MENON, Minister for Courts and Prisons. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Administration of justice, civil and criminal, including constitution, jurisdiction, powers, maintenance and organization of courts within the province—

Additional and Assistant Sessions Judges.

Bench Courts.

Civil Courts including High Courts.

Civil Rules of Practice.

Criminal appeals.

Criminal justice report.

Criminal powers.

Criminal Rules of Practice.

Honorary Magistrates.

Presidency Magistrates and Courts.

Remission and Commutation of sentences.

Betting and gambling—except State lotteries.

Breach of Contract Act.

Carbide of Calcium.

Child Marriage Restraint Act.

Children Act.

Cinematograph Act.

Civil Law.

Control of motor vehicles—

Motor Vehicles Act.

Control of vehicles other than mechanically propelled vehicles.

Coroners.

Criminal lunatics.

Discharged Prisoners Aid Society.

Escheats.

Hackney Carriages Act.

Immoral Traffic.

Indian Bar Councils Act.

Jails—

Borstal institutions.

Jails and sub-jails.

Prisoners' homes.

Reformatories.

Justices of Peace.

Kazis Act.

Law officers.

Madras Motor Vehicles Taxation Act.

Malabar and Rampa Rebellion prisoners.

Petitions for mercy from sentences of death.

Petitions from convicts including Port Blair convicts.

Preventive detention and persons subject to such detention.

Prisoners.

Provincial subjects—cont.

Prisons Act and rules thereunder.
 Provincial law reports.
 Provincial works and buildings under the administrative control of the Jail and Judicial Departments.
 Stage Carriages Act.
 Theatres, dramatic performances and cinematographs.
 Towns Nuisances Act.
 Village Courts Act.

Concurrent subjects—

Administrator-General and Official Trustee.
 Adoption.
 Arbitration.
 Bankruptcy and insolvency.
 Cinematograph films for exhibition.
 Civil Procedure including the law of Limitation and all matters included in the Code of Civil Procedure at the date of the passing of the Government of India Act, 1935.
 Criminal law including all matters included in the Indian Penal Code at the date of the passing of the Government of India Act, 1935.
 Criminal Procedure including all matters included in the Code of Criminal Procedure at the date of the passing of the Government of India Act, 1935.
 Criminal tribes.
 European Vagrancy Act.
 Evidence and oaths.
 Indian Christian Marriage Act.
 Indian Poisons Act.
 Infants and minors.
 Insolvency Act and Rules.
 Jurisdiction and powers of all courts except the Federal Court, with respect to any of the matters in the concurrent legislative list.
 Marriage and Divorce.
 Mechanically propelled vehicles.
 Poisons and dangerous drugs.
 Prevention of Cruelty to Animals Act.
 Prisoners and accused persons—Removal from one unit to another unit.
 Recognition of laws, Public Acts and records and judicial proceedings.
 Royal Humane Society.
 Transfer of property other than agricultural land.
 Trusts and Trustees.
 Wills, intestacy and succession save as regards agricultural land.

Federal subjects—

Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India, subjects of any Federated State, or British subjects domiciled in the United Kingdom excluding emigration and immigration in their relation to Labour.

Arms, firearms, ammunition and explosives.

Extradition including the surrender of criminals and accused persons to parts of His Majesty's Dominions outside India.

Foreign missions.

Migration within India.

Naturalization.

Passports including certificates of identity and visas.

Petroleum and other liquids and substances declared by Federal law to be dangerously inflammable so far as regards possession, storage and transport.

Pilgrimages to places beyond India including Hedjas.

State lotteries.

10. THE HON. MR. B. GOPALA REDDI, Minister for Local Administration. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Appeals from employees of local boards and municipal councils other than educational, medical and public health staff.

Capitation taxes, taxes on professions, trades, callings and employments.

Cesses on the entry of goods into a local area.

Charities and charitable institutions.

Corporation of Madras.

Local boards—General administration and all matters relating to them not specifically assigned to other departments.

Local bodies—Audit reports of.

Local self-government including village administration and panchayats.

Markets.

Monigar Choultry.

Municipal councils—

General administration and all matters relating to them not specifically assigned to other departments.

Taxes on animals.

Taxes on land and buildings, hearths and windows.

Taxes on luxuries, including taxes on entertainments, amusements, betting and gambling.

Taxes on the sale of goods and on advertisements.

Tolls.

Tramways within municipalities.

Federal subjects—

Local self-government in cantonment areas.

THE MADRAS LEGISLATIVE ASSEMBLY



PRINCIPAL OFFICERS.

Speaker.

THE HON. MR. B. SAMBAMURTI.

Deputy Speaker.

MRS. A. RUKMINI LAKSHMIPATHI.

Panel of Chairmen.

1. RAO BAHADUR SIR A. T. PANNIR SELVAM.
2. MR. VEMULA KURMAYYA.
3. MRS. KHADIJA YAKUB HASAN.
4. MR. K. BHASHYAM AYYANGAR.

Secretary.

DIWAN BAHADUR R. V. KRISHNA AYYAR, B.A., M.L.

Assistant Secretary.

MR. M. SURYA RAO, B.A., B.L.

**ALPHABETICAL LIST OF MEMBERS OF THE MADRAS
LEGISLATIVE ASSEMBLY.**

Name of member.	Name and class of constituency.
1 Abdul Hameed Khan ..	Madras City, Muhammadan, Urban.
2 Abdur Rahman Ali Rajah, Arakal Sultan.	Chirakkal, Muhammadan, Rural.
3 Abdur Rahiman Khan, K. ..	Kuruool, Muhammadan, Rural.
4 Abdul Rawoof, D.	Bellary, Muhammadan, Rural.
5 Adikesavulu Naicker, P. M. ..	Madras City North, General, Urban.
6 Adimoolam, Jamedar ..	Ranipet, General, Rural (Scheduled Castes).
7 Ahmed Badsha, M.	North Arcot, Muhammadan, Rural.
8 Ahmad Thambi Muhammad Mohideen Maracair (<i>Parliamentary Secretary</i>).	Tanjore, Muhammadan, Rural.
9 Ammanura Raja, Srimathi G.	Ellore Town, Women, General, Urban.
10 Anantachar, B.	Hospet, General, Rural.
11 Anjalai Ammal, Srimathi ..	Cuddalore, Women, General, Rural.
12 Annamalai Pillai, N.	Tiruvannamalai, General, Rural.
13 Appadurai Pillai, Diwan Bahadur A.	Madras cum Chingleput, Indian Christian.
14 Ari Gowder, H. B.	The Nilgiris, General, Rural.
15 Arunachalam Chettiyar, Muthu. Kr. Ar. Kr.	Sivaganga, General, Rural.
16 Attakoya Thangal, Khan Bahadur P. M.	Calicut, Muhammadan, Rural.
17 Balakrishna, S. C.	Palni, General, Rural (Scheduled Castes).
18 Bapineedu, M. (<i>Parliamentary Secretary</i>).	Ellore, General, Rural.
19 Basheer Ahmed Sayeed ..	Chingleput cum South Arcot, Muhammadan, Rural.
20 Bhaktavatsalam, M. (<i>Parliamentary Secretary</i>).	Tiruvallur, General, Rural.
21 Bhakthavathsalu Nayudu, B.	Ranipet, General, Rural.
22 Bhashyam Ayyangar, K. ..	Chingleput, General, Rural.
23 Bhaskara Rao Mahasayo, Sri-man Y. V. A.	Palakonda, General, Rural.
24 Bhuvarahan, V.	Tanjore cum Kumbakonam Towns, General, Urban.
25 Bower, I.S.O., E. H. M. ..	Anglo-Indian.
26 Brock, O.B.E., V.D., Lt.-Col., C. H.	Madras Planters.

Name of member.	Name and class of constituency.
27 Buchappa Nayudu, P. ..	Ongole, General, Rural.
28 Chandramouli, K. ..	Tenali, General, Rural.
29 Chandu, A. ..	Calicut, General, Rural.
30 Chelvapathi Chetti, G. ..	Textile Workers' Trade Union (Madras), Labour.
31 Chengam Pillai, O. ..	Tiruvallur, General, Rural (Scheduled Castes).
32 Chidambara Ayyar, S. ..	Villupuram, General, Rural.
33 Chinnamuthu, P. ..	Koilpatti, General, Rural (Scheduled Castes).
34 Chokkalingam Pillai, T. S. ..	Tinnevely, General, Rural.
35 Damodaram, M. P. ..	Kottayam, General, Rural.
36 Denniston, R. D. ..	European.
37 D'Mello, E. M. ..	Anglo-Indian.
38 Doraikannu, M. ..	Tiruttani, General, Rural (Scheduled Castes).
39 Doraiswami Nadar, A. R. A. S.	Tuticorin, General, Rural.
40 Ghouse Mohideen, S. ..	Cuddapah, Muhammadan, Rural.
41 Giri, The Hon. Mr. V. V. (Minister).	Bobbili, General, Rural.
42 Gopala Reddi, The Hon. Mr. B. (Minister).	Kavali, General, Rural.
43 Govinda Doss, D. ..	Bellary, General, Rural (Scheduled Castes).
44 Govindan Nayar, C. K. ..	Kurumbranad, General, Rural.
45 Gupta, V. J. ..	Vizagapatam, General, Rural.
46 Guruvulu, S. ..	Chicacole, General, Rural (Scheduled Castes).
47 Halasyam Ayyar, N. ..	Trichinopoly, General, Rural.
48 Hodgson, G. H. ..	European Commerce, the Madras Chamber of Commerce and the Madras Trades Association.
49 Hussain, H. S. ..	Mangalore, Muhammadan, Rural.
50 Isaac, D. R. ..	Northern Circars, Indian Christian.
51 Ishwara, K. ..	Coondapoor, General, Rural (Scheduled Castes).
52 Jebamoney Masillamoney, Mrs.	Tinnevely cum Palamcottah Tuticorin Towns, Women, Indian Christian, Urban.
53 Jogi Nayudu, Allu ..	Vizianagram, General, Rural.
54 Kaderkutti, A. K. ..	Kottayam, Muhammadan, Rural.
55 Kadirappa, D. ..	Penukonda, General, Rural (Scheduled Castes).
56 Kaleswara Rao, A. (Parliamentary Secretary).	Bozwada cum Masulipatam Towns General, Urban.
57 Kamaraj Nadar, K. ..	Sattur, General, Rural.
58 Kannan, E. ..	Malappuram, General, Rural (Scheduled Castes).
59 Karant, K. R. ..	Puttur, General, Rural.

Name of member	Name and class of constituency.
60 Karunakara Menon, A. ..	Malappuram, General, Rural.
61 Khadija Yakub Hassan, Mrs.	Madras City, Women, Muhammadan, Urban.
62 Khalif-ul-lah, Khan Bahadur P.	Trichinopoly, Muhammadan, Rural.
63 Kolandavelu Nayanar, K. ..	Mannargudi, General, Rural (Scheduled Castes).
64 Koti Reddi, K.	Cuddapah, General, Rural.
65 Krishnamachariar, T. T. ..	Southern India Chamber of Commerce.
66 Krishnamurti, G.	Railway Trade Union, Labour.
67 Krishnan, S.	Pollachi, General, Rural (Scheduled Castes).
68 Krishna Rao, G.	Northern Central Landholders.
69 Krishnaswami Bharathi, L. ..	Melur, General, Rural.
70 Kulasakaran, K.	Tindivanam, General, Rural (Scheduled Castes).
71 Kumararaja M. A. Muthiah Chettiyar of Chettinad.	The Nattukottai Nagarathars Association.
72 Kumaraswami Raja, P. S. ..	Srivilliputtur, General, Rural.
73 Kunhammad Kutty Hajee, P. I.	Calicut <i>cum</i> Cannanore <i>cum</i> Tellicherry Towns, Muhammadan Urban.
74 Kuppuswami Ayyar, K. ..	Dindigul, General, Rural.
75 Kurmayya, V.	Bandar, General, Rural (Scheduled Castes).
76 Kuttimalu Amma, Srimathi A. V.	Tellicherry <i>cum</i> Calicut Towns Women, General, Urban.
77 Lakshmanaswami, O. ..	Kurnool, General, Rural.
78 Lakshmanaswami, P. ..	Amalapuram, General, Rural (Scheduled Castes).
79 Lakshmi Ammal, Srimathi ..	Sermadevi, General, Rural.
80 Lakshmi Ammal, Srimathi K.	Dindigul, Women, General, Rural.
81 Lakshmi Devi, Dr. N.	Bellary, Women, General, Rural.
82 Laljan, S. M.	Guntur Muhammadan, Rural.
83 Luker, F. G.	European Commerce, the Madras Chamber of Commerce and the Madras Trades Association.
84 Madhavan, P.	Chirakkal, General, Rural.
85 Mahboob Ali Baig	West Godavari <i>cum</i> Kistna Muhammadan, Rural.
86 Manickam, R. S.	Sattur, General, Rural (Scheduled Castes).
87 Mariemuthu, M.	Tanjore, General, Rural (Scheduled Castes).
88 Marimuthu Pillai, S. T. P. ..	Musiri, General, Rural.
89 Maruthai, R.	Ariyalur, General, Rural (Scheduled Castes).
90 Mir Akram Ali.	Vizagapatam <i>cum</i> East Godavari Muhammadan, Rural.

Name of member.	Name and class of constituency.
91 Moideen Kutty, P. K. ..	Palghat, Muhammadan, Rural.
92 Muhammad Abdul Kadir Ravuttar, K. S.	Madura, Muhammadan, Rural.
93 Muhammad Abdur Rahman.	Malappuram, Muhammadan, Rural.
94 Muhammad Abdus Salam, Dr.	Nellore, Muhammadan, Rural.
95 Muhammad Schamnad, Khan Bahadur.	Puttur, Muhammadan, Rural.
96 Muhammad Rahmatullah, K.	Anantapur, Muhammadan, Rural.
97 Muniswami Pillai, The Hon. Mr. V. I. (<i>Minister</i>).	Tirukkoyilur, General, Rural (Scheduled Castes).
98 Murti, B. S. (<i>Parliamentary Secretary</i>).	Cocanada, General, Rural (Scheduled Castes).
99 Muthuramalinga Tevar, V. ..	Ramnad, General, Rural.
100 Nachiyappa Goundar, K. A.	Omahur, General, Rural.
101 Nadinuthu Pillai, A. Pl. N. V.	Tanjore, General, Rural.
102 Nagappa, S.	Kuruool, General, Rural (Scheduled Castes).
103 Nagaraja Ayyangar, N. ..	Numakkal, General, Rural.
104 Nagiah, S.	Cuddapah, General, Rural (Scheduled Castes).
105 Nanjappa Goundar, K. N. ..	Gobichettipalayam, General, Rural.
106 Narasimha Raju, D. L. ..	Survasiddhi, General, Rural.
107 Narasimha Raj, P. L. ..	Vizianagaram, General, Rural.
108 Narasimham, C.	Chicacole, General, Rural.
109 Narasimham, V. V.	West Godavari <i>cum</i> Kistna <i>cum</i> Guntur Factory Labour, Labour.
110 Narayana Raju, D.	Bhimavaram, General, Rural.
111 Narayana Rao, K. V.	Bozwada, General, Rural.
112 Natesa Chettiyar, M. G. ..	Dharmapuri, General, Rural.
113 Natesa Mudaliar, P.	Saidapet, General, Rural.
114 Nuttall, J.	European.
115 Obi Reddi, C.	Anantapur, General, Rural.
116 Orchard, G. L.	European Commerce, Madras Chamber of Commerce, of the Madras Trades Association.
117 Palaniswami Gounder, V. C.	Coimbatore, General, Rural.
118 Palaniswami Gounder, V. K.	Pollachi, General, Rural.
119 Palat, R. M.	West Coast Landholders.
120 Pallam Raju, M.	Cocanada, General, Rural.
121 Pannir Selvam, Rao Bahadur Sir A. T.	Tanjore <i>cum</i> Madura <i>cum</i> Ramnad, Indian Christian.
122 Parthasarathi Ayyangar, C. R.	Chittoor, General, Rural.
123 Pedda Padalu, P.	Backward Areas and Tribes.
124 Periaswami Gounder, K. S. ..	Erode, General, Rural.
125 Periyaswami Gounder, K. ..	Trichinopoly, General, Rural.
126 Periyaswami, M. P.	Namakkal, General, Rural (Scheduled Castes).
127 Perumal Chettiyar, V. R. ..	Salem Town, General, Urban.
128 Perumalla Nayudu, B. ..	Kandukur, General, Rural.

Name of member.	Name and class of constituency.
129 Ponnuswami Pillai, R. ..	Chidambaram, General, Rural.
130 Prakasam, The Hon. Mr. T. (Minister).	Madras City, South-Central, General, Urban.
131 Prasad, D. S. (Sri Raja Vasi Reddi Durga Sadasiveswara Prasad Bahadur, Manne Sultan.)	Bezwada, General, Rural.
132 Raghava Menon, R.	Palghat, General, Rural.
133 Rajagopalachariar, The Hon. Mr. C. (Prime Minister).	University.
134 Rajah, Rao Bahadur M. C. ..	Chingleput, General, Rural (Scheduled Castes).
135 Raja Rao, J.	Guntur <i>cum</i> Nellore, Indian Christian.
136 Ramachandra Reddiyar, A. K. A.	Tirumangalam, General, Rural
137 Ramakrishna Raju, R. B. ..	Tiruttani, General, Rural.
138 Ramakrishna Reddi, T. N. ..	Madanapalle, General, Rural.
139 Ramalinga Reddiyar, D. ..	Cheyyar, General, Rural.
140 Ramalingam, A.	Tiruvannamalai, General, Rural (Scheduled Castes).
141 Raman Menon, The Hon. Mr. K. (Minister).	Ponnani, General, Rural
142 Ramanathan, The Hon. Mr. S. (Minister).	Mayavaram, General, Rural.
143 Ramaswami, D. V.	Viravilli, General, Rural.
144 Ramaswami Goundar, K. S. ..	Palladam, General, Rural.
145 Ramaswami Mudaliyar, V. M.	Vellore, General, Rural.
146 Ramaswami Nayudu, N. G. ..	Textile Workers, Non-Union, Labour.
147 Rami Reddi, A.	Guntur, General, Rural.
148 Ranga Reddi, N.	Rajampet, General, Rural.
149 Rangayya Nayudu, G.	Madras City, North-Central, General, Urban.
150 Ratnavelu Tevar, P.	Trichinopoly <i>cum</i> Srirangam Town, General, Urban.
151 Reade, G. B.	European.
152 Roche Victoria, J. L. P. ..	Tinnevely, Indian Christian.
153 Rukmini Lakshmipathi, Mrs. A. (Deputy Speaker).	Madras City, Women, General, Urban.
154 Sahajananda, Swami A. S. ..	Chidambaram, General, Rural (Scheduled Castes).
155 Saiyed Ibrahim, D.	Ramnad, Muhammadan, Rural.
156 Sakthivadivelu Gounder, K.	Periyakulam, General, Rural.
157 Sambamurti, The Hon. Mr. B. (Speaker).	Cocanada Town, General, Urban.
158 Samu Pillai, V. J.	South Arcot <i>cum</i> Trichinopoly <i>cum</i> Salem <i>cum</i> Coimbatore, Indian Christian.

Name of member.	Name and class of constituency.
159 Samuel, Dr. M. J.	Central Districts, Indian Christian.
160 Sarma, P. R. K.	Madras City Dock and Factory Labour excluding Textile and Railway Labour, Labour.
161 Saphtharishi Reddiyar, K. C. ..	Southern Central Landholders.
162 Sattanatha Karayalar, L. ..	Koilpatti, General, Rural.
163 Seshadriachariyar, B. T. ..	Gudiyattam, General, Rural.
164 Shaik Rowther, S. K. ..	Palghat, Muhammadan, Rural.
165 Shanmugam, K.	Gudur, General, Rural (Sche- duled Castes).
166 Shanmuga Mudaliyar, K.A. ..	Tiruppattur (North Arcot), Gene- ral, Rural.
167 Sheik Dawood, Khan Sahib K. A.	Salem <i>cum</i> Coimbatore <i>cum</i> The Nilgiris, Muhammadan, Rural.
168 Sheik Mansoor Tharaganar, V. S. T.	Tinnevely, Muhammadan, Rural.
169 Shetty, A. B. (<i>Parliamentary Secretary</i>).	Coondapoor, General, Rural.
170 Sitarama Reddi, H.	Bellary, General, Rural.
171 Sitarama Reddiyar, K.	Cuddalore, General, Rural.
172 Sivashanmugham Pillai, J. ..	Madras City, South-Central, General, Urban (Scheduled Castes).
173 Srinivasa Ayyar, D.	Gobichettipalayam, General, Rural.
174 Srinivasa Ayyar, P. S.	Conjeeveram, General, Rural.
175 Subba Rao, Kallur	Penukonda, General, Rural.
176 Subba Rao, Karunakaram ..	Vizagapatam <i>cum</i> East Godavari, Dock and Factory Labour, Labour.
177 Subba Rao, Marina	Rajahmundry, General, Rural.
178 Subbaraman, N. M. R.	Madura Town, General, Urban.
179 Subbarayan, The Hon. Dr. P. (<i>Minister</i>).	Tiruchengode, General, Rural.
180 Subbiah, F.	Ongole, General, Rural (Scheduled Castes).
181 Subbiah Mudaliyar, C. P. ..	Coimbatore Town, General, Urban.
182 Subbaraya Chettiyar, A. M. P.	Negapatam, General, Rural.
183 Subramanian, A.	Tirukkoyilur, General, Rural.
184 Swami, K. V. R.	Rajahmundry, General, Rural.
185 Syamasundara Rao, P. ..	Tekkali, General, Rural.
186 Unnikammoo, Khan Sahib V. K.	Malappuram, Muhammadan, Rural.
187 Valliappa Chettiyar, V. S. Rm.	Tiruppattur (Ramanad), General, Rural.
188 Varadachari, K.	Chandragiri, General, Rural.
189 Varadachari, N. S. (<i>Parlia- mentary Secretary</i>).	Madras City, South, General, Urban.

Name of member.	Name and class or constituency.
190 Varkey, C. J. (<i>Parliamentary Secretary</i>).	West Coast, Indian Christian.
191 Vedaratnam Pillai, A. ..	Mannargudi, General, Rural.
192 Venaudaya Gounder, S. V. ..	Dharapuram, General, Rural.
193 Venkanna, G.	Ellore, General, Rural (Scheduled Castes).
194 Venkata Reddi, Gopavaram.	Nandyal, General, Rural.
195 Venkata Reddi, Grandhi ..	Narasapur, General, Rural.
196 Venkata Reddi, K.	Narasaracet, General, Rural.
197 Venkatachalam Pillai, B. ..	Ariyalur, General, Rural.
198 Venkatachari, P. T.	Hosur, General, Rural.
199 Venkatanarayana Reddi, B.	Gudur, General, Rural.
200 Venkatappa Chettiyar, S. C.	Salem, General, Rural.
201 Venkatappa Nayudu, R. . .	Goody, General, Rural.
202 Venkatappayya Pantulu, K. . .	Guntur <i>cum</i> Tenali Towns, General, Urban.
203 Venkatarama Ayyar, P. . .	Kumbakonam, General, Rural.
204 Venkataramiah, R. S. . .	Palni, General, Rural.
205 Venkatarao Baliga, B. . .	Mangalore, General, Rural.
206 Venkata Rao, Kala	Amalapuram, General, Rural.
207 Venkatasubba Reddiyar, R. . .	Tindivanam, General, Rural.
208 Venkatasubbayya, V. . . .	Nellore, General, Rural.
209 Viswanatham, T. (<i>Parliamentary Secretary</i>).	Vizagapatam Town, General, Urban.
210 Yagneswara Sarma, K. P. . .	Tinnevely <i>cum</i> Palamcottah Towns, General, Urban.
211 Yakub Hassan, The Hon. Mr. (<i>Minister</i>).	Chittoor, Muhammadan, Rural.
212 Zamindar of Bodinayakkanur (T. V. K. Kamaraja Pandiya Nayakar).	Southern Landholders.
213 Zamindar of Challapalli (Zabdatul Aqran Sreemanthu Raja Yarlagadda Siva Rama Prasad Bahadur Zamindar).	Bandar, General, Rural.
214 Zamindar of Chemudu (Vyricherla Narayana Gajapathi Raju Bahadur).	Northern Landholders I.
215 Zamindar of Mirzapuram (Sri Raja Meka Venkataramaiah Appa Rao Bahadur).	Northern Landholders II.

THE MADRAS LEGISLATIVE ASSEMBLY

THIRD SESSION OF THE FIRST LEGISLATIVE ASSEMBLY UNDER THE GOVERNMENT OF INDIA ACT, 1935.

Monday, the 15th August 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. MR. B. SAMBAMURTI) in the Chair.

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

I.—SWEARING IN OF NEW MEMBERS.

The following members were sworn in:—

- (1) Mr. Arangil Chandu.
- (2) Mr. M. Ahmed Badsha.
- (3) Lieut.-Col. C. H. Brock.
- (4) Mr. G. H. Hodgson.
- (5) Mr. Marina Subba Rao.
- (6) Mr. F. G. Luker.
- (7) Mr. R. D. Denniston.

II.—CONDOLENCE RESOLUTION RE DEATH OF MR. B. RAJA RAO.

* THE HON. MR. C. RAJAGOPALACHARIAR:—“ Sir, I have the painful duty of moving this resolution to be adopted by this House, viz:—

‘ That an expression of the deep regret of this Assembly at the death of the late Mr. B. Raja Rao, M.L.A. and of sympathy with his bereaved family, be placed on record and conveyed to them.’

“ I have to add, Sir, that Mr. Raja Rao, so far as I am concerned personally, was a colleague not only in this hall, but for many, many years, in the work that we were doing before we undertook this responsibility, and the sorrow is all the greater on that account. I hope the House will accept this resolution in the usual manner.”

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—

“ Mr. Speaker, Sir, I wish to associate myself with the sentiments expressed by the Hon. the Leader of the House and to say that the late Mr. Raja Rao was a genial member of this House and we have missed him. But his work will always be remembered and members on this side of the House wish to associate themselves with the sentiments expressed by the Mover of this resolution.”

[15th August 1938]

MR. ABDUL HAMEED KHAN:—“ I wish to associate myself and my party with the resolution that has been moved by the Hon. the Leader of the House. Sir, as the Hon. the Mover did not speak at length about the loss that we in this House and the country generally have sustained on account of the death of our esteemed friend Mr. Raja Rao, I do not think I need take up the time of the House in narrating the great and good services that he rendered to the country as the working secretary of the All-India Congress Committee for a long number of years. He has rendered signal service to this country in the way of its attainment of freedom, and I associate myself with the resolution moved by the Hon. the Leader of the House.”

The resolution was put and carried *uem. con.*, all members standing.

III.—STATEMENT OF MR. SPEAKER ON THE CANCELLATION OF HIS TOUR TO EUROPE.

* MR. SPEAKER:—“ Before entering upon the business of the day, it is desirable that the House should know why the Speaker had to cancel his European tour for which both the Chambers of the Legislature had unanimously approved the necessary expenditure. The next day after the supplementary estimate pertaining thereto was voted by this House, the All-India Congress Working Committee communicated its opinion that, as Speaker, I had better not visit the foreign countries. The question was raised whether it was proper for the Congress Working Committee to issue such a direction. Considering the opinion of the Working Committee as advice, I had no hesitation in cancelling my trip to England under the existing political conditions of India. The independence of the Chair is one of the principal characteristics of Parliamentary Speakership. The Rights and Privileges of the Chair in the Legislatures of India are circumscribed, however, to some extent by the provisions of the Constitution Act, and it is only through conventions, in course of time, that any dependence of the Speaker either on the Crown or on the Party to which he belongs should be totally eliminated. The Congress is in the midst of a campaign for the development of such conventions and for the attainment of Indian Independence. The Congress has acquired by its service and sacrifice the right to guide and advise in matters affecting national issues or national prestige. While the All-India Congress Working Committee has always set up a high standard of Provincial Autonomy and will not interfere with the will of a Provincial Legislature in Provincial matters, it has nevertheless the supreme moral authority to advise Congress Speakers on matters strictly outside the purview of the Legislature, leaving complete independence of judgment to the Chair in all matters within the jurisdiction of the Legislature itself.

15th August 1938]

[Mr. Speaker]

"It was at my instance that the Madras Government moved a Supplementary Demand for my European travel and the Legislature has given its enthusiastic support for the same. I had thought and still think that it would be largely in the interests of the nation that the Speakers in India should possess a knowledge of the adjectival law of the Parliaments of the world acquired not only by a study of books but also by personal observation of the proceedings in the important legislatures of the world. The acquisition of such expert knowledge would be of considerable importance in building up conventions suitable to our conditions. But, situated as India is to-day, and engaged as India is in a political struggle for self-determination and national independence, any step calculated to create an impression that the country has in any way settled down to work the constitutional machinery imposed upon it from outside should be carefully avoided, and when the Congress Working Committee is of opinion that the visit of any Congress Speaker or Minister in India to foreign countries might be interpreted as acceptance of the Government of India Act—a measure which has been declared as unacceptable to the people of India, whatever may be their political complexion—it is only my duty to respect that opinion, whatever may be the difference of view about it. It was under these circumstances, as hon. Members of the Legislature will, I dare say, readily recognize, that the European trip contemplated by me had to be cancelled. This, in brief, is the explanation which I have thought it fair that I should present before the hon. Members of the Legislature with regard to the cancellation of my visit to foreign countries."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Is it open to discussion for any of us . . ."

* MR. SPEAKER:—"It is only to avoid discussion that I made that statement."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"It is the privilege of the House . . ."

MR. MAHBOOB ALI BAIG:—"As a matter of information, may I ask whether the Working Committee of the Congress is an elected body of the Congress?"

* MR. SPEAKER:—"It is in one way an elected body. The Congress President selects his cabinet and the selection is approved by the All-India Congress Committee. Though each member is not formally elected, the Committee is a body approved by the All-India Congress Committee and as such it holds a cabinet position."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"It is a question of the privileges of the House and satisfaction to all others who do not recognize the powers of the Congress Committee. The privileges of the House. I would submit, have been violated by our resolution being ignored and not being given effect to."

[15th August 1938]

3-15 * THE HON. MR. C. RAJAGOPALACHARIAR:—"There is
p.m. a serious, though small, misunderstanding about the situation which, I think, it is my duty to correct. The last speaker appeared to suggest that there has been some kind of violation of the privileges of this House in regard to this matter. I should have strongly objected to any such violation even though it might be on the part of a body which we very much respect. But I wish to tell you, Sir, that this idea is based on a misunderstanding of the position. The vote passed by this House is a permission to spend a sum of money in the way the Government proposed to spend it. No resolution was passed, so far as I am aware, directing the Speaker to do anything, which he has failed to do. (Loud cheers.) If the Government had spent money in order to enable the Speaker to move about in the world without the permission of the legislature, it would have been wrong on the part of the Government. What was done therefore was to get the permission of the House to spend the money, and it is open to the Speaker to go or not to go; neither the Opposition nor the Government can compel the Speaker to go (cheers) and find fault with the Government or the Speaker if the Speaker does not go. (Renewed cheers.) I submit, Sir, it is amusing but natural, for, in most cases the sanction taken on the budget discussions does amount to an implicit instruction to spend and explanation has to be given by the Government if they allow such funds to lapse. But, I submit, Sir, that this personal decision of the Speaker to go or not to go does not fall under that class, and I should not have thought that any explanation was called for after the statement you made."

MR. G. KRISHNA RAO:—"With due deference to the Speaker, may I observe, Sir, that if there was no necessity for the Speaker to go at all, or if he was free to do as he liked, there was equally no need for him to make a statement. Why then did he make a statement?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Do I understand the hon. Member putting a question to me, Sir? Does he refer to any statement I made?"

MR. G. KRISHNA RAO:—"I was referring to the explanation which the Hon. the Premier gave, Sir."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I submit, Sir, that the Speaker is bound in courtesy to take us into his confidence as to why his own programme was changed; but that courtesy does not give the right to members to discuss the question." (Applause.)

MR. G. KRISHNA RAO:—"I am afraid, Sir, if it is a matter of courtesy, we would very much like to sit quiet. We have come here to discuss constitutional principles which, according to our lights, have been violated. So it is a matter of propriety and

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principle which we are discussing here and not a matter of courtesy. I would very much like the Hon. the Premier to draw a distinction there."

* MR. SPEAKER:—"Has the Hon. the Premier anything to add to what he has already stated?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I think we are going along the lines of more misunderstanding. There is no question or claim of any constitutional propriety or privilege or violation thereof here. I claim only this much: that the Speaker was master of his own movements and that what the House did was to give permission to the Government to spend money if it became necessary. If it did not become necessary, it would not spend the money. But it is a different thing altogether for the Speaker to explain why he did not go. You have taken great trouble, Sir, to explain so that there may be no misunderstanding of your own position. I do not think there is any question of constitution here at all, as far as I can see."

MR. G. KRISHNA RAO:—"May I request the Speaker to say, as this House is composed of Congressmen and non-Congressmen, whether we should be bound by the mandate which the Congress Committee gives to the Speaker, that it should be obeyed and that in this matter there has been no violation of the constitutional principle involved? I believe this House is an autonomous body consisting of the accredited representatives of the people, both Congressmen and non-Congressmen. It is, as such, the right of the Opposition to say that there has been a violation of the constitution, so far as the Speaker's position in the House is concerned."

* MR. SPEAKER:—"As what the hon. Member Mr. Krishna Rao refers to is a personal matter relating to the Speaker himself, I should make it very clear to him that no privilege of this House has been violated by the All-India Working Committee. (The Hon. Mr. Yakub Hasan: 'Hear, hear'.) If any the least right or privilege of this legislature were to be so violated, hon. Members may take it from me that the Speaker will be the first man to fight it. (The Hon. Mr. C. Rajagopalachariar: 'Hear, hear'.) I have made it clear in my statement that the independence of the Chair both from the Crown and from any party to which the Speaker belongs must be secured and it is to that end that I have always been working. Hon. Members of the House may rest assured that the Chair—the present occupant of the Chair—will see that interference with the rights and privileges of the House by either constitutional or ultra-constitutional authority would not be in any way tolerated. (Rao Bahadur Sir A. T. Pannir Selvam: 'Hear, hear'.) I have treated the direction of the Working Committee as advice and I have cheerfully accepted it. It is purely a matter for personal judgment and discretion and it does not in any way

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affect the rights and privileges of this legislature. That is the answer I give to the hon. Member. I hope he will be satisfied with this assurance."

MR. G. KRISHNA RAO:—" Though I am not satisfied, Sir, (laughter) I bow to your ruling. As it is a sort of explanation, I sit quiet."

MR. D. ABDUL RAWOOF:—" I suppose, Sir . . ."

* MR. SPEAKER:—" I am not under cross-examination. As this is a matter pertaining to the Chair, I cannot allow any further discussion on it. We have had sufficient discussion."

MR. D. ABDUL RAWOOF:—" I am not discussing. . ."

* MR. SPEAKER:—" We proceed to the next item on the agenda."

IV.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Alleged complaint against Khan Bahadur Mustafa Ali Khan Bahadur, Deputy Superintendent of Police.

* 1 Q.—MR. K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(a) whether the information called for in respect of clauses (b), (c), (d), (e) and (f) of starred question No. 145, dated 28th January 1938, regarding the complaint against Khan Bahadur Mustafa Ali Khan Bahadur, Deputy Superintendent of Police, has been received; and

(b) if so, what the answers to the clauses referred to above are?

THE HON. MR. C. RAJAGOPALACHARIAR:—" (a) The answer is in the affirmative.

" (b) *Clause (b) of question No. 145.*—A list is placed on the table.

Clause (c) of question No. 145.—The answer is in the negative.

Clause (d) of question No. 145.—The Sub-Inspector in question now reports that it is a fact that the cook of the Deputy Superintendent of Police used abusive language.

Clause (e) of question No. 145.—The Government is unable to answer in the affirmative.

Clause (f) of question No. 145.—The question does not arise."

MR. K. V. R. SWAMI:—" May I know whether it is a fact, Sir, that the Deputy Superintendent of Police in question was compelled to retire and that he has retired? "

THE HON. MR. C. RAJAGOPALACHARIAR:—" I think so."

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MR. ABDUL HAMEED KHAN:—" May I know the reasons for the Government compelling him to retire? "

THE HON. MR. C. RAJAGOPALACHARIAR:—" The result of a High Court decision, Sir."

Filling up of the vacancy caused by the resignation of the Parliamentary Secretary to the Minister for Public Works.

* 2 Q.—MR. G. KRISHNA RAO: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that the vacancy caused by the resignation of Mr. Karant of the office of Parliamentary Secretary to the Minister for Public Works, has not been filled; and

(b) if so, what the reasons therefor are?

THE HON. MR. C. RAJAGOPALACHARIAR:—" (a) The answer is in the affirmative.

" (b) The vacancy has not been filled in the interests of economy." (Laughter.)

MR. G. KRISHNA RAO:—" May I know if the past incumbent Mr. Karant said that he had no work to do and so he resigned the appointment? "

THE HON. MR. C. RAJAGOPALACHARIAR:—" I do not think the hon. Member is referring to any document. It is improper to make quotations without documents."

MR. R. M. PALAT:—" There was a leading article about this matter in the *Indian Express* and it was stated therein that the Parliamentary Secretaries had no work. I showed it to Mr. A. B. Shetty and as he is here he should be in a position to support my statement."

THE HON. MR. C. RAJAGOPALACHARIAR:—" I do not know what paper the hon. Member is referring to. But whatever the paper may be, I cannot do anything with reference to that paper."

MR. R. M. PALAT:—" I am referring to the *Indian Express* Sir."

THE HON. MR. C. RAJAGOPALACHARIAR:—" I do not think the resignation is due to that article."

MR. ABDUL HAMEED KHAN:—" Arising from the answer given by the Hon. the Premier that this has been done as a measure of economy, may I know, if one Minister can do without a Parliamentary Secretary, whether there is need for other Ministers to have such Secretaries? "

THE HON. MR. C. RAJAGOPALACHARIAR:—" It is much more for the Ministers to decide than for one like the hon. Member." (Laughter.)

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Participation of the Presidents of Congress Committees in Police inquiries in criminal cases.

* 3 Q.—KHAN BAHADUR P. M. ATTAKOYA THANGAL: Will the Hon. the Prime Minister be pleased to state—

(a) whether any order has been issued by the Government authorizing or empowering Presidents of Congress Committees in this Presidency either to participate in police enquiries in criminal cases or to interview District Superintendents, Deputy Superintendents and such other police officers to advise them or acquaint them with regard to facts within their knowledge; and

(b) if any order or orders have been issued to that effect, what the conditions imposed on Presidents of Congress Committees in such matters are?

THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) The answer to clause (a) is in the negative and consequently clause (b) does not arise.

“The hon. Member should, however, know that it is the right of every citizen and also his duty to acquaint Police officers with facts within his knowledge if they are relevant and important in any enquiry in a criminal case.”

MR. ABDUL HAMEED KHAN:—“Does the Hon. Minister in charge of Police recognize the right of every citizen to compel any Police officer to act according to his instructions?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“There is no such right, Sir.”

MR. K. ABDUR RAHIMAN KHAN:—“Is it a fact that one Mr. P. Kunhalavi, President of the Congress Committee of Vili-puram, Ramnathkara, told the Deputy Superintendent of Police that the Police had acted rightly in the matter and that the version of the President of the Kerala Provincial Congress Committee was incorrect?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“I said Sir, that the President of the Kerala Provincial Congress Committee did not do anything as was alleged in the question. Therefore, this question does not arise. The supplementary questions are based on the assumption that the President of the Kerala Provincial Congress Committee compelled somebody or did something else other than what I have said he has done.”

MR. MUHAMMAD ABDUR RAHMAN:—“May I ask, Sir, whether citizens by virtue of becoming Congressmen lose this right of citizenship?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“I said already that every citizen has a right to acquaint Police officers with facts and every citizen has probably also a duty to

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acquaint Police officers with facts within their knowledge if they are relevant and important in any enquiry or criminal case."

MR. MUHAMMAD ABDUR RAHMAN:—" May I know on the other hand, Sir, if the Hon. the Premier has instructed Police officers to take into their confidence 'Khan Bahadurs,' especially those with League-Cum-Justice complexion in Politics, and entrust them with information available to the Police officers? "

MR. SPEAKER:—" The question is evidently too long and complex. It requires repetition and clarification. The hon. Member may cut it into two bits."

MR. MUHAMMAD ABDUR RAHMAN:—" What I wanted, Sir, to know was whether the Hon. the Premier has instructed Police officers to take the 'Khan Bahadurs' of the Presidency, especially those with Justice-cum-League complexion, in their politics, into their confidence and entrust them with information available to the Police officers? "

THE HON. MR. C. RAJAGOPALACHARIAR:—" I am sorry, Sir, I follow many words but not the predicate."

MR. SPEAKER:—" The question is, no doubt, a reproduction of the original question."

MR. MUHAMMAD ABDUR RAHMAN:—" The question which has been put is whether the Hon. the Premier has instructed police officers to do certain things as regards Presidents of Congress Committees. I want to ask, Sir, whether, if the position is reversed and in the place of Presidents of Congress Committees the 'Khan Bahadurs' of the Presidency were put, it would be all right."

THE HON. MR. C. RAJAGOPALACHARIAR:—" I may advise the hon. Member, Sir, that if he were less sarcastic he would be more intelligible."

Policy of Government regarding the extension of cultivation in the agency tracts in the Vizagapatam district.

* 4 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state the policy of the Government in respect of extending cultivation in the agency portion of Srungavarapukota taluk in the Vizagapatam district, the whole of the Gudum taluk in the same district and portions of Yellavaram, Bhadrachalam and Nugur taluks in East Godavari district?

MR. T. VISWANATHAM, Parliamentary Secretary, on behalf of the Hon. Mr. T. Prakasam:—" The attention of the hon. Member is drawn to the ordinary darkhast rules contained in Board's Standing Order No. 15. The policy of

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the Government is to encourage occupation of all lands available for assignment. There is no special and separate policy in regard to the extension of cultivation in the tracts mentioned in the question."

MR. K. V. R. SWAMI:—"May I know, Sir, whether anything is being done now which was not done under the old rules and whether the Government are going to do more than what is being done at present?"

MR. T. VISWANATHAM:—"The Government always hope to do more than what they do at present."

MR. K. V. R. SWAMI:—"I want to know, Sir, whether the Government are going to advertise that there are certain vacant lands in certain places which are fit for cultivation and which can be occupied by those who are interested in cultivation and thus make them occupy those lands and give them the necessary facilities."

MR. T. VISWANATHAM:—"Advertisement is, I think, a matter for commercial bodies."

MR. KALA VENKATA RAO:—"పన్నెత్తు ప్రాంతములలోని విస్తృతమైన మరమ్మతు చేయవలసిన స్థలములను చిన్న పరిధిలోని యిరిగేటన్లను మాట నడచును?"

MR. T. VISWANATHAM:—"అలాంటి విస్తృతములు గవర్నమెంటు వారికి యేమీ కావును."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Mr. Speaker, can we have the Government's reply translated?"

MR. T. VISWANATHAM:—"I said, Sir, that complaints to that effect have not been received."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, Sir, we shall be much obliged if the hon. Member representing the Government translates the question also in addition to the answer?"

MR. T. VISWANATHAM:—"As I understand it, the question that was put was, whether the Government were aware that on account of the non-repair of petty irrigation tanks, cultivation was suffering. The answer I gave was, that no complaints had been received by the Government to that effect."

MR. KALA VENKATA RAO:—"గౌరవనీయులైన రెవెన్యూ మంత్రి గారిమధ్య విజస్వీ పోలవరం వెళ్ళినపుడు చిన్న తెలుగులను చిర కాలమునుండి మరమ్మతు చేయబడని విస్తృతమైనవి ఉన్నాయా? లేదా?"

MR. T. VISWANATHAM:—"ఆ విస్తృతము ఎక్కడి నాకు తెలియదు. I am not aware of the complaint, Sir."

SOME HON. MEMBERS:—"We want translation of the question also."

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MR. T. VISWANATHAM :—“ Mr. Speaker, have I got to translate the question put by the Member also? ”

MR. SPEAKER :—“ For the benefit of the House the hon. Member may do it.”

MR. T. VISWANATHAM :—“ I submit, Sir, in answer to the question put to me, that if there was any such complaint the Government would be glad to attend to it.”

MR. K. V. R. SWAMI :—“ May I ask, Sir, whether there are not large tracts in the places mentioned in the question which are very very fertile but are lying uncultivated? ”

MR. T. VISWANATHAM :—“ The Government have been taking stock of all those lands.”

MR. K. V. R. SWAMI :—“ Have they appointed any agency to find out those lands and give facilities to people to occupy them? ”

MR. T. VISWANATHAM :—“ There is already a well-paid and efficient agency for this.”

MR. K. V. R. SWAMI :—“ May I ask whether these Divisional Officers and other officers are doing anything in this respect? ”

MR. T. VISWANATHAM :—“ If they have not done anything hitherto they will do so hereafter.”

MR. MAHBOOB ALI BAIG :—

”ایجنسی میں کتنے تالاب ہیں - اور ان میں کتنے بے مرست ہیں *“

MR. T. VISWANATHAM :—“ हम्को हिन्दी मालूम नै ”

“ I am not able to follow the hon. Member.”

MR. E. H. M. BOWER :—“ On a point of order, Mr. Speaker, may I know whether the rule which requires that people who know English should speak in English has been abrogated? If this rule was followed by those who have been putting questions and giving answers, the time of the House would not be wasted.”

MR. SPEAKER :—“ The point of order has been settled long ago in this House. Every member is at liberty to speak in any language he chooses.”

SEVERAL HON. MEMBERS :—“ On a point of order, Mr. Speaker.”

MR. SPEAKER :—“ Mr. Mahboob Ali Baig.”

MR. MAHBOOB ALI BAIG :—

” وزیر مال کے معتمد نے جو حالات کے جواب دے رہے تھے - میرا سوال نہ سمجھا اور جواب نہ دے سکا - تو میں نے کہا تعجب ہے کہ معتمد وزیر مال کانگریس ممبر ہوتے پر ہندوستانی زبان نہ سمجھا اور میرے سوال کا جواب نہ دے سکا *“

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MR. T. VISWANATHAM:—"There is no ready information, Sir, on the matter referred to in the hon. Member's question."

MR. ABDUL HAMEED KHAN:—"On a point of order, Mr. Speaker, your ruling was that hon. Members may speak in the language that they know?"

MR. SPEAKER:—"Know well, know thoroughly."

MR. ABDUL HAMEED KHAN:—"I stand corrected, Sir."

MR. MAHBOOB ALI BAIG:—"I know three languages thoroughly—Telugu, Hindustani and English, and I can talk in any language I like."

MR. SPEAKER:—"I know that Mr. Mahboob Ali Baig knows Hindustani much better than any other language. He will be allowed to speak in Hindustani."

MR. R. M. PALAT:—"May I know whether there is any language called Hindustani? I know there is Hindi and there is Urdu."

MR. SPEAKER:—"Hindustani is both Hindi and Urdu."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"May I know, Sir, whether the rule is not in force, the rule which says that in the deliberations of this House, members shall ordinarily speak in English unless they are not sufficiently acquainted with that language to express their views in it? As long as that rule stands and is not abrogated, is it open even to you, Mr. Speaker, to allow people who are known to be able to speak in English well, to speak in any other language?"

MR. SPEAKER:—"There are certain rules which are mandatory and certain rules which are directory. The present case falls within the latter category. If an hon. Member thinks and feels that he can speak in his mother tongue much better than in English or any other language, he is at perfect liberty to do so."

Protest against the exclusion of inam lands and fasljasti cultivation from remission concessions.

* 5 Q.—MR. B. T. SESHADRIACHARIAR: Will the Hon the Minister for Revenue be pleased to state—

(a) whether it is a fact that the remission of two annas in the rupee on wet lands in the districts in which resettlements were introduced prior to 1914, was not given to inam lands and fasljasti cultivation during the current fasli 1347; and

(b) if so, the grounds on which this distinction was made?

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MR. T. VISWANATHAM, Parliamentary Secretary, on behalf of the Hon. Mr. T. Prakasam :—“(a) The land revenue concessions for fasli 1347 announced in the Press Communiqué, dated 16th December 1937, the extent of which was governed by the provision in the budget, was not applied to fasljasti and inam lands, other than Proprietary Estates Village Service Inams which have been enfranchised.

“(b) As regards fasljasti, the concessions were intended to apply only to the basic assessment on the land and not to the extra charge levied for the cultivation of a second irrigated crop on single crop wet lands. The concessions were not granted to inam lands (other than Proprietary Estates Village Service Inams) because the quit-rent or jodi payable on such inams is not, as a rule, subject to re-settlement and is generally lower than the assessment on ryotwari lands of the same quality. If the inamdars prefer the benefit of the remissions, it is open to them to give up the inam tenure and to apply for the registry of the lands as ryotwari at full rates of assessment.”

MR. BASHEER AHMED SAYEED :—“Sir, certain reasons are given in answer to clause (b) of the question. May I ask, Sir, whether those same reasons do not apply to the case of fasljasti?”

MR. T. VISWANATHAM :—“I have already answered, Sir, that they would not apply to fasljasti.”

MR. BASHEER AHMED SAYEED :—“I was referring to the reasons. I know the facts. I know that the revenue concessions were not applied to fasljasti. I want to know if at all there are any reasons for this. I want to ask whether the same reasons as have been given in the case of inam lands apply to fasljasti also?”

MR. T. VISWANATHAM :—“I would ask the hon. Member to follow the answer closely. The concessions were intended to apply to the basic assessment of the land and not the extra charge levied for the cultivation of a second crop on a single-crop land. Fasljasti is not basic assessment.”

MR. BASHEER AHMED SAYEED :—“My question is not whether it was the intention not to apply the concession to fasljasti. I want to know the reason why fasljasti should not be brought under the concession of the Government. A mere statement of facts is not sufficient.”

MR. T. VISWANATHAM :—“A concession is a concession. There is no logical extension of concessions.”

MR. BASHEER AHMED SAYEED :—“Is it, or is it not a fact that fasljasti is levied on the same rate of assessment which is subject to revision and resettlement every thirty years? If so, where does the difference come in between fasljasti and the basic assessment?”

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MR. T. VISWANATHAM:—“Fasljasti is levied on the crops which it is not binding on the ryot to raise. Therefore it is not a basic assessment. The ryot is at liberty to grow a second crop or not.”

MR. BASHEER AHMED SAYEED:—“If the ryot grows a second crop the Government are entitled to the same rate of assessment as on the previous crop. If the previous crop is given a concession why not that concession be extended to fasljasti? That is the question.”

MR. T. VISWANATHAM:—“I have prefaced my answer that all concessions have been limited by the limitations of the budget.”

MR. T. N. RAMAKRISHNA REDDI:—“May I ask whether it is not a fact that the quit-rent on inams is in many instances three-fifths of the ordinary ryotwari assessment and that there is no concession in the shape of remissions if the land is not cultivated and that for this reason it is quite essential that this remission of two annas in the rupee should be given in the case of quit-rents on inams also?”

MR. T. VISWANATHAM:—“Where the quit-rent is as much as the ryotwari assessment, I have already submitted that the concessions have been given.”

Representation against the collection of revenue for Poovasi in the South Arcot district.

* 6 Q.—MR. R. VENKATASUBBA REDDIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that revenue for Poovasi is collected at half rates in South Arcot for crops such as cholam, maize, etc., for which no revenue or revenue at lesser rates was being collected;

(b) if so, the reasons for and the date of any order in the matter; and

(c) whether the Government will consider the desirability of cancelling such an order, if there is any?

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D.

MR. T. VISWANATHAM, Parliamentary Secretary, on behalf of the Hon. Mr. T. Prakasam:—“(a) to (c) The hon. Member is apparently referring to the orders issued by the Government on the 18th October 1937 interpreting certain provisions of the Board's Standing Orders to the effect that when an irrigated dry crop precedes a wet crop on a land registered as single-crop wet, the charge should be one and a half times the wet assessment on the land treating the wet crop as a second crop. The practice previously prevailing in the South Arcot district appears to have been different from that prescribed in the Government Order.

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On receipt of certain representations from South Arcot the Government issued instructions to the Collector that only the charge levied according to the practice in force prior to the issue of the orders in question should be collected and that the collection of the balance should be stayed until further orders. The whole question is now under examination."

MR. BASHEER AHMED SAYEED:—" May I ask, Sir, whether the Government will also order the refund of the assessment that has been collected already? "

MR. T. VISWANATHAM:—" That question does not arise, Sir."

MR. BASHEER AHMED SAYEED:—" It is not for the Hon. the Parliamentary Secretary, Sir, to say that the question does not arise. I submit that it is for the Chair to rule whether a supplementary question does or does not arise out of the answer to a supplementary question or even out of the main question itself. I would therefore ask once again whether the Government will consider the feasibility of ordering the refund of the assessment already collected, since the hon. Member stated that the balance of collection has been stayed. If it is found that the previous collection was certainly not justified, would it not be possible for the Government to order the refund of the collection already made? "

MR. T. VISWANATHAM:—" I have submitted, Sir, already that the whole question is under examination. The Hon. Member put in a supplementary question whether it would not be feasible for the Government to refund amounts already collected, and I submitted that that question did not arise. I did not want to usurp the authority of the Chair; I only stated that that question would not arise from out of the answer which I had already given."

MR. E. KANNAN:—" ചോദ്യത്തിൽ സൂചിപ്പിച്ചതായ ഗവണ്മെന്റ് കപ്പന നിലവിൽ നിർമ്മാണത്തിലാണോ, ഗവണ്മെന്റിനോ കപ്പന ബാധിക്കുന്ന ജനങ്ങൾക്കോ വല്ല നഷ്ടവും ഉണ്ടോ? "

MR. T. VISWANATHAM:—" I presume the hon. Member does not expect an answer from me to that question."

MR. SPEAKER:—" Why not? The question is perfectly all right. It is relevant."

MR. T. VISWANATHAM:—" I did not say it was irrelevant; if the hon. Member wants an answer from any Member on this side, it is up to him to put the question in a language which will be understood by the person who is expected to answer it."

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MR. SPEAKER:—"The hon. Member will find some method of interpreting it to the Parliamentary Secretary who is expected to answer the question."

(Many hon. Members rose in their seats.)

MR. SPEAKER:—"I will guide the deliberations. Hon. Members will kindly have some patience. (After a pause.) Will the hon. Member, Mr. Kannan have the question interpreted by somebody, or does he propose to interpret it himself, if he knows English?"

MR. T. VISWANATHAM:—"I am sorry, Sir, I have not followed the question at all."

MR. SPEAKER:—"Is the hon. Member not able to secure some friend to interpret his question, if he is unable to do it himself?"

MR. R. M. PALAT:—"As there is an hon. Minister coming from Malabar, he may be asked to interpret or answer the question, Sir; the knowledge of one Member of the Government is the knowledge of all."

MR. SPEAKER:—"That is the look-out of the Government."

MR. T. VISWANATHAM:—"Well, Sir, if I am compelled to answer the question which I do not understand, I submit that the hon. Member may be pleased to put the question in writing and send it on to the Government, giving sufficient notice; and it will be answered."

MR. SPEAKER:—"So, the Parliamentary Secretary wants notice; that could have been easily stated in the first instance."

MR. T. VISWANATHAM:—"I am sorry, Sir; if I had understood the question, and if I had not the information in my possession, I would have asked for notice."

MR. BASHEER AHMED SAYEED:—"May I ask, Sir, whether the Government will issue orders, which are now under consideration, before the next collections are commenced?"

MR. T. VISWANATHAM:—"Orders will be issued as soon as the Government come to a decision in the matter."

MR. BASHEER AHMED SAYEED:—"Will that be before the next collections commence? Only in that case it will be in the interests of the ryot."

MR. T. VISWANATHAM:—"The Government would very much like to do it."

Sale of the Salem camp buildings.

* 7 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Salem camp buildings were sold to any one; and

(b) if so, to whom, when and for how much?

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THE HON. MR. YAKUB HASAN:—“(a) Yes.

“(b) To the Mettur Industries, Limited, in February 1937 for Rs. 50,000.”

Sites, lands and buildings sold or leased by the Government in the Mettur area.

* 8 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the sites, lands and buildings that were sold or leased by the Government in the Mettur area;

(b) to whom these were sold or leased; and

(c) when and for what consideration these are sold or leased?

THE HON. MR. YAKUB HASAN:—“(a) to (c) Information in regard to the alienation of land and buildings to industrial concerns at Mettur is given in the statement* placed on the table separately. Information about the land leased to private individuals is not available with the Government.”

MR. K. V. R. SWAMI:—“May I know, Sir, whether there are any more lands which have not yet been sold?”

THE HON. MR. YAKUB HASAN:—“As far as I remember, there are no lands or buildings which have not been sold.”

Protest against the location of all the radio stations sanctioned for the Chittoor district in the Madanapalle division.

* 9 Q.—MR. M. DORAICKANNU: Will the Hon. the Minister for Public Works be pleased to state—

(a) how many radio stations were sanctioned by the Government for the district of Chittoor; and

(b) if the Government had sanctioned only four radio stations for the Chittoor district, why and on whose recommendation all the four radio stations were arranged to be located in the Madanapalle division?

THE HON. MR. YAKUB HASAN:—“(a) Four.

“(b) All of them are not located in the Madanapalle Division. Only two stations are located in that division, viz., Kalikiri and Thamballapalle. Chittoor and Chandragiri Divisions have one station each, viz., Palmaner and Chandragiri.”

MR. R. B. RAMAKRISHNA RAJU:—“May I know whether the Government are aware that not even a single station was given for the zamindari area throughout the whole of the Chittoor district?”

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THE HON. MR. YAKUB HASAN:—"We gave four sets to the Chittoor district, and these four have been allotted."

MR. R. B. RAMAKRISHNA RAJU:—"Why not one at least be given to the eastern portion of the district and located in the zamindari area?"

THE HON. MR. YAKUB HASAN:—"I am afraid we cannot give any more to the Chittoor district."

MR. G. RANGAYYA NAYUDU:—"అధ్యక్ష మహాశయ! మంత్రిగారికి తెనుగు తెలియవలదున, నేను వారిని ప్రశ్నలు పొందుస్తానీలో అదేమి వచ్చునా? మీ ఉత్తరువు కోరుకున్నాడను."

MR. SPEAKER:—"Yes."

MR. G. RANGAYYA NAYUDU:—"వह कहा गया के जो चार रेडियो शांगण् हुये। वे सब सरकारी गानों में ही इन्स्टालकिये गये हैं। मेरे दोस्त रामकृष्ण राजू जी ने कहा के जमींदारी बेरियों में कुछ रेडियो नहीं दालगया।"

MR. SPEAKER:—"That is a speech and not a question; the hon. Member will kindly resume his seat."

Construction of a dome in the Presidency College, Madras.

* 10 Q.—MR. D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that an estimate for the construction of a dome in the Presidency College, Madras, is ready; and

(b) if so, whether the Government will consider the desirability of expediting the work before the centenary of the College is celebrated in 1940?

THE HON. DR. P. SUBBARAYAN:—" (a) & (b) An estimate was prepared, but the Government have considered it unnecessary to reconstruct the dome and have decided to put up a terraced roof in the place where the dome stood."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know whether even a terraced roof is necessary, whether it will serve any useful purpose and whether it will not be a waste of money to spend anything more on these buildings?"

THE HON. DR. P. SUBBARAYAN:—"I am afraid, Sir, a terraced roof is necessary, because if a roof is not put up and if there is rain, it will begin to leak. I am sure that in the interests of our students, the hon. Member will realize that at least this terraced roof is necessary."

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MR. ABDUL HAMEED KHAN:—" May I know, Sir, how much this dome will cost? "

THE HON. DR. P. SUBBARAYAN:—" The hon. Member is wrong; there is no dome at all concerned here."

MR. ABDUL HAMEED KHAN:—" May I know how much the proposed terraced roof will cost? "

THE HON. DR. P. SUBBARAYAN:—" If the hon. Member refers to the terraced roof that is proposed, I cannot give the answer now, because I have not the figure ready with me. If he will put down another question, I am prepared to answer it."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know whether there cannot be a cheaper method of roofing, than a terraced roof? "

THE HON. DR. P. SUBBARAYAN:—" The terraced roof is to be done in as cheap a manner as possible, keeping in view the position and the architectural condition of the Presidency College."

MR. ABDUL HAMEED KHAN:—" May I know, if it is the policy of the Government not to spend money on brick and mortar, whether it will not be consistent with that policy to spend less money on this structure? "

THE HON. DR. P. SUBBARAYAN:—" I have already stated that the Government are spending as little as they possibly can on the construction of this terrace."

MR. ABDUL HAMEED KHAN:—" May I know whether the Hon. the Minister avers that that cannot be done at a cheaper rate than under the present arrangement? "

THE HON. DR. P. SUBBARAYAN:—" The hon. Member for the City of Madras, Muslims, I am sure, realizes that what is cheap is a relative term; what may be cheap in my opinion may not be cheap in his opinion."

Criterion for fixing the price of Administration Reports.

* 11 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state the basis on which the prices of Administration Reports are fixed?

THE HON. DR. P. SUBBARAYAN:—" An extract* of paragraph 198 of the Printing Manual of the Government of Madras is laid on the table."

MR. G. RANGAYYA NAYUDU:—" యీ సవత్సరం, అనగా, 1938-39 లో యీ ఖర్చు స్థూలము ఎంత? "

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THE HON. DR. P. SUBBARAYAN:—"I am afraid, Sir, the hon. Member is referring to another question. This question refers to the Printing Manual and not to closure of schools."

Reasons for the fall in the number of public educational institutions in 1935-36.

* 12 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state what the reasons for the fall in the number of public educational institutions from 50,391 in 1934-35 to 50,116 in 1935-36 are?

THE HON. DR. P. SUBBARAYAN:—"The fall is due to the closure of inefficient, uneconomic and superfluous elementary schools. It did not affect the number of pupils in such schools. On the other hand, the numbers on the rolls increased by 79,990 during the period mentioned in the question."

MR. K. V. R. SWAMI:—"May I know from the Hon. Minister whether these schools were closed on account of orders issued by the Government?"

THE HON. DR. P. SUBBARAYAN:—"Yes, Sir."

MR. K. V. R. SWAMI:—"All of them were inefficient and uneconomic schools, I suppose according to the Government?"

THE HON. DR. P. SUBBARAYAN:—"All the schools that the hon. Member refers to were decided to be closed by the Government of Madras as represented by the Minister for Education."

MR. K. V. R. SWAMI:—"Was it on the recommendation of the Director of Public Instruction?"

THE HON. DR. P. SUBBARAYAN:—"The administrative advisers' advice was taken into consideration before a decision was come to."

MR. K. V. R. SWAMI:—"May I know who they are?"

THE HON. DR. P. SUBBARAYAN:—"The hon. Member knows it as well as I do. The Director of Public Instruction and the Educational Officers of the districts concerned."

MR. K. V. R. SWAMI:—"Has it not been the aim of the Director to minimize the educational facilities and to abolish any school as he liked?"

THE HON. DR. P. SUBBARAYAN:—"I am afraid the hon. Member is wrong in his presumption, because the Minister and the officers under him have in view increased facilities for education in this province, and have not decreased such facilities, as he presumes."

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MR. BASHEER AHMED SAYEED:—“ May I ask, Sir, whether any opportunity was given to the respective communities concerned in the matter of the abolition of these uneconomic schools? ”

THE HON. DR. P. SUBBARAYAN:—“ There is no question of communities in the abolition of uneconomic schools. The general welfare of the population as a whole and the communities in particular has been taken into consideration in the matter of abolition of the schools. The answer would show, Sir, that the number of pupils in the schools has increased instead of decreasing, which shows that facilities have been afforded to pupils to enter schools which they want to.”

MR. ABDUL HAMEED KHAN:—“ Arising out of the answer given to the supplementary question, may I know from the Hon. Minister whether there was any occasion to go into the question of the abolition of some of the schools in Malabar? ”

THE HON. DR. P. SUBBARAYAN:—“ Yes, Sir. In the case of some of the schools in Malabar, I have stopped abolition, because I felt that there were not proper facilities for education.”

MR. ABDUL HAMEED KHAN:—“ The Hon. Minister stated that the Director of Public Instruction has brought in proposals for the abolition of some of the schools in Malabar. Is the Hon. Minister impressed by it? ”

THE HON. DR. P. SUBBARAYAN:—“ It is not a question of the Director of Public Instruction making proposals for the closure of schools. The Malabar District Board felt strongly, considering the state of its finances, that some of these uneconomic schools should be closed. But in view of communal considerations, the Director of Public Instruction came to the conclusion that for the present these schools may go on and that they need not be abolished and I accepted that view.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“ May I know, Sir, whether a large number of pupils in certain localities where these schools were abolished are deprived of facilities for education? ”

THE HON. DR. P. SUBBARAYAN:—“ These facilities were available all the time, the hon. Member well knows it, and the number of pupils in such schools is such that the Government after consulting the local officers concerned came to the conclusion that the money might be better spent in another place.”

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in. MR. BASHEER AHMED SAYEED:—“ May I ask, Sir, the Hon. Minister to lay on the table of the House a list of the schools that have been arranged according to their class and types? ”

THE HON. DR. P. SUBBARAYAN:—“ Well, Sir, the hon. Member may put down a specific question and I shall make every attempt to answer it.”

MR. ABDUL HAMEED KHAN:—“ May I ask, Sir, whether the Hon. Minister is aware that in recent times there has been a general tendency on the part of the backward communities to go in for education and that if the schools were available in the localities as they did in the past, the number of pupils would increase? ”

THE HON. DR. P. SUBBARAYAN:—“ That matter was certainly considered, Sir, and there was enough time for those communities to come into schools if they chose to. It is because these schools are run on uneconomic lines that they have to be closed.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“ May I ask, Sir, that simply because the number of pupils attending the schools is small, is it fair, Sir, that all these localities should be deprived of educational facilities for ever? ”

THE HON. DR. P. SUBBARAYAN:—“ The hon. Member has raised a broader issue than the original question. I say, the whole matter is under the careful consideration of the Government.”

Alleged suicide committed by a poor leper patient at the Tirumani Leper Settlement.

* 13 Q.—MR. P. S. SRINIVASA AYYAR: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether a poor leper patient sought admission as an in-patient in the Leper Settlement at Tirumani on the 1st February 1938;

(b) whether the patient requested the authorities again on 3rd February 1938 to admit him at least temporarily as he was starving and suffering from intense bodily pain and that he could be discharged immediately after he was better;

(c) whether he was refused admission and whether he committed suicide by hanging himself on the verandah just behind the seat of the doctor who refused him admission;

(d) whether another patient who came with recommendation was admitted the same day; and

(e) whether a small note was found on the person of the deceased and whether the Government would publish the same?

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Mr. A. B. SHETTY, Parliamentary Secretary, on behalf of the Hon. Dr. T. S. S. Rajan:—“(a) & (b) The patient referred to presented himself at the gate and later at the Medical office on the morning of 3rd February 1938. As gate cases of a non-urgent character are examined in the afternoon he was asked to present himself again that evening. He did so and on examination was found to be suffering from a very small ulcer on one foot. He was a completely ‘burnt-out’ case and his ulcer condition was normal with such a case. There was absolutely no indication of ‘suffering from intense bodily pain.’ There was no evidence of ‘starving’.

“The patient's ulcer was dressed and he was instructed to go home and either continue ordinary dressings himself or have same done at a local clinic or dispensary. This was simply a routine procedure which is followed almost daily.

“(c) The patient committed suicide apparently early the next morning, by climbing over the side gate and hanging himself on one of the Medical office verandahs.

“(d) Two patients were temporarily admitted the same day. One was from Madras suffering from a highly septic-foot condition. He died on 13th March. The second was also an ulcer case in an acute septic condition in both feet and one hand. He was discharged on the 7th March when his ulcers were more normal and sent home with instructions to continue dressings at a local dispensary.

“(e) A pencil note was found on the person of the deceased. The Government do not consider it necessary to publish the note.”

Alleged negligent treatment of patients by the Chief Assistant in charge of the Tirumani Leper Settlement.

* 14 Q.—Mr. P. S. SRINIVASA AYYAR: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Chief Medical Officer has to leave the Tirumani Leper Settlement very often on account of his various activities;

(b) whether during such absence the Chief Assistant is given the charge of the whole institution;

(c) whether there is a growing complaint that the Assistant does not treat the poor patients properly and that he is devoted to his private patients and that any patient with means is advised to get himself treated as a private patient under him; and

(d) whether the Assistant has consulting rooms at Chingleput, at Madras and at Hanumanthaputheri?

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MR. A. B. SHETTY, Parliamentary Secretary, on behalf of the Hon. Dr. T. S. S. Rajan:—“(a) The answer is in the affirmative.

“(b) The answer is in the negative.

“(c) No complaints had been received by the Surgeon-General. Only those patients who specifically ask him for private treatment are treated by him privately.

“(d) The answer is in the negative.”

MR. G. RANGAYYA NAYUDU:—“Has there been any complaint received by the Government that the Leprosy Settlement at Tirumani has been refusing admission to patients that are going from the City of Madras?”

MR. A. B. SHETTY:—“The hon. Member may put down a question and the answer will be given.”

Non-admission of poor leper patients in the Tirumani Leper Settlement and alleged conversion of Hindu patients to Christianity.

* 15 Q.—MR. P. S. SRINIVASA AYYAR: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether on account of non-admission of poor leper patients in the Tirumani Leper Settlement, they wander about the village of Tirumani, infecting the tanks and dwelling houses and worrying the inhabitants for food and shelter; and

(b) whether conversion of Hindu patients to Christianity is going on since last October?

MR. A. B. SHETTY, Parliamentary Secretary, on behalf of the Hon. Dr. T. S. S. Rajan:—“(a) No case is ever turned away from the gate, if he or she is eligible for admission and there is a suitable vacancy.

“No complaint has been received from the village of Tirumani and consequently no information is available. If some patients do wander about the village, it is suspected that they are mainly of the ‘burnt-out’ beggar type who cannot gain admission to this institution except for temporary nursing under urgent circumstances.

“(b) Paragraph 14 of the agreement states ‘the Settlement shall be conducted entirely on non-sectarian lines and every inmate shall be free to observe his or her own religious practice. The Mission shall be at liberty to provide religious practices and religious instructions to such of the inmates as may be willing to observe or receive them.’ The Mission has been careful to observe this provision both in letter and spirit. It has no records of conversion of Hindu patients to Christianity.”

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MR. V. M. RAMASWAMI MUDALIYAR:—" May I know to what extent the Leper Settlement at Tirumani is subsidized by Government? "

MR. A. B. SHETTY:—" Notice, Sir."

MR. P. S. SRINIVASA AYYAR:—" May I know, Sir, whether it is a fact that Government are receiving petitions from residents of Chingleput that these patients, when they are not admitted in the settlement, are infecting the whole of Chingleput town? "

MR. A. B. SHETTY:—" If the hon. Member will give notice of the question, it will be answered."

Protest against the grant of special permission to a toddy-shop renter in the Madras City to tap trees outside the 15 miles radius limit fixed by the Government.

* 16 Q.—MR. P. R. K. SARMA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether it is a fact that Mr. J. D. Italia, toddy renter, has been given special permission to tap trees outside the 15 miles limit fixed by the Government in respect of the Madras City;

(b) if the answer be in the affirmative, why such special permission was given to him;

(c) whether it is a fact that as a result of the special permission, about 300 toddy-tappers are likely to be thrown out of work; and

(d) whether any representations have been received by the Hon. Minister in this connexion and what is proposed to be done in the matter?

MR. N. S. VARADACHARIAR, Parliamentary Secretary, on behalf of the Hon. Mr. V. I. Muniswami Pillai:—" (a) & (b) Mr. Italia was permitted to tap 6,000 trees within a radius of 50 miles from Madras for the toddy shops leased to him during 1937-38, as it was found that he had real difficulty in securing an adequate number of trees within the 15 miles radius.

" (c) & (d) The Madras Tappers' Union made a representation to this effect. No action was considered necessary because the 15 miles limit was imposed for the first time only during the current lease year. Before that, trees for Madras toddy shops were tapped as far away as Vellore. In the circumstances a slight relaxation of the restriction newly imposed this year could not have affected the Madras tappers to any appreciable extent."

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MR. V. M. RAMASWAMI MUDALIYAR:—“ May I know, Sir, in the matter of permitting Mr. Italia to tap toddy within a 50 miles radius, the practice will be continued during the coming year also.”

MR. N. S. VARADACHARIAR:—“ As far as I am aware, the Government intend to continue the concessions this year also if necessary.”

Publication of a report on the working of prohibition in Salem district.

* 17 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether the Government have prepared any comprehensive leaflet on the working of prohibition in Salem district and if so, whether it will be laid on the table; and

(b) if not, whether the Government will be pleased to have a booklet prepared giving the following details:—

(i) the number of shops that were in existence in Salem district before 1st October 1937 for toddy, arrack, ganja and opium;

(ii) the agency employed for prevention of breach of prohibition law, giving details of additional Police staff employed and their duties regarding prohibition;

(iii) the duties and work of the Development Officer;

(iv) statistical details regarding the falling off of crimes and criminal cases of various kinds;

(v) typical statistical details, if available, of the financial position of some of the addicts before and after prohibition;

(vi) the working of thrift societies, their number and the work turned out by them;

(vii) the drawing of sweet toddy and jaggery making;

(viii) non-official committees and their working;

(ix) the problem of tappers and how it was dealt with; and

(x) all other information which will serve as a guide for the working of prohibition in other districts?

MR. N. S. VARADACHARIAR, Parliamentary Secretary, on behalf of the Hon. Mr. V. I. Muniswami Pillai:—“(a) &

(b) The attention of the hon. Member is invited to the Press Communiqué^a, dated 19th July 1938, on the working of the Madras Prohibition Act in the Salem district, up to the end of June 1938. A copy of the communiqué is placed on the table of the House.”

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Details of additional establishment for the introduction of prohibition in Chittoor and Cuddapah districts.

* 18 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) what arrangements are being made for the introduction of prohibition in Chittoor and Cuddapah districts; and

(b) what additional officer or officers are going to be appointed for the work?

MR. N. S. VARADACHARIAR, Parliamentary Secretary, on behalf of the Hon. Mr. V. I. Muniswami Pillai:—“(a) The attention of the hon. Member is invited to the Press Communiqué, dated the 12th July 1938, issued on the subject.

“(b) The matter is under consideration.”

MR. R. B. RAMAKRISHNA RAJU:—“May I know, Sir, what exactly the Government have done in furtherance of the communiqué?”

MR. N. S. VARADACHARIAR:—“The hon. Member is requested to wait patiently for further information.”

Improvement of sericulture with the aid of the Government of India subvention.

* 19 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether it is a fact that with the aid of the Government of India subvention the improvement of sericulture was taken up in 1935 or 1936 at Kollegal;

(b) how many visits the Director of Industries has paid to that place since then, and on what dates; and

(c) whether it is a fact that the Inspector of Industrial Schools is asked to supervise the work of specialist officers in the districts for work primarily connected with the specialist officers?

THE HON. MR. V. V. GIRI:—“(a) Yes. The Government of India subvention scheme for the production and distribution of disease-free ‘cellular’ seed and for the conduct of research on silk worm diseases was given effect to late in 1935. The attention of the hon. Member is in this connexion invited to G.O. No. 720, Development, dated 16th May 1935, paragraphs 84-97 at pages 40-44 of the annual administration report of the Department of Industries for 1935 and paragraphs 86-97 at pages 51-55 of the administration report for 1936 which were placed at the disposal of the press.

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“(b) The Director of Industries paid one visit to the Kollegal area since the introduction of the Government of India subvention scheme, namely, on the 9th, 10th and 11th April 1938, when he inspected the sericultural operations carried on in eleven different villages.

“(c) No.”

MR. G. KRISHNA RAO:—“ May I know, Sir, whether the Director of Industries has since completed his special study on sericulture and has published any report and whether that report on sericulture is available to the public? ”

THE HON. MR. V. V. GIRI:—“ The hon. Member will kindly give us notice of the question and it will certainly be answered.”

Recognition of the certificate granted to students at the completion of their three years' course training in the Government Textile Institute, Madras.

5 * 20 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) how many students are now undergoing the three years' course training in the Government Textile Institute, Madras;

(b) whether it is a fact that the present form of certificate granted to the students at the completion of the three years' course is not recognized by millowners and other employers; and

(c) whether any such complaints have been brought to the notice of the Hon. Minister?

THE HON. MR. V. V. GIRI:—“ (a) There is no course in the Government Textile Institute extending over a period of three years. There are two supervisor's courses, one in power spinning and weaving extending over a period of two years and the other in dyeing, bleaching, printing and finishing covering a period of one year. In 1937-38 there were 50 students taking the first course and 14 the second.

“(b) The question does not arise as the two courses are new, having been in existence only from 1937-38. No certificates have yet been issued.

“(c) The answer is in the negative.”

MR. G. KRISHNA RAO:—“ May I know, Sir, if these certificates and diplomas issued in these courses are not recognized by millowners and employers? ”

THE HON. MR. V. V. GIRI:—“ The hon. Member is referring to the School of Technology and not Textile Institute. There the whole trouble arises.”

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MR. G. KRISHNA RAO:—"I am glad to be corrected. Coming to the Textile Institute, there have been some complaints in the papers published by the affected students who say that owing to the lack of diplomas they are not able to get employment."

THE HON. MR. V. V. GIRI:—"I know the complaints referred to by the hon. Member. So far as technology is concerned, I have taken notice of it and directions will be issued in due course. So far as the other matter is concerned, I have no knowledge of it. I will certainly find out if there is any complaint now."

Scheme for the development of power and mineral resources and for the starting of an automobile industry in this Province.

* 21 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether with regard to the hydro-electric projects, the Government have been carrying on any investigations to find out all such power resources in the Province and to have a comprehensive plan for harnessing them for the development of industries;

(b) whether there is any comprehensive plan to investigate into the various mineral resources of the province and economically exploit them for the benefit of industries;

(c) whether any investigations are being carried on with the aid of Indian experts with regard to the starting of an automobile industry by the Government; and

(d) the total cost of motor cars imported into this Province for a year from foreign countries?

THE HON. MR. V. V. GIRI:—" (a) Yes; the provincial hydro-electric survey was commenced in 1919 and is still in progress. Over 67 sites have been examined. Of these only 18 are now considered suitable for development. Two have been brought into operation and the construction of the Papanasam scheme has just been begun. The 'Madras Grid' contemplates covering all important centres of demand in the whole Province by a system of transmission lines radiating from a number of power stations, hydro-electric resources being utilized for the purpose wherever such are available and will thus help the industrial and also the agricultural development of the country.

" (b) The mineral resources of the province have been generally surveyed by the Geological Survey of India and the results are embodied in Chapters I to IV of the Madras Mining Manual, a copy of which is available in the library of the Madras Legislature. Some of these are already being worked as will be seen from the statement of mineral concessions for the year ending 31st December 1937, copies of which are also available for reference in the above library.

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The question whether any other minerals could be economically exploited comes up for examination fairly frequently. The most important resource now under investigation is the Kanjamalai iron ores.

“(c) Possibilities in this direction are being examined but no experts have been engaged yet.

“(d) The average cost per year of the motor cars (including taxi cabs) imported into this Province is Rs. 30,42,714.”

MR. G. KRISHNA RAO:—“ May I know, Sir, with regard to the automobile industry, if Sir M. Visweswarayya has been consulted in the matter, and whether he has placed his scheme before the Government? ”

THE HON. MR. V. V. GIRI:—“ Sir M. Visweswarayya has not placed any scheme before the Government. Sir M. Visweswarayya said he will examine the whole question two years ago, and he has travelled throughout the world; and probably, in the Industrial Conference which is going to meet shortly, the whole question will be considered.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“ May I know, Sir, whether Government have taken any steps to find out the resources available in South Kanara and whether they can be harnessed without much cost? ”

THE HON. MR. V. V. GIRI:—“ I submit there has been no such investigation carried out; and when that time comes, South Kanara will have its chance.”

Facilities in jails for musical entertainment to prisoners.

* 22 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether any music is permitted in jails; and

(b) whether the Government have considered the question of introducing the gramophone and the radio into prisons?

THE HON. MR. K. RAMAN MENON:—“ (a) & (b) The answer is in the affirmative.”

MR. G. RANGAYYA NAYUDU:—“ Is there any proposal before Government, Sir, to appoint a musical instructor in jails? ”

THE HON. MR. K. RAMAN MENON:—“ No, Sir.”

Provision for the general education of prisoners.

* 23 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) the nature of the provision made for the general education of the prisoners; and

(b) the amount spent on this item last year?

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THE HON. MR. K. RAMAN MENON:—“(a) The hon. Member is referred to rule 284-D of the Jail Manual.

“(b) The hon. Member is referred to the answer given on 5th March 1938 to his unstarred question No. 156.”

Dietary of prisoners in jails.

* 24 Q.—**MR. K. V. R. SWAMI:** Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether there is any variety in the diet of prisoners; and

(b) if so, what the nature of it is?

THE HON. MR. K. RAMAN MENON:—“(a) & (b) The hon. Member is referred to the rules in Chapter XXII of the Madras Jail Manual, Part II, regarding dietary in jails.”

Preparation of designs for reinforced concrete bridges in India.

* 25 Q.—**MR. G. KRISHNA RAO:** Will the Hon. the Minister for Local Administration be pleased to state with reference to the recent meeting held by the Board of Communications—

(a) whether in the matter of designs of reinforced concrete bridges it is impossible to have them prepared in India;

(b) what the reason given by the Chief Engineer is to the preparation of these designs by the Consulting Engineer to the India Office, London;

(c) when there is highly paid local talent, what the necessity is to pay £800 or Rs. 10,667 to the designer there; and

(d) what the result is of the representation made to the Government of India by the Board of Communications in the matter of costs?

THE HON. MR. B. GOPALA REDDI:—“(a), (b) & (c) The designing of reinforced concrete bridges is a specialized subject. The designs prepared by the Consulting Engineer to the India Office, are expected to be sound, reliable and economical embodying the latest practice in Europe in reinforced concrete designs. The Chief Engineer reported that he did not have the staff required for such specialized work.

“(d) Reply from the Government of India is awaited.”

MR. G. KRISHNA RAO:—“May I know, Sir, whether it is not in the interests of economy, as the Congress Government is very careful to say so in all their undertakings, that they should entrust these bridges to local talent? Instead of doing that, may I know, why they should go to the Government of India?”

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THE HON. MR. B. GOPALA REDDI:—"The Chief Engineer is of opinion that we have not got local talent for the construction of such bridges."

MR. G. KRISHNA RAO:—"It is an astounding piece of news to me." (Laughter.)

MR. SPEAKER:—"That is not a supplementary question."

MR. V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether the Stanley Viaduct in the city of Madras is one such bridge for which plans the Consulting Engineer is primarily responsible?"

THE HON. MR. B. GOPALA REDDI:—"The hon. Member may put that question to my Hon. Colleague, the Minister for Public Works." (Laughter.)

Provincialization of the service of Municipal Commissioners.

* 26 Q.—**MR. D. R. ISAAC:** Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Government propose to provincialize the service of Municipal Commissioners;

(b) if so, when and under what conditions; and

(c) whether there is any proposal to constitute the posts of Commissioners into a separate service, like the service of the District Panchayat Officers?

THE HON. MR. B. GOPALA REDDI:—" (a) The answer is in the negative.

" (b) The question does not arise.

" (c) The answer is in the negative."

Amendment to the District Municipalities Act regarding the powers of the Commissioners.

* 27 Q.—**MR. D. R. ISAAC:** Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether there is any proposal to amend the District Municipalities Act with a view to curtail the powers of the Commissioners; and

(b) if so, in what direction? "

THE HON. MR. B. GOPALA REDDI:—" (a) The answer is in the negative.

" (b) Does not arise."

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UNSTARRED QUESTIONS

Quantity and value of manufactured leather goods.

1 Q.—**MR. K. V. R. SWAMI**: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the quantity of manufactured leather including foot-wear and bags imported into this Province during 1936–37; and

(b) the value of the same?

A.—(a) & (b) The quantity and value of manufactured leather imported into this province from foreign countries by sea during 1936–37 are furnished below:—

	Quantity. CWTS.	Value. RS.
(i) Bags and trunks ..	40	8,340
(ii) Roller skins	11	7,128
(iii) Saddlery and harness.	14	4,150
(iv) Other sorts	120	19,156
(v) Boots and shoes (* all leather)	Pairs 7,314	23,361
(vi) Belting for machinery	..	1,19,630

* The other kinds omitted are—

(a) Rubber soled—

(1) with canvas upper.

(2) with upper of leather or other materials.

(b) All rubber.

(c) Of other materials.

Extension of the north and south embankments of the Polavaram Island.

2 Q.—**MR. K. V. R. SWAMI**: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the extension of the north and south embankments of the Polavaram Island has been completed; and

(b) if so, at what cost?

A.—(a) The extension of the north and south embankment of the Polavaram Island has been completed with the exception of improvements to the Perumal Raju Codu and repairs to South Addalakalva which are expected to be completed shortly.

(b) The expenditure on the work to end of April 1938 is Rs. 56,476.

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Tanks in the Ceded districts to be repaired during famine period.

3 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(a) the number of tanks in each of the Ceded districts which are in need of repair; and

(b) the number of them which are included in the list of works to be taken up during the famine period?

A.—(a) & (b) A statement^a is attached.

Training to the Jail staff in regard to their behaviour towards prisoners.

4 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether the Jail staff is given any training, specially with regard to their behaviour towards the prisoners; and

(b) if not, why not?

A.—(a) & (b) No special training is given at present. The matter is engaging the attention of the Government.

Expenditure on and revenue from the publication of administration reports.

5 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) the amount spent on the publication of the administration report of each department; and

(b) the revenue received under this item by each department?

A.—(a) & (b) The statement^b is appended.

Industrial workers and factories in this Province.

6 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state with reference to last year—

(a) the number of industrial workers in this Province;

(b) the number of factories in this Province; and

(c) the quantity of horse-power used in these factories?

A.—(a) & (b) The number of factories on register at end of the year 1937 was 1,876. Of these 1,786 factories were in commission during the year. The average daily number of operatives employed in these factories was 186,630.

(c) The Government have no information.

^a Printed as Appendix V on page 101 infra.

^b Printed as Appendix VI on page 101 infra.

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Sanction for the diversion of the Provident Fund amounts of district board employees for payment of insurance premium.

7 Q.—MR. P. SYAMASUNDARA RAO: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether he is aware of the fact that the former Vizagapatam and Bobbili District Boards were extending the benefit of G.O. No. 3290, L. & M., dated 12th July 1929, as amended by G.O. No. 4650, L. & M., dated 2nd December 1931, only to the Asian Assurance Company and to no other company;

(b) whether the presidents and district boards are competent to grant exclusive monopoly to particular insurance companies and whether they can use their discretion to refuse any requisition of the board employees to divert their provident fund for payment of premium to any insurance company;

(c) if so, whether the Government would consider the desirability of issuing a circular to the effect that no special preference should be given to any particular insurance company and that all insurance companies should be treated alike;

(d) whether the Government are aware that certain district boards are demanding 2 per cent remuneration from the employees for diversion of their fund towards insurance premia; and

(e) if so, whether the Government would extend to them, the benefit of diverting their fund, free of remuneration, as is enjoyed by the Government employees with regard to the General Provident Fund?

A.—(a) Government have no information.

(b) No, the selection of an insurance company by an employee is a matter for mutual agreement between him and the local body concerned.

(c) The question does not arise.

(d) Government have not received any such complaint.

(e) The rules in force do not require the payment of any remuneration by employees who subscribe to policies of life assurance.

Revenue from and expenditure on the forests in the Chittoor district from 1930–37, yearwar.

8 Q.—MR. M. DORAİKANNU: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state the income derived from and the expenditure incurred on the forests of Chittoor during the years 1930, 1931, 1932, 1933, 1934, 1935, 1936 and 1937?

[15th August 1938]

A.—The hon. Member is informed that figures for calendar years are not available; those for official years are given below :—

Year.	Receipts.	Expenditure.
	RS.	RS.
1929-30	93,448	98,532
1930-31	99,885	97,239
1931-32	78,313	97,174
1932-33	76,830	90,017
1933-34	87,331	94,478
1934-35	72,889	83,761
1935-36	75,971	83,840
1936-37	79,476	90,812

Representation for the cancellation of the special permit granted to a renter in the Madras City for tapping trees beyond the prescribed limit.

9 Q.—MR. K. V. NARAYANA RAO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether toddy that is sold in the City of Madras is tapped from trees within a prescribed radius;

(b) whether any renter in the City of Madras has been given a special permit to import toddy from beyond this limit;

(c) if so, why;

(d) whether it is true that about 300 to 400 tappers are likely to be rendered jobless as a result of the special permit being granted;

(e) whether it is the policy of the Government to limit the quantity of saleable toddy in the city of Madras;

(f) whether the Government considered the desirability of cancelling the special permit issued to the renter aforesaid; and

(g) if not, why not?

A.—(a) Yes, except where special permit has been given in a few cases.

(b) Yes.

(c), (d), (f) & (g) The attention of the hon. Member is invited to the answers given to starred question No. 16.

(e) The policy of the Government is to effect total prohibition of all alcoholic drinks in due course.

Removal of the disqualification of the matriculates of 1932 and after for recruitment to the Madras Ministerial Service.

10 Q.—MR. P. SYAMASUNDARA RAO: Will the Hon. the Prime Minister be pleased to state—

(a) whether the Government are aware that a pass in the Matriculation examination of the Madras or Andhra University held in or after 1932 is not accepted as equivalent to S.S.L.C. for the purpose of recruitment to the Madras Ministerial Service;

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(b) why any distinction should be made between the Matriculation examination and the S.S.L.C.; and

(c) whether the Government would consider the desirability of directing the Public Service Commission to remove the ban now imposed on Matriculates of the Universities in this Presidency?

A.—(a) With the introduction in 1911 of the S.S.L.C. Examination, the Matriculation examination of the Madras University ceased to be recognized as the minimum general educational qualification for appointment to the public service except under certain circumstances. The general rules for Subordinate Services now prescribe the standard of minimum general educational qualification for appointment to the services in terms of the S.S.L.C. examination and the European High School examination conducted under the authority of the Government of Madras and give power to the Madras Public Service Commission in the case of posts for which it selects candidates and to the Government in other cases, to recognize a pass in other examinations as equivalent to the minimum general educational qualification prescribed in the rules. With reference to these rules, the Commission has not issued any general orders either accepting or refusing to accept a pass in any particular examination as equivalent to the minimum general educational qualification but it decides each such case as it arises.

(b) & (c) The Government are considering the question of specifying these examinations in the rules.

Representation for the appointment of an Expert Committee to examine the working of the Government Press and the condition of the workers.

11 Q.—MR. P. R. K. SARMA: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether joint weekly meetings between the Government Press Workers' Union's representatives and the Superintendent of the Press have taken place since the Union was recognized;

(b) what the subjects discussed by the Union in the joint weekly meetings held so far are;

(c) on how many of them, the Superintendent has passed favourable orders and how many of them have been rejected by him;

(d) whether the Union has made any representations to the Government;

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(e) whether the workers of the Press are deeply agitated on account of the non-redressal of even the outstanding grievances represented and what the Government propose to do in the matter; and

(f) whether the Union has made a request for the appointment of an Expert Committee to examine the working of the Press and the conditions of the workers and what the Government propose to do in the matter?

A.—(a) Yes.

(b) Among many miscellaneous items the following subjects have been discussed:—

- (1) Provision of stools for compositors.
 - (2) Insistence of personal appearance for obtaining leave.
 - (3) Provision of better facilities for taking midday meals and sufficient water-supply.
 - (4) Abolition of the order of recording grace late.
 - (5) Abolition of piecework.
 - (6) Application for extra concessions for miscellaneous work done by pieceworkers on hour account.
 - (7) Increase of pay to scavengers.
 - (8) Other administrative matters, such as
 - (i) promotions;
 - (ii) recruitment of hands as compositors, assistant foremen, imposers, etc.; and
 - (iii) punishments inflicted on employees as a disciplinary measure, etc.
 - (9) Provision of cooling arrangements in the Penitentiary Branch Press and certain sections in the Central Press at Mint Buildings.
 - (10) Scarcity of work under the piecework system.
 - (11) Revision of overtime allowance on Sundays and other holidays.
 - (12) Treating the services of binders in the lower grade and layers-on as superior.
- (c) Favourable orders have been passed on three of them and two have been rejected. The others are under consideration.
- (d) & (e) Yes. The question is under the consideration of Government.
- (f) Yes. The question is under consideration.

Government residential buildings in Madura City.

12 Q.—**MR. N. M. R. SUBBARAMAN:** Will the Hon. the Minister for Public Works be pleased to state—

(a) how many buildings there are in the City of Madura built for Government officers like Judges, District Medical Officer, District Superintendent of Police and District Educational Officer;

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(b) what the cost and the monthly rental value of each of the buildings are; and

(c) the income realized from each of the buildings?

A.—(a), (b) & (c) The particulars required are given in the following statement :—

Residence.	Capital cost.	Monthly rental value (standard rent).	Rent realized in 1936-37.
	RS.	RS.	RS.
1 Quarters of the Executive Engineer, Periyar Division	20,185	98	1,171
2 Quarters of the District Forest Officer (occupied by the Collector of Ramnad)	23,111	113	1,370
3 Quarters of the District Judge, Madura	42,284	203	2,436
4 Quarters of the District Superintendent of Police, Madura	26,722	131	1,550
5 Quarters of the District Medical Officer, Madura	25,245	124	1,472
6 Quarters of the Executive Engineer, Ramnad Division	24,529	120	1,407
7 Quarters of the Collector of Madura	46,854	222	2,664
8 Quarters of the District Educational Officer, Madura	24,428	121	351
9 Quarters of the Deputy Inspector-General of Police (occupied by District Judge, Ramnad).	53,059	218	2,018
10 Quarters of the District Superintendent of Police, Ramnad at Madura ..	51,735	190	1,519

Constitution of the text-book committee.

13 Q.—MR. N. M. R. SUBBARAMAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) how the text-book committee is constituted;

(b) whether the members of the committee are elected or nominated;

(c) if elected, by whom;

(d) who the present members are and how long they are in the committee; and

(e) when the committee will be reconstituted next?

A.—(a) to (d) The hon. Member is referred to the answer to starred question No. 471 asked in the Assembly on 26th March 1938.

(e) The question is engaging the attention of the Government.

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Money-lending by the Pathans to the villagers and industrial labourers.

14 Q.—MR. N. M. R. SUBBARAMAN: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government are aware that some North Indians, viz., Pathans, lend money and cloths to the villagers and industrial labourers;

(b) whether they charge huge rates of interest or profit;

(c) whether they use physical force if the debtors fail to repay the amount on the due date; and

(d) if so, what action the Government propose to take in this matter?

A.—(a) to (d) The question of enacting legislation to remove the evils complained of is under the consideration of Government.

Establishment of a central store of Indian medicine in this Presidency.

15 Q.—MR. K. VENKATAPPAYYA: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether any proposal to establish a central store of Indian medicine to ensure supply of genuine medicines to the dispensaries under the control of the District Municipalities and District Boards in this Presidency is under the consideration of the Government;

(b) if so, when such a store will be opened; and

(c) if not, why not?

A.—(a) to (c) The Government have deferred for the present the question of establishing a central store of Indian medicine as several district boards and municipal councils are not in favour of it.

Grant given to and the nature of work done by the "Discharged Prisoners' Aid Society" in the Presidency.

16 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) the number of branches of the "Discharged Prisoners' Aid Society";

(b) the grant from Government paid to each of them; and

(c) the nature of work done by them?

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- A.—(a) The Madras Presidency Discharged Prisoners' Aid Society has twenty District Committees in the mufassal. Some district committees have established branches within their own districts.
- (b) A grant is paid by the Government only to the Central management of the Discharged Prisoners' Aid Society. This annual grant of Rs. 5,000 is paid to the Madras Presidency Discharged Prisoners' Aid Society which may allot such funds as may be necessary to the various district committees.
- (c) The Madras Presidency Discharged Prisoners' Aid Society directly or through its district committees gives aid to prisoners and inmates of Borstal schools on their discharge. It takes steps to settle them in life by securing for them employment and by appointing after-care officers to give such assistance as is possible to enable them to lead honest lives. It has also constructed Prisoners' Homes where ex-prisoners immediately on release are lodged and fed before being sent to their homes. It also collects funds for these purposes. An account of its activities is given in the Annual Jail Administration reports which have been published.

V.—SUPPLEMENTARY STATEMENT OF EXPENDITURE FOR THE YEAR 1938-39.

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I beg to present the Supplementary Statement of Expenditure for the year 1938-39. I do not think any statement is necessary from me as the details given are clear."

VI.—PANEL OF CHAIRMEN.

* MR. SPEAKER:—"I have to announce to the House that under rule 9 of the Madras Assembly Rules, I have nominated the following four Members of the Assembly to be Panel of Chairmen for the Third Session of the Assembly:—

- (1) Rao Bahadur Sir A. T. Pannir Selvam.
- (2) Mr. Vemula Kurmayya.
- (3) Mrs. Khadija Yakub Hasan.
- (4) Mr. K. Bhashyam Ayyangar."

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VII.—HOUSE COMMITTEE.

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I beg to move—

'that, under rule 152 of the Madras Assembly Rules, the House do proceed to elect six members to the House Committee according to the principle of proportional representation by means of the single transferable vote in accordance with the regulations made in this behalf by the Speaker'."

The motion was put and carried.

* MR. SPEAKER:—"I have to inform the House that, in accordance with the Regulations framed by me under rule 152 of the Madras Assembly Rules for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 2 p.m. to-morrow as the time within which nominations of candidates for election to the House Committee should reach the Secretary. If the number of candidates nominated exceeds the number of vacancies, namely, six, there will be an election between 12 noon and 1 p.m. on Wednesday, the 17th August 1938."

GOVERNMENT BILLS.

VIII.—THE INDIAN LUNACY (MADRAS AMENDMENT) BILL, 1938.

* THE HON. DR. T. S. S. RAJAN:—"Sir, I beg to introduce a Bill * further to amend the Indian Lunacy Act, 1912, in its application to the Province of Madras for certain purposes.

"The amendments that are sought to be introduced are very few, and they are very simple. The Act as it stands at present does not enable the superintendent or other officers who are in charge of lunatics, to permit them temporarily to leave the hospital and go home for treatment by their own doctors. At present such a provision is absent in the statute book. You will realize the necessity for such a provision in the Act, from what I say hereafter; and particularly in view of the fact that asylums contain two groups of people. There are what are called criminal lunatics, who are detained there under punishment awarded by courts of law, and these amendments do not apply to them. But in cases where there are a large number of civil lunatics detained in the asylum under special control and powers of the magistrate—these people are very respectable persons, and they, but for their mental condition, would not have been there in the asylum—it is in the interests of their general well-being that the superintendent should be given some powers under the law, by which he will have the right and also the discretion to permit these people to be taken to their homes and treated by their own doctors,

* Published in the Fort St. George Gazette, dated 24th May 1938.

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if necessary; or kept under conditions of health which will be recommended by medical officers who are in charge of these asylums. At present the superintendent is unable to do anything in such cases; and this amending Bill is intended to provide for such contingency.

"Secondly, there are certain sections in this Act, by which people are detained in the asylum. According to the present law, the Act provides for the recovery of the maintenance charges of lunatics who are detained in the asylum under section 14, 15 or 17. There are, besides these people, others who are detained in the asylum under section 7, 8, 10 or 16; for the recovery of maintenance charges of these people, there are no provisions in the existing Act; or rather there are no provisions which would render the recovery of maintenance charges of these people legally correct. Thus what is attempted to do in this amending Bill is only to introduce an enabling provision to enable the superintendent to recover such amounts as may be due from the lunatics. So it is proposed to remedy this defect by amplifying section 88 by inserting a reference therein to sections 7, 8, 10 and 16 also.

"The third amendment relates to section 89 of the Act. This section enables a court to go and attach the property of those lunatics who are in a position to pay, or that of their dependants who are in a position to pay for them. In so doing, law does not take into consideration the needs of the lunatic's wife, children and other dependants, if any. This strict enforcement of the provision has the effect, in some cases, of reducing those dependants to poverty and want. What is sought to be done by this amending Bill is to make due allowance for the needs of the wife, children and other dependants of the lunatic, when ordering the recovery of the cost of his maintenance out of his estate. This is a most humane provision; for it is just and fair that those who are dependent on the lunatic should be left something for their maintenance. These are the really important and fundamental alterations that are sought to be made in this amending Bill. Besides these, there are one or two minor changes empowering the Local Government to frame rules, as and when required, to carry out the idea contained in the amending Bill.

"With these words, I move—

'that the Bill be taken into consideration at once.'"

The motion was put and carried and the Bill was taken into p⁴ consideration.

Clauses 2, 3, 4 and 5 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. DR. T. S. S. RAJAN:—"Sir, I move—

'that the Bill be passed into law.'"

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

[15th August 1938]

IX.—THE MADRAS MEDICAL REGISTRATION (AMENDMENT) BILL, 1938.

* THE HON. DR. T. S. S. RAJAN:—"Mr. Speaker, I beg to introduce a Bill^a further to amend the Madras Medical Registration Act, 1914, for certain purposes and move—

'that the Bill be taken into consideration at once'.

"Mr. Speaker, I have got a few amendments to be made to the Madras Medical Registration Act, 1914. The chief changes that we propose to make in this Bill are these. First and foremost we want that this Madras Medical Council should become a pre-eminently elected body. As it is, according to the rules of the 1914 Act, the Council is electing seven members and the Government are nominating seven other members representing various interests. The idea behind this Bill is to change this according to the principle of democratic institutions, to give power to the electorate, namely, the medical practitioners, to get a predominant majority in regard to the decisions and activities of the Madras Medical Council. Therefore, we propose to take power for increasing the number of elected seats from seven to twelve and reserving to the Government three seats for nomination for purposes of giving representation to those that may not be returned by the electorate. For example, the electorate consists predominantly of the people of the Sub-Assistant Surgeon class, that is L.M.P. They constitute more than four thousand of the electors, and in an elected body it is just likely that the whole of the elected members might be returned by the majority electorate, namely, the L.M.P. There are again about a thousand and more of University Graduates who are included in this register. It is just likely also that they may be elected by the Academic Councils or by the Senates of the Universities that are constituencies of this electorate. But it might also be possible that their number may not be adequately represented. Thirdly, there are a small group of qualified women practitioners who are registered and being such a small number it is likely they may not be elected, in which case the Government should see that the lady members are given representation on the Council. Again, there are a large number of Medical Missionaries who are rendering very good service in relief of distress in this Province, providing a large number of hospitals. They have a vital interest in the medical administration and medical education in this country, and to these, it is the object of the Government to give a seat if possible, if they are not returned by the electorate. On these conditions we have reserved three seats to be nominated by Government to fill up any defects or deficiencies that may accrue as a result of the election procedure that is now proposed in this Bill.

^a Published in the *Port St. George Gazette*, dated 24th May 1938.

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" Another particular thing for which we have taken power is that for the first four years of the life of this Council, the Surgeon-General with the Government of Madras shall be nominated as the President, and after these four years are over, the body shall elect its own President. It might be asked as to why a Congress Party like the one now in charge of administration still pursues the old-fashioned method of nominating a President, even though it is for a small period of four years. The only justification for the procedure is this. The head of the Medical Department who has also been the head of the Medical Council all these years, was having all the powers of the elected President, and in a stage of transition it was thought desirable and fair that the head of the medical administration in this country should, for a few years, continue to be the President and guide the deliberations of the Council. Again the elected majority that is there, in the Medical Council, will act in such a way that the President will not have his own way of arriving at decisions. The majority will bind the President, and such suggestions as the President gives will be an advantage and his experience also will be available for the conduct of the Medical Council. On these considerations, the Government have thought it fit to retain his nomination for the first four years, after which the Council would be in a position to work its democratic powers in a very considerable manner when it will be time enough for the nominated President to retire and get elected if he deserves the place. That is what is proposed to be done according to the Bill, and amendments have been made under the various sections that relate to this principle.

" This is a very simple and quite non-controversial measure. The only controversial portion of it has been where the Government have taken powers of nomination to three seats and also the nomination of the President for the first four years. I have cleared the whole position and have given you the reasons why we thought these powers were necessary. Now that I have explained it, I should make it clear to the House that such a non-controversial measure like this should merit the immediate consideration of the House. I expect also that the Bill will be passed without any discussion."

(Mr. Basheer Ahmed Sayeed rose to speak.)

* MR. SPEAKER:—" You have given notice of two amendments. You can speak on one of the two, because that will be better and more convenient also."

MR. BASHEER AHMED SAYEED:—" Yes; they are alternative ones. I have given notice of these two alternative motions with this object in view, namely, that if the first is not carried, the second at least may be carried. I am not moving the first one but I may mention what exactly the purport of it is."

* MR. SPEAKER:—" Yes."

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MR. BASHEER AHMED SAYEED:—"Sir, this measure is indeed a long-felt want. It seeks to improve the present Act in many directions. But at the same time, when we enter upon such a new venture, is it not but fair and reasonable that opportunities should be given for eliciting public opinion and public opinion in this case is not the general public opinion but it is the one concentrated round those who are really considered to be interested in the amendments that are now sought to be made to the existing law, I mean those who are actually engaged in the legal profession (Voices: Medical profession). I am sorry, of the medical profession?"

"Sir, the medical profession has of late improved very much, and it has become enlarged in its scope tremendously. When the new Minister . . ."

* MR. SPEAKER:—"May I take it that the hon. Member's intention is that the Bill be referred to a select committee?"

MR. BASHEER AHMED SAYEED:—"Yes; since the time when the new Minister took up office, a very large amount of interest has been created in the Medical profession, and everywhere we heard nothing but launching of various schemes, various proposals and suggestions and the talk of how the profession is going to be affected or going to be improved. The present measure is one among those brought forward by the Minister, and it refers to the Medical Council. In a matter like this, it is but fair—and it is reasonable—that the medical profession should be given an opportunity to give its opinion. Now the Minister was good enough to say that there has been no controversy about most of the items, except, I hope, the one that relates to the retention of the power of nomination with a view to giving representation to certain interests—abolishing the nominated members by 90 per cent and retaining only a small proportion. I would ask whether it is not possible for the Government and the Hon. Minister to devise some means, other than this nomination, whereby this object could be realized. I submit it is quite possible that the rights and privileges of medical missions and the women medical practitioners could be safeguarded and due representation given to those interests on the Medical Council through the very same machinery of election. We have heard—and I am certain many of you do know—of reservations, of special constituencies and of representations of special interests. All these or any of these could be adopted without resorting to nomination, and I think my friend, the Hon. Minister, has considered that aspect as well, as to whether it will not be possible to secure representation of these special interests by means of election.

- 45 "It is with a view to give an opportunity to such of the
 20. Members as want to place their views before the House which would also help the Hon. Minister that I want that this Bill be referred to a select committee. The select committee may not take much time over it, they can finish in an hour, as has been

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done in respect of certain other Bills previously. I would suggest that members of the medical profession who are Members of this House be constituted into a committee and their opinions elicited on the points raised in this Bill. I do not think there is any very great urgency for passing this Bill into law at once. On the other hand, it is only a question of securing representation by means of election to the offices relating to the Medical Council. It is not a fiscal measure or any other measure that need be passed with great urgency and in one and the same sitting by suspending all rules and standing orders. I believe you are aware that the passing of the measure in one and the same sitting involves the suspension of the standing order . . .”

* MR. SPEAKER:—“The motion that is being made is for the suspension of the standing order.”

MR. BASHEER AHMED SAYEED:—“I am thankful to you for having suspended the standing order but it is a different thing that I should enjoy that privilege for making some observations about the measure. What I say is, taking the measure as a whole, is it really so very urgent that it should be passed in one and the same sitting involving the suspension of the standing orders and the rules? I contend that there is no such great urgency or need, and I would therefore very respectfully urge on the Hon. the Minister to take my suggestion and refer the Bill to a small select Committee consisting of persons who are interested in the passing of this enactment. I do not think there will be any opposition at all to this course.

“I therefore move—

‘that the Bill be referred to a select committee.’

“The names of the members I will give presently after consultation with the Treasury Bench.”

MR. G. KRISHNA RAO:—“I second the motion.”

* THE HON. DR. T. S. S. RAJAN:—“Sir, on the face of it, it does not strike me as necessary that the Bill should go before a select committee. The Madras Medical Council to whom this Bill was submitted have threshed out the whole question and submitted their recommendations. The medical associations that were interested in the question have also submitted their recommendations; and this Bill was published in the Gazette as early as 29th of June, since when it has been before the public. Besides it is such a non-controversial measure by which all grades among the various sections of medical practitioners are sought to be abolished and the whole institution converted into a sort of democratic institution. So it does not seem necessary to refer this Bill to a select committee, but if the hon. Member insists upon its being referred to a select committee, I have no objection, provided the select committee meets immediately and instruction is given to it to give its decision before 6 o'clock to-day, so that we can go through the work without much delay. If he is agreeable, I will give the names of members to constitute the committee.”

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Mr. BASHEER AHMED SAYEED:—"In consideration of what the Hon. Minister has said,—if he had stated so in the first instance I would not have risen up and made the suggestion I did, but now it pleases him to say that he has taken opinion from the Medical Council and all the medical interests and associations had given their opinions and are one with him on this Bill. I do not think that any useful purpose would be served by a reference to a select committee, especially as it has to finish its work before 6 o'clock to-day. So I would not press my motion and I request my friend who supported me to join me in withdrawing the motion."

The amendment was by leave withdrawn.

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

Clauses 2 to 8 were put and carried.

Clause 1 and the Preamble were then put and carried.

THE HON. DR. T. S. S. RAJAN:—"I move—

'that the Bill be passed into law.'"

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

X.—THE MADRAS ESTATES LAND ACT (AMENDMENT) BILL, 1938.

* **THE HON. MR. T. PRAKASAM:**—"I beg to introduce a Bill * further to amend the Madras Estates Land Act, 1908, for a certain purpose and move—

'that the Bill be taken into consideration at once.'

"Sir, the Madras Estates Land Act I of 1908 was amended by Act XVIII of 1936. Under that Amending Act, two years' time was given to inamdars to make their applications before special tribunals to establish their kudivaram title. But the rules prescribing the manner of application were not published for nearly one year and eight months and only four months' time is left for these people to make their applications before the special tribunals. Therefore this amending Bill is introduced to extend the time by another year, to enable the landholders, the inamdars, to establish their kudivaram right. It is a simple measure. So I move that the Bill be taken into consideration at once."

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

Clause 2, clause 1 and the Preamble were put and carried.

THE HON. MR. T. PRAKASAM:—"I move—

'that the Bill be passed into law.'"

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

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XI.—THE PRISONS AND INDIAN LUNACY (MADRAS AMENDMENT) BILL, 1938.

* **THE HON. MR. K. RAMAN MENON** :—“ I beg to introduce a Bill * further to amend the Prisons Act, 1894, and the Indian Lunacy Act, 1912, in their application to the Province of Madras, for certain purposes and move—

‘ that the Bill be taken into consideration at once.’

“ Sir, the Statement of Objections and Reasons clearly explains why this amending Bill is necessary. I do not think there is any need for making any speech on this. It is a very simple matter and I hope there will be no controversy over it.”

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

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

THE HON. MR. K. RAMAN MENON :—“ I move—

‘ that the Bill be passed into law.’ ”

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

GOVERNMENT RESOLUTION.

XII.—RESOLUTION RE DEBENTURES ISSUED BY THE MADRAS CO-OPERATIVE CENTRAL LAND MORTGAGE BANK. 5 p.

* **THE HON. MR. V. V. GIRI** :—“ Sir, I move—

‘ that this Assembly recommends to the Provincial Government that they may, from time to time and under such conditions as they may require, under sub-section (2) of section 6 of the Madras Co-operative Land Mortgage Banks Act, 1934, increase the maximum amount of the guarantee given by them in respect of the debentures issued by the Madras Co-operative Central Land Mortgage Bank, Limited, up to a total face value of Rs. 250 lakhs exclusive of such debentures as the Bank may from time to time redeem, such debentures being issued for periods not exceeding in any case 25 years from the date of issue and bearing interest at a rate not exceeding 5 per cent per annum.’

“ Sir, I do not propose to make any speech. The explanatory note circulated to hon. Members explains the need for this resolution. It says:

“ In the resolution passed by the Legislative Assembly on 30th September 1937 it recommended that the Government might increase the guarantee of the principal of and interest on the debentures issued by the Madras Co-operative Central Land Mortgage Bank, Limited, under section 6 of the Madras Land Mortgage Banks Act, 1934, from Rs. 126 lakhs to Rs. 150 lakhs, this additional guarantee being given after a decision had been

* Published in the Fort St. George Gazette, dated 19th July 1938.

[Mr. V. V. Giri]

[15th August 1938]

reached on the scheme to be adopted for ensuring repayment of the debentures. The increased guarantee was accordingly given after Government had passed orders on the scheme, constituting a sinking fund for the repayment of debentures and increasing the margin between the rate of interest paid on debentures and the rate of interest charged to the ultimate borrowers.

‘The debentures issued by the Bank under section 6 of the Act and outstanding on 31st July 1938 amounted to Rs. 1,20,74,700. The margin available in the existing guarantee on that date was Rs. 29,25,300. But loans disbursed in respect of mortgages transferred to the bank but on the security of which debentures had not been issued amounted to Rs. 17,02,050 and loans sanctioned but not yet disbursed amounted to Rs. 10,51,065. The margin available on 31st July 1938 was only Rs. 1,72,185. On account of the Madras Agriculturists’ Relief Act and the opening of new primary banks the transactions of the Bank have increased considerably. Loans sanctioned in April last amount to Rs. 4.56 lakhs and those in May and June to 5.20 lakhs and 7.15 lakhs, respectively. Based on a normal requirement of Rs. 7 lakhs to Rs. 8 lakhs a month for some time to come the Bank has requested that the Government guarantee may be increased by a crore of rupees, so that provision may be made for transactions of the Bank for one full year. The Registrar of Co-operative Societies has recommended the request.

‘The Reserve Bank of India has suggested that a continuous increase in the guarantee cannot but adversely affect the Provincial Credit sooner or later and that steps should therefore be taken to enable the Bank to establish itself on sound financial lines and borrow on its own credit. As stated in paragraph 1 above the Reserve Bank’s suggestions for the constitution of a sinking fund and for an increase in the margin between the borrowing and lending rates of interest have been adopted by the bank. The Reserve Bank’s suggestion to restrict dividend to share-holders to one per cent above the borrowing rate will be considered at the next general body meeting of the Bank in November 1938. These measures should enable the bank to borrow on its own credit at an early date. In the meanwhile Governmental assistance seems necessary. The Government therefore propose to increase their guarantee from Rs. 150 lakhs to a total of Rs. 250 lakhs.’

“I trust that the House will accept the resolution.”

* Mr. T. N. RAMAKRISHNA REDDI :—“Sir, I have great pleasure in supporting the resolution moved by the Hon. Minister for Industries and Labour. It is only in September last that the Government guaranteed debentures to the extent of Rs. 25 lakhs floated by the Madras Provincial Co-operative Land Mortgage Bank. Now they want authority to guarantee debentures to the extent of a crore of rupees to be floated by the Land Mortgage Bank. Sir, after the passing of the Agriculturists Debt Relief Act, private credit has to some extent dried up and so it is quite essential that the Government should go to the rescue of the debtors by providing credit facilities and the best way that the Government could provide such facilities is to help the Madras Provincial Land Mortgage Bank by guaranteeing its debentures to the extent of one crore of rupees. Sir, the Government have allotted Rs. 50 lakhs for lending to small debtors; but, for those debtors who have got larger amounts of debts there is no kind of relief afforded. Hence it is quite essential that the Government should go to their rescue. It may be said, Sir, that the Government are taking a serious risk in guaranteeing principal and interest on one crore of rupees to be

15th August 1938] [Mr. T. N. Ramakrishna Reddi]

raised by debentures floated by the Land Mortgage Bank. We have to remember that they have done so only after approving the scheme of the Land Mortgage Bank constituting sinking funds for the discharge of the debentures and increasing the margin between the interest rates of debentures and loans to ultimate borrowers and after satisfying themselves that the ultimate borrower got the loans at the cheapest possible rate of interest. Sir, in this connexion I may draw the attention of the Government to the fact that they need not undertake to guarantee 5 per cent interest on the debentures which the Provincial Co-operative Land Mortgage Bank would be floating. Recently, Sir, there was the failure of the Travancore National and Quilon Bank which is second in its effect only to Arbuthnot crash. On account of that, private depositors are very nervous to invest their moneys in the banks. This is therefore the most opportune time for floating a loan on a lower rate of interest guaranteed by the Government.

“ Then, Sir, it is agreed that there should be a margin between the rate of interest allowed on the debentures and the rate charged on the loans granted to the ultimate borrowers. For this reason also it is quite essential that the Madras Co-operative Land Mortgage Bank should float debentures offering a low rate of interest. I request the Hon. Minister to see that the Land Mortgage Bank offers interest below 3 per cent. I am sure even then the debentures will be oversubscribed.

“ Sir, the policy of limiting the dividend to only 1 per cent more than the rate of interest on the debentures to the shareholders will be discussed by the end of this year. Hence it is quite essential that the interest offered on these debentures should be as low as possible.

“ With these observations I request the Government to extend the benefit of the Land Mortgage Bank to the zamindari areas also. It is very necessary that the zamindari ryots should get the benefit of the Land Mortgage Bank. I once again heartily support the motion moved by the Hon. Minister.”

* MR. G. KRISHNA RAO:—“ Sir, I have great pleasure in supporting the resolution moved by the Hon. Minister. I would like to point out that it is a commitment which the Government are undertaking by offering to guarantee interest. The Reserve Bank has rightly observed that such guarantee is likely to affect the financial position of the Province. In a sense it is a warning, because we know that these loans are going to be advanced to the agriculturists whose paying capacity is very low and the interest to be charged has got to be low. So I would very much like to suggest that the 5 per cent maximum allowed in the resolution is a bit high and that it is necessary to keep it as low as possible. The maximum of 5 per cent might be lowered to 3 or 3½ per cent.”

[15th August 1938]

* MR. SPEAKER :—“ Even in the resolution itself, you want that the wording should be ‘ not exceeding $3\frac{1}{2}$ per cent ’ instead of ‘ not exceeding 5 per cent ’.”

* MR. G. KRISHNA RAO :—“ It is not an amendment, Sir, because I cannot move an amendment at this stage. It is only a suggestion which may be borne in mind. That is all. Now with regard to debentures issued by the Land Mortgage Bank, we have got money in the banks and investors have been quite willing to take 3 per cent or even less and they would be willing to permit their funds to remain with the Land Mortgage Bank also at that rate. Furthermore, there is another point of view to be considered, namely, that the Reserve Bank has already recommended that a sinking fund should be started and that a good margin should be kept up between the borrowing and lending rates. In these circumstances, unless the borrowing is made at a low rate, it may not be possible for the ultimate borrower to get at a low rate of interest. This is to help the distressed agriculturists whose paying capacity is very low. In these circumstances, I would like to suggest, Sir, that the 5 per cent maximum which is being laid down may, if possible, be reduced to $3\frac{1}{2}$ per cent later on by amendment. It is only with a view to see that the Government guarantee with a due consideration of all the aspects of the thing and especially having regard to the fact that it is the agriculturist whose paying capacity is low that has got to repay the money, that I make this suggestion. With these few words, Sir, I support the resolution.”

* MR. KALA VENKATA RAO :—“ గౌరవనీయులగు మంత్రిగారియొక్క తీర్మానము నేను పూర్వయే పూర్వకముగా సమర్థించుచు, యీ క్రింది విషయములను వెల్లడించుచున్నాను యామి తన ఖాతా బ్యాంకులను మన రాష్ట్రములో స్థాపించిన చాలా, దినదినాభి వృద్ధిగాంచుచున్న విషయము, అందరు సంశోధించవలసిన విషయము. ఈ రీతిని యే యితర రాష్ట్రములోకూడా, యీ ఖామి తన ఖాతా బ్యాంకులు సక్రమ మార్గమున నిర్వహించబడుట లేదు. ఆయనను, యిప్పుడున్న టువంటి విభాగముకూడా, మనము కోరితనగుచు, సంస్కరించుకోవలసియున్నది. ప్రస్తుతం, యామి తన ఖాతా బ్యాంకులు, జమీందారీ గ్రామములలో ఆస్తులు యిచ్చుటలేదు. మరియు స్వల్ప మొత్తములకు ఆస్తులు విరివిగ యిచ్చుటలేదు. మదరాసు ప్రభుత్వమువారు రైతులయొక్క ఉపయోగాగ్రామము నిర్మించిన ఋణవినియోగ చట్టముయొక్క లాభములు రైతులకు చేరుదురనుట చేయుటకు, 500 రూపాయలు, అంతకు తక్కువ మొత్తములకు యీ ఖామి తన ఖాతా బ్యాంకులు యీయవలసియున్నది. ఇంకను, 4, 5 మొక్కలముఖగాని, 7, 8 మొక్కలముఖగాని ఖామి గల రైతు యీ రోజులలో తన ఆస్తు 1,000 రూపాయలనుండి రూ 500 లకు తగ్గించబడిన వ్యయము, తాను సాచ్చటివైనను వెల్లడి ఋణము తెచ్చుకొని సడరు తగ్గించబడిన ఆస్తును తీర్చుటకు అవకాశముకలుగుటలేదు. కావున నేను గౌరవనీయులగు మంత్రిగారిని కోరునదియేమనగా, యీ ఆస్తు తగ్గించబడినటువంటి రైతులకు యీ ఖామి తన ఖాతా బ్యాంకులద్వారా యీ లాభము చేరుదురనుట చేయవలెననియే ; యిది నా ప్రత్యేక ప్రార్థన.

15th August 1938] [Mr. Kala Venkata Rao]

“ఇంకొకవిషయమేమనగా, యీ భూమి తన భా వ్యాంకియొక్క టులుకాలకు మితి ప్రస్తుతం 20 సంవత్సరములైయున్నది. ఈ కాలపరిమితిని 80 సంవత్సరములకు వృద్ధిచేయవలసియున్నది. ఈ విషయములలో ప్రభుత్వము ఆలోచించుచున్నదని యిదివరకు మంత్రులు యీ సభలో చెప్పినారు. మరియు యీ టులుకాలవైపు వడ్డీ నిర్ణయించే విషయములలో రిజర్వు వ్యాంకివారియొక్క పూర్వమైన సహానుభావము లేకుంటూవున్నప్పటికీ, పూర్తిగా వారి సహా భీనుకొన్నట్లయితే సహకారసంఘాని వృద్ధి కలుగదు. ఇదివరకు వారియొక్కగాని, ఇంజీరియల్ వ్యాంకువారి సహకాని అనుసరించుటచేత యీ రాష్ట్రములోనున్న భూమి తన భా వ్యాంకులు, ఇతర సహకార ఉద్యమము వెనుకపడియున్నది. ముఖ్యముగా ముడిపరార్థములైన అప్పులయిచ్చుట యందును, బంగారమునైన అప్పులయిచ్చుటయందును వారి సహా మొత్తములము మన ఉద్యమమునకు లాభకారిగాలేదు. వారెప్పుడును విదేశ వ్యాంకులకు ాధ ... మొక్క చులేమోయియుండు ఈ దేశములోని వడ్డీ రేటులు పెంచుగ నుండవలెనని సలహా యిచ్చుచుందురు. ఆ సలహాను మాత్రమే మనము గమనింపక దేశకాలపరిమితిలను గమనించి వడ్డీ రేటు తగ్గింపవలసియున్నది.

“ఈ మాడు అదర్శములను మనసులోనుంచుకొని 150 లక్షలనుంచి 250 లక్షలవరకు ప్రభుత్వమువారు యిచ్చుచున్న హామీని వృద్ధిచేయుట దైత్యులకు లాభకరము. మరియు నేను చెప్పిన పద్ధతిని విస్మయించున రుణములు దైత్యులకు యిచ్చినట్లయితే 250 లక్షలు చాలదు. తగ్గలోనే తిరిగి పెంచు హామీ యిచ్చెదమని ప్రభుత్వమువారు వేరొక చిత్తానము తెచ్చెదరని యాశించుచు యీ చిత్తానమును సమర్థించుచున్నాను.”

*MR. S. NAGAPPA :—“భూమి తన భా వ్యాంకులను గురించి కొద్దిగా చెప్పవలసి యుంది. ఈ భూమి తన భా వ్యాంకులు ఎప్పటికీన్ని, నీరుపెట్టి పండించే భూములకే అప్పు ఇస్తున్నాయి. వట్టి భూములకు అనగా Dry lands కు ఎక్కడా అప్పులు ఇచ్చుటలేదు. మా పట్టణంలో మొన్న ఒక వ్యాంకు పెట్టినారు. అక్కడకుపోయి అప్పు అడిగితే భామిని ఆధారపడియున్నట్లులైతే, లేక నీరుపెట్టే భూములకే అప్పు ఇస్తాము కాని లేకపోలే మీ భూములు పండించే పండవచ్చు, లేకపోతే పండకపోవచ్చు అటువంటి భూములకు అప్పులు ఇవ్వకు’ అంటారు. మా రాయలసీమలో అట్టి భూములు లేవు. రాయలసీమలో త్రాగుటకే నీరు దొరకక అల్లాడుచుండగా నేను తరి భూములు ఎక్కడ లేవలయును. కనుక రాయలసీమ ప్రజలకునూడ యీ వ్యాంకువల్ల అభిము కలుగవలెనంటే మెట్టి భూములనుకూడ తన భా పెట్టుకొనవలయును. కాబట్టి, ఈ సంగతి మీరు మనసులో యంచుకొని మెట్టి భూములకూడా వడ్డీ తదితరలకు ఎట్లా తగునూర్చి ఆట్లా ఇవ్వవలసినదని నేను రాయలసీమవాసుల తరపున కోరుచు ఈ పెట్టిన చిత్తానాన్ని మనస్సువైగా ఆమోదిస్తున్నాను.”

*MR. G. RANGAYYA NAYUDU :—“అధ్యక్ష మహాశయ! ఈ భూమి తన భా వ్యాంకులగురించి మాట్లాడవలెనంటే, 2 గంటలు ఉపన్యాసము చేయవచ్చును. (Mr. Speaker :—2 నిమిషాలలో మాత్రా చేయవచ్చును.) ఇంతవరకు మన దేశములో కొంతకాలము నుండియున్న భూమి తన భా వ్యాంకులవల్ల ప్రజలకు యే విధమైన ఉపకారములేదని ఒక పెద్ద పుకారున్నది. వారి వడ్డీ ఊహలకాయ వడ్డీకంటే మెక్కువగా ఉన్నదని చెప్పుచున్నాడు. అదియునుగాక వీరు తన భా పెట్టుకొనేభూమినిగాని భాస్య

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మనా తనఖా పెట్టుకొని ఆస్తులను యిచ్చినప్పుడు, మనకుకూడ ఆస్తులను యిచ్చినప్పుడు, రైతు చెల్లింపలేక పోయిన నిర్బంధముచేయుట లేదుగాని, యీ బ్యాంకులవారు నిర్బంధంచేసి, మా మూలా చెల్లింపకపోయినట్లయితే, భానులను యితర ఆస్తులను ఆమ్మించుచున్నారు. ఇందువలన ప్రజలకు ఉపకారములేదు. ఇప్పుడు ఋణవిమోచన చట్టమును మనము యీ ఆమెంట్లయందు అంగీకరించి దేశమునందు ప్రవేశపెట్టినాము. ఆ ప్రవేశపెట్టిన చట్టముపట్ల రైతులకు యే విధమైనలాభములేదు. ఎందువలన లేదని ప్రశ్నింపవచ్చును. మనకుకూడ యిక్కడై ఆస్తులను యిచ్చుటలేదని లెగించినారు. ప్రతి గ్రామమునందు—కొన్ని గ్రామములందు నేను సుమారులు చేసినాను— ఇక్కడై ఆస్తులు మీకు యిచ్చెనామో, దొరతనమువారు చట్టము వ్యాసు చేసినారు, ప్రవేశపెట్టినారు, యిక్కనుందు ఆస్తులు యెవరిపాక, మేము యివ్వము 'అను మనకుకూడ బెదిరింపు విశేషముగాననవచ్చి. రైతులు భయపడి, యీ చట్టముయొక్క లాభము అనుభవించుటలేదు. 'మనకుకూడ చెప్పినమాటలు వింటాము, దారి యిట్లు ప్రకారముచేయుటకు లోబడుతుండదు' అని వాదనముచేసినారు. ఈ నిర్బంధములు యీకట్టములు రైతులకు తీర్చుట మొట్టొకటి ఆను ప్రశ్న ప్రధానమునందున్నది. ఎవరు తీర్చవలెను? నేను గ్రామములలో ప్రభుత్వముచేయునప్పుడు, 'మా కట్టములు మొట్టొకటి తీర్చుట' అని వైదిం అడుగుచున్నాను. 'దొరతనమువారు ఆస్తులనుయిచ్చే పరిస్థితులు లేనా' అని ప్రశ్నింపగ, నేను జవాబు చెప్పవలసియున్నది. 'ఇప్పుడు దొరతనమువారు ప్రవేశించి పంపిస్తామని. ప్రభుత్వములో ప్రవేశించి యిక్కడ 2500 గానూ, తాలూకాలో కొన్ని కొన్ని భూమి తనఖా బ్యాంకులు నిర్మించి, వడ్డీ 3 రూపాయలు మాత్రమే యేర్పాటుచేయువలెను. మంత్రిగారు వాడయొక్క తీర్మానమునందు 5 రూపాయలు నిర్ణయించారు. 5 యిక్కడ; 3 రూపాయలు వడ్డీ ప్రధానము. దొరతనమువారు చట్టమునందు నిర్ణయించిన గూ 6-4-0 లు వడ్డీ కాదు. భూమి తనఖా బ్యాంకులు స్థాపించబడి యిచ్చుట దొరతనమువారు 3 రూపాయలు వడ్డీకి ఆస్తులను యిచ్చుటకు సిద్ధముగా నుండవలెను. 20 వాయిదాలపై నిర్ణయించి ఆస్తులిచ్చి, ప్రజలకు భయములేకుండా, యీ చట్టము లాభమును అనుభవించు మొట్టొకటి యెందునని చెప్పినాను ఇప్పుడు 250 లక్షల రూపాయలు మంత్రిగారి తీర్మానమునందు నిర్ణయించిన మొత్తము యింకమాత్రముకాలదు. ప్రజలకు, దేశమునకు 25 లక్షలలో వుండి వ్యవసాయదారులకు యితరులకు లాభముచేయవలెనని ప్రభుత్వమువారు కోరినట్లయితే, మొత్తము 250 కాదు, 500 లక్షల రూపాయలు ప్రభుత్వమువారు అందుకు ప్రణ్వేషించుటకు సిద్ధముగాననవచ్చుచే మనము ప్రజలకు మేలుచేయగలము చట్టముచేసి ప్రజలను బాధించుచున్నాము. వెంటనే ప్రభుత్వమువారు, దానికి పరిశోధనముగా నిబంధనలను నిర్మించి, ప్రజలకు యేవిధమైన బాధలేకుండా, జమీందార్లచేతగాని, మనకుకూడ చేతగాని బాధలేకుండా ప్రభుత్వమువారు చేయగలిగినప్పుడే, యీ చట్టముయొక్క లాభమును ప్రజలు అనుభవించగలరు. మన కార్యముల లాభము ప్రజలు అనుభవించగలరు. లేకపోతే ప్రయోజనములేదు. మనము ప్రజల నిండ్లకు పాత్రలు కావలసి వస్తుంది. ఇప్పుడు కొన్ని జమీందార్లచేతదేశములలో, కళా వెంకట రావుగారు చెప్పినట్లు బ్యాంకులులేవు. కో ఆపరేటివ్ స్టాండ్లులేవు. వారికి ఆస్తులను యిచ్చేవారులేదు. జమీందార్ల రైతులు భయపడుచున్నారు. దొరతనమువారు రయత్తుగ్రామములలో బ్యాంకులుపెట్టి వారిని పోషించుచున్నారని జమీందార్ల రైతులకు యే విధమైన సహాయములేదు. వారు

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చాలా దుశ్చిందురున్నారు. ఇందుకు నిదర్శనము, కృష్ణా తీర్థా తిరువూరు జమీందారీలో ఎన్నేలు గామాలకు ఒక్క లాల్లండు మాన్డేడి బ్యాంకు లేదు. రైతుల బాధలు తెప్ప దానికి వీలులేదు. జమీందార్లు, సాహుకార్లు పెట్టే కష్టములు ఆవాద్యములు, వర్గనా తీతములు. మనము బ్యాంకులను ప్రతి తాలూకాలోను 2, 3, 4 తాలూకా విస్తీర్ణ మునుబట్టి, ఒక రైతు జనసంఖ్యనుబట్టి, నిర్మించి, స్థాపించి, బ్యాంకులద్వారా తక్కువ వడ్డీలకు రైతులకు ఆద్య యిచ్చి కాపాడినప్పుడే, మనము చేసిన రుణ విమోచన చట్టము నకు లాభమున్నది. ఇప్పుడు యీ లెక్కనమును ప్రతిపాదించిన మంత్రిగారిని నేను కోరుతున్నాను. క్రమముగా ఇప్పటి పరిస్థితులను, గవర్నమెంటు పరిస్థితులను అనుసరించి 250 లక్షలు ప్రత్యేకించియున్నను, ముందు ముందైనను, వచ్చే సంవత్సరమునకు యికా 250 లక్షలు యీ పనికి ప్రత్యేకించి, వానిద్వారా ప్రజలకు ఉపకారము చేయవలెనని కోరుతు విరమించుచున్నాను."

* Mr. MAHBOOB ALI BAIG :—" ఆద్యక్ష మహాశయా ! మిత్రులైన గవై రంగయ్య నాయుడుగారు మాట్లాడిన తరువాత నేనుకూడా యీ విషయాలు మాట్లాడాలనే ఆలోచన కలిగినది. కనుక తెలుగు భాషలో మాట్లాడుటకు సాహసించుచున్నాను. ఈ విషయం చాలా కష్టమైన విషయం కనుక తెలుగు భాషలో మాట్లాడుట కష్టం."

* Mr. SPEAKER :—" The subject is not about the Telugu language. It is about the Land Mortgage Banks. Therefore no explanation is needed from the hon. Member with regard to his speaking in Telugu. He may speak in that language."

Mr. MAHBOOB ALI BAIG :—" నా మిత్రులైన గవై రంగయ్య నాయుడుగారు తెప్పిన ప్రకారం రైతులు చాలా కష్టాలతో వున్నారు. ఋణ విమోచన చట్టం యీ సభయందున్నపుడు అది వర్త జరుగుచున్నపుడు నేను ప్రధాన మంత్రిగారితో మనవిచేసినాను. మనం నిజంగా వడ్డీ తగ్గించుచున్నామనికాని తగ్గించిన యెత్తంతా మాత్రంకూడా ప్రజలు యివ్వగలరో లేదో, దానికి కూడా మనం సదుపాయం చేయవలసియున్నది అన్నాను. ఆపుడు ప్రభుత్వంవారు 75 లక్షల రూపాయలు ఆపు యివ్వడానికి నిర్ణయించినారు. అది చాలాదన్నారు. నేనప్పుడే అన్నాను అది చాలదు అని. యిప్పుడు మన మంత్రిగారున్నారు. ఈ విషయంలో ఒక నూరు లక్షలు అనగా ఒకకోటి రూపాయలకు గవర్నమెంటువారు హామీ తీసుకొని—ఇందుకంటే యీ భూమి తణఖా బ్యాంకులకు హామీ యివ్వేకాని వారు యెక్కువ ఆపు యివ్వడానికి వీలులేదు—ఈ 4, 5 నెలలనుంచి వ్యవసాయదార్లకు ఆపు యిస్తున్నారు. థర్టీ అంతా 25 లక్షలు ఆపు యివ్వవలసియిండును అది హామీ యివ్వేకాని యిస్తుంటు వీలులేదు—కనుక, హామీ యివ్వడం సరియైన పని కాదంటున్నారు. నాకు అభ్యంతరంలేదు. అట్లా యివ్వవలసింది, నేను ఆ రోజున తెప్పినదానికి అభ్యంతరంలేదు. కనుక మనం జరుగుగా 100 లక్షల రూపాయలు హామీ యివ్వడం అవసరం కనుక యీ బ్యాంకువారు సరిగా ప్రజలకు లాభంకల్గేటటులు, వ్యవసాయంచేసేవాళ్ళకు సరిగా మద్దతుచేస్తారా లేదా అని అనుమానంగాయింది. నా మిత్రులైన నాయుడుగారు తెప్పినప్రకారం జమీందారీ ప్రదేశాలు చాలా యెక్కువ ఉన్నాయి. జమీందారీ ప్రదేశాలలో యీ బ్యాంకులు ఆపులు యివ్వడానికి సంక

[Mr. Mahboob Ali Baig] [15th August 1938]

యిస్తున్నాయి. దానికి చాలా కారణాలున్నాయి. అవట వారికి లాభం కలుగుట లేదు. జమీందార్లకు కష్టం కనుక వామీ ప్రయోజనం ఇస్తామంటున్నాము. వ్యాపకు దానిమీద వామీ కుదిరిలేకాని కష్టం యివ్వడంలేదు. వ్యవహారకార్య యిది ప్రయోజనం లేదో చూడవలసియున్నది. మనం చేసే కనులు చేస్తాము. ఇతర పనులు గవర్నమెంటువారు చూడాలి. నిజంగా స్వయంపాయదార్లకు ఈ వ్యాపకువారు సరిగా అప్పులుస్తున్నారో లేదో ఆది చూచుకుందాలి. నా అభిప్రాయవకారిం గవర్నమెంటువారే మెంబరులే మెంబర్లైనా అప్పు పొనుకొని, వారికి అప్పులు యిస్తే కాని, అందరికీని లాభం కల్గదని నా అభిప్రాయం. అది నేనూ అప్పుచూ ఆనానం. ఇప్పుడుకూడా అంటున్నాను. వాకే గాక యింకా నామీ నులైన కివా వె కట్టావుగాని ఆ విషయం చెప్పినారు ఈ విషయంచూస్తే ఏమి కనపడుచున్నదంటే, శాసనసభలో మనం పాసు చేస్తూయన్నాము చట్టాలు. గవర్నమెంటువారు మంచి ఉద్దేశ్యంతోయన్నారు కాని అక్కడ అమలులోకి వచ్చేటప్పుడు అవి జరుగుతున్నదో లేదో అని అందరికీ సంతకం కావాలి. ఎందుకనగా, మాన్రేజీ బ్యాంకులలో జరిగవలసినపని జరుగుటలేదు. మనకు కావలసియుంటే వచ్చుటలేదని దేశంలో చాలా అందరికీనగా ఉంది. అట్లా చేస్తారో లేదో సమస్యం నేపుడు గవర్నమెంటువారు పెద్ద పెద్ద loans float చేసి రెండు కోట్లలో, నాలుగు కోట్లలో Loans float చేసి ఋణగ్రస్తాలైనవారికి ఋణం యిచ్చి స్పష్టమైన వాయిదాలమీద 20 సంవత్సరాల్లో, 25 సంవత్సరాల్లో, 30 సంవత్సరాల్లో, 40 సంవత్సరాల్లో అది వారిదగ్గలనుంచి వసూలుచేయుట చాలా ఉత్తమమైన పని అని నా అభిప్రాయం. ఈ విషయం నేను మనస్ఫూర్తిగా ఆహ్వానించుచున్నాను. కాని ప్రభుత్వంవారికి నేను సవరిచేసేది ఏమనగా, ప్రభుత్వం వారు మంచిబుద్ధితో, శాసన సభ మంచి ఉద్దేశ్యంతో పాసు చేస్తూయన్న చట్టాలు అమలులోకి వచ్చి కనబడు లాభకరంగా ఉండేటట్లు చేయవలసిన కట్టుబడిములుచేసి, అప్పు రెండు కోట్లలో, మూడు కోట్లలో మీరేచేసి వారికిచ్చి, స్వరాజ్ గవర్నమెంటువారే నెరవేర్చి లే బాగం యివ్వని నా అభిప్రాయం "

The resolution was put and carried.

The House then adjourned till 3 p.m. the next day.

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

† 1. G.O. No. 526, Development, dated 2nd March 1938, confirming certain amendments to rule XXII of the rules issued under the Madras Co-operative Societies Act, 1932.

* 2. G.O. No. 891, Development, dated 2nd April 1938, confirming certain amendments to the rules issued under the Madras Co-operative Societies Act, 1932.

* 3. G.O. No. 1175, Development, dated 5th May 1938, amending the rules published with Development Department Notification No. 62, dated 3rd March 1923, in the "Fort St. George Gazette" Extraordinary, dated the 3rd March 1923, as subsequently amended.

* Despatched to the members by post on the 12th July 1938.

†

Do.

22nd July 1938.

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* 4. G.O. No. 795, *Development*, dated 26th March 1938, amending the *Madras Commercial Crops Markets Rules, 1935*.

* 5. G.O. No. 1395, *Development*, dated 1st June 1938, amending the *Madras Commercial Crops Markets Rules, 1935*.

* 6. G.O. No. 1379, *Revenue*, dated 28th May 1938, confirming certain amendments to the rules made under the *Madras Survey and Boundaries Act, 1923*.

* 7. Notification appended to G.O. No. 1687, *Home*, dated 29th March 1938, prescribing the rates at which the tax in respect of certain classes of motor vehicles shall be payable under the *Madras Motor Vehicles Taxation Act, 1931*.

* 8. Notification appended to G.O. No. 1688, *Home*, dated 29th March 1938, making certain rules under section XVI of the *Madras Motor Vehicles Taxation Act, 1931*.

* 9. Notification appended to G.O. No. 1739, *Home*, dated 31st March 1938, amending under sub-section (1) of section 11 of the *Madras Motor Vehicles Taxation Act, 1931*, *Home Department Notification No. 359*, dated 29th March 1938, published at page 2 of the "*Fort St. George Gazette*" Extraordinary, dated the 29th March 1938.

* 10. Notifications appended to G.O. Ms. No. 3197, *Home*, dated 28th June 1938, prescribing the rates at which the tax in respect of certain classes of motor vehicles shall be payable under the *Madras Motor Vehicles Taxation Act, 1931*.

† 11. Notification appended to G.O. Ms. No. 3171, *Home*, dated 25th June 1938, exempting from payment of the tax leviable under the *Madras Motor Vehicles Taxation Act, 1931*, motor vehicles belonging to certain members of the *Southern Provinces Mounted Rifles, Auxiliary Force (India)*, resident in *Travancore*, for the period of their stay in *British territory in connexion with an Auxiliary Force T.E.W.T. at Bangalore*.

† 12. Notification appended to G.O. Ms. No. 3190, *Home*, dated 27th June 1938, exempting from payment of the tax leviable under the *Madras Motor Vehicles Taxation Act, 1931*, motor vehicles belonging to the members of the *Southern Provinces Mounted Rifles, Auxiliary Force (India)*, resident in *Travancore*, for the period of their stay in *British territory in connexion with their annual camp at Coimbatore in July 1938*.

†* 13. Communication containing copy of the circular instructions issued by the High Court on the subject of adjournment by courts of the trial of cases of Muslims at the time of 'Jumma Prayers' on Fridays, with reference to the answer given to *Legislative (c) of question No. 184 (starred) at the meeting of the Legislative Assembly held on 1st February 1938*.

* Despatched to the members by post on the 12th July 1938.

† Do. 22nd July 1938.

† Do. 4th August 1938.

* Printed as Appendix VII on page 102 infra.

[15th August 1938]

* 14. *Statement showing the resolutions passed by the House Committee during the Second Session of the First Legislative Assembly under the Government of India Act, 1935, and the action taken thereon.*

† 15. *Notification appended to G.O. Ms. No. 2817, Local Administration, dated 22nd July 1938, amalgamating the District Boards of North Tinnerelly and South Tinnerelly with effect from 1st August 1938.*

† 16. *Notification appended to G.O. Ms. No. 2818, Local Administration, dated 22nd July 1938, amalgamating the District Boards of Ellore and Narsapur with effect from 1st August 1938.*

† 17. *Notification appended to G.O. Ms. No. 2819, Local Administration, dated 22nd July 1938, amalgamating the District Boards of Cuddalore and Villupuram with effect from 1st August 1938.*

† 18. *Notification appended to G.O. Ms. No. 2820, Local Administration, dated 22nd July 1938, amalgamating the District Boards of Guntur and Ongole with effect from 1st August 1938.*

* Despatched to the members by post on the 6th August 1938.

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Do.

9th August 1938.

15th August 1938]

APPENDIX I.

[Vide answer to starred question No. 1 asked by Mr. K. V. R. Swami at the meeting of the Legislative Assembly held on the 15th August 1938, page 32 supra.]

Villupuram	2 days.
Markanam	6 "
Vikravandi	2 "
Brahmalesam	3 "
Tindivanam	1 day.
Tindivanam	6 days.
Panruti	3 "
Vasoor	3 "
Tindivanam	2 "
Gingee	3 "
Villupuram	14 "
Kolivanoor	5 1/2 "
Panruti	1 day.
Tindivanam	1 "
Tindivanam	5 days.
Vikravandi	4 "
Panruti	1 day.
Total	50

APPENDIX II.

[Vide answer to starred question No. 8 asked by Mr. K. V. R. Swami at the meeting of the Legislative Assembly held on the 15th August 1938, page 43 supra.]

Statement.

Name of the company.	Extent of land.	Buildings.	Amount paid for the land and buildings.	Date of Government Order sanctioning the alienation.
	ACS.		Rs.	
1 South India Dye Works, Limited, Salem.	12-86	The building known as the surki mortar shed with two out-houses and one Supervisor's quarters at Mettur.	7,152	17th July 1936, 2nd August 1937 and 11th March 1938.
2 The Mettur Industries, Limited, Mettur.	242-5	The group of buildings known as the Salem camp, and four officer's bungalows at Mettur.	90,000	23rd Feb. 1937.
3 The Mettur Chemical and Industrial Corporation, Limited, Mettur.	79-00	One officer's bungalow at Mettur.	10,805	17th May 1937 and 2nd April 1938.

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APPENDIX III.

[Vide answer to starred question No. 11 asked by Mr. K. V. R. Swami at the meeting of the Legislative Assembly held on the 15th August 1938, page 45 'supra.]]

Extract of paragraph 198, Printing Manual.

198. *Prices.*—All publications intended for sale whether printed at a Government or private press should have the selling price printed on the cover, half-title or title page, and the names and addresses of the agents for sale of Government publications should be printed on the back of the half-title if there is one or on any other spare page; other non-confidential publications should have the words "For official use only" or "Gratis" printed on wrapper or title. The price is calculated to the nearest suitable even figures by dividing the press cost by the full number of copies printed and adding a percentage to cover the commission paid to selling agents. When other expenses in addition to the ordinary charges of administration have been incurred or when it is required that literary works should be charged at ordinary publisher's rates, the previous orders of Government should be taken before fixing the price. In other cases, the instructions of the office concerned should be taken before placing books on sale.

APPENDIX IV.

[Vide answer to starred question No. 17 asked by Mr. R. B. Ramakrishna Raju at the meeting of the Legislative Assembly held on the 15th August 1938, page 52 supra.]

GOVERNMENT OF MADRAS

REVENUE DEPARTMENT

PRESS COMMUNIQUÉ.

Dated Fort St. George, the 19th July 1938.

The following report of the Collector of Salem on the working of the Madras Prohibition Act, 1937, up to the end of June 1938 is published.

B. G. HOLDSWORTH,
Secretary to Government.

15th August 1938]

PROHIBITION REPORT.

The Prohibition Act has been in force in the Salem district for 9 months and the time has now come to examine the working of the Act during this considerable period and to take stock of the situation.

1. Those responsible for working the Act were faced, at the beginning of the period, with what appeared to be a most formidable task. It was, put briefly to change the habits of some 7½ lakhs of people including a number of well-to-do villagers, who in some other districts would not be addicted to drink, scattered in 1,827 villages and many thousands of hamlets in a hilly district, 7,058 square miles in extent, containing a population of 2½ millions in which excise crime had been rife in parts of the district before prohibition was in force. The excise staff numbering 250 with its accumulated knowledge of excise crime and criminals was removed and the task of enforcing the Act entrusted to an augmented Police force, unaccustomed, generally, to dealing with excise crime, and having, therefore, to acquire a new technique. Further we were faced with the fact that failure had attended previous attempts to enforce prohibition in other countries and even on a limited scale in this district itself. It is perhaps not surprising that there were many who doubted whether the Act could be worked successfully.

2. It can now be safely said that the Act has been enforced with success during the first 9 months of its working and that there is, therefore, a reasonable prospect of the district becoming permanently "dry." I have referred to some of the difficulties confronting us; I will now mention the favourable factors. First of all the character and outlook of the people themselves. For generations in the past they had been accustomed to having things ordered for them from above and were content to accept what was ordered. In recent years political movements have aroused the people from a condition bordering on apathy and one party and its leader succeeded to a large extent in capturing their imagination. On the introduction of prohibition, the position was that both officialdom and that party and its leader exerted considerable influence over the masses, so when officialdom proceeded energetically to carry out a policy strongly sponsored by Mr. Gandhi himself, the effect on the public was very great. When to this are added the facts that large sections of the population were traditionally strongly averse to drink, and the drinking classes themselves generally felt that their habit was one to be ashamed of, it is evident that the conditions in Salem were altogether different to those obtaining, for example, in the United States of America.

3. Thus it came about that popular opinion generally favoured the enforcement of the Act and without this, success would have been impossible. Public opinion or as it might be termed caste feelings counts for much in the villages and often, it has been so strongly in favour of prohibition that drinking has involved social ostracism.

4. There were other favourable factors. The old excise offender who often knew the excise informants and devised ways and means of evading detection lost any sense of security which he may have had while the potential law-breaker had a wholesome fear of getting

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into the clutches of the Police and of undergoing the heavy sentences inflicted by the magistracy. The regular Police and the Prohibition staff taken together considerably outnumbered the old excise staff and covered the district fairly thoroughly. Further the potential offenders had to avoid not only the Police and their informants, but a number of other officials and non-officials some of whom were not easily identifiable, for example, forest officials, village officers, taluk and village prohibition committee members and Congress workers. The co-operation of village officers and of non-officials both within and outside the regular committees has greatly assisted the Police in their work.

5 One more factor which has rendered the task of the offender more difficult, is the absence of the licit liquor. Possession of illicit liquor would arouse little comment and no resentment in the villages in pre-prohibition days, either because it was mistaken for licit or because the public were indifferent to whether licit or illicit liquor was drunk. Now even the smell of liquor is enough to show that an offence has been committed, and scattered, I believe, in almost every village and hamlet in the district are some persons who are prepared to take action of some kind to prevent breaches of the Act.

6. Turning now to the details of offences committed during the period of nine months, it is found that the Police have investigated 1,069 cases since the Act came into force. This figure may appear somewhat high to some even when set against the many lakhs of drinkers and thousands of drug takers who existed in pre-prohibition days: analysis, however, shows that considerably more than half the cases (622) relate to drugs of which 531 relate to small quantities of ganja (mainly) and opium for personal consumption. As I will show later, the control of ganja smuggling presents peculiar difficulties. Necessary though it is to endeavour to stamp out this smuggling, it has to be remembered that the number of drug takers in pre-prohibition days was very small compared to the drinkers, and there is little sign of former drinkers taking to drugs as a substitute. Of the remaining 447 cases, 217 related to toddy, and of these 96 were only technical, being cases of sweet toddy tapping without licences, the number of fermented toddy cases being only 121, this compares very favourably with the pre-prohibition figure for 1936-37 of 574 cases.

Of the 230 cases remaining, 85 relate to illicit distillation, compared with 196 cases during the corresponding period of 1936-37. Sixty-nine relate to possession of illicit arrack against 123 in 1936-37, 66 to possession of liquor against 183 in 1936-37, 5 of illicit sales of arrack and 5 of illicit transport of liquor. In the early stages of the campaign, the small number of liquor offences detected compared with the pre-prohibition figures was adversely commented on in certain quarters, the inference being that detection was poor and that the number of cases reported bore no relation to the number of offences committed. Experience has, however, shown that, though in the initial stages, information regarding offenders was somewhat difficult to obtain, the intelligence service is now so well organized

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that the great majority of cases of liquor offences are now detected. One experienced member of the Police prohibition staff puts the figure as high as 80 per cent.

7. *Illicit distillation*.—Illicit distillation was rife in the district before the Act came into force and it was anticipated in certain quarters that the Police would fail to control this particularly lucrative form of crime. Actually the Police have, with the active and most effective assistance of non-officials, been most successful in dealing with illicit distillation. In almost all cases detected information was received from village officers and private sources. The public have co-operated admirably in putting down this most heinous of all "drink" crimes. In fact, the District Superintendent of Police reports that within a short time, if the same co-operation continues, every illicit distiller will be brought to justice. The difficulties now met with by the illicit distiller are obvious. Public opinion is against him, any one may give him away, liquor cannot be passed off as licit and he is faced with the certainty that he will receive a stiff sentence of imprisonment if he is convicted.

8. *Illicit tapping*.—Here again there were gloomy forebodings that when the tapping season was in full swing, it would be impossible to check widespread production of toddy. In fact, control of sweet juice tapping has been most effective, and in comparison with the number of trees tapped (386,806) and licences granted (8,233) and the number of offences of tapping for fermented juice (58) is negligible. This was due to four main causes:—

- (i) The fact that the vast majority of the 386,806 trees tapped were palmyra which were normally tapped for sweet juice and that few licences were applied for for coconut trees from which almost all the fermented toddy was drawn in pre-prohibition days. Persons were not accustomed to drinking palmyra fermented toddy, so it was a case of acquiring a new taste, not giving up an old one.
- (ii) Owners had to accept joint responsibility with tappers for observance of the law, and exercised a salutary check on the conduct of the latter.
- (iii) Frequent inspections by the Police and the watch kept by village officers and committee members.
- (iv) Fear of substantial punishment, if caught.

The palmyra tapping season is now over and the danger has passed. With the experience gained, control next season should prove still easier.

9. *Foreign liquor*.—The number of offences was very small. Many addicts obtained permits and those who did not generally either abstained altogether or visited neighbouring districts occasionally.

10. *Substitutes for liquor*.—The only substitute used to any appreciable extent is denatured spirit. A few former heavy drinkers occasionally drink methylated spirit diluted in water mixed with lime. Steps designed to put a stop to this practice are under consideration and propaganda against it is being carried on mainly by means of the distribution of leaflets.

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In one case a quack was caught selling diluted chloral hydrate as a substitute for alcohol. He has been arrested and no further cases have come to notice.

Attempts have been made on a small scale to convert sweet juice into toddy by adding some ingredients. The resulting beverages are reported not to be very palatable and there is no sign of any extensive use of such devices.

11. *Ganja*.—Despite the fact that the number of former ganja addicts is very small compared to the number of former drinkers, ganja offences account for more than half of the total number of offences detected and there can be no doubt that the percentage of detection of this class of crime is not so high as of liquor crime. The reasons are obvious. The ganja habit is more difficult to give up and this compact drug can be easily concealed.

It has to be remembered that smuggling of ganja was fairly prevalent in pre-prohibition days, as Mysore ganja has always been popular in Salem and other districts. Detection then was considerably more difficult even then now, because it was difficult to distinguish licit from illicit ganja when carried in small quantities.

There is probably no form of crime more difficult to detect than drug smuggling and it is well known that smuggling is successfully carried on in all countries of the world, though in some of them counter-measures of the most elaborate character are taken. The Police have taken active steps to check smuggling in this district. In the first instance, a list of such persons was compiled and they were kept under watch. Experience shows that most of the offenders are either old excise smugglers or actual addicts. Villagers naturally know the names of the smugglers in their areas and it was generally possible to spot them. Watching border areas for persons returning from belt area drug shops has also led to useful results. Neighbours of suspected consumers were instructed to watch for the smell of ganja smoke and reformed ganja addicts to watch other addicts. A careful investigation in minor drug consumption and possession cases has often disclosed the identity of the original smugglers. All villages, where active offenders reside and all active offenders have history sheets which are also maintained for individual suspects and ex-convicts. These villages and persons are frequently visited and checked.

A great majority of the cases charged related to very small quantities of ganja in possession of petty pedlars or consumers. There have been 14 large hauls, of which most were detected during the last three months, showing that the police are getting to grips with the important smugglers.

The co-operation of the Mysore Government in dealing with the problem has also been sought.

The facts that some ganja addicts have given up the drug and that a fairly large number of former addicts have reduced their consumption show that these measures are not without their effect. Ganja smuggling will not, however, be eliminated from the district in the near future.

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Speaking generally, however, it appears that the activities of the Police combined with the heavy sentences given by the Magistrates are gradually reducing the consumption of ganja month by month.

12. *Opium*.—The number of offences under opium during the nine months was only 69. This is accounted for mainly by the fact that former addicts obtained permits for the possession of the drug. Consumption of opium has never been very prevalent in this district and illicit consumption is only on a small scale.

13. *Patrolling*.—Mobile patrols and prohibition and ordinary Police searched about 40,000 vehicles by surprise but only 16 cases were detected showing that contraband was rarely transported by vehicles. Government Railway Police have done very useful work in detecting smugglers and which deters smugglers from using the railway for their trade.

The prohibition staff consists of a Prohibition Inspector and ten Sub-Inspectors, 40 head constables and 84 police constables together with two mobile patrol Sub-Inspectors with a staff of eight head constables and ten police constables.

Out of the 1,069 cases detected, 464 were detected by the prohibition staff. There was close co-operation between regular Police force and the prohibition staff. The work of the prohibition staff was onerous, particularly during the tapping season when the numerous sweet juice topes, scattered all over the district, required constant watching. Their work consisted in—

- (1) watching lonely paths usually taken by smugglers,
- (2) checking conveyances,
- (3) shadowing suspected individuals,
- (4) spotting of illicit distillation (a laborious task),
- (5) checking the numerous sweet juice topes,
- (6) keeping in touch with the taluk and village prohibition committee members and village officers.

The regular police cheerfully undertook the prohibition work in addition to their ordinary duties.

The Prohibition Officer who was appointed to assist the Collector, to give advice to the Police in methods of work and himself to do intelligence work and investigation held his post until 24th June 1938 when the post was abolished, as it was felt that the Police had by then learnt the technique of dealing with liquor and drug crimes.

14. *Officials of other departments*.—According to section 36 of the Act, all officers in the employ of the local Government and local bodies are bound to assist in the working of the Act. Special measures were taken to ensure the co-operation of these officers. Conferences were held and ways in which they could assist discussed. In this district, in which forests abound, particularly near the district boundaries, the co-operation of the Forest department was specially necessary and a detailed scheme for co-operation was worked out.

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Officers of the Revenue Department engage themselves in prohibition work in the course of their tours. The District Educational Officer and the presidents of the district boards have impressed on the school teachers the necessity for assisting the movement in the villages both by means of propaganda and provision of amusements and particularly by means of propaganda. I issued stringent instructions to village officers to co-operate to the full with the Police in detecting prohibition crime, and action has been taken against village officers who have not done their duty. Generally speaking village officers have been very helpful to the Police.

15. *Non-official co-operation.*—Special efforts were made to secure the co-operation of non-officials and the task of the Police has been rendered much easier by the widespread co-operation and assistance rendered by them.

In accordance with section 26 of the Act, Taluk Prohibition Committee members were formed, four members being chosen normally from each Police station limits, each having on an average some eight villages within his area. Names were recommended to me by committees constituted in each taluk consisting of officials and non-officials. The final selection was made by me. These members have been carefully instructed in their duties which consisted in—

- (1) giving information to the Police,
- (2) reporting every month to the Collector regarding the working of the Act in their taluk, and
- (3) assisting in the campaign in a variety of ways, particularly in—
 - (i) maintaining touch with the Village Prohibition Committee members to see that they perform their duties satisfactorily,
 - (ii) keeping a watch on places in which breaches of the Act might take place and on persons who might commit offences, and
 - (iii) organizing amusements and counter-attractions to drink and encouraging thrift.

I have held meetings of Taluk Prohibition Committee members during my tours, and the Premier, during his recent tour, met all the committees. While the work turned out by members naturally varies considerably, it is certain that the committees as a whole have rendered useful service.

16. *Village Prohibition Committees* were also formed in every village in the district and have generally exercised in a quiet way, a considerable influence on the situation. The existence of an organization in every village, having as its object, the successful working of the Act, has checked the activities of potential law breakers and has stimulated public opinion.

17. *Congress workers*—Many Congress workers were members of the various committees and others have done useful propaganda and some detection work.

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Figures show that of the cases detected since the beginning of January, Prohibition Committee members were responsible for the detection of 4 per cent.

Congress workers 1.6 per cent.

Police informants 37.0 per cent.

Village officers 11.0 per cent.

and the remaining 47.0 per cent directly by the Police.

The measure of assistance rendered by the Prohibition Committees cannot be gauged solely by these figures as a large part of their influence on the movement is exercised by means of propaganda, warnings and by fostering public opinion.

18. *Border problems.*—A belt area 10 miles wide was constituted between the Salem and the adjoining Madras districts. In this area, sales were ordered to be restricted to pre-prohibition figures and transport of liquor was prohibited. Former drinkers in villages bordering on this belt area visited the shops in fairly large numbers though in recent months the number crossing the border has shown signs of decreasing. However, conditions in the villages situated close to the belt area shops has not changed markedly since pre-prohibition days. The existence of these shops close to the boundary besides keeping alive the taste for and the memory of drink, has facilitated the smuggling of drugs. Proposals are under consideration for removing shops from the belt area or alternatively prohibiting shops within 5 miles of the district boundary. There is, of course, no belt area in Mysore and the sales in the Mysore border shops have naturally increased considerably.

19. *Ameliorative work.*—There is a positive as well as a negative side to prohibition work, and Government, recognizing this, decided to appoint a Special Development Officer to take charge of this part of the work. Mr. T. L. R. Chandran, I.C.S., was appointed and joined duty on 4th December 1937, but most unfortunately, died suddenly 18 days later. Mr. J. C. Ryan, his successor, joined duty only on 12th February 1938, so for almost half the period under review, there was no officer in charge of ameliorative work. This work consists mainly in (1) rendering necessary assistance, where desirable, to any person who has suffered due to the introduction of prohibition, (2) encouraging ex-drinkers to make a good use of the money which they formerly spent in the drink shops and (3) organizing amusements in the villages to enliven the evening hours formerly spent in the drink shops and (4) village uplift work. The only numerous class of persons adversely affected by the introduction of prohibition were the fermented toddy tappers. Actually the problem of the tappers more or less solved itself. Many of these toddy tappers whose occupation was a comparatively lucrative one, possessed lands which they let on lease. Many of these persons are cultivating these lands and others are finding employment as agricultural labourers. Another group left the district to pursue their usual avocation in other areas. Others obtained employment removing nuts and bark from coconut trees. A few took to sweet toddy tapping both of coconut and palmyra trees and a few others emigrated to Malaya. In fact, when the District Board Engineer, Dharmapuri,

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offered employment to tappers as mile coolies under the Dharmapuri District Board, there was no response. As unemployment was anticipated and as there is no doubt that economic position of these fermented toddy tappers has deteriorated, the following measures were taken:—

- (1) Co-operative societies were organized for ex-toddy tappers for tapping coconut sweet juice and manufacturing coconut jaggery.
- (2) Assistance was given to those desirous of emigrating to Malaya.
- (3) Arrangements are in progress for settling some of the tappers in colonies on waste lands on co-operative basis.

20. *Co-operative societies.*—(1) Considerable difficulty was experienced in organizing co-operative societies for tapping coconut sweet juice, partly because coconut tope owners consider it mere remunerative and also safer to grow nuts instead of leasing the trees for tapping and also because the fermented toddy tappers were not inclined to do the work for the comparatively small remuneration obtainable from the sale of jaggery. It was only possible to organize four societies for tapping juice for coconut jaggery. Experiments conducted by the Industries Department in the district in the making of coconut jaggery yielded satisfactory results, but the results of an inquiry into the economic possibilities of using Salem coconut jaggery for refining purposes do not suggest that it is feasible at present.

(2) The second method adopted was to assist tappers to emigrate to Malaya. Thirteen families consisting of 45 persons were sent to Malaya in May 1938 to work on oil palms. Since then assisted emigration to Malaya has been prohibited due to a fall in wages.

(3) The third method was land colonization. Three fairly extensive areas in the district were selected for cultivation on a co-operative basis. A number of preliminaries have had to be gone through including the survey and classification and in one case disafforestation. Drinking water wells also have to be sunk. Orders of Government have also to be awaited sanctioning the assignment of the lands.

Though only four societies were organized for coconut jaggery production, 26 were formed for palmyra jaggery, and many more are likely to be in existence during the next tapping season. Palmyra trees, unlike coconut, were used for sweet toddy tapping even in pre-prohibition days and are still available. In fact all except 5,000, of the 380,000 licenced for sweet juice tapping, were palmyra palms. These palmyra jaggery co-operative societies were organized for the dual purpose of helping the tappers and exercising control, in the interests of prohibition, over this large scale tapping. The societies organized have sold jaggery so far for Rs. 8,863-1-2. This is not a large amount, but it has to be remembered that many of them were organized late in the season. During the season starting in December it is expected that operations will be carried on, on a much larger scale.

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21. *Thrift*.—As it is estimated that about half a crore of rupees was spent on drink and drugs annually in the district in pre-prohibition days, it is obvious that a good deal of money earned is now available for other purposes. As most of the drinkers belonged to the poorest classes of the community, almost the whole of this money was required initially for paying off debts, and for purchasing the necessities of life. It was, however, felt that the opportunity ought to be taken to start a thrift campaign, so as to ensure that at least a small fraction of the money formerly spent on drink was put into savings. The thrift campaign has proved uphill work. The idea of saving money was quite foreign to those large classes of poor people chiefly benefiting from prohibition. Since many of the people earn only just enough to purchase a bare sufficiency of food and clothing, it was obviously only a limited number who could be expected to save. There are persons in almost every village who can and should have, and a thrift campaign, even though it may not, at first, gain many adherents has a good effect, when conducted in connexion with a prohibition campaign. For example some former drinkers have lost their zest for hard work, since the extra effort was made to earn money for drink. Now, in some cases, they work less and earn less and thus the economic position of their families does not improve. In time they may realize, as have workers in some other countries, the desirability of working hard in order to save money, and eventually improve their economic position. The thrift campaign was taken up in an organized manner from the middle of February. The campaign was conducted through—

- (1) rural Co-operative Credit Societies and urban banks;
- (2) special types of Thrift Societies; and
- (3) the Salem District Urban Bank.

The Official and non-official staff of the co-operative movement have been assisting in this work from the beginning, and recently some Revenue Inspectors have also volunteered to help during their spare time. Up to the end of June Rs. 9,858-12-0 had been saved. This figure is not spectacular, but it has to be remembered that it represents the savings of 2,413 poor people, people who have probably never thought of saving money before, nor their ancestors before them. From these small beginnings it is possible that a great and strong movement may grow. Even if it has done nothing else the movement has, at least, good propaganda value. Borrowing is almost universal, the idea of saving must be introduced sooner or later to remedy this soul destroying condition of habitual indebtedness, which saddens the lives of crores of villagers.

22. *Amusements and counter attractions*.—The drink shop provided an escape from the dull and depressing monotony of village life. The labourer was able to forget for a time his worries and his hard lot under the stimulating influence of alcohol. Something has been taken away from classes of the population which have little indeed with which to brighten their lives. It is true that benefits such as more money for food and clothes and domestic peace, followed the closure of the drink shop, but the dull monotony of life

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remained. Hence a special effort has been made to brighten village life by providing healthy amusements for the evening hours. The following agencies have been employed.

Rural Co-operative Societies.—These sometimes celebrate tbrift day once a month arranging music entertainments, bhajanas, village games, etc.

Taluk Prohibition Committee members have been asked to organize an entertainment in one village a week, and attach a special report on the work done, to their monthly reports to the Collector.

Village Prohibition Committees which exist in every village have, as one of their duties, the organization of entertainments *village teachers* provide entertainments in connexion with their schools or with parents' associations. The police are organizing rural recreation in three centres. The entertainments arranged include bhajana parties, which have greatly increased in popularity, street dramas, songs, kata-kalakshepams, reading of epics, gramophone recitals and sports and games.

The most ambitious effort to provide amusements for villagers began with the Rural Uplift and Recreation school held at Rasipur in May. For the first time in India, so far as is known, physical exercises and games suited to villages were made the central feature of a Rural Uplift school. Ten teachers (20 were asked for but only 10 could attend), 20 co-operative workers and 26 members of youth leagues and physical culture institutes joined the class. During the last week a party of police joined the school for training. So far as possible young men who lived in the villages and were likely to return to them were chosen. The object of the class was to train young men to engage in rural uplift and in organizing games and other amusements in the villages.

Physical training and games were taught by Mr. Joseph, Vice-Principal of the Y.M.C.A. College of Physical Education, Madras, aided by two assistants and the success of the school was largely due to their hard work and inspiring leadership, voluntarily given during the vacation.

The first item in the day's programme was physical exercises and games. This was followed after breakfast by lectures and practical demonstrations in physical education, agriculture, co-operative work, bee-keeping, cattle-rearing, poultry-farming and other subjects. In the evening the members of the class marched either in a body or in small groups to surrounding villages where they gave physical demonstrations and played games, in which the young men of the village joined with enthusiasm, watched by large crowds of elders. The entertainments was usually followed by cinema shows on some rural uplift subject. As a result of these activities, sports clubs were formed in the villages around Rasipuram and a tournament held which aroused much enthusiasm. The games taught were of a simple indigenous variety costing practically nothing by way of materials. Large crowds witnessed these performances and particularly the finals of the village competitions which were attended by the Premier. The aim is, eventually, to start sports clubs in as many villages as possible in the taluk. The main object of the school, however, was to turn

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the students into "local leaders" or "village guides" who would organize rural games in their villages and neighbourhood and guide the villagers in the matter of rural uplift. It is too early yet to say to what extent this object has been achieved, but it is gratifying to note that reports have already been received from 42 out of 56 students who underwent training to the effect that they have conducted rural games in their respective villages every day. Their reports mention that school boys as well as men have participated in the games which attracted large crowds and amused the country-folk. In one village, a student has arranged to secure an extensive playground. Other students report that they addressed meetings on various rural uplift subjects. Another obtained veterinary aid for a bull attacked with anthrax. Two others assisted the touring Veterinary Assistant Surgeon in inoculating 127 cattle suffering from malignant sore throat and in other veterinary work. Others have accompanied the Special Development Officer in his tours and conducted rural games. A great advantage of the special emphasis laid in sports and games is that it gives the rural uplift worker an excellent means of arousing the interest of the villagers. Unless he has a remarkable personality or is well known locally, it is difficult for a worker in the initial stages, to arouse the villagers' interest if he confined himself to lectures on sanitation, agriculture, thrift, co-operative work, etc. If he starts, however, by organizing attractive sports and games he soon arouses interest and even enthusiasm among the young and attracts the older people too. Once that is done, his task will be much easier. The success of the school was so pronounced that the question of holding schools in other taluk headquarters of the district is under consideration. This would give training to some 500 young men, many of whom, it is hoped, would turn into active rural uplift workers, with a bias towards the teaching of rural sports. The advantage of rural recreation is that it provides not only entertainment for the older people, but also healthy exercise for the young. On the playground distinctions of religion, caste and party disappear and in the tournaments the player represents not his family, his village or political party or his caste, but his village. Valuable lessons can thus be learnt even on the village playground, and the team spirit taught there, may go far to lesson village faction and caste exclusiveness, thus contributing to village unity and to the happiness of the people.

Seven radios have just been installed in important centres in the district. The cost of the sets has been borne partly by the local panchayats and partly by Government, and Government are paying the cost of maintenance. It is hoped to bring the number of centres served by radios up to 20 before long. The radio provides an excellent form of entertainment in the evening, providing both amusement and instruction.

The encouragement given to rural sports and the installation of radio sets has aroused a demand for parks and playgrounds in the larger villages. Already in Velur, Rasipuram and Namagiripet, the panchayat boards are providing extensive playgrounds out of their own funds and public subscription. In Attur a park, equipped with a tennis-court and a gymnasium and the radio was recently opened by me and in Taramangalam private donors are providing a large park and gymnasium.

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23. The Indian Coffee Cess Committee and the Indian Tea Market Expansion Board both had parties working in the district.

24. *General Economic Uplift*.—Of considerable benefit to the rural population are the three Co-operative Sales Societies at Salem, Rasipur and Tiruchengode which together dispose of about six lakhs of rupees worth of cotton and groundnuts each year. It has been estimated that the economic gain to the ryots on account of these three sales societies works out at 10 to 15 per cent so that the increased income of the ryots by eliminating middlemen by ensuring proper weights and weighments and by securing competitive prices at auctions is about Rs 60,000 per annum. The agriculturists in the northern part of the district are anxious for similar facilities and the Special Development Officer with the Deputy Registrar of Co-operative Societies is arranging for two societies, one at Krishnagiri and another at Dharmapuri while a third at Kelamangalam in Hosur taluk is pending registration. While the sale societies described above are situated at taluk headquarters and arrange for periodical auctions of agricultural produce collected in their warehouses, it was found necessary to build up auxiliary godowns to support the central warehouses at the sales societies. With this object in view eight feeder godowns have been or are being constructed with the aid of grants from the Government of India Fund. These auxiliary godowns will be made more useful to the public by the provision of a village hall and a reading room adjoining each. Libraries of co-operative societies will be situated there and public meetings and village entertainments organized.

A scheme for rural uplift on an extensive scale drafted by the Special Development Officer and the District Health Officer and modified by the conference of officials and non-officials is to be given a trial. The scheme provides for rural uplift being carried on in 50 villages by suitable village organizations such as either a village panchayat or a co-operative society or an *ad hoc* committee. Committees under the presidency of the Revenue Divisional Officers will be constituted in each division to foster assistance and encourage village organizations in carrying out their work. The progress made will be given wide publicity in the district.

25. *Effect of prohibition on the lives of the people*.—During the nine months under review, a very large number of reports have been received from Revenue Divisional Officers, Tahsildars (who themselves have been receiving reports from Revenue Inspectors and village officers), Police officers, Forest officers, officers of other departments and taluk prohibition committee members testifying regularly and repeatedly in almost every case to the beneficial effect of prohibition on the lives of the former drinkers and their families. In a few cases, there may be exaggeration, but in the main these reports represent the considered opinion of a number of persons most of whom are in a good position to express opinions about local conditions. I do not propose to quote from these reports, as I have done so before, and the latest reports are on the same lines as those formerly quoted from. A perusal of these numerous reports covering nine months confirms the view expressed before that prohibition has proved a real boon to that large class of the population which lives on the border line of want. "Many of these persons, though earning only

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just enough to provide the bare necessities of life for their families, were unable to resist the temptation to forget their worries in the drink shop, at the expense of the health and happiness of their wives and children. I have referred earlier in my report to the various agencies working on behalf of prohibition, but there is another agency, established in every village and in every home, which has worked solidly and effectively for prohibition. I refer to the women of the district, who, with hardly a dissentient voice, have welcomed the coming of the Act. They at least are determined that there shall be no question of bringing back the drink shops, and no return to the days of insufficient food, domestic quarrels, and general uncertainty about the future.

The most noticeable effects of prohibition on the lives of the people in the villages during the nine months are: the absence of street brawls and family squabbles, improvement in the food supply, particularly at the evening meal, increased care for cleanliness and the children's welfare, reduction in indebtedness, and a generally more hopeful outlook.

An indication of the conditions in Turuchengode taluk may be gathered from experiences at the local car festival. This year there was a record crowd, considerably bigger than in all the previous years. People turned up in large numbers not only for worship but also to see the 'thamasha' and make purchases. Business done at the time of the car festival is reported to have been at least 25 per cent more than on the last occasion, as people had more money to spend. Vessels, clothes, ornaments and other household articles found a ready sale. Hotels, sweetmeat stalls, and tea and coffee vendors did good business. Cloth dealers, provision dealers, vessel merchants and general merchants, timber merchants and bangle dealers, who were questioned, all said that the business done by them at the time of the car festival was at least 20 per cent more than on the last occasion. A tea vendor said that he was selling twice as much tea as at the time of the last festival. All the buses running to and from the festival were reported to have been full and people who previously walked travelled in buses this year.

It would have been advantageous had it been possible to obtain comparative figures of pre-prohibition and present sales of necessities of life at the shandies. Figures are now being collected week by week, but as none were collected before prohibition was brought into force, no comparison with pre-prohibition figures can be made. The accounts received from many and varied sources show, clearly enough, however, that there has been a marked improvement in the regularity and quantity of the food supply of the poorer former drinking classes, and that more money is spent on clothes. Similarly in regard to debts. Banks will not give information, much less money-lenders. It is, therefore, necessary to rely on those statements obtained from a vast number of former drinkers, verified wherever possible, that they have discharged or are discharging their debts.

A Research worker in Economics who visited this district gave me a report of his impressions. He gathered so far back as March that nearly 90 per cent of the ex-addicts had realized the benefits of

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prohibition. He noticed marked improvements in family life and even coolies with some annas left at the end of the day's work and at a loss to know what to do with them. He was satisfied that there was a rise in the purchasing power of the masses and as an example brought to notice a marked rise in sales in a group of cloth shops visited by him. Other Research workers who visited the district intended to publish their reports after further visits.

Prohibition has now almost become a normal feature of district administration. The memory of drink, except close to the borders, is fading, and even the insatiable addict is beginning to find the journey across the border for an occasional carouse, an expensive and unsatisfactory proceeding. Salem has now settled down, after the excitement attending the introduction of this great social experiment. The villagers have, by now, become quite accustomed to the new order of things. Considering the population of the district and the number of former drinkers, it is safe to say that the number of persons who now consume illicit liquor in this district is negligible. Illicit drugs are still coming in, but there are reasonable prospects of considerably reducing smuggling in the future.

The success of the prohibition campaign indeed has exceeded the expectations even of some of the most ardent supporters of the movement, and while no relaxation of preventive action, or slackening of control can be permitted as yet, I see no reason to anticipate that permanent success will not reward the efforts of those official and non-official prohibition workers, many of whom have laboured so hard to make the movement a success.

The Police deserve special credit. They have achieved much—the result of zeal, hard work and good organization. All might, however, have been in vain, but for the attitude of the drinkers themselves. It was no small thing to ask 7½ lakhs of people to abandon a habit and fight against a craving. The vast majority responded nobly to the appeal of the Premier in the early stages of the campaign, and whether as a result of real conviction or because of their possession of the traditional virtue of obedience to constituted authority, gave up drink without a murmur. This alone rendered the task of the Police a manageable one. Since the people of Salem do not differ markedly from those in many other Madras districts, it is not unreasonable to assume that it will prove possible to enforce the Act with equal success in other areas.

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APPENDIX V.

[Vide answer to unstarred question No. 3 put by Mr. K. V. R. Swami at the meeting of the Legislative Assembly held on the 15th August 1938, page 60 supra.]

Districts.	Number of tanks which are in need of repairs.		Number of such tanks included in the list of works to be taken up during famine.	
	In charge of the Revenue Department.	In charge of the Public Works Department.	In charge of the Revenue Department.	In charge of the Public Works Department.
Kurnool	60	19	11	13
Cuddapah	207	9	77	8
Anantapur	373	35	202	24
Bellary	4	11	Nil.	7
Total	686	74	290	52

APPENDIX VI.

[Vide answer to unstarred question No. 5 put by Mr. K. V. R. Swami at the meeting of the Legislative Assembly held on the 15th August 1938, page 60 supra.]

Statement.

Name of report.	Total cost of printing incurred inclusive of paper.			Amount realized under each report.		
	RS.	A.	P.	RS.	A.	P.
Eleventh Administration report of Hindu Religious Endowment Board from 1st July 1935 to 30th June 1936	100	1	2	18	12	0
Mental Hospital report for 1936	84	12	9	1	12	0
Jail administration report for 1936	296	12	3	11	4	0
Annual report and statistics of the Government General Hospital for 1936	94	1	11	1	0	0
Annual Clinical Report of Government Hospital for Women and Children for 1936	134	15	9	..	..	..
Police Administration report for 1936 with wrapper ..	568	8	9	26	0	0
Police administration report for 1936 without wrapper						
Excise Administration report for 1936-37	260	14	11	130	0	0
Electricity Administration report for 1936-37	497	3	8	66	0	0
Report of subordinate officers of the Department of Agriculture for 1936-37	393	7	4	8	8	0
Veterinary Department Administration report for 1936-37	341	10	9	18	2	0
King Institute report for the year ending 30th September 1936	242	11	8	4	0	0
Civil hospitals and dispensaries report for 1936	408	5	9	11	0	0
Industries report for the year ending 31st March 1937.	275	0	3	38	12	0
Season and crop report for 1936-37	132	11	7	13	0	0
Statistics of Civil Courts for 1936	262	8	1	6	8	0
Statistics of Criminal Courts for 1936	146	14	6	4	14	0
Agriculture Department report for 1936-37	222	13	6	10	8	0
Madras Fisheries report for 1936-37	285	2	5	0	8	0
Director of Public Health report for 1936	691	15	0	16	14	0
Director of Town-Planning report for 1936-37	118	4	4	..	..	..
Madras Presidency administration report for 1936-37.	774	0	1	38	0	0
Factories report for 1936	187	1	4	10	0	0
Registration Department Administration report for 1936	110	4	7	..	..	..

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APPENDIX VII.

[Vide item XIII (13) at page 83 supra.]

With reference to the answer given to clause (c) of question No. 134 (starred) at the meeting of the Legislative Assembly held on 1st February 1938, a copy of the circular instructions issued by the High Court, on the subject of adjournment by courts of the trial of cases of Muslims at the time of 'Jumma Prayers' on Fridays, is placed on the table of the House :—

PROCEEDINGS OF THE HIGH COURT P. DIS. No. 103/1938,
DATED 14TH FEBRUARY 1938.

The presiding officers of Civil and Criminal Courts are hereby directed to permit all Muslim suitors and witnesses, to avail themselves of such time, not more than two hours, between 12-15 p.m. and 2-15 p.m. as they may require on Fridays to say their Jumma prayers, and that such permission may be granted on their application.

H. M. HOOD—12-7-38.

THE MADRAS LEGISLATIVE ASSEMBLY

Tuesday, the 16th August 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. MR. B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Improvements to minor irrigation works in Royalaseema.

* 28 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the committee set up by Government in or about 1926 and presided over by the late Diwan Bahadur Arogyaswami Mudaliyar made any recommendation in respect of improvements to minor irrigation works in Royalaseema;

(b) how many of them were taken up and completed;

(c) at what cost; and

(d) how many more have to be taken up?

THE HON. MR. T. PRAKASAM:—“(a) The Committee recommended that larger maintenance grants should be given for minor irrigation works.

“(b) to (d) Special Tank Restoration Scheme divisions were constituted for the execution and investigation of repairs to tanks and channels in pursuance of the recommendation of the Committee—vide paragraph (a) of section I of the statement showing the action taken on the recommendations of the Committee which was placed on the Council Table in answer to Legislative Council Question No. 672 on the 1st October 1929. The particulars asked for by the hon. Member will be found in the attached copy^a of a letter from the Chief Engineer for Irrigation, dated the 6th June 1938.”

Protest against the collection of enhanced percentage of land revenue in Cheyyar and Wandiwash taluks, North Arcot district, based on the reclassification of the tanks therein.

* 29 Q.—MR. D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) the number of Public Works Department tanks which were raised from a lower class to a higher one at the time of resettlement in 1914–15 in Cheyyar and Wandiwash taluks, North

^a Printed as appendix on page 146 infra.

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Arcot district, for the purpose of raising the percentage of additional taxation over and above the general enhancement of land revenue in North Arcot district effected in the last settlement;

(b) whether the Government will be pleased to place on the table a list of the villages in which the tanks referred to in (a) are situated;

(c) what the basis was on which such a reclassification of tanks was made; and

(d) whether any representation was made to the Government for remitting in each case the amount of enhanced percentage of land revenue collected on the basis of such reclassification of tanks?

THE HON. MR. T. PRAKASAM:—“(a) to (c) At the resettlement of the two taluks in question in 1913-15, all sources of irrigation were reclassified with reference to the nature of the source and the period of normal supply with a view to rectifying defects in the original classification, allowing for those changes in capacity and supply which must have taken place since the previous settlement, removing anomalies in the rates of composition, introducing a fifth class and the one-sixth composition rate and extending composition at favourable rates where irrigation was supplemented by wells. The total number of irrigation sources raised from a lower class to a higher one in the two taluks was 84. The Government have no information as to how many of these sources were in charge of Public Works Department or the villages in which they were situated.

“(d) Besides starred question 283 answered in this House on 14th March 1938, the Government received in July 1938 a memorandum signed by the hon. Member and three other Members of the Legislatures requesting that, on the analogy of the orders of the Government granting remission of the percentage enhancements in assessment imposed at resettlements effected after 1914, the enhancements of revenue on the basis of reclassification of tanks in the North Arcot district should be remitted.”

Decision of Government in the matter of assigning assessed waste lands in the province to Harijans and other deserving poor people.

* 30 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(a) the extent of assessed waste lands in the province;

(b) whether Government have arrived at any decision in respect of giving these lands to Harijans and other deserving poor; and

(c) if so, what that decision is?

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THE HON. MR. T. PRAKASAM:—“(a) The Government have not the information asked for.

“(b) & (c) The attention of the hon. Member is invited to the answer given to starred question No. 326 on 17th March 1938. The revision of the policy referred to therein is still under consideration.”

Construction of an irrigation channel from the Mulliar.

* 31 Q.—MR. A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received mahazars from the residents of Vedaraniyam and the neighbouring villages requesting the Government to dig an irrigating channel of about ten miles from the Mulliar; and

(b) if so, what steps the Government have taken in the matter?

THE HON. MR. YAKUB HASAN:—“(a) The answer is in the affirmative.

“(b) A report on the proposal has been called for from the Chief Engineer (Irrigation).”

Appointment of programme assistants in the Madras station of the All-India Radio.

* 32 Q.—MR. S. M. LALJAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that recently seven Brahmans were appointed to the post of programme assistants in the Madras station of the All-India Radio; if so, what the reasons are that prompted the Government to appoint only Brahmans;

(b) whether applications were called for for the posts aforesaid; if so, how many were received;

(c) whether the Government will be pleased to place on the table the list of applicants specifying the castes they belong to; and

(d) what the minimum qualifications required for candidates for the post were?

THE HON. MR. YAKUB HASAN:—“(a) to (d) The station is under the control of the Government of India and the Provincial Government are not concerned with the selection of the staff including programme assistants.”

MR. ABDUL HAMEED KHAN:—“May I know, Sir, whether it was the Government of Madras or the Government of India which appointed a committee and which committee made this selection?”

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THE HON. MR. YAKUB HASAN :—“ The selection was not made by any committee.”

MR. MAHBOOB ALI BAIG :—“ May I know, Sir, whether this Government cannot recommend to the Government of India that such appointments may be made on communal basis? ”

THE HON. MR. YAKUB HASAN :—“ As I have stated already, this Government have no control over All-India Radio and as such we cannot make this suggestion.”

MR. MAHBOOB ALI BAIG :—“ May I know whether Hindustani programme also is conducted in this radio station? ”

THE HON. MR. YAKUB HASAN :—“ That does not arise out of this question, but still for the information of the hon. Member I may tell him that Government is interested only in rural programme and that is what Madras station is arranging. As for Hindustani, it can be got from Delhi, Bombay and other places.”

MR. MAHBOOB ALI BAIG :—“ Then, Sir, am I to understand that this station will not give Hindustani or Urdu programme for the sake of those persons who know Hindustani or Urdu? ”

THE HON. MR. YAKUB HASAN :—“ As I have stated previously, this question is not at all under the control of this Government and so we can make no suggestion whatever.”

MR. MAHBOOB ALI BAIG :—“ Now that this Government is very keen on the propagation of Hindustani, would it not be necessary on the part of this Government to request the Government of India to arrange for Hindustani programmes also? ”

THE HON. MR. YAKUB HASAN :—“ I will consider that question.”

Investigation into the causes of the recent flooding of the power-house at Mettur.

* 33 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Public Works be pleased to state—

(a) what the causes were in detail for the recent flooding of the power-house at Mettur;

(b) the extent and nature of the damage, if any, that was caused to the plant;

(c) what the cost of the necessary repairs was;

(d) where the valve which was said to have given way was situated, whether in the pipes embedded in the dam itself or lower down in or near the power-house;

(e) what the cause was which led to the breakdown of the said valve; whether it was any defect in construction or an unavoidable accident;

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(f) how many such other valves there are and whether there is any reasonable likelihood of any of them similarly giving way; and

(g) whether the Government have taken any steps to prevent such occurrences in future, and if so, what they are?

THE HON. MR. YAKUB HASAN:—“(a) On the night of April 9th, the severe storms in the Karur and Erode areas caused the power lines to be tripped out by lightning repeatedly. No. 2 machine at the Mettur Power House was in operation at the time and it is believed that the severe load fluctuations caused violent disturbances in the turbine inlet water pipes which resulted in the fracture of an 18 inches drain valve. The valve and its connecting pipe for an experimental tank were torn away and water under the full pressure behind the dam flooded the power house and the transformer yard.

“(b) The plant was submerged and damaged by wetting. It has since been dried out and brought back into use.

“(c) A new valve to replace the broken one is expected to cost Rs. 350. The sanctioned cost of reconditioning the power plant is Rs. 12,500.

“(d) It projected from the base of the dam immediately behind the power house.

“(e) The connecting pipe for an experimental tank attached to the valve was perhaps a source of weakness and it has since been removed.

“(f) There are two more valves in use on Nos. 1 and 3 pipes; there is no reason to suppose that they will give way.

“(g) The breakdown was due to causes beyond control and a recurrence is considered very remote; but as a result of this experience the following additional measures for the safety of the station are being taken, viz.:—

- (i) provision of separate emergency shutters for each pipe to be electrically operated from the switchboard;
- (ii) concreting drain sluices;
- (iii) strengthening of supports for the hydraulic brake gear;
- (iv) provision of an emergency lubricating oil system; and
- (v) concreting of auxiliary turbine inlet pipes.”

Government aid to the University Training Corps.

* 24 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether any encouragement is given by the Government to the University Training Corps; and

(b) if so, what the nature of the encouragement is?

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THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The Provincial Government do not make any grant to the University Training Corps.”

MR. ABDUL HAMEED KHAN:—“May I know, Sir, whether the Provincial Government has any control or voice in the maintenance of this corps?”

THE HON. DR. P. SUBBARAYAN:—“As I have said in answer to another question, this is a matter for the Army Department of the Government of India.”

MR. ABDUL HAMEED KHAN:—“Will the Hon. the Minister in charge of Education be pleased to advise the Government of India that the sooner the academic status of the University Training Corps is removed the better?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Member's suggestion will be considered.”

Scheme for better physical education to students.

* 35 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government have got any scheme for giving better physical education to secondary and college students than at present; and

(b) if so, what the same is?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The Government have under consideration the question of improvement of physical education but no definite scheme has emerged as yet.”

MR. V. M. RAMASWAMI MUDALIYAR:—“Will the Hon. Minister consider the question of giving a military bias to physical education for students in colleges and schools?”

THE HON. DR. P. SUBBARAYAN:—“I do not quite understand the import of the phrase ‘military bias’, but, I shall however consider the hon. Member's suggestion.”

MR. V. M. RAMASWAMI MUDALIYAR:—“What I mean by ‘military bias’ . . .”

MR. SPEAKER:—“The Hon. Minister has stated that the suggestion would be considered.”

MR. V. M. RAMASWAMI MUDALIYAR:—“If the Hon. Minister has not understood what is meant . . .”

MR. SPEAKER:—“I think he has understood it.”

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Reasons for the non-introduction of compulsory education in a number of municipalities.

* 36 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state the reasons for Government not inducing quite a number of municipalities to introduce compulsory education?

THE HON. DR. P. SUBBARAYAN:—“It is in rural areas where backward classes reside in large numbers that compulsion is necessary for bringing children to school more than in municipal areas. The Government consider that the initiative in regard to the introduction of compulsion in municipal areas should be taken by the municipalities concerned.”

MR. K. V. R. SWAMI:—“May I know whether the Hon. Minister would induce the municipalities to introduce compulsory elementary education?”

THE HON. DR. P. SUBBARAYAN:—“We are trying to bring to the notice of the municipalities the essential principles of compulsion being introduced.”

MR. V. S. RM. VALLIAPPA CHETTIYAR:—“In cases where Government sanction is sought for, may I know whether they will accord sanction?”

THE HON. DR. P. SUBBARAYAN:—“Wherever compulsion has been proposed, the Government have been giving sanction for such introduction.”

Stoppage of the notification of temples under Act XII of 1935.

* 37 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that he issued an order to the Hindu Religious Endowments Board to stop the notification of temples under Act XII of 1935; and

(b) why and under what authority such an order was issued?

THE HON. DR. T. S. S. RAJAN:—“(a) The answer is in the negative.

“(b) The question does not arise.”

MR. G. KRISHNA RAO:—“May I know if there were complaints either to the Minister direct or in the press with regard to the preventing of notification of temples?”

THE HON. DR. T. S. S. RAJAN:—“As far as the Government are aware, there is no such thing at all.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“May I know, Sir, whether the Government have so far given any instruction to medical officers as regards birth control?”

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THE HON. DR. T. S. S. RAJAN:—"I think the hon. Gentleman is asking for an answer to the next question and not for this."

Policy of Government in regard to birth control.

* 38 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have any policy regarding birth control; and

(b) if so, what that policy is?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) The answer is in the negative. The Government have, however, instructed the Surgeon-General to make known to all Government medical officers that they should, if they considered it proper in the interests of the health of the patients who consult them, give such advice and instruction in matters relating to birth control as they may consider necessary and desirable."

MR. V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether this could not be extended and birth-control advice given to those who want advice even apart from medical grounds?"

THE HON. DR. T. S. S. RAJAN:—"We can advise only doctors under Government control to give medical advice."

MR. K. V. R. SWAMI:—"Apart from the question of medical advice in suitable cases, I suppose Government cannot encourage birth control."

MR. SPEAKER:—"Is it a question, or is it an expression of your pious wish?"

Agency for the maintenance of the bore-wells in the villages.

* 39 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether the district boards have been asked to maintain the bore-wells in the villages;

(b) whether it has been represented to the Government that a district board is under no obligation to maintain them, that owing to paucity of funds the district boards could not maintain such wells and that the Revenue Department should undertake the task; and

(c) if so, what effective and permanent arrangement the Government propose to carry out to maintain the bore-wells in the villages?

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THE HON. MR. V. I. MUNISWAMI PILLAI:—“(a) A few bore-wells have been constructed with the aid of the Government of India Rural Reconstruction Grant. In these cases the local boards concerned have agreed in advance to look after their maintenance. In the case of bore-wells constructed out of provincial funds earmarked for the improvement of the rural water-supply, their maintenance has been entrusted to the Revenue department.

“(b) The answer is in the negative.

“(c) The question does not arise.”

MR. V. S. RM. VALLIAPPA CHETTIYAR:—“May I ask if the Government is aware that the bore-wells go out of order very often and villagers prefer ordinary wells?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“I do not think, Sir, that arises out of this question.”

division of a belt area adjoining the Chittoor district in the Mysore State for purposes of prohibition.

* 40 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. Minister for Agriculture and Rural Development be pleased to state—

(a) whether the Government have approached the Mysore Government to have a belt area adjoining Chittoor district in the Mysore State for purposes of prohibition; and

(b) whether the Mysore Government has been approached for co-operation in the matter of carrying out prohibition work in the Chittoor district and with what result?

THE HON. MR. V. I. MUNISWAMI PILLAI:—“(a) & (b)

The Government of Mysore have expressed their willingness to co-operate with this Government in the enforcement of prohibition and the actual measures to be taken in the matter are under consideration.”

3-15
p.m.

shares taken by Government in the three large scale industries in the Province.

* 41 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the number and value of shares taken by the Government in the three large scale industries in which the Government of Madras have purchased shares; and

(b) what the dividends earned by these shares are?

THE HON. MR. V. V. GIRI:—“(a) The Government have agreed to take 1,750 ordinary shares and 350 deferred shares to the aggregate value of Rs. 17,850 in the Kollegal

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Silk Filatures, Ltd. Kollegal, and also to take 2,000 ordinary shares to the value of Rs. 20,000 in the East Coast Ceramic Industries, Ltd., Vizagapatam. So far, Rs. 4,375 being the first call in respect of 1,750 ordinary shares and Rs. 9,100 representing the application and allotment money have been paid to the Kollegal concern. The East Coast Ceramic Industries, Ltd., has not yet made any call for share money from Government. The Government had also agreed to take shares to the value of Rs. 10,000 in the Madras Stoneware Pipes, Ltd., Tiruvallur, but as the promoter has since given up the idea of floating a public company, the orders in this case had to be cancelled.

“(b) None of the concerns have been long enough in the field to declare a dividend.”

MR. G. KRISHNA RAO:—“May I know, Sir, in whatever schemes or enterprises the Government has taken share they have been duly advertised or published in the vernacular so that people may know and invest their monies in pursuance of the Government investment?”

THE HON. MR. V. V. GIRI:—“I think it is the duty of the promoters of the company to do so.”

Concessional railway rates for the transport of pine apples from this Province.

* 42 Q.—MR. P. MADHAVAN: Will the Hon. the Minister for Industries and Labour be pleased to state whether any request was made by the Marketing Officer, Madras, to the railway despatch of pine apples and if so, what the reply of the railway authorities in the matter of allowing concession rates for the authorities was?

THE HON. MR. V. V. GIRI:—“The answer is in the affirmative. The Railway Administration declined to reduce the rates.”

Supply of non-vegetarian diet to prisoners.

* 43 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether any non-vegetarian diet is given to prisoners who are accustomed to such diet previously; and

(b) if not, why not?

THE HON. MR. K. RAMAN MENON:—“(a) & (b) The hon. Member is referred to rule 347 of the Jail Manual, Part II.”

MR. K. V. R. SWAMI:—“Mr. Speaker, I wish to know whether the Hon. Member will give any suggestion with regard to the question asked.”

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THE HON. MR. K. RAMAN MENON:—"The question, as I understand it, is whether non-vegetarian diet could be given to the prisoners. These things are governed by rules in the Jail Manual. The rules provide for these."

MR. K. V. R. SWAMI:—"Mr. Speaker, may I know whether the persons who are used to non-vegetarian food are being given such food as is given to Anglo-Indians, like mutton, fish, coffee, tea and everything?"

THE HON. MR. K. RAMAN MENON:—"Whatever is provided for in rule 347 is being followed absolutely and carefully."

MR. K. V. R. SWAMI:—"May I know, if he is going to amend the rules to suit the convenience of the prisoners?"

THE HON. MR. K. RAMAN MENON:—"The Government are satisfied there is no occasion for amending these rules now."

Release of non-political prisoners before the expiry of the full period of their sentences.

* 44 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) what the reason is for the release of non-political prisoners who have been charged and convicted under the several sections of the Indian Penal Code;

(b) from how many, and which jails such releases have been effected, and the total number of prisoners so released;

(c) what the maximum period of unexpired sentence so far remitted is; and

(d) whether there has been any representation made from any quarter of any error of judgment amounting to miscarriage of justice in these releases up till now?

THE HON. MR. K. RAMAN MENON:—" (a) The hon. Member is referred to the budget speech of the Hon. the Prime Minister which explains the reasons for the premature release of prisoners convicted for crimes of a non-political character.

" (b) The number of prisoners ordered to be released is 2,080. They were confined in the District and Central Jails and Special jails and Special sub-jails.

" (c) Taking 20 years as the maximum period of imprisonment the maximum period of unexpired sentence remitted was 14 years 7 months including remissions.

" (d) No representations have been received by Government."

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MR. G. KRISHNA RAO:—" May I know, Sir, when such a large number of prisoners have been released what the Government is going to do with the vacant jails after the distribution of prisoners? May I know what ideas Government have in this matter? "

THE HON. MR. K. RAMAN MENON:—" Government are considering the question of the abolition of one or more jails."

MR. G. KRISHNA RAO:—" With regard to the establishment what are they going to do? "

THE HON. MR. K. RAMAN MENON:—" As ordinarily happens in such cases whatever is possible will be done."

MR. ABDUL HAMEED KHAN:—" Arising from the answer of the Hon. Minister for Courts and Prisons, in view of the anti-Hindi question I wish to know whether it is advisable to close those jails? "

THE HON. MR. K. RAMAN MENON:—" It has not become such a big trouble as that."

MR. MAHBOOB ALI BAIG:—" May I know, Sir, what is the policy behind the release of non-political prisoners? "

THE HON. MR. K. RAMAN MENON:—" The policy was very clearly enunciated by the Prime Minister in his budget speech."

MR. MAHBOOB ALI BAIG:—" If the prisoners are released in such large batches there is a strain on the police. Can Government say that proper provision has been made against this? "

THE HON. MR. K. RAMAN MENON:—" Proper directions have been given and the police department have been consulted on the matter. There is no apprehension of any extra strain on the police."

MR. MAHBOOB ALI BAIG:—" Will the Hon. Minister for Courts and Prisons be pleased to enunciate the policy behind this although the Prime Minister might on some occasion have given expression to the same? "

THE HON. MR. K. RAMAN MENON:—" I do not think there is any need to repeat it here."

MR. G. KRISHNA RAO:—" I think the House should be satisfied. The Hon. Minister can state what he has in his possession and try to remedy instead of relieving himself of the responsibility."

THE HON. MR. K. RAMAN MENON:—" There is absolutely no secret. What he said was on the floor of the House."

MR. SPEAKER:—" Evidently the hon. Members are not in recollection of that policy and they want a reiteration of that

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policy from the Hon. Minister. So, the Hon. the Prime Minister himself may enlighten them on the question? "

THE HON. MR. C. RAJAGOPALACHARIAR:—"As you have ordered me, Sir, I have to take the time of the House for it. Necessarily I have to be very brief during question time. The policy is an old policy by which prisoners who have undergone a certain amount of discipline within prison walls are tested whether they can be given conditional liberty; and this is putting into effect this very old policy of giving conditional liberty to people who have been found to be fairly deserving. And in certain cases where extra safeguards have to be provided for, Government takes security and sureties also when they release the prisoners. In certain other cases they are released on probation and they can be brought back if they break the conditions. On these terms to give effect to a very very old policy of giving freedom to criminals, this has been done. There is nothing new about it. It has been admitted by criminologists that no such experiment has been made and we are trying to make it now. So far we have no reason to believe that we have committed any mistake."

MR. MAHBUB ALI BAIG:—"Is there no rule by which any prisoner who is of good conduct can be let off earlier than the period of sentence? "

THE HON. MR. C. RAJAGOPALACHARIAR:—"That is a very small concession comparatively which is being given so far. But this is a concession which is given first of all to a certain class of criminals and by reason of their conduct."

MR. BASHEER AHMED SAYEED:—"Will the Hon. Minister for Courts and Prisons be pleased to mention the nature of the offence for which these released prisoners were originally convicted and the sentence awarded, for the information of the House? "

MR. SPEAKER:—"That does not arise as a supplementary question."

MR. BASHEER AHMED SAYEED:—"Sir, it arises out of clause (d)."

MR. SPEAKER:—"I should think an independent question may be given regarding that."

Application of the provisions of the Criminal Tribes Act to the Yanadis and Woddars of the Nellore and Guntur districts.

* 45 Q.—MR. V. VENKATASUBBAYYA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether the Criminal Tribes Act is applied to the Yanadis of Nellore and Guntur districts, although they were not declared as criminal tribes by the Government notification;

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(b) whether the Criminal Tribes Act is applied to Woddars in those districts, although they were not declared as criminal tribes by the Government notification;

(c) whether a memorial signed by more than a hundred influential citizens of Nellore was submitted to the Government, paying for the removal of Yanadis from the operation of the Criminal Tribes Act;

(d) whether resolutions to the same effect were passed by the Municipal Councils of Nellore and Ongole and submitted to the Government; and

(e) what action has been taken by the Government with regard to the memorial and the resolutions?

THE HON. MR. K. RAMAN MENON:—“(a) The Yanadis of the Nellore and Guntur districts have been declared as criminal tribes by the Government for the purposes of the Criminal Tribes Act.

“(b) The class of persons known as Donga Woddars which frequents the Nellore and Guntur districts has also been declared as a criminal tribe by Government.

“(c) No such memorial has been received by Government.

“(d) & (e) A resolution passed by the Municipal Council, Nellore, was received. The question of revising the Criminal Tribes Act is under the consideration of the Government.”

MR. S. NAGAPPA:—“ఒక జాతిలో కొందరు తప్పు పనులు చేయువారు ఉండిన, ఆ జాతిని తరిమివేయడానికి తప్పుడు జాతి అని పిలుచుట గవర్నమెంటువారికి ధర్మమా?”

THE HON. MR. K. RAMAN MENON:—“Notice, Sir.” (Laughter.)

MR. SPEAKER:—“Short notice question 45-A.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“There is another short notice question, Sir; perhaps I may answer them together.”

MR. SPEAKER:—“Yes. 45-A and 45-B may be answered together.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“I want to make a statement. That will be the best thing.”

MR. ABDUL HAMMED KHAN:—“May I submit, Sir, if the first question is not answered, there will be no possibility of a supplementary question being put.”

MR. SPEAKER:—“The answer will be for both the questions put together. Supplementary questions may be asked.”

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Burma disturbances.

* 45-A Q.—MR. V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Prime Minister be pleased to state—

(a) the number of South Indians killed or otherwise affected during the recent riots in Burma;

(b) the number of refugees from Burma to Madras;

(c) the value of the property lost to them;

(d) the measures taken by the Government of Burma to protect the life and property of South Indians; and

(e) whether the Government will make representations to the Government of India to set up an impartial committee to inquire into the causes of the disorder?

Burma disturbances.

* 45-B Q.—KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD: Will the Hon. the Prime Minister be pleased to make a statement on the situation in Burma and the extent of the loss of life and property caused by the recent riots there?

THE HON. MR. C. RAJAGOPALACHARIAR:—“As soon as we read in the Press, news of the unfortunate happenings in Burma, we put ourselves in touch with the Governments of Burma and of India. Naturally our first step was, apart from getting authoritative information, to tender financial assistance towards relieving acute distress among the victims of the disturbances. In reply to our enquiry, we received a telegram on the 2nd of August from Burma that there was no serious destitution in consequence of the riots and that various communities were already giving assistance as far as required. We received another telegram on the 6th of August repeating the same assurance and stating that no contribution from us towards the relief of distress was necessary and that local charity was meeting the situation. They were not able, they stated, to prepare and send us casualty lists such as we desired.

“The Government have received complaints from Indian Members of the House of Representatives in Burma that a large number of Indian shops and stalls, especially in the suburban areas of the City of Rangoon, were looted and that about 20,000 persons have been left destitute. Whatever may be the number, it is pretty certain that a large number of refugees and destitutes are gathered in Rangoon and are living on the charity of various communities. About 100 persons arrived in Madras on board the S.S. “Ethiopia” on the 8th of August. The Collector of Madras met them on arrival and they were sent to their homes in the province,

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some with the help of private charity and others at Government expense. I saw a deputation from among the arrivals and they explained the situation as it stood at the time they left Rangoon. Information has since been received that 225 refugees are arriving by the S.S. "Erinpura." The Commissioner of Police has been asked to send them to their homes as soon as possible after arrival in Madras. We have requested the Burma Government to supply us with a list of names of all Indians killed in the riots. We are in communication with the Government of India in regard to the whole subject—specially for repairing the damage done. So far as we can gather from official sources, the story of the disturbances is as follows:—

On the afternoon of 26th July a mass meeting of Burman monks and laymen was held at a Pagoda in Rangoon to protest against certain remarks against Buddhists in a book which purported to be a discourse between a Musalman priest and a Yogi. It was a republication of a book written many years ago by a Burmese Musalman. The trouble began with a procession of over a thousand Burmans which included a large number of Buddhist monks. On the way there was a clash with the Police and subsequently disorder prevailed in various parts of the City. Troops as well as additional Police arrived on the scene and by 4 a.m., on the 27th morning the City appeared almost normal. A notification proscribing the book was published on the 27th morning. The Muslim community is reported to have already expressed regret at the publication of the book and dissociated itself from the sentiments contained in it. On the morning of the 28th, as a result of rumours of assaults on Buddhist monks by three Indians, rioting broke out afresh in all quarters of the City.

"The situation remained disturbed during the night of the 28th and 29th and there was considerable looting and assaults in all areas. Evacuations from dangerous quarters were carried out on 29th. On the 30th of July the situation definitely improved and communal tension ceased. All open looting was ended and further evacuations were vigorously undertaken. A joint appeal for peace and reconciliation was issued by leaders of all communities endorsed by religious associations and younger monks. The situation is now officially reported to be practically normal.

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"As regards the districts there were reports of isolated cases of looting and assaults on the borders of Rangoon, on the 29th. On the 30th of July, trouble broke out in Mandalay on account of the same book and serious rioting accompanied

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by looting and assaults were reported. But distinct improvement was reported on the 2nd August when trams were running and shops re-opened.

“ Disturbances were reported on the 30th July also in about fifteen other districts. The position at present in the districts is reported to be satisfactory though in one or two districts, as reported on the 6th of August, there was still some tension.

“ Hon. Members should remember that this Government cannot claim, beyond a certain limit, to interfere or even advise in the administration of Law and Order in other provinces not to speak of a separated government like Burma. We have to deal with the subject through the Government of India, and it is a delicate subject mixed up as it is with the constitutional independence and responsibility of the new governments that have been set up in the provinces as well as in Burma. Recognising these difficulties and limitations we may be sure that the Government of India will do its utmost to see that order and security of life and property are restored and as much reparation as possible is obtained for the victims of the unfortunate happenings. We shall, I have no doubt, be voicing the unanimous and deeply felt feelings of the members of the Legislature belonging to all sections and communities in the representations that we make and steps that we urge on the Government of India.”

MR. ABDUL HAMEED KHAN:—“ May I know whether it was not possible for the Government of Madras to send some officer of this Government to be on the spot and to find out the conditions under which the Indian population were living during the disturbances, as soon as they knew that such unfortunate happenings were taking place in Rangoon and in the outlying districts? ”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ What was possible in the directions stated, suggested and described, was done; it was certainly not possible or useful to send an officer of our Government and he could not have commanded co-operation without which nothing useful could have been done; but what we did was to represent to the Government of India that something in this direction must be done; we have not yet had any reply on the subject generally.”

MR. ABDUL HAMEED KHAN:—“ In view of the seriousness of the situation, may I ask whether it was not advisable that this Government should take very strong steps in the direction of relief being given to the people there and of seeing that the lives and properties of Indians were safeguarded? May I know whether it was not possible for this Government to make the Government of India realize the seriousness of the situation and to take such action as was urgently necessary? ”

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THE HON. MR. C. RAJAGOPALACHARIAR:—"I need hardly say that we cannot begin to act as in a state of war against a sister Government; but courteous representations and pressure could certainly have been made and were made; as regards the sending of an officer, I have already answered it. I do not think the Government of India are sleeping over it; but we ourselves independently could not act in the matters. That much is clear. I have no doubt that a report of the expression of the feelings of hon. Members given vent to just now will have its own effect."

MR. R. M. PALAT:—"Will the Hon. Premier be pleased to state whether we have got an Agent in Burma as in South Africa?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Recently, Sir, an officer has been appointed, but I believe he has not yet joined."

MR. BASHEER AHMED SAYEED:—"May I ask whether the Government has satisfied itself that the Government of Burma has taken all necessary and possible steps to protect and safeguard the lives and properties of Indians in Burma?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I do not think, Sir, that we can discuss this question any more than we would like the Government of Burma discussing a similar question, about the activities of this Government."

MR. MAHBOOB ALI BAIG:—"May I request the Hon. Premier to answer question (c), whether the Government will make representations to the Government of India to set up an impartial committee to enquire into the causes of the disorder?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I have already stated that a representation on these very lines has already been made by telegram to the Government of India."

MR. ABDUL HAMEED KHAN:—"Will the Government of Madras apprise the Government of India that they believe that the question is more racial and that that has been more responsible for the disturbance than the publication of the book?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I will not be a party and this Government cannot be a party to this pre-judgment of the issue."

MR. BASHEER AHMED SAYEED:—"May I know whether the Government have any information as to the measures taken and methods adopted by the Burma Government to protect the lives of Indians?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I have given all the details as far as it was possible to gather from the reports we have received from that Government and the Government of India."

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MR. BASHEER AHMED SAYEED:—“ Will the Hon. Premier be pleased to state whether this Government feels that, in the matter of protection of Indians, adequate steps have been taken by the Government of Burma? ”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ It is too early and it would be wrong to express an opinion on that question.”

MR. ABDUL HAMEED KHAN:—“ May I know whether the Government of Madras are aware that not Mussalmans alone but all Indians have been the target of the attack of the Burmans? ”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ I should like the hon. Member to repeat a very important question he has put.”

MR. ABDUL HAMEED KHAN:—“ While the Hon. Premier realizes that this is a very important question, he says he has not heard it: I wish to know whether the Government of Madras is prepared to deny that this Burmese attack is not on all Indians but upon Mussalmans alone? ”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ It is difficult to extricate the too many negatives in the question.”

MR. ABDUL HAMEED KHAN:—“ Is the Government of Madras aware that the attack of the Burmans is on the Indians as a whole and not only on Mussalmans? ”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ I respectfully submit that this is an argument and if at all there is anything in the argument, it is an insinuation, which would amount to a pre-judgment of the issue. As the reports stand, I have put forth what is claimed on behalf of the Burma Government, in the statement that I have made; the thing has arisen out of an attack, in some book, on the Buddhist faith.”

MR. ABDUL HAMEED KHAN:—“ From the statement I think that the Burmans attacked all Indians, including Hindus; is it not a fact that the attack was against all communities from India and not only on Mussalmans? ”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ It is difficult to analyse the attack to such nicety; one might get angry for one reason, but he might make many mistakes which may not be quite consistent with the original motive; it is not desirable that we should go on analysing the causes and coming to conclusions just now.”

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MR. BASHEER AHMED SAYEED:—"Have the Government of Madras ascertained from the Government of Burma whether adequate and effective steps have been taken to prevent recrudescence of the trouble?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I do not think they have hardly finished getting over the present trouble."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Will the Hon. Premier be good enough to give more detailed information as early as possible, with regard to the actual number of persons killed, injured, etc., and the extent of loss of property? I quite sympathise with the Hon. Premier that he is not in a position to give the information to-day; I make these suggestions so that the Hon. Premier might urge on the Government of India and the Government of Burma to supply this Government with definite information at a very early date to allay public apprehensions in this connexion."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, it was this particular thing that we pressed for; we wanted details and they pleaded that they were not able to give them just now; we have asked them again to give at least the names, so that we might guess; they pleaded they have no classification according to the Provinces of India from which they can give the information; we are trying to get the information and I may assure hon. Members that, as soon as we get important information in that connexion, it will be communicated to hon. Members, if the House is not sitting."

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

GOVERNMENT BILLS.

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II.—THE MADRAS FAMINE RELIEF FUND (AMENDMENT)

BILL, 1938.

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I beg to introduce a Bill^a to amend the Madras Famine Relief Fund Act, 1936, for certain purposes and move—

'that the Bill be taken into consideration at once.'

"Sir, the two objects for which this amending Bill is brought forward by the Government before this House are these: one is to enable the Government to invest the amounts in the Famine Relief Fund in the securities of the Provincial Government. As the present law stands, we can invest them only in the securities

^a Published in the Fort St. George Gazette, dated 9th August 1938.

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of the Central Government. We therefore seek to get by this Bill, power to invest them in the Provincial Government's loans. The other object sought to be gained by this amending Bill is merely a legal position. Under the previous position, the expenditure every year to be incurred in order to make the fund reach the minimum amount of Rs. 60 lakhs was a charge on the revenues. It was not a subject of discussion and voting; but now, as the law at present stands, an explicit provision to that effect has to be put into the Act. Otherwise, it would not be a charge on the revenues. It is in order to make this minimum contribution for making the total reach Rs. 60 lakhs at any moment a charge on the revenues that a section has been included in this Bill.

"Both these provisions are absolutely necessary in order to ensure firstly the proper amount of money remaining to the credit of this fund and secondly to allow this province to get the investment advantage out of it. I hope, Sir, that the House will treat this Bill as non-controversial, and allow it to become law without any further delay."

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

Clause 2 was put and carried.

Clause 3.

MR. BASHEER AHMED SAYEED:—"With your permission, Sir, I shall say a few words.

"The Hon. the Premier explained that the idea was to make this fund chargeable on the revenues. That means the incidence of its being votable by this House is sought to be taken away. I would like to know why the Hon. the Premier wants that this House should be denied all the right of being able to vote that item, whenever funds are transferred from the Famine Relief Fund. Nothing is mentioned in the Statement of Objects and Reasons as to why this change is sought to be made. I should like to be enlightened, Sir."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"If the principle is accepted, Sir, that the Famine Relief Fund should be maintained at a particular level, whenever we spend money in any particular year, that expenditure is subject no doubt to the discussion and vote of the House, and the policy and administration and the whole thing can be subjected to the fullest debate in this House. But the replacement of the amount that has been spent off and the bringing of the total amount again to the Rs. 60 lakhs level is not a matter for further consideration. Because, that is the minimum level at which the fund should remain. The only thing that is provided for in this section is

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that that need not be subjected to a debate but that it should be a charge on the revenues, just like the salary of any official."

Clause 3 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. MR. C. RAJAGOPALACHARIAR:—"I beg to move, Sir—

'that the Bill be passed into law.'"

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

III.—THE MADRAS REPEALING AND AMENDING BILL, 1938.

* THE HON. DR. P. SUBBARAYAN:—"Mr. Speaker, Sir, I beg to introduce a Bill^a to repeal certain enactments and to amend certain other enactments and move—

'that the Bill be taken into consideration at once.'

"In doing so, Sir, I may state that though the number of Acts put down in the schedule for repeal would seem to be large, what is being done is merely a procedural matter. The Madras Code has been out of print for some time, and the Government of India (Adaptation of Indian Laws) Order, 1937, made in pursuance of section 293 of the Government of India Act of 1935 has made some of our legislative enactments obsolete. Some friends are under a doubt whether any existing rights are being taken away. I would like to bring to their notice section 6-A of the General Clauses Act which runs as follows:—

'Where any Act to which this Chapter applies repeals any enactment by which the text of any Act of the Governor-General in Council or Regulation was amended by the express omission, insertion or substitution of any matter, then unless a different intention appears the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.'

"Therefore, all amending Acts which are being repealed by this Act are so done only for the purpose of convenience, because amendments passed to particular Acts are incorporated as part of those Acts and will be printed as such in the new Madras Code. One gentleman raised a difficulty yesterday with regard to the Madras Proprietary Estates' Village Service (Amendment) Act of 1914. If he looked at the appendix, he would find that section 8 of that Act is not being repealed by this Bill, because it is a specific provision and cannot be brought into the original Act. When any specific provision has been made in an enactment, such provision will be retained and printed."

^a Published in the *Fort St. George Gazette*, dated 9th August 1938.

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

Clauses 2, 3 and 4, the first schedule, the second schedule, clause 1 and the Preamble were put and carried.

THE HON. DR. P. SUBBARAYAN:—"I now move, Sir—
'that the Bill be passed into law.'"

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

IV.—THE MADRAS PROHIBITION (AMENDMENT) BILL, 1938.

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Mr. Speaker, I beg to introduce a Bill ^a to amend the Madras Prohibition Act, 1937, for a certain purpose and move—

'that the Bill be taken into consideration at once.'

"Sir, the two sections with which this amending Bill deals are section 6 of the Prohibition Act and section 16 of that Act which should both be read together in order to understand the purport. Section 6 as it now stands deals with advertisements. The provision in section 6 of the present Act is that advertisements shall not be permitted except certain kinds of advertisements. Now, the advertisements that are sought to be exempted are, among other things, in respect of what are called wines of medicinal value. Of course, the description in the section is broader and more correct; but I am using popular language, and it is with reference to wines of medicinal value that this exemption is provided, among other things, in section 6, with which the present Bill is concerned. As the section stands, the decision of a Medical Council that a liquor or drug is of medicinal value entitles the advertiser to advertise that product. Now, as things stand, the situation is this: in the dry areas to which the Prohibition Act has been extended, there is total prohibition, and anything in the form of liquor is welcome to those who wish to have it and who wish to deal in it in those areas. There are certain wines and articles placed on the market by proprietary concerns which are claimed to be of some medicinal value, and as not likely to do any harm. They are priced high generally and they are distributed in the open market, because they do not fall under the excise laws. Most of them are not generally dispensed under the prescription of doctors; people act according to laymen's advice or act as their own doctors and judge by the experience and exhilarations felt, whether any such article is good or bad; and such things have been and are being consumed in our country as well as in other countries.

^a Published in the *Port St. George Gazette Extraordinary*, dated 10th August 1938.

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2.a. “It is possible to claim on behalf of some of them that doctors have certified to the effect that they are of some use in certain circumstances and in certain cases. This is recognized in this amending Bill that I am moving. It is recognized that it is possible that some of these tonic wines may be prescribed by doctors and for good purposes. This Bill does not interfere with that; but what it seeks to interfere with is a prescription of it by laymen and the use of it without any medical advice and the sale of it—such a noxious thing as that. It is proposed by this amending Bill that these things should be advertised only in medical journals. It will be argued that knowledge has not come to finality and that anybody may still be able to make some very valuable article for medicinal purposes which will be useful as a tonic—which is quite right. I, therefore, move in this Bill, Sir, that such advertisements and invitations for trial and experiment should be made in medical journals and only such journals as will be used by the medical profession, but the advertisement in the ordinary daily newspapers or weekly newspapers or picture magazines extolling the value of a particular tonic wine or a particular thing according to the proprietor concerned and according to the medicinal value, cannot but be harmful, if we accept the proposition that alcohol should be taken only under doctor's prescription. Therefore, accepting the principle of the Prohibition Act, it is necessary to limit the advertisement of articles of medicinal value to medical literature and to such articles as are recognized by duly constituted authorities and doctors to be of medicinal value. It is to secure these two results that the present amending Bill is proposed. It removes from section 6 as it now stands, the words relating to drugs and liquors ‘or specially approved as of medicinal value by the Medical Council established by the Madras Medical Registration Act of 1914’ and it comes down as one of the provisos which are now (a), (b) and (c) and they will become (a), (b), (c) and (d). There it is provided that this section shall not apply to such liquors or drugs as are approved to be of medicinal value by the Medical Council established by the Madras Medical Registration Act, etc.

“As for advertising Indian wine, a drug of the same nature, provision is made that it should be approved not by the Indian Medical Council, which does not deal with such things, but by such authorities—for instance the Indian School of Medicine in Madras—as are recognized by the Provincial Government. Then there is a liberalization of the provision by giving authority not only to the Madras Medical Council as contained in the present Act, but to the Medical Councils of any other province in British India or an Indian State. These are some of the changes that are sought to be brought about by this amending Bill.

“There may be some doubt among the people who have not given much thought to this subject as to whether it is necessary

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to interfere with the sale of these so-called harmless tonic wines. About 22 years ago, a committee was constituted by the House of Commons, on patent medicines. After a thorough investigation they came to the conclusion which is embodied in their report. I am giving their own language—a British, not an American Committee. A British Committee of the House of Commons, the Committee on Patent Medicines, composed all of medical men, came to this conclusion: 'There can be no doubt that many persons acquire the drink habit by taking these wines and preparations.' And then the Committee exposed seriatiim the claims of these preparations which were said to contain nutrition by its finding that alcohol cannot contain meat extract in solution as the medicines claimed, and that any medical man desiring to administer meat extract would do so without mixing it with alcohol. The Committee in its report gives the alcoholic strength of well-known brands of medicated wines and preparations. Some people might be thinking, 'there may be a little bit of alcohol in it; why worry this House with legislation on this subject?' People will be surprised, Sir, to learn, the proportion of alcohol in these tonics—not all these names might be known to all the members of the House, but some are certainly likely to be familiar with the names of some of the tonics. Bovril wine contains 20 per cent of alcohol, not less. Toddy contains only 8 per cent. Wincarnis which is supposed to be certified by 20,000 doctors, if some advertisements are to be believed—their names are not given or even of some of them—contains 19.60 per cent of alcohol, whereas ordinary beer contains only 4 per cent. I am not giving my percentage but the percentages referred to by the Committee on Patent Medicines. Of course, it would be more costly to buy Wincarnis and Bovril wines for drinking. But so long as wines and liquors are manufactured, it is possible that the trade may move on this step. I do not intend to give many other names, but let me take St. Raphael's tonic wine. I think, it is also well-known to some of the Members that it contains 16 per cent of alcohol and not less. Panapeptone which has a wonderfully scientific name contains only 20 per cent of alcohol. Vibrona contains 19 per cent of alcohol—I am sorry to be advertising the thing myself just now, but I am advertising the percentages of alcohol—Hall's wine contains 17.8 per cent of alcohol; but it is not only that, it contains in addition an extract of coca leaf—it has nothing to do with cocoa; this has, in fact, much to do with cocaine—it (Hall's wine) contains an extract of the leaf from which cocaine is made. I need not go further. Some, however, claim that there is some vitamin and medicinal value in these things. People take these things in order to get vitamin, which we can get from malt or yeast and other various food stuffs that we take and that we can take in larger quantities, if people would listen to us. Well, these things we now drink—either these patent wines or any other kind of alcohol—in order to get these vitamins. These are

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only proprietary things which give a lot of money to those who make them and which do a lot of harm. A very eminent doctor has said, 'The consensus of medical opinion at the present day is that alcohol in any form is quite unnecessary for health.' He is a medical man. So I quoted him. I need not go into the original argument. We are dealing now only with the subject as to whether we should restrict the advertisement of what are called tonic wines and medicated wines. The only restriction that we seek to put is this. They must be certified by duly constituted Medical Councils to be of medicinal value; secondly that they should be advertised, even then, only in the medical journals and medical literature so that doctors may know where to advertise and what to advertise and so that non-medical people may not be deceived by the lies and false statements and false claims made on their behalf in any advertisement for the sake of sale. I hope, Sir, that the House will accept this as the corollary of the Act that was before accepted and in order to obtain better enforcement of what we wish to enforce. Therefore, I submit that the House do proceed to consider this amending Bill at once."

* MR. G. H. HODGSON :—" Mr. Speaker, Sir, on behalf of the European group, I oppose the consideration of this Bill. One of the objects, if not the chief object, of the Madras Prohibition Act, 1937, was to prevent the people of this Province from drinking liquor which is considered by this Government to be harmful to health.

"As Sir William Wright made abundantly clear last year during the debate on the Bill, the members of my group do not subscribe to that view, but it is at least one which we can understand.

"The amending Bill now under consideration, however, is quite a different story. It is not directed against the consumption of liquor which is thought to be injurious to health, but is specifically directed against the advertising of medicated wines and other drugs which, so far from being injurious to health are positively of medicinal value, and which have been approved as such by the Medical Council of this province or of other provinces or States in this country. This attitude we do not understand. The 'false claims' which the Hon. the Prime Minister referred to will not in our view carry any weight with the Medical Council of this province or of any other.

"It is stated amongst the objects and reasons of this Bill that 'non-professional advice to the public to buy specified medicated wines, etc., contained in advertisements published by the manufacturers or vendors thereof, is not only against the interest of the general public, but also objectionable from the point of view of prohibition'. But if a medicated wine has first been approved by the medical profession how can it be said to be against the

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public interest for a manufacturer or vendor to make that fact known by advertisement? And how can such an advertisement be termed 'non-professional advice?'

"The argument that a medicated wine is only genuinely needed in specific cases under a doctor's care, and need not therefore be advertised is not borne out by the facts.

"The purpose of such wines is to serve as a general tonic either in cases of actual debility or more often still as a preventive to debility. To restrict their use to occasions when they are prescribed by doctors cannot therefore be in the public interest.

"There is yet another aspect of this matter. It will be generally conceded that no newspaper or periodical can exist without its advertisements. It is, in fact, not too much to say that every newspaper that is published would sell at a loss, shorn of its advertising revenue. The provision in the Prohibition Act penalizing the advertising of liquor has already made serious inroads into the advertising revenue of the press of this Province. This further inroad into that income, small though it may be, is therefore to be deprecated.

"It may be said that this is a small matter, but I would remind the House that 'little drops of water, little grains of sand, make the mighty ocean and the great big land.' It is, indeed, the last straw which breaks the camel's back.

"We oppose this Bill, therefore, firstly because under the cloak of an act designed to prohibit the use of liquor supposed to be injurious to health, it seeks to restrict the use of other liquor specifically declared by the medical profession to be beneficial to health. And, secondly, because it makes quite unjustified further inroads into the already depleted advertising revenues of the press of this Province—placing them, incidentally, at a distinct disadvantage with the press of other Provinces."

MR. G. KRISHNA RAO:—"On a point of information, Sir, may I be permitted to put a question to the Hon. the Prime Minister?"

* MR. SPEAKER:—"Yes."

* MR. G. KRISHNA RAO:—"On a point of information, Sir, I would like to know from the Hon. the Prime Minister, whether, if he thinks that an amendment of this nature is essential at the present stage, he has got facts and figures to lead him to think that this thing has made inroads into the prohibition area? Has there been any serious or alarming increase of sale of medicated wines since the prohibition scheme was started last year? Has he got any statistics to show that the sale of medicated wines has gone up, so as to lead him to think that liquor or drunkenness would come by the back door?"

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* DIWAN BAHADUR A. APPADURAI PILLAI:—“ Mr. Speaker, Sir, I would like to associate myself with the remarks made by the previous speaker, who opposed this Bill on a very important consideration. There is a remark in the Statement of Objects and Reasons, which I take to be an *obiter dictum* that has not been accepted by the public at large. It is stated ‘the Government consider that public advertisements of medicated wines and similar preparations are unnecessary and undesirable, and should be prohibited.’ ‘Unnecessary and undesirable’ may be the opinion of Government, but I do not think that this could be put forward as the opinion of the public.

“ Sir, taking first the point ‘unnecessary,’ I do not think that the public would agree that the publication of such advertisements in question is unnecessary. Advertisements are very necessary to make known to the public the nature and the sort of wares that are placed in the open market. Some of the medicated wines are so essential as pick-me-ups and tonics that they serve as recuperatives to people in run-down health, particularly, without the intervention of doctors. By the amendment before the House the public at large will be deprived of that advantage. To say that such advertisements are ‘unnecessary’ is in my humble opinion an *obiter dictum*.

“ It is again stated, Sir, the advertisements are ‘undesirable.’ I take objection to this word. What may be considered desirable by me may not be considered with due respect to you, Sir, to be desirable. Difference of opinion would always exist, particularly in the case of medicinal preparations; what is food to me may be poison to you. So it is not possible to say that advertisements offering medicinal preparations to the public are undesirable.

“ Then, Sir, having said that advertisements are unnecessary and undesirable, the conclusion arrived at is that they should be prohibited. Sir, I submit that the public has not been taken into confidence. This Bill was not published for public criticism, or at any rate, it has not been long before the public so as to assess public opinion with reference to the necessity or otherwise of this measure.

“ There is another premise here, which also calls for remark. ‘Non-professional advice to the public to buy specified medicated wines, etc., contained in advertisements published by the manufacturers or vendors thereof, is not only against the interest of the general public but also objectionable from the point of view of prohibition.’ Sir, taking the phrase ‘non-professional advice’ I submit it is wrong to presume that these advertisements are made by non-professional people. For most of these medicinal preparations are subject to a careful analysis, and opinion of eminent doctors. We find, if we open any case of medicinal preparation, for example, Wincarnis, Vibrona or St. Raphael’s

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wine, the analysis is noted and the opinion of eminent doctors is recorded. That would show that it is not a matter of non-professional advice; but it is on the advice of eminent medical authorities that these popular medicinal preparations are placed on the open market. I would therefore submit that these wrong premises and opinions expressed in the Statement of Objects and Reasons hardly justify a Bill of this kind.

“ Sir, there is one inconsistency in the Bill, which I would like to point out here and now; and that is, the Bill proposes to amend the provision contained in section 6 of the Prohibition Act. In the amending Bill, it is stated in clause 2 (i) in the first paragraph that the words and figures ‘or specially approved as of medicinal value by the Medical Council established,’ etc., shall be omitted. I would read the previous lines to make myself clear. ‘Whoever prints or publishes in any newspaper, book, leaflet, booklet or any other single or periodical publication or otherwise displays or distributes any advertisement or other matter commending, soliciting the use of, or offering any liquor or intoxicating drug other than liquor or drugs exempted under section 16 or specially approved as of medicinal value by the Medical Council established, etc.’ That means, Sir, that this prohibition regarding advertisements would not apply to drugs that are exempted by Government under section 16. It applies only to drugs and medicinal preparations exempted or specially approved by the Medical Council. Therefore, there are two categories, or rather I would say, two items of preparations, and they are, one set of medicinal preparations exempted by Government, and another set of medicinal preparations exempted by the Medical Council. Now the medicinal preparations exempted by the Medical Council alone come under the purview of this amending Bill; whereas the medicinal preparations that are exempted by Government under section 16 remain unaltered. Why this sort of distinction without a difference between the two sets of medicinal preparations, and the embargo on the advertisements that is now proposed to be placed only on the medicinal preparations exempted by the Medical Council? This, I submit, introduces a distinction, which I cannot for one moment understand. Section 16 says, ‘the Provincial Government may, by notification and subject to such conditions as they think fit, exempt any specified liquor, etc.’ From this it is evident that advertisement of medicinal preparations approved by the Medical Council come under the purview of the amending Bill; while those approved by the Government do not come. I submit this would be placing the Medical Council at a disadvantage as compared with Government. The only justification for this step, that I can think of, is that Government accord exemption only when they are fortified by the considered opinion of eminent doctors who would be in a position correctly to advise Government in the matter; whereas the same could not be said with reference to the exemption granted by the Medical

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Council. I beg to submit most respectfully that this distinction would hardly hold water, for the simple reason that the Medical Council also consists of eminent doctors who have made a name for their professional skill. This Bill aims at creating a distinction between the two sections, and it looks as if the Bill has been hastily drawn up, and it would require some more time for sifting these objections."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I shall first deal with the last point raised by Diwan Bahadur Appadurai Pillai. It would seem to suggest that we are going to have two classes of exemptions, namely, one class of exemption by the Provincial Government under section 16, and another class of exemption under the present section 6 or in the amended form; and that it would tend to bring about a disparity of potency between the exemption issued by the professional body of doctors and exemptions based on the authority of the Provincial Government. I may at once say that this is not either the intention or purpose of these two sections. Under section 16, hon. Members will see, that exemption power is reserved with Local Government in respect of the whole body of liquors required for medicinal, scientific, industrial and such like purposes. The idea under section 16 is that the Local Government should have the authority to take certain articles altogether out of the scope of this Act. Methylated spirits, for instance, which are required for industrial purposes, for scientific purposes and other purposes, are used every day in the laboratory; and certain drugs for medicinal purposes, which hon. Members will find in the shelves of any household, and wherein important and active elements of alcohol will be found, are used in the practice of medicine; and certain medicines in order to preserve their potency have to be kept always under alcohol, for example, tinctures, essences and the like; thus though they are not tonics, yet they are things which are necessary for the ordinary, daily prescription of medicine, and consequently they are exempt under section 16. What is contemplated in section 6, either as it stands at present or as amended, is a different set of articles. They are things like Wincarnis, Hall's Wine, Drakshasava, etc.

"They are not tinctures and they are not simply drugs preserved in alcohol which cannot be prescribed otherwise, so to say. Certain forms of wine contain various colouring things and the like. Well, these two have to be made distinctly clear. The latter class is brought under the advertisement provision. Nobody need be anxious or feel doubtful about the picture I have drawn. Now there are one or two things that are to be seen in my hospital; they are not patent or tonic wines but they are reserved in alcohol. It is for these that the exemption is provided under section 16. Here under section 6, it is the tonic wine that has to be dealt with and not those articles that come under

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the first category. With reference to this, it was said by the hon. Member Mr. Appadurai Pillai that these advertisements are based upon professional opinion, that is to say, medical opinion, and that it is not non-professional opinion and the opinion of interested proprietary concerns that ask people to buy them, but that they are based upon the opinion of eminent doctors. Well, I submit that the hon. Member himself has proved as an illustration of the type of men who are likely to be misled and about which I have been laying so much stress. He has been deceived and he is imagining that eminent doctors have recommended this tonic and says so now on the floor of this House. It illustrates very well the danger that I am trying to prevent by this amending Bill. Here is an eminent doctor, Dr. Hotkinson, the physician of the London Hospital and I would very much like to read out what he says regarding tonic wines. In the Select Committee, the doctor says, 'The use of these wines can on no account be recommended to any one. Their manufacture and sale ought to be deprecated by the Medical profession.'

• Nothing can be more clear than this, and the opinion that the hon. Member has expressed just now shows exactly how far the danger can go. The hon. Member has been deceived by what has been stated and is of opinion that eminent doctors have recommended that such wines are not bad. If this is so in the case of our learned friend, it is needless for me to say how much more the danger will be in the case of ordinary men. There is no doubt about it, and whatever may be the safeguards and a fairly good amount of equipment for people in other countries, in our country where disease is rampant, false statements and false claims said to be based on medical opinion and phrases like that, are certainly bound to deceive our people and lead them to danger, if not to danger, at any rate, to great and useless expenditure and to, what has been stated to be, the common cause for the acquisition of the drink habit. I know that many gentlemen begin with only a dose of medicine and end with a daily pick-me-up as it is called and finally end with something worse. I do not think that the hon. Member can ever believe that eminent medical men have advised this. But supposing that medical opinion says it is good, what next? Surely the Medical Council will approve of it. Quite right. If the Medical Council approves of it because it is good, let them prescribe it. They are entitled to do so even now. The amending Bill I am now proposing does not prevent that. What we want is that magazines and journals should not have the liberty for the sake of advertisement revenue, as was stressed by another hon. Member, to recommend the use of the wine. And what are they recommending? They recommend that these sick people should pay money to the newspaper. That is the real meaning of it and that is what the argument of the hon. Member on behalf of the European Group comes to. If I accept the argument that medical men recommend it, it finally

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comes to this; that some wines are good no doubt and are of medicinal value according to medical men. The Medical Council cannot say that such and such a thing is not of medicinal value, because what is of medicinal value in certain cases and on certain occasions may not be so in certain other cases and on other occasions. It all depends upon the question as to how it should be administered, how much of it should be used and who ought to use it. What we propose to do by this amending Bill is that only doctors must say all these things, and it is a dangerous policy to entrust newspapers with this obligation of advising and educating people as to what is good and what is not. Newspapers are no doubt interested, and Mr. Hodgson very truly pleaded for them that they are losing a great amount of revenue which would enable them to live and may go to swell their revenue to some extent. Well, we have overcome a much bigger argument. We have lost a considerable portion—and we propose to lose the whole of our revenue that comes under the Excise Head. When we as a State are prepared to lose all our excise revenue, I only appeal to the interests so ably advocated for by Mr. Hodgson—I am appealing to those interests—to share in this general sacrifice and to lose a portion of their advertisement revenue in this plan of ours for the sake of the people. The hon. Member for the European group has said that when once a thing has been proved to be of medicinal value, it cannot be bad for health. How plausible that argument is! But let us examine it a little further. It has been proved that quinine is of medicinal value, and because it is good for me to-day, can I take it in any quantity at any time? Because doctors recommend quinine, because it is good for me to-day, suppose I take 15 grains of quinine, what will be the result? That is the reason why I say that it should be prescribed by a doctor and not left to the newspapers. A layman cannot prescribe what should be taken and when and how much is to be taken of that even if it is originally recommended by doctors. It may be asked 'What we want is a harmless dose of alcohol and not an overdose of it.' If we accept that principle, then of course it is no harm. But since we do not accept that principle, and since we are faced with the only other alternative based upon medicinal value, we must leave the option to doctors and not to the solicitations of newspapers and proprietors of such medicine. Therefore it is not right to argue that because a thing is of medicinal value it is not bad for health. For instance arsenic is of medicinal value, but surely Mr. Hodgson will not say that arsenic is good for health. It is one thing to say that a thing is of medicinal value—it is a scientific statement—and it is another thing to say that it is good for health because it is of medicinal value. That is a very dangerous statement.

"Then it was said that it is not true to say that false claims in the newspaper will deceive ordinary men and that if they are not good, the Medical Council would never have certified them.

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Again a very plausible argument indeed! It is one thing to say that a doctor when he examined a patient had prescribed a certain thing to be taken for certain purposes and for certain reasons. But to put in a continuous claim on behalf of twenty thousand doctors that that certain thing is good and that people may take it whenever they are tired, or fatigued, just as for example before and after a cricket match, is likely to deceive people and lead them to harm and danger. The doctor has nothing to do with that claim. The two things cannot come together and so the doctor cannot come and say, 'I said that it was of medicinal value only to these men, but the advertisement is not correct, and an injunction cannot be placed on the newspaper, as the law stands at present.' What is exactly meant by this amending Bill is to correct this. We propose here that such advertisements should appear only in Medical Journals and Medical Literature. Then only will the doctor have a continual check over them. He may learn what is good and what is not, and tell the patients accordingly. Therefore, I submit that what Mr. Hodgson has said confirms the claim made by this amending Bill. He also made a plea that newspapers should be allowed to exist. Far better that the Government of the day gives a subsidy to weak and good newspapers—if they are good and really in need of subsidy—than to ask them to solicit people to buy dangerous drugs and thereby give a portion of that amount to the newspapers. If the hon. Member of the European group brings forward a Bill for subsidy to newspapers that are fit and deserving, then the House will have ample opportunity to consider that." (Cheers.)

MR. G. KRISHNA RAO:—"My question has not been answered, Sir."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Of course, it was not a question; it was a speech and I ought to have remembered it, though there is no legal claim that the question should be answered. But, if you permit me to speak, I would like to say this. The hon. Member has asked whether the facts and figures show that there has been a considerable amount of traffic in these wines. There is considerable traffic no doubt, and if it is true that it is bad, it ought to be prevented before it becomes worse. We have already introduced prohibition in one district and two more districts will be added to this, thus making the 'dry' districts three in number. A considerable population there, including a number of those who read newspapers will be without any form of alcohol to which they were previously used. Therefore, there is this precaution taken. Prevention is better than cure, and apart from that, this proposed law regarding advertisement is not a law for a single district. It is a law applicable to the whole of the province. Whether people should have the solicitations in regard to these articles or not, or whether the quantity of these

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articles taken into the prohibited area is very small or very great, there is no doubt so far as my experience and the experience of many doctors whose names I have quoted go, that people are taken on to drink from the first use of these wines and therefore it is not justifiable in any circumstance to allow this traffic. Therefore that is the reason for this measure, even though there is no proof regarding the quantity of drink in this respect. As a matter of fact, I may assure hon. Members that this question arose when dealing with prohibition and the various questions that cropped up while enforcing the regulations thereof. Thus it became absolutely necessary to make it precise, and the present Bill has arisen out of that."

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

Clauses 2 and 1 and the Preamble were put and carried.

THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I beg to move—

'that the Bill be passed into law.'"

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

V.—THE MADRAS MINOR PORTS FUND BILL, 1938.

The Hon. Mr. Yakub Hasan rose to introduce the Bill.^a

* MR. SPEAKER:—"Before it is introduced, I should like to know from the Hon. Minister whether there was sufficient publication of this Bill?"

5 THE HON. MR. YAKUB HASAN:—"The Bill was published
12. on the 12th, and I understand you have given permission . . ."

* MR. SPEAKER:—"I do not think that the discretion of the Speaker should be exercised in favour of taking up this Bill now, because it is a very important Bill dealing with the diversion of Rs. 55,00,000 from the use of the minor ports. There is an accumulation of sixty lakhs and Government want to keep only five lakhs in the Minor Ports Fund and take away the fifty-five lakhs. The opinion of the ports and other interested bodies should be obtained beforehand. So it can be moved in the next session."

THE HON. MR. YAKUB HASAN:—"I shall move it on the 18th."

* MR. SPEAKER:—"Next session will be better. I suggest that sufficient publication be given because it is a very important Bill affecting a large sum."

THE HON. MR. YAKUB HASAN:—"I understand according to the rules only six days' notice of publication is necessary."

^a Published in the *Fort St. George Gazette Extraordinary*, dated 12th August 1938.

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* **MR. SPEAKER**:—"Whereas for a resolution fifteen days are required under the rules, only six days are required for a Bill, and I propose to ask the House that this rule regarding six days' notice may be amended. At any rate this is a Bill for which the public have got a right to claim some time to enable them to examine it. So it is better that sufficient publicity is given by Government instead of hurrying it up."

THE HON. MR. YAKUB HASAN:—"As to-day it is brought here all the members of the Legislature have become acquainted with it. So six days' notice may suffice in this case."

* **MR. SPEAKER**:—"I may suggest to the Hon. Minister that it is not a question confined merely to the members of this House. Is not the public affected, are not the members of the ports affected, if that fifty-five lakhs to be used for the improvement of the ports is being diverted to the general revenues? And so it is better that opportunity is given to the public in those ports and to the minor ports committees concerned to study the matter. I think the Hon. Minister may consider the suggestion. It is very desirable that the Government do not stick to the six days' minimum notice."

THE HON. MR. YAKUB HASAN:—"In matters of this kind, what do you think, Sir, will be sufficient notice?"

* **MR. SPEAKER**:—"I think the Premier may be consulted in the matter."

MR. ABDUL HAMEED KHAN:—"It is a question of finance."

* **MR. SPEAKER**:—"Yes. Government are dealing with a large amount of revenue and as such they may move it in the next session."

* **THE HON. MR. C. RAJAGOPALACHARIAR**:—"I beg to submit to you, Sir, and through you to the House that there is a point in the request of the Hon. Minister to have it on the 18th. If on the 18th after the sufficient minimum notice, hon. members of the House feel that it should be considered further a Select Committee will be appointed and the Bill can be taken into consideration after the report of the Select Committee, at the next sitting. But if on the 18th it is found that the nature of the Bill is such that the House does not see any objection to it, but on the other hand, as I expect they may do, it welcomes it, then on the 18th it is open to the House without any controversy to pass it."

* **MR. SPEAKER**:—"It is for you to move for a Select Committee."

* **MR. T. T. KRISHNAMACHARIAR**:—"May I make a submission, Sir. I have received a communication from the South Indian Chamber of Commerce stating that they had no time to

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consider this important matter. The acceptance of a reference to a Select Committee involves acceptance of the principle of the Bill. We have to seriously examine the question and consult the business interests in the minor ports and what is really called for, is a circulation of the Bill. But if the Bill is to come on the 18th, the only purpose for which anybody in the Opposition representing commercial interests can agree to this course is for the circulation of the Bill for public opinion."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I am sorry that we are getting rather irregular. The present debate is practically forestalling the discussion on the Bill which may be done on the 18th. As to whether the Bill should be sent to the Select Committee or circulated, that is really a matter on which much may be said on either side; and I shall be able to explain that in the interests of the province we should expedite the Bill. But to-day it is open to the Government with the aid of you, Sir, to decide the procedure. On behalf of the Government I submit that we may be permitted in the usual course to bring it on the 18th, and then if we find from the House that the Bill is to be circulated or sent to the Select Committee, in either case if the House wants time it will not be pushed through at that sitting, but it will go over to another sitting. At the present moment the position may be this, that we bring it on the 18th."

* MR. SPEAKER:—"After all, the money is intact; Government does not lose a pie; why should the House be pressed to take it up on the 18th?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"On that question I submit that this Bill is intended to use the money which has been absolutely locked up. For the first time this money has been seen and found to be ours and lying idle somewhere else. Any delay in using this money is a serious loss to the province and hence this Bill has been brought forward. There will be no haste, no hustling, because the Select Committee will then be able to get the opinion of interested parties. After all this is not a Bill on which literary societies and reading rooms have to give opinion, but only the commercial bodies have to consider it, and commercial bodies will be able to come to a decision then. I do not wish to go further than this in this matter. If your view is that we should give more time we shall do so. But I suggest there is a great advantage in putting it at an intermediate stage, on the 18th, when the House will have time to examine the Bill and say actually whether they should take more time on it."

* MR. J. NUTTALL:—"Mr. Speaker, I submit that this House can definitely say it has not had sufficient time to consider so important a matter. Some reference was made to six days' notice. We have not had 'six days' notice'. This Bill came

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into my hands late on Sunday night, the 14th and I consider that a matter of rupees sixty lakhs is no small concern; the interests connected with these sixty lakhs are not in Madras, but they are scattered all over the Presidency, and I would press, therefore, that the Bill should not be brought up on the 18th, but only at the next Session."

* MR. T. T. KRISHNAMACHARIAR:—"I am sorry I was not quite clear when I made my statement. I am not suggesting, Sir, that it should be on the 18th or on any particular date. What we, on this side, want is that the Bill should come at the next Session, so that the opinion of the entire commercial body may be mobilized and their views ascertained. I am not going into a discussion of the nature and merits of the Bill, but I want to make it clear that we are clearly for the postponement of the Bill to a later date and not the 18th."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I beg to submit that we are agreed that it is not to be moved to-day. As to whether it should be moved on the 18th or not it is a matter for Government to consider. I beg to submit that . . ."

MR. J. NUTTALL:—"Is it not a matter of sufficient notice being given to move the Bill?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Mr. Nuttall is making a mistake and I do not think it necessary to correct it. We do not say that six days' notice has been given now, but on the 18th it will be six days, that is, the minimum. But that is not the point; it is for the Government to consider whether they will move it on the 18th or not, and the Hon. the Speaker will certainly give his ruling at that time. We need not discuss now the whole process of administrative justification."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I shall confine myself to the last point mentioned by the Speaker, i.e., whether it is possible to state on behalf of the Government that they would have given six days' notice by the 18th, in view of the statement of Mr. Nuttall."

* MR. SPEAKER:—"I do not think that a point should be made about Mr. Nuttall's statement."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"But what I thought was, the Prime Minister wanted to suggest a compromise through a Select Committee. As a representative of the commercial interests, I may point out it is not a thing to which we will easily agree, for, not only the commercial bodies but the public also, should be consulted, as they are also concerned. It is a very large question and we would very much like the Government to consult public opinion before they go on with this Bill. The money is there and they can decide what

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to do with it before the financial year closes and also utilize the money in spite of opposition. That being so, there is nothing to justify this matter being hurried through."

* MR. SPEAKER :—" The Hon. Minister will see that this matter is not a small one. The Bill was published on the 12th and now the matter is sought to be discussed here; it may be ordered to be republished and then six days' notice given afresh. Instead of going into these technicalities, I would suggest to the Hon. Prime Minister to introduce the Bill at the next Session."

THE HON. MR. C. RAJAGOPALACHARIAR :—" The suggestion will be given every consideration, Sir."

VI.—THE MADRAS BORSTAL SCHOOLS (AMENDMENT) BILL, 1938.

THE HON. MR. K. RAMAN MENON :—" I beg to introduce a Bill * further to amend the Madras Borstal Schools Act, 1925, for certain purposes and move—

' that the Bill be taken into consideration at once.'

" Sir, the statement of objects and reasons gives a clear idea as to how it has become necessary to amend this Act. I do not think there is any need to make a speech on this particular matter now."

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

Clauses 2 and 3 were put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. MR. K. RAMAN MENON :—" I move, Sir—

" that the Bill be passed into law."

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

5 p.m. VII.—THE MADRAS LOCAL BOARDS (AMENDMENT) BILL, 1938.

* THE HON. MR. B. GOPALA REDDI :—" Sir, I beg to introduce a Bill * further to amend the Madras Local Boards Act, 1926 and the Madras Local Boards (Amendment) Act, 1935, for certain purposes and move—

' that the Bill be taken into consideration at once.'

" Sir, though there is no proper notice for this Bill, I would request you to give me permission to move for its being taken into consideration at once. This will enable the Government to order elections to eight district boards to take place this October. Under the present Act, I cannot order the elections to take place simultaneously for all the eight boards in October this year."

* Published in the Fort St. George Gazette Extraordinary, dated 12th August 1938.

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* MR. SPEAKER:—“ What is the harm if elections are conducted at different times? ”

THE HON. MR. B. GOPALA REDDI:—“ I am just coming to that. In 1935, four district boards were reconstituted on the 1st of December and four other boards were reconstituted on the 1st of January. The Guntur District Board was reconstituted on 15th February 1936, though all these boards belong to the same group. I now want that in all these eight district boards, there should be elections in the month of October, so that they can all be reconstituted in the month of November. Under the Municipal Act, all the new members will take their seats on 1st November. So as to enable me to reconstitute all the eight boards on 1st November, I want also that the Local Boards Act should be amended.

“ Sir, there are three groups of eight districts each. Malabar had elections in March 1937 and on 1st April it was reconstituted. If the present rule were to stand, the Malabar Board can be reconstituted only on 1st April 1940. I want power under this Bill to reconstitute the Malabar Board also along with the Ramnad, Coimbatore, Salem, East Godavari, Kistna and Nellore District Boards on the 1st November 1938. There is no harm done to these boards by this amending Bill. In the circumstances I hope the Bill will be passed into law at once.”

* MR. SPEAKER:—“ I am considering the question as to whether there is need for dispensing with notice. I must be satisfied that there is necessity for the Bill being taken into consideration at once.”

THE HON. MR. B. GOPALA REDDI:—“ There is administrative convenience in having the elections conducted in October. The Revenue authorities always complain that a good deal of difficulty is caused to them by having the elections fixed at a time when their staff are engaged in tax collection. If we conduct the elections in October, the Revenue authorities will be free for this work and on 1st November the eight boards can be reconstituted.”

* MR. SPEAKER:—“ So in order to facilitate the elections to be conducted in October this year, this Bill should be passed in this session? ”

THE HON. MR. B. GOPALA REDDI:—“ Yes, Sir.”

* MR. SPEAKER:—“ I dispense with notice. The Bill may be moved.”

THE HON. MR. B. GOPALA REDDI:—“ I beg to introduce the Bill and move—

“ that it be taken into consideration at once.” ”

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MR. ABDUL HAMEED KHAN:—"Mr. Speaker, if it is for administrative convenience that the Hon. Minister is seeking the consent of this House for passing this Bill into law, we have no objection. We do not want to put any obstacle in his way. But, at the same time, I wish to know from him whether it is the policy of the Government in the meantime to re-allocate the areas or the wards in the district boards before the elections in October. If he is going to attempt any such thing, I would submit that it is not advisable to do any such thing now. I know that if a party comes into office it is natural for the party in power to so arrange the areas as to secure majority for it on the boards. If he has any such idea, I think he ought to give consideration to the convenience of the electors as well as to the minority communities that are called upon to elect their representatives to these boards. That is the information that I want from the Hon. Minister. I may in this connexion suggest that it will certainly be not proper, if, during this short period, re-allocations were to take place in a hurry without consulting the convenience of the voters of the locality."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"Mr. Speaker, I wish to say in this connexion that in several cases it will be an advantage to advance the date of elections to October in that it will be a convenient time for the Revenue authorities. Further, we could have better elections by having more time for preparing correct electoral rolls. But if the work of preparing the electoral rolls is entrusted to the Revenue authorities, it will never be done correctly or well. They are a very much over-worked people and they have no time to do anything else. Now there is hardly a fortnight given for preparing the rolls for their publication in time. I say that there should be a separate authority for this work. But if the Government do not want to create a new authority for this work, they can entrust this to the panchayat officers who might be given for this purpose one or two extra clerks. The Revenue authorities also are getting the help of extra clerks for this work. In the present rolls there are so many names of persons who are dead and gone long ago and in some cases names have been curiously put in there. For instance, an entry like Rama, son of Muhammad, is found there (laughter) and also Abdullah, son of Kristna." (Renewed laughter.)

* **MR. SPEAKER:**—"Is it inconsistent?"

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"They are not correct."

* **MR. SPEAKER:**—"They may be perfectly correct." (Laughter.)

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"But there are no such names at all."

* **MR. SPEAKER:**—"You have no authority to say that."

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KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"True. As it is printed in the roll like that nobody can question it. If you want to avoid mistakes like that you will have to entrust this work to a separate authority. Some time back I remember there was a proposal to have separate election officers, staff, etc. Whether that is going to be done or not, I think it is necessary that this work should be taken out of the hands of the Revenue people. They are very much overworked. Whatever you do, you should give sufficient time to the authority concerned to prepare the rolls properly and proper directions as to how the rolls should be prepared. Then only the rolls would be correct. I hope the Hon. Minister will consider these suggestions."

* MR. T. N. RAMAKRISHNA REDDI:—"Mr. Speaker, my hon. Friend who represents the city of Madras just now said that some re-allocation of district board circles have been ordered by the Government to suit the convenience of the party members. It is not correct. There was nothing of the sort. The previous Government made re-allocations to suit the convenience of some of their party members, but the present Government have done no such thing. They have ordered re-allocation of the district board circles according to certain definite principles which were enunciated even during the time of the previous Government but were broken here and there. In one case I know that the previous Government in re-allocating the areas, to suit the convenience of a member belonging to their party who was standing for a certain circle, tore off some villages in one firka from a particular circle and added them on to another circle. But what is happening now is different. The Inspector of Local Boards has just now sent a circular to the district boards to re-allocate the seats only if there are any such inconsistencies and form circles on certain definite principles. All the district boards are now following these principles. Except in certain cases there is no need for the district boards to re-allocate the areas. There is plenty of time to re-allocate the circles before the 15th of the next month and hold the elections in time. I heartily support the motion."

MR. BASHEER AHMED SAYEED:—"Sir, the fear given expression to by the hon. Member for the Muslim constituency of the city of Madras was with reference to the allocation or reservation of certain seats for certain minority communities. His fear was that if uniform principles are followed in these matters, the interests of the minorities will suffer. The *status quo* need not in all cases be maintained. The object of any re-allocation should be in the interests of public convenience and of the minority communities of the locality. I emphasise the words 'minority communities' for this reason that most of the reservations have been only 25 per cent of the strength of the board. Any re-allocation is therefore likely to affect the interests of the minorities. Is it therefore too much to ask the Hon. Minister to take the

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representatives of the minority communities in this House into confidence and find out which is the most convenient form of re-allocation or alteration of the existing arrangement? I hope the Hon. Minister will not feel it in any way inconvenient to get the opinion of those who are interested in this matter before ordering alterations finally."

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m. * THE HON. MR. B. GOPALA REDDI:—"My hon. Friend, Mr. Schaunad, has raised the question of the preparation of the electoral rolls. I beg to submit, Sir, that that question is not pertinent to this Bill. This Bill seeks power to order elections in October. It has nothing to do with the preparation of electoral rolls. I may also say that the Local Administration Department has nothing to do with the preparation of electoral rolls, which is being dealt with in the Public Department, and he may address the Prime Minister if he chooses to do so. As regards the preparation of electoral rolls, whether Rama is the son of Allah, and whether Allah is the son of Jesus, that does not arise here. As regards the allocation of seats . . ."

MR. ABDUL HAMEED KHAN:—"The Hon. Minister for Local Administration mentioned the name of Allah. Evidently he meant something else. He may correct it . . ."

* MR. SPEAKER:—"Because an hon. Member said that Rama was the son of Abdullah, it was only by way of repartee, I think, that the Hon. Minister made that remark. Nothing more serious than that was meant."

MR. MAHBOOB ALI BAIG:—"The Hon. Minister knows very well that he has not come across any Muhammadan name as Allah."

DIWAN BABADUR A. APPADURAI PILLAI:—"May I also add my humble protest, Sir, at the name of our Lord Jesus being so lightly mentioned?" (Laughter.)

* MR. SPEAKER:—"Such things might be avoided in future."

THE HON. MR. B. GOPALA REDDI:—"I withdraw. I expected the hon. Member would not take it as an offence. I never meant it as an offence."

"As regards the allocation of seats, I may point out to the hon. Member for the City of Madras, Muslims, that we have amalgamated the boards in four districts. For instance, in Guntur, after the amalgamation, the strength of the board has become 64. Under the Act, the maximum strength is 52. I must necessarily reduce the strength of 64 constituencies to 52. And necessarily I will have to re-allocate seats, including the reserved seats also. At present in Guntur, there are two Muslim seats and I want to give them three seats. Does the hon. Member deny

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me the power to give them one more seat, because they are under-represented? Likewise, in West Godavari, I propose to give one more seat to the Muslims. Is he going to deny me the power? So, I beg the hon. Members, of minority communities especially, to allow me to examine the reserved seats according to the importance of the communities. They are at liberty to represent to me, if I have in any district done anything wrong. It is in the interest of the district as a whole and not in the interests of any party that this re-allocation is going to be made. It is not going to be done in the interests of the Congress Party. One may examine the re-allocation fully and see whether I have done anything to which they may take any objection. It is open to them to raise it at any stage. I would surely consider all these re-allocations on their merits. As regards other things, the district boards themselves are moving in the matter. Chittoor has now 48 seats. They want 52. Should this district board have no power to increase it by four? So, all these considerations are there, and in such a re-allocation of seats, I say it is open to the hon. Members to say that this particular reservation or re-allocation is bad and it would certainly be considered by the Government. But the present Bill has nothing to do with the re-allocation of seats or with the preparation of electoral rolls. It is for a uniform time-table for the elections that are due this year and also in the month of October 1939. As I already said, Sir, perhaps for various administrative reasons boards were reconstituted, some on the 1st of December, and some on the 1st January and some on the 15th February and the case of Malabar is peculiar—it was postponed till after the general elections in 1937, till after 31st March; the elections were due in October 1936. Perhaps all that was due to administrative convenience. I have no objection to that. I only want all these boards in the second and third groups to have elections in October, so that they may be able to function from the 1st November."

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

Clause 2 was put and carried.

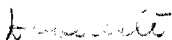
Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. MR. B. GOPALA REDDI:—"I now move, Sir—
'that the Bill be passed into law.'"

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

The House then adjourned to meet again at 3 p.m. the next day.



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APPENDIX.

[Vide answer to starred question No. 28 asked by Mr. K. V. R. Swami at the meeting of the Legislative Assembly held on the 16th August 1938, page 1 *supra*.]

Letter from the Chief Engineer for Irrigation, No. 1728/38-C-1, dated the 6th June 1938.

There are 50 minor basins in the five revenue districts of Chittoor, Cuddapah, Anantapur, Bellary and Kurnool, which are generally called the *Ceded districts*. The details of progress on Tank Restoration Scheme operations in these minor basins are given below:—

	Number of minor basins.
(a) Minor basins which have been investigated, executed and memoirs printed	35
(b) Minor basin (No. 28, minor drainages) which has been investigated but for which memoirs were not printed for want of significant irrigation works	1
(c) Minor basin not yet taken up for investigation.	1
(d) Minor basins for which memoirs have been printed but in which some stray works still require investigation and execution	3
(e) Minor basins for which investigation and execution have been completed but for which memoirs have not been printed	2
(f) Minor basins under investigation and execution	8
	50

2. In the 13 minor basins [items (d) plus (e) plus (f) mentioned in paragraph 1 above] there were 729 irrigation works to be attended to on 1st April 1928 (both Public Works Department and Revenue). Of these, 113 Public Works Department and 251 Revenue works were sanctioned for execution till 30th September 1937. Out of the 251 Revenue works, 238 were completed with an expenditure of Rs. 1,67,615. Of the remaining 365 works, (729—113—251), 119 have not yet been taken up for investigation and the rest are under various stages of investigation.



THE MADRAS LEGISLATIVE ASSEMBLY

Tuesday, the 16th August 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. MR. B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Improvements to minor irrigation works in Royalaseema.

* 28 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the committee set up by Government in or about 1926 and presided over by the late Diwan Bahadur Arogyaswami Mudaliyar made any recommendation in respect of improvements to minor irrigation works in Royalaseema;

(b) how many of them were taken up and completed;

(c) at what cost; and

(d) how many more have to be taken up?

THE HON. MR. T. PRAKASAM:—“(a) The Committee recommended that larger maintenance grants should be given for minor irrigation works.

“(b) to (d) Special Tank Restoration Scheme divisions were constituted for the execution and investigation of repairs to tanks and channels in pursuance of the recommendation of the Committee—vide paragraph (a) of section I of the statement showing the action taken on the recommendations of the Committee which was placed on the Council Table in answer to Legislative Council Question No. 672 on the 1st October 1929. The particulars asked for by the hon. Member will be found in the attached copy* of a letter from the Chief Engineer for Irrigation, dated the 6th June 1938.”

Protest against the collection of enhanced percentage of land revenue in Cheyyar and Wandirash taluks, North Arcot district, based on the reclassification of the tanks therein.

* 29 Q.—MR. D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) the number of Public Works Department tanks which were raised from a lower class to a higher one at the time of resettlement in 1914–15 in Cheyyar and Wandiwash taluks, North

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Arcoṭ district, for the purpose of raising the percentage of additional taxation over and above the general enhancement of land revenue in North Arcoṭ district effected in the last settlement;

(b) whether the Government will be pleased to place on the table a list of the villages in which the tanks referred to in (a) are situated;

(c) what the basis was on which such a reclassification of tanks was made; and

(d) whether any representation was made to the Government for remitting in each case the amount of enhanced percentage of land revenue collected on the basis of such reclassification of tanks?

THE HON. MR. T. PRAKASAM :—“(a) to (c) At the resettlement of the two taluks in question in 1913-15, all sources of irrigation were reclassified with reference to the nature of the source and the period of normal supply with a view to rectifying defects in the original classification, allowing for those changes in capacity and supply which must have taken place since the previous settlement, removing anomalies in the rates of composition, introducing a fifth class and the one-sixth composition rate and extending composition at favourable rates where irrigation was supplemented by wells. The total number of irrigation sources raised from a lower class to a higher one in the two taluks was 84. The Government have no information as to how many of these sources were in charge of Public Works Department or the villages in which they were situated.

“(d) Besides starred question 283 answered in this House on 14th March 1938, the Government received in July 1938 a memorandum signed by the hon. Member and three other Members of the Legislatures requesting that, on the analogy of the orders of the Government granting remission of the percentage enhancements in assessment imposed at resettlements effected after 1914, the enhancements of revenue on the basis of reclassification of tanks in the North Arcoṭ district should be remitted.”

Decision of Government in the matter of assigning assessed waste lands in the province to Harijans and other deserving poor people.

* 30 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(a) the extent of assessed waste lands in the province;

(b) whether Government have arrived at any decision in respect of giving these lands to Harijans and other deserving poor; and

(c) if so, what that decision is?

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THE HON. MR. T. PRAKASAM :—“(a) The Government have not the information asked for.

“(b) & (c) The attention of the hon. Member is invited to the answer given to starred question No. 326 on 17th March 1938. The revision of the policy referred to therein is still under consideration.”

Construction of an irrigation channel from the Mulliar.

* 31 Q.—MR. A. VEDARATNAM PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received mahazars from the residents of Vedaraniyam and the neighbouring villages requesting the Government to dig an irrigating channel of about ten miles from the Mulliar; and

(b) if so, what steps the Government have taken in the matter?

THE HON. MR. YAKUB HASAN :—“(a) The answer is in the affirmative.

“(b) A report on the proposal has been called for from the Chief Engineer (Irrigation).”

Appointment of programme assistants in the Madras station of the All-India Radio.

* 32 Q.—MR. S. M. LALJAN : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that recently seven Brahmans were appointed to the post of programme assistants in the Madras station of the All-India Radio; if so, what the reasons are that prompted the Government to appoint only Brahmans;

(b) whether applications were called for for the posts aforesaid; if so, how many were received;

(c) whether the Government will be pleased to place on the table the list of applicants specifying the castes they belong to; and

(d) what the minimum qualifications required for candidates for the post were?

THE HON. MR. YAKUB HASAN :—“(a) to (d) The station is under the control of the Government of India and the Provincial Government are not concerned with the selection of the staff including programme assistants.”

MR. ABDUL HAMEED KHAN :—“May I know, Sir, whether it was the Government of Madras or the Government of India which appointed a committee and which committee made this selection?”

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THE HON. MR. YAKUB HASAN :—“ The selection was not made by any committee.”

MR. MAHBOOB ALI BAIG :—“ May I know, Sir, whether this Government cannot recommend to the Government of India that such appointments may be made on communal basis? ”

THE HON. MR. YAKUB HASAN :—“ As I have stated already, this Government have no control over All-India Radio and as such we cannot make this suggestion.”

MR. MAHBOOB ALI BAIG :—“ May I know whether Hindustani programme also is conducted in this radio station? ”

THE HON. MR. YAKUB HASAN :—“ That does not arise out of this question, but still for the information of the hon. Member I may tell him that Government is interested only in rural programme and that is what Madras station is arranging. As for Hindustani, it can be got from Delhi, Bombay and other places.”

MR. MAHBOOB ALI BAIG :—“ Then, Sir, am I to understand that this station will not give Hindustani or Urdu programme for the sake of those persons who know Hindustani or Urdu? ”

THE HON. MR. YAKUB HASAN :—“ As I have stated previously, this question is not at all under the control of this Government and so we can make no suggestion whatever.”

MR. MAHBOOB ALI BAIG :—“ Now that this Government is very keen on the propagation of Hindustani, would it not be necessary on the part of this Government to request the Government of India to arrange for Hindustani programmes also? ”

THE HON. MR. YAKUB HASAN :—“ I will consider that question.”

Investigation into the causes of the recent flooding of the power-house at Mettur.

* 33 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Public Works be pleased to state—

(a) what the causes were in detail for the recent flooding of the power-house at Mettur;

(b) the extent and nature of the damage, if any, that was caused to the plant;

(c) what the cost of the necessary repairs was;

(d) where the valve which was said to have given way was situated, whether in the pipes embedded in the dam itself or lower down in or near the power-house;

(e) what the cause was which led to the breakdown of the said valve; whether it was any defect in construction or an unavoidable accident;

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(f) how many such other valves there are and whether there is any reasonable likelihood of any of them similarly giving way; and

(g) whether the Government have taken any steps to prevent such occurrences in future, and if so, what they are?

THE HON. MR. YAKUB HASAN:—“(a) On the night of April 9th, the severe storms in the Karur and Erode areas caused the power lines to be tripped out by lightning repeatedly. No. 2 machine at the Mettur Power House was in operation at the time and it is believed that the severe load fluctuations caused violent disturbances in the turbine inlet water pipes which resulted in the fracture of an 18 inches drain valve. The valve and its connecting pipe for an experimental tank were torn away and water under the full pressure behind the dam flooded the power house and the transformer yard.

“(b) The plant was submerged and damaged by wetting. It has since been dried out and brought back into use.

“(c) A new valve to replace the broken one is expected to cost Rs. 350. The sanctioned cost of reconditioning the power plant is Rs. 12,500.

“(d) It projected from the base of the dam immediately behind the power house.

“(e) The connecting pipe for an experimental tank attached to the valve was perhaps a source of weakness and it has since been removed.

“(f) There are two more valves in use on Nos. 1 and 3 pipes; there is no reason to suppose that they will give way.

“(g) The breakdown was due to causes beyond control and a recurrence is considered very remote; but as a result of this experience the following additional measures for the safety of the station are being taken, viz.:—

(i) provision of separate emergency shutters for each pipe to be electrically operated from the switchboard;

(ii) concreting drain sluices;

(iii) strengthening of supports for the hydraulic brake gear;

(iv) provision of an emergency lubricating oil system; and

(v) concreting of auxiliary turbine inlet pipes.”

Government aid to the University Training Corps.

* 34 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether any encouragement is given by the Government to the University Training Corps; and

(b) if so, what the nature of the encouragement is?

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THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The Provincial Government do not make any grant to the University Training Corps.”

MR. ABDUL HAMEED KHAN:—“May I know, Sir, whether the Provincial Government has any control or voice in the maintenance of this corps?”

THE HON. DR. P. SUBBARAYAN:—“As I have said in answer to another question, this is a matter for the Army Department of the Government of India.”

MR. ABDUL HAMEED KHAN:—“Will the Hon. the Minister in charge of Education be pleased to advise the Government of India that the sooner the academic status of the University Training Corps is removed the better?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Member's suggestion will be considered.”

Scheme for better physical education to students.

* 35 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government have got any scheme for giving better physical education to secondary and college students than at present; and

(b) if so, what the same is?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The Government have under consideration the question of improvement of physical education but no definite scheme has emerged as yet.”

MR. V. M. RAMASWAMI MUDALIYAR:—“Will the Hon. Minister consider the question of giving a military bias to physical education for students in colleges and schools?”

THE HON. DR. P. SUBBARAYAN:—“I do not quite understand the import of the phrase ‘military bias’, but, I shall however consider the hon. Member's suggestion.”

MR. V. M. RAMASWAMI MUDALIYAR:—“What I mean by ‘military bias’ . . .”

MR. SPEAKER:—“The Hon. Minister has stated that the suggestion would be considered.”

MR. V. M. RAMASWAMI MUDALIYAR:—“If the Hon. Minister has not understood what is meant . . .”

MR. SPEAKER:—“I think he has understood it.”

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Reasons for the non-introduction of compulsory education in a number of municipalities.

* 36 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state the reasons for Government not inducing quite a number of municipalities to introduce compulsory education?

THE HON. DR. P. SUBBARAYAN:—“ It is in rural areas where backward classes reside in large numbers that compulsion is necessary for bringing children to school more than in municipal areas. The Government consider that the initiative in regard to the introduction of compulsion in municipal areas should be taken by the municipalities concerned.”

MR. K. V. R. SWAMI:—“ May I know whether the Hon. Minister would induce the municipalities to introduce compulsory elementary education? ”

THE HON. DR. P. SUBBARAYAN:—“ We are trying to bring to the notice of the municipalities the essential principles of compulsion being introduced.”

MR. V. S. RM. VALLIAPPA CHETTIYAR:—“ In cases where Government sanction is sought for, may I know whether they will accord sanction? ”

THE HON. DR. P. SUBBARAYAN:—“ Wherever compulsion has been proposed, the Government have been giving sanction for such introduction.”

Stoppage of the notification of temples under Act XII of 1935.

* 37 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that he issued an order to the Hindu Religious Endowments Board to stop the notification of temples under Act XII of 1935; and

(b) why and under what authority such an order was issued?

THE HON. DR. T. S. S. RAJAN:—“ (a) The answer is in the negative.

“ (b) The question does not arise.”

MR. G. KRISHNA RAO:—“ May I know if there were complaints either to the Minister direct or in the press with regard to the preventing of notification of temples? ”

THE HON. DR. T. S. S. RAJAN:—“ As far as the Government are aware, there is no such thing at all.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“ May I know, Sir, whether the Government have so far given any instruction to medical officers as regards birth control? ”

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THE HON. DR. T. S. S. RAJAN:—"I think the hon. Gentleman is asking for an answer to the next question and not for this."

Policy of Government in regard to birth control.

* 38 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have any policy regarding birth control; and

(b) if so, what that policy is?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) The answer is in the negative. The Government have, however, instructed the Surgeon-General to make known to all Government medical officers that they should, if they considered it proper in the interests of the health of the patients who consult them, give such advice and instruction in matters relating to birth control as they may consider necessary and desirable."

MR. V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether this could not be extended and birth-control advice given to those who want advice even apart from medical grounds?"

THE HON. DR. T. S. S. RAJAN:—"We can advise only doctors under Government control to give medical advice."

MR. K. V. R. SWAMI:—"Apart from the question of medical advice in suitable cases, I suppose Government cannot encourage birth control."

MR. SPEAKER:—"Is it a question, or is it an expression of your pious wish?"

Agency for the maintenance of the bore-wells in the villages.

* 39 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether the district boards have been asked to maintain the bore-wells in the villages;

(b) whether it has been represented to the Government that a district board is under no obligation to maintain them, that owing to paucity of funds the district boards could not maintain such wells and that the Revenue Department should undertake the task; and

(c) if so, what effective and permanent arrangement the Government propose to carry out to maintain the bore-wells in the villages?

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THE HON. MR. V. I. MUNISWAMI PILLAI:—“(a) A few bore-wells have been constructed with the aid of the Government of India Rural Reconstruction Grant. In these cases the local boards concerned have agreed in advance to look after their maintenance. In the case of bore-wells constructed out of provincial funds earmarked for the improvement of the rural water-supply, their maintenance has been entrusted to the Revenue department.

“(b) The answer is in the negative.

“(c) The question does not arise.”

MR. V. S. RM. VALLIAPPA CHETTIYAR:—“May I ask if the Government is aware that the bore-wells go out of order very often and villagers prefer ordinary wells?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“I do not think, Sir, that arises out of this question.”

. *Provision of a belt area adjoining the Chittoor district in the Mysore State for purposes of prohibition.*

* 40 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether the Government have approached the Mysore Government to have a belt area adjoining Chittoor district in the Mysore State for purposes of prohibition; and

(b) whether the Mysore Government has been approached for co-operation in the matter of carrying out prohibition work in the Chittoor district and with what result?

THE HON. MR. V. I. MUNISWAMI PILLAI:—“(a) & (b) 3-1
p.n
The Government of Mysore have expressed their willingness to co-operate with this Government in the enforcement of prohibition and the actual measures to be taken in the matter are under consideration.”

Shares taken by Government in the three large scale industries in the Province.

* 41 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the number and value of shares taken by the Government in the three large scale industries in which the Government of Madras have purchased shares; and

(b) what the dividends earned by these shares are?

THE HON. MR. V. V. GIRI:—“(a) The Government have agreed to take 1,750 ordinary shares and 350 deferred shares to the aggregate value of Rs. 17,850 in the Kollegal

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Silk Filatures, Ltd. Kollegal, and also to take 2,000 ordinary shares to the value of Rs. 20,000 in the East Coast Ceramic Industries, Ltd., Vizagapatam. So far, Rs. 4,375 being the first call in respect of 1,750 ordinary shares and Rs. 9,100 representing the application and allotment money have been paid to the Kollegal concern. The East Coast Ceramic Industries, Ltd., has not yet made any call for share money from Government. The Government had also agreed to take shares to the value of Rs. 10,000 in the Madras Stoneware Pipes, Ltd., Tiruvallur, but as the promoter has since given up the idea of floating a public company, the orders in this case had to be cancelled.

“(b) None of the concerns have been long enough in the field to declare a dividend.”

MR. G. KRISHNA RAO:—“May I know, Sir, in whatever schemes or enterprises the Government has taken share they have been duly advertised or published in the vernacular so that people may know and invest their monies in pursuance of the Government investment?”

THE HON. MR. V. V. GIRI:—“I think it is the duty of the promoters of the company to do so.”

Concessional railway rates for the transport of pine apples from this Province.

* 42 Q.—MR. P. MADHAVAN: Will the Hon. the Minister for Industries and Labour be pleased to state whether any request was made by the Marketing Officer, Madras, to the railway despatch of pine apples and if so, what the reply of the railway authorities in the matter of allowing concession rates for the authorities was?

THE HON. MR. V. V. GIRI:—“The answer is in the affirmative. The Railway Administration declined to reduce the rates.”

Supply of non-vegetarian diet to prisoners.

* 43 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether any non-vegetarian diet is given to prisoners who are accustomed to such diet previously; and

(b) if not, why not?

THE HON. MR. K. RAMAN MENON:—“(a) & (b) The hon. Member is referred to rule 347 of the Jail Manual, Part II.”

MR. K. V. R. SWAMI:—“Mr. Speaker, I wish to know whether the Hon. Member will give any suggestion with regard to the question asked.”

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THE HON. MR. K. RAMAN MENON :—“ The question, as I understand it, is whether non-vegetarian diet could be given to the prisoners. These things are governed by rules in the Jail Manual. The rules provide for these.”

MR. K. V. R. SWAMI :—“ Mr. Speaker, may I know whether the persons who are used to non-vegetarian food are being given such food as is given to Anglo-Indians, like mutton, fish, coffee, tea and everything? ”

THE HON. MR. K. RAMAN MENON :—“ Whatever is provided for in rule 347 is being followed absolutely and carefully.”

MR. K. V. R. SWAMI :—“ May I know, if he is going to amend the rules to suit the convenience of the prisoners? ”

THE HON. MR. K. RAMAN MENON :—“ The Government are satisfied there is no occasion for amending these rules now.”

Release of non-political prisoners before the expiry of the full period of their sentences.

* 44 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) what the reason is for the release of non-political prisoners who have been charged and convicted under the several sections of the Indian Penal Code;

(b) from how many, and which jails such releases have been effected, and the total number of prisoners so released;

(c) what the maximum period of unexpired sentence so far remitted is; and

(d) whether there has been any representation made from any quarter of any error of judgment amounting to miscarriage of justice in these releases up till now?

THE HON. MR. K. RAMAN MENON :—“ (a) The hon. Member is referred to the budget speech of the Hon. the Prime Minister which explains the reasons for the premature release of prisoners convicted for crimes of a non-political character.

“ (b) The number of prisoners ordered to be released is 2,080. They were confined in the District and Central Jails and Special jails and Special sub-jails.

“ (c) Taking 20 years as the maximum period of imprisonment the maximum period of unexpired sentence remitted was 14 years 7 months including remissions.

“ (d) No representations have been received by Government.”

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MR. G. KRISHNA RAO:—" May I know, Sir, when such a large number of prisoners have been released what the Government is going to do with the vacant jails after the distribution of prisoners? May I know what ideas Government have in this matter? "

THE HON. MR. K. RAMAN MENON:—" Government are considering the question of the abolition of one or more jails."

MR. G. KRISHNA RAO:—" With regard to the establishment what are they going to do? "

THE HON. MR. K. RAMAN MENON:—" As ordinarily happens in such cases whatever is possible will be done."

MR. ABDUL HAMEED KHAN:—" Arising from the answer of the Hon. Minister for Courts and Prisons, in view of the anti-Hindi question I wish to know whether it is advisable to close those jails? "

THE HON. MR. K. RAMAN MENON:—" It has not become such a big trouble as that."

MR. MAHBOOB ALI BAIG:—" May I know, Sir, what is the policy behind the release of non-political prisoners? "

THE HON. MR. K. RAMAN MENON:—" The policy was very clearly enunciated by the Prime Minister in his budget speech."

MR. MAHBOOB ALI BAIG:—" If the prisoners are released in such large batches there is a strain on the police. Can Government say that proper provision has been made against this? "

THE HON. MR. K. RAMAN MENON:—" Proper directions have been given and the police department have been consulted on the matter. There is no apprehension of any extra strain on the police."

MR. MAHBOOB ALI BAIG:—" Will the Hon. Minister for Courts and Prisons be pleased to enunciate the policy behind this although the Prime Minister might on some occasion have given expression to the same? "

THE HON. MR. K. RAMAN MENON:—" I do not think there is any need to repeat it here."

MR. G. KRISHNA RAO:—" I think the House should be satisfied. The Hon. Minister can state what he has in his possession and try to remedy instead of relieving himself of the responsibility."

THE HON. MR. K. RAMAN MENON:—" There is absolutely no secret. What he said was on the floor of the House."

MR. SPEAKER:—" Evidently the hon. Members are not in recollection of that policy and they want a reiteration of that

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policy from the Hon. Minister. So, the Hon. the Prime Minister himself may enlighten them on the question? "

THE HON. MR. C. RAJAGOPALACHARIAR:—"As you have ordered me, Sir, I have to take the time of the House for it. Necessarily I have to be very brief during question time. The policy is an old policy by which prisoners who have undergone a certain amount of discipline within prison walls are tested whether they can be given conditional liberty; and this is putting into effect this very old policy of giving conditional liberty to people who have been found to be fairly deserving. And in certain cases where extra safeguards have to be provided for, Government takes security and sureties also when they release the prisoners. In certain other cases they are released on probation and they can be brought back if they break the conditions. On these terms to give effect to a very very old policy of giving freedom to criminals, this has been done. There is nothing new about it. It has been admitted by criminologists that no such experiment has been made and we are trying to make it now. So far we have no reason to believe that we have committed any mistake."

MR. MAHBOOB ALI BAIG:—"Is there no rule by which any prisoner who is of good conduct can be let off earlier than the period of sentence? "

THE HON. MR. C. RAJAGOPALACHARIAR:—"That is a very small concession comparatively which is being given so far. But this is a concession which is given first of all to a certain class of criminals and by reason of their conduct."

MR. BASHEER AHMED SAYEED:—"Will the Hon. Minister for Courts and Prisons be pleased to mention the nature of the offence for which these released prisoners were originally convicted and the sentence awarded, for the information of the House? "

MR. SPEAKER:—"That does not arise as a supplementary question."

MR. BASHEER AHMED SAYEED:—"Sir, it arises out of clause (d)."

MR. SPEAKER:—"I should think an independent question may be given regarding that."

Application of the provisions of the Criminal Tribes Act to the Yanadis and Woddars of the Nellore and Guntur districts.

* 45. Q.—MR. V. VENKATASUBBAYYA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether the Criminal Tribes Act is applied to the Yanadis of Nellore and Guntur districts, although they were not declared as criminal tribes by the Government notification;

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(b) whether the Criminal Tribes Act is applied to Woddars in those districts, although they were not declared as criminal tribes by the Government notification;

(c) whether a memorial signed by more than a hundred influential citizens of Nellore was submitted to the Government, paying for the removal of Yanadis from the operation of the Criminal Tribes Act;

(d) whether resolutions to the same effect were passed by the Municipal Councils of Nellore and Ongole and submitted to the Government; and

(e) what action has been taken by the Government with regard to the memorial and the resolutions?

THE HON. MR. K. RAMAN MENON:—“(a) The Yanadis of the Nellore and Guntur districts have been declared as criminal tribes by the Government for the purposes of the Criminal Tribes Act.

“(b) The class of persons known as Donga Woddars which frequents the Nellore and Guntur districts has also been declared as a criminal tribe by Government.

“(c) No such memorial has been received by Government.

“(d) & (e) A resolution passed by the Municipal Council, Nellore, was received. The question of revising the Criminal Tribes Act is under the consideration of the Government.”

MR. S. NAGAPPA:—“ఒక జాతిలో కొందరు వచ్చి పనులు చేయవారు అందరినీ, ఆ జాతిసంతతినికూడ తప్పకుండా జాతి అని పిలుచుట గవర్నమెంటువారికి ధర్మమా?”

THE HON. MR. K. RAMAN MENON:—“Notice, Sir.” (Laughter.)

MR. SPEAKER:—“Short notice question 45-A.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“There is another short notice question, Sir; perhaps I may answer them together.”

MR. SPEAKER:—“Yes. 45-A and 45-B may be answered together.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“I want to make a statement. That will be the best thing.”

MR. ABDUL HAMEED KHAN:—“May I submit, Sir, if the first question is not answered, there will be no possibility of a supplementary question being put.”

MR. SPEAKER:—“The answer will be for both the questions put together. Supplementary questions may be asked.”

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Burma disturbances.

* 45-A Q.—MR. V. S. R. M. VALLIAPPA CHETTIYAR: Will the Hon. the Prime Minister be pleased to state—

(a) the number of South Indians killed or otherwise affected during the recent riots in Burma;

(b) the number of refugees from Burma to Madras;

(c) the value of the property lost to them;

(d) the measures taken by the Government of Burma to protect the life and property of South Indians; and

(e) whether the Government will make representations to the Government of India to set up an impartial committee to inquire into the causes of the disorder?

Burma disturbances.

* 45-B Q.—KUMARAJA MUTHIAH CHETTIYAR OF CHETTINAD: Will the Hon. the Prime Minister be pleased to make a statement on the situation in Burma and the extent of the loss of life and property caused by the recent riots there?

THE HON. MR. C. RAJAGOPALACHARIAR:—“As soon as we read in the Press, news of the unfortunate happenings in Burma, we put ourselves in touch with the Governments of Burma and of India. Naturally our first step was, apart from getting authoritative information, to tender financial assistance towards relieving acute distress among the victims of the disturbances. In reply to our enquiry, we received a telegram on the 2nd of August from Burma that there was no serious destitution in consequence of the riots and that various communities were already giving assistance as far as required. We received another telegram on the 6th of August repeating the same assurance and stating that no contribution from us towards the relief of distress was necessary and that local charity was meeting the situation. They were not able, they stated, to prepare and send us casualty lists such as we desired.

“The Government have received complaints from Indian Members of the House of Representatives in Burma that a large number of Indian shops and stalls, especially in the suburban areas of the City of Rangoon, were looted and that about 20,000 persons have been left destitute. Whatever may be the number, it is pretty certain that a large number of refugees and destitutes are gathered in Rangoon and are living on the charity of various communities. About 100 persons arrived in Madras on board the S.S. “Ethiopia” on the 8th of August. The Collector of Madras met them on arrival and they were sent to their homes in the province,

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some with the help of private charity and others at Government expense. I saw a deputation from among the arrivals and they explained the situation as it stood at the time they left Rangoon. Information has since been received that 225 refugees are arriving by the S.S. "Erinpura." The Commissioner of Police has been asked to send them to their homes as soon as possible after arrival in Madras. We have requested the Burma Government to supply us with a list of names of all Indians killed in the riots. We are in communication with the Government of India in regard to the whole subject—specially for repairing the damage done. So far as we can gather from official sources, the story of the disturbances is as follows:—

On the afternoon of 26th July a mass meeting of Burman monks and laymen was held at a Pagoda in Rangoon to protest against certain remarks against Buddhists in a book which purported to be a discourse between a Musalman priest and a Yogi. It was a republication of a book written many years ago by a Burmese Musalman. The trouble began with a procession of over a thousand Burmans which included a large number of Buddhist monks. On the way there was a clash with the Police and subsequently disorder prevailed in various parts of the City. Troops as well as additional Police arrived on the scene and by 4 a.m., on the 27th morning the City appeared almost normal. A notification proscribing the book was published on the 27th morning. The Muslim community is reported to have already expressed regret at the publication of the book and dissociated itself from the sentiments contained in it. On the morning of the 28th, as a result of rumours of assaults on Buddhist monks by three Indians, rioting broke out afresh in all quarters of the City.

"The situation remained disturbed during the night of the 28th and 29th and there was considerable looting and assaults in all areas. Evacuations from dangerous quarters were carried out on 29th. On the 30th of July the situation definitely improved and communal tension ceased. All open looting was ended and further evacuations were vigorously undertaken. A joint appeal for peace and reconciliation was issued by leaders of all communities endorsed by religious associations and younger monks. The situation is now officially reported to be practically normal.

"As regards the districts there were reports of isolated cases of looting and assaults on the borders of Rangoon, on the 29th. On the 30th of July, trouble broke out in Mandalay on account of the same book and serious rioting accompanied

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by looting and assaults were reported. But distinct improvement was reported on the 2nd August when trams were running and shops re-opened.

“Disturbances were reported on the 30th July also in about fifteen other districts. The position at present in the districts is reported to be satisfactory though in one or two districts, as reported on the 6th of August, there was still some tension.

“Hon. Members should remember that this Government cannot claim, beyond a certain limit, to interfere or even advise in the administration of Law and Order in other provinces not to speak of a separated government like Burma. We have to deal with the subject through the Government of India, and it is a delicate subject mixed up as it is with the constitutional independence and responsibility of the new governments that have been set up in the provinces as well as in Burma. Recognising these difficulties and limitations we may be sure that the Government of India will do its utmost to see that order and security of life and property are restored and as much reparation as possible is obtained for the victims of the unfortunate happenings. We shall, I have no doubt, be voicing the unanimous and deeply felt feelings of the members of the Legislature belonging to all sections and communities in the representations that we make and steps that we urge on the Government of India.”

MR. ABDUL HAMEED KHAN:—“May I know whether it was not possible for the Government of Madras to send some officer of this Government to be on the spot and to find out the conditions under which the Indian population were living during the disturbances, as soon as they knew that such unfortunate happenings were taking place in Rangoon and in the outlying districts?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“What was possible in the directions stated, suggested and described, was done; it was certainly not possible or useful to send an officer of our Government and he could not have commanded co-operation without which nothing useful could have been done; but what we did was to represent to the Government of India that something in this direction must be done; we have not yet had any reply on the subject generally.”

MR. ABDUL HAMEED KHAN:—“In view of the seriousness of the situation, may I ask whether it was not advisable that this Government should take very strong steps in the direction of relief being given to the people there and of seeing that the lives and properties of Indians were safeguarded? May I know whether it was not possible for this Government to make the Government of India realize the seriousness of the situation and to take such action as was urgently necessary?”

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THE HON. MR. C. RAJAGOPALACHARIAR:—"I need hardly say that we cannot begin to act as in a state of war against a sister Government; but courteous representations and pressure could certainly have been made and were made; as regards the sending of an officer, I have already answered it. I do not think the Government of India are sleeping over it; but we ourselves independently could not act in the matters. That much is clear. I have no doubt that a report of the expression of the feelings of hon. Members given vent to just now will have its own effect."

MR. R. M. PALAT:—"Will the Hon. Premier be pleased to state whether we have got an Agent in Burma as in South Africa?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Recently, Sir, an officer has been appointed, but I believe he has not yet joined."

MR. BASHEER AHMED SAYEED:—"May I ask whether the Government has satisfied itself that the Government of Burma has taken all necessary and possible steps to protect and safeguard the lives and properties of Indians in Burma?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I do not think, Sir, that we can discuss this question any more than we would like the Government of Burma discussing a similar question, about the activities of this Government."

MR. MAHBOOB ALI BAIG:—"May I request the Hon. Premier to answer question (c), whether the Government will make representations to the Government of India to set up an impartial committee to enquire into the causes of the disorder?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I have already stated that a representation on these very lines has already been made by telegram to the Government of India."

MR. ABDUL HAMEED KHAN:—"Will the Government of Madras apprise the Government of India that they believe that the question is more racial and that that has been more responsible for the disturbance than the publication of the book?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I will not be a party and this Government cannot be a party to this pre-judgment of the issue."

MR. BASHEER AHMED SAYEED:—"May I know whether the Government have any information as to the measures taken and methods adopted by the Burma Government to protect the lives of Indians?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I have given all the details as far as it was possible to gather from the reports we have received from that Government and the Government of India."

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MR. BASHEER AHMED SAYEED:—"Will the Hon. Premier be pleased to state whether this Government feels that, in the matter of protection of Indians, adequate steps have been taken by the Government of Burma?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"It is too early and it would be wrong to express an opinion on that question."

MR. ABDUL HAMEED KHAN:—"May I know whether the Government of Madras are aware that not Mussulmans alone but all Indians have been the target of the attack of the Burmans?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I should like the hon. Member to repeat a very important question he has put."

MR. ABDUL HAMEED KHAN:—"While the Hon. Premier realizes that this is a very important question, he says he has not heard it; I wish to know whether the Government of Madras is prepared to deny that this Burmese attack is not on all Indians but upon Mussalmans alone?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"It is difficult to extricate the too many negatives in the question."

MR. ABDUL HAMEED KHAN:—"Is the Government of Madras aware that the attack of the Burmans is on the Indians as a whole and not only on Mussalmans?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I respectfully submit that this is an argument and if at all there is anything in the argument, it is an insinuation, which would amount to a pre-judgment of the issue. As the reports stand, I have put forth what is claimed on behalf of the Burma Government, in the statement that I have made; the thing has arisen out of an attack, in some book, on the Buddhist faith."

MR. ABDUL HAMEED KHAN:—"From the statement I think that the Burmans attacked all Indians, including Hindus; is it not a fact that the attack was against all communities from India and not only on Mussalmans?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"It is difficult to analyse the attack to such nicety; one might get angry for one reason, but he might make many mistakes which may not be quite consistent with the original motive; it is not desirable that we should go on analysing the causes and coming to conclusions just now."

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MR. BASHEER AHMED SAYEED:—"Have the Government of Madras ascertained from the Government of Burma whether adequate and effective steps have been taken to prevent recrudescence of the trouble?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I do not think they have hardly finished getting over the present trouble."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Will the Hon. Premier be good enough to give more detailed information as early as possible, with regard to the actual number of persons killed, injured, etc., and the extent of loss of property? I quite sympathise with the Hon. Premier that he is not in a position to give the information to-day; I make these suggestions so that the Hon. Premier might urge on the Government of India and the Government of Burma to supply this Government with definite information at a very early date to allay public apprehensions in this connexion."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, it was this particular thing that we pressed for; we wanted details and they pleaded that they were not able to give them just now; we have asked them again to give at least the names, so that we might guess; they pleaded they have no classification according to the Provinces of India from which they can give the information; we are trying to get the information and I may assure hon. Members that, as soon as we get important information in that connexion, it will be communicated to hon. Members, if the House is not sitting."

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

GOVERNMENT BILLS.

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II.—THE MADRAS FAMINE RELIEF FUND (AMENDMENT) BILL, 1938.

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I beg to introduce a Bill^a to amend the Madras Famine Relief Fund Act, 1936, for certain purposes and move—

'that the Bill be taken into consideration at once.'

"Sir, the two objects for which this amending Bill is brought forward by the Government before this House are these: one is to enable the Government to invest the amounts in the Famine Relief Fund in the securities of the Provincial Government. As the present law stands, we can invest them only in the securities

^a Published in the Fort St. George Gazette, dated 9th August 1938.

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of the Central Government. We therefore seek to get by this Bill, power to invest them in the Provincial Government's loans. The other object sought to be gained by this amending Bill is merely a legal position. Under the previous position, the expenditure every year to be incurred in order to make the fund reach the minimum amount of Rs. 60 lakhs was a charge on the revenues. It was not a subject of discussion and voting; but now, as the law at present stands, an explicit provision to that effect has to be put into the Act. Otherwise, it would not be a charge on the revenues. It is in order to make this minimum contribution for making the total reach Rs. 60 lakhs at any moment a charge on the revenues that a section has been included in this Bill.

"Both these provisions are absolutely necessary in order to ensure firstly the proper amount of money remaining to the credit of this fund and secondly to allow this province to get the investment advantage out of it. I hope, Sir, that the House will treat this Bill as non-controversial, and allow it to become law without any further delay."

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

Clause 2 was put and carried.

Clause 3.

MR. BASHEER AHMED SAYEED:—"With your permission, Sir, I shall say a few words.

"The Hon. the Premier explained that the idea was to make this fund chargeable on the revenues. That means the incidence of its being votable by this House is sought to be taken away. I would like to know why the Hon. the Premier wants that this House should be denied all the right of being able to vote that item, whenever funds are transferred from the Famine Relief Fund. Nothing is mentioned in the Statement of Objects and Reasons as to why this change is sought to be made. I should like to be enlightened, Sir."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"If the principle is accepted, Sir, that the Famine Relief Fund should be maintained at a particular level, whenever we spend money in any particular year, that expenditure is subject no doubt to the discussion and vote of the House, and the policy and administration and the whole thing can be subjected to the fullest debate in this House. But the replacement of the amount that has been spent off and the bringing of the total amount again to the Rs. 60 lakhs level is not a matter for further consideration. Because, that is the minimum level at which the fund should remain. The only thing that is provided for in this section is

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that that need not be subjected to a debate but that it should be a charge on the revenues, just like the salary of any official."

Clause 3 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. MR. C. RAJAGOPALACHARIAR:—"I beg to move, Sir—

'that the Bill be passed into law.'"

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

III.—THE MADRAS REPEALING AND AMENDING BILL, 1938.

* THE HON. DR. P. SUBBARAYAN:—"Mr. Speaker, Sir, I beg to introduce a Bill^a to repeal certain enactments and to amend certain other enactments and move—

'that the Bill be taken into consideration at once.'

"In doing so, Sir, I may state that though the number of Acts put down in the schedule for repeal would seem to be large, what is being done is merely a procedural matter. The Madras Code has been out of print for some time, and the Government of India (Adaptation of Indian Laws) Order, 1937, made in pursuance of section 293 of the Government of India Act of 1935 has made some of our legislative enactments obsolete. Some friends are under a doubt whether any existing rights are being taken away. I would like to bring to their notice section 6-A of the General Clauses Act which runs as follows:—

'Where any Act to which this Chapter applies repeals any enactment by which the text of any Act of the Governor-General in Council or Regulation was amended by the express omission, insertion or substitution of any matter, then unless a different intention appears the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.'

"Therefore, all amending Acts which are being repealed by this Act are so done only for the purpose of convenience, because amendments passed to particular Acts are incorporated as part of those Acts and will be printed as such in the new Madras Code. One gentleman raised a difficulty yesterday with regard to the Madras Proprietary Estates' Village Service (Amendment) Act of 1914. If he looked at the appendix, he would find that section 8 of that Act is not being repealed by this Bill, because it is a specific provision and cannot be brought into the original Act. When any specific provision has been made in an enactment, such provision will be retained and printed."

^a Published in the *Port St. George Gazette*, dated 9th August 1938.

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

Clauses 2, 3 and 4, the first schedule, the second schedule, clause 1 and the Preamble were put and carried.

THE HON. DR. P. SUBBARAYAN:—‘ I now move, Sir—
‘ *that the Bill be passed into law.* ’ ”

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

IV.—THE MADRAS PROHIBITION (AMENDMENT) BILL, 1938.

* THE HON. MR. C. RAJAGOPALACHARIAR:—‘ Mr. Speaker, I beg to introduce a Bill ^a to amend the Madras Prohibition Act, 1937, for a certain purpose and move—

‘ *that the Bill be taken into consideration at once.* ’

“ Sir, the two sections with which this amending Bill deals are section 6 of the Prohibition Act and section 16 of that Act which should both be read together in order to understand the purport. Section 6 as it now stands deals with advertisements. The provision in section 6 of the present Act is that advertisements shall not be permitted except certain kinds of advertisements. Now, the advertisements that are sought to be exempted are, among other things, in respect of what are called wines of medicinal value. Of course, the description in the section is broader and more correct; but I am using popular language, and it is with reference to wines of medicinal value that this exemption is provided, among other things, in section 6, with which the present Bill is concerned. As the section stands, the decision of a Medical Council that a liquor or drug is of medicinal value entitles the advertiser to advertise that product. Now, as things stand, the situation is this: in the dry areas to which the Prohibition Act has been extended, there is total prohibition, and anything in the form of liquor is welcome to those who wish to have it and who wish to deal in it in those areas. There are certain wines and articles placed on the market by proprietary concerns which are claimed to be of some medicinal value, and as not likely to do any harm. They are priced high generally and they are distributed in the open market, because they do not fall under the excise laws. Most of them are not generally dispensed under the prescription of doctors; people act according to laymen's advice or act as their own doctors and judge by the experience and exhilarations felt, whether any such article is good or bad; and such things have been and are being consumed in our country as well as in other countries.

^a Published in the *Port St. George Gazette Extraordinary*, dated 16th August 1938.

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m. "It is possible to claim on behalf of some of them that doctors have certified to the effect that they are of some use in certain circumstances and in certain cases. This is recognized in this amending Bill that I am moving. It is recognized that it is possible that some of these tonic wines may be prescribed by doctors and for good purposes. This Bill does not interfere with that; but what it seeks to interfere with is a prescription of it by laymen and the use of it without any medical advice and the sale of it—such a noxious thing as that. It is proposed by this amending Bill that these things should be advertised only in medical journals. It will be argued that knowledge has not come to finality and that anybody may still be able to make some very valuable article for medicinal purposes which will be useful as a tonic—which is quite right. I, therefore, move in this Bill, Sir, that such advertisements and invitations for trial and experiment should be made in medical journals and only such journals as will be used by the medical profession, but the advertisement in the ordinary daily newspapers or weekly newspapers or picture magazines extolling the value of a particular tonic wine or a particular thing according to the proprietor concerned and according to the medicinal value, cannot but be harmful, if we accept the proposition that alcohol should be taken only under doctor's prescription. Therefore, accepting the principle of the Prohibition Act, it is necessary to limit the advertisement of articles of medicinal value to medical literature and to such articles as are recognized by duly constituted authorities and doctors to be of medicinal value. It is to secure these two results that the present amending Bill is proposed. It removes from section 6 as it now stands, the words relating to drugs and liquors 'or specially approved as of medicinal value by the Medical Council established by the Madras Medical Registration Act of 1914' and it comes down as one of the provisos which are now (a), (b) and (c) and they will become (a), (b), (c) and (d). There it is provided that this section shall not apply to such liquors or drugs as are approved to be of medicinal value by the Medical Council established by the Madras Medical Registration Act, etc.

"As for advertising Indian wine, a drug of the same nature, provision is made that it should be approved not by the Indian Medical Council, which does not deal with such things, but by such authorities—for instance the Indian School of Medicine in Madras—as are recognized by the Provincial Government. Then there is a liberalization of the provision by giving authority not only to the Madras Medical Council as contained in the present Act, but to the Medical Councils of any other province in British India or an Indian State. These are some of the changes that are sought to be brought about by this amending Bill.

"There may be some doubt among the people who have not given much thought to this subject as to whether it is necessary

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to interfere with the sale of these so-called harmless tonic wines. About 22 years ago, a committee was constituted by the House of Commons, on patent medicines. After a thorough investigation they came to the conclusion which is embodied in their report. I am giving their own language—a British, not an American Committee. A British Committee of the House of Commons, the Committee on Patent Medicines, composed all of medical men, came to this conclusion: 'There can be no doubt that many persons acquire the drink habit by taking these wines and preparations.' And then the Committee exposed seriatim the claims of these preparations which were said to contain nutrition by its finding that alcohol cannot contain meat extract in solution as the medicines claimed, and that any medical man desiring to administer meat extract would do so without mixing it with alcohol. The Committee in its report gives the alcoholic strength of well-known brands of medicated wines and preparations. Some people might be thinking, 'there may be a little bit of alcohol in it; why worry this House with legislation on this subject?' People will be surprised, Sir, to learn, the proportion of alcohol in these tonics—not all these names might be known to all the members of the House, but some are certainly likely to be familiar with the names of some of the tonics. Bovril wine contains 20 per cent of alcohol, not less. Toddy contains only 8 per cent. Wincarnis which is supposed to be certified by 20,000 doctors, if some advertisements are to be believed—their names are not given or even of some of them—contains 19.60 per cent of alcohol, whereas ordinary beer contains only 4 per cent. I am not giving my percentage but the percentages referred to by the Committee on Patent Medicines. Of course, it would be more costly to buy Wincarnis and Bovril wines for drinking. But so long as wines and liquors are manufactured, it is possible that the trade may move on this step. I do not intend to give many other names, but let me take St. Raphael's tonic wine. I think, it is also well-known to some of the Members that it contains 16 per cent of alcohol and not less. Panapeptone which has a wonderfully scientific name contains only 20 per cent of alcohol. Vibrona contains 19 per cent of alcohol—I am sorry to be advertising the thing myself just now, but I am advertising the percentages of alcohol—Hall's wine contains 17.8 per cent of alcohol; but it is not only that, it contains in addition an extract of coca leaf—it has nothing to do with cocoa; this has, in fact, much to do with cocaine—it (Hall's wine) contains an extract of the leaf from which cocaine is made. I need not go further. Some, however, claim that there is some vitamin and medicinal value in these things. People take these things in order to get vitamin, which we can get from malt or yeast and other various food stuffs that we take and that we can take in larger quantities, if people would listen to us. Well, these things we now drink—either these patent wines or any other kind of alcohol—in order to get these vitamins. These are

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only proprietary things which give a lot of money to those who make them and which do a lot of harm. A very eminent doctor has said, 'The consensus of medical opinion at the present day is that alcohol in any form is quite unnecessary for health.' He is a medical man. So I quoted him. I need not go into the original argument. We are dealing now only with the subject as to whether we should restrict the advertisement of what are called tonic wines and medicated wines. The only restriction that we seek to put is this. They must be certified by duly constituted Medical Councils to be of medicinal value; secondly that they should be advertised, even then, only in the medical journals and medical literature so that doctors may know where to advertise and what to advertise and so that non-medical people may not be deceived by the lies and false statements and false claims made on their behalf in any advertisement for the sake of sale. I hope, Sir, that the House will accept this as the corollary of the Act that was before accepted and in order to obtain better enforcement of what we wish to enforce. Therefore, I submit that the House do proceed to consider this amending Bill at once."

* MR. G. H. HODGSON :—“ Mr. Speaker, Sir, on behalf of the European group, I oppose the consideration of this Bill. One of the objects, if not the chief object, of the Madras Prohibition Act, 1937, was to prevent the people of this Province from drinking liquor which is considered by this Government to be harmful to health.

“ As Sir William Wright made abundantly clear last year during the debate on the Bill, the members of my group do not subscribe to that view, but it is at least one which we can understand.

“ The amending Bill now under consideration, however, is quite a different story. It is not directed against the consumption of liquor which is thought to be injurious to health, but is specifically directed against the advertising of medicated wines and other drugs which, so far from being injurious to health are positively of medicinal value, and which have been approved as such by the Medical Council of this province or of other provinces or States in this country. This attitude we do not understand. The ‘ false claims ’ which the Hon. the Prime Minister referred to will not in our view carry any weight with the Medical Council of this province or of any other.

“ It is stated amongst the objects and reasons of this Bill that ‘ non-professional advice to the public to buy specified medicated wines, etc., contained in advertisements published by the manufacturers or vendors thereof, is not only against the interest of the general public, but also objectionable from the point of view of prohibition ’. But if a medicated wine has first been approved by the medical profession how can it be said to be against the

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public interest for a manufacturer or vendor to make that fact known by advertisement? And how can such an advertisement be termed 'non-professional advice?'

"The argument that a medicated wine is only genuinely needed in specific cases under a doctor's care, and need not therefore be advertised is not borne out by the facts.

"The purpose of such wines is to serve as a general tonic either in cases of actual debility or more often still as a preventive to debility. To restrict their use to occasions when they are prescribed by doctors cannot therefore be in the public interest.

"There is yet another aspect of this matter. It will be generally conceded that no newspaper or periodical can exist without its advertisements. It is, in fact, not too much to say that every newspaper that is published would sell at a loss, shorn of its advertising revenue. The provision in the Prohibition Act penalizing the advertising of liquor has already made serious inroads into the advertising revenue of the press of this Province. This further inroad into that income, small though it may be, is therefore to be deprecated.

"It may be said that this is a small matter, but I would remind the House that 'little drops of water, little grains of sand, make the mighty ocean and the great big land.' It is, indeed, the last straw which breaks the camel's back.

"We oppose this Bill, therefore, firstly because under the cloak of an act designed to prohibit the use of liquor supposed to be injurious to health, it seeks to restrict the use of other liquor specifically declared by the medical profession to be beneficial to health. And, secondly, because it makes quite unjustified further inroads into the already depleted advertising revenues of the press of this Province—placing them, incidentally, at a distinct disadvantage with the press of other Provinces."

MR. G. KRISHNA RAO:—"On a point of information, Sir, may I be permitted to put a question to the Hon. the Prime Minister?"

* MR. SPEAKER:—"Yes."

* MR. G. KRISHNA RAO:—"On a point of information, Sir, I would like to know from the Hon. the Prime Minister, whether, if he thinks that an amendment of this nature is essential at the present stage, he has got facts and figures to lead him to think that this thing has made inroads into the prohibition area? Has there been any serious or alarming increase of sale of medicated wines since the prohibition scheme was started last year? Has he got any statistics to show that the sale of medicated wines has gone up, so as to lead him to think that liquor or drunkenness would come by the back door?"

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* DIWAN BAHADUR A. APPADURAI PILLAI:—“ Mr. Speaker, Sir, I would like to associate myself with the remarks made by the previous speaker, who opposed this Bill on a very important consideration. There is a remark in the Statement of Objects and Reasons, which I take to be an *obiter dictum* that has not been accepted by the public at large. It is stated ‘ the Government consider that public advertisements of medicated wines and similar preparations are unnecessary and undesirable, and should be prohibited.’ ‘ Unnecessary and undesirable ’ may be the opinion of Government, but I do not think that this could be put forward as the opinion of the public.

“ Sir, taking first the point ‘ unnecessary,’ I do not think that the public would agree that the publication of such advertisements in question is unnecessary. Advertisements are very necessary to make known to the public the nature and the sort of wares that are placed in the open market. Some of the medicated wines are so essential as pick-me-ups and tonics that they serve as recuperatives to people in run-down health, particularly, without the intervention of doctors. By the amendment before the House the public at large will be deprived of that advantage. To say that such advertisements are ‘ unnecessary ’ is in my humble opinion an *obiter dictum*.

“ It is again stated, Sir, the advertisements are ‘ undesirable.’ I take objection to this word. What may be considered desirable by me may not be considered with due respect to you, Sir, to be desirable. Difference of opinion would always exist, particularly in the case of medicinal preparations; what is food to me may be poison to you. So it is not possible to say that advertisements offering medicinal preparations to the public are undesirable.

“ Then, Sir, having said that advertisements are unnecessary and undesirable, the conclusion arrived at is that they should be prohibited. Sir, I submit that the public has not been taken into confidence. This Bill was not published for public criticism, or at any rate, it has not been long before the public so as to assess public opinion with reference to the necessity or otherwise of this measure.

“ There is another premise here, which also calls for remark. ‘ Non-professional advice to the public to buy specified medicated wines, etc., contained in advertisements published by the manufacturers or vendors thereof, is not only against the interest of the general public but also objectionable from the point of view of prohibition.’ Sir, taking the phrase ‘ non-professional advice ’ I submit it is wrong to presume that these advertisements are made by non-professional people. For most of these medicinal preparations are subject to a careful analysis, and opinion of eminent doctors. We find, if we open any case of medicinal preparation, for example, Wincarnis, Vibrona or St. Raphael’s

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wine, the analysis is noted and the opinion of eminent doctors is recorded. That would show that it is not a matter of non-professional advice; but it is on the advice of eminent medical authorities that these popular medicinal preparations are placed on the open market. I would therefore submit that these wrong premises and opinions expressed in the Statement of Objects and Reasons hardly justify a Bill of this kind.

“ Sir, there is one inconsistency in the Bill, which I would like to point out here and now; and that is, the Bill proposes to amend the provision contained in section 6 of the Prohibition Act. In the amending Bill, it is stated in clause 2 (i) in the first paragraph that the words and figures ‘or specially approved as of medicinal value by the Medical Council established,’ etc., shall be omitted. I would read the previous lines to make myself clear. ‘Whoever prints or publishes in any newspaper, book, leaflet, booklet or any other single or periodical publication or otherwise displays or distributes any advertisement or other matter commending, soliciting the use of, or offering any liquor or intoxicating drug other than liquor or drugs exempted under section 16 or specially approved as of medicinal value by the Medical Council established, etc.’ That means, Sir, that this prohibition regarding advertisements would not apply to drugs that are exempted by Government under section 16. It applies only to drugs and medicinal preparations exempted or specially approved by the Medical Council. Therefore, there are two categories, or rather I would say, two items of preparations, and they are, one set of medicinal preparations exempted by Government, and another set of medicinal preparations exempted by the Medical Council. Now the medicinal preparations exempted by the Medical Council alone come under the purview of this amending Bill; whereas the medicinal preparations that are exempted by Government under section 16 remain unaltered. Why this sort of distinction without a difference between the two sets of medicinal preparations, and the embargo on the advertisements that is now proposed to be placed only on the medicinal preparations exempted by the Medical Council? This, I submit, introduces a distinction, which I cannot for one moment understand. Section 16 says, ‘the Provincial Government may, by notification and subject to such conditions as they think fit, exempt any specified liquor, etc.’ From this it is evident that advertisement of medicinal preparations approved by the Medical Council come under the purview of the amending Bill; while those approved by the Government do not come. I submit this would be placing the Medical Council at a disadvantage as compared with Government. The only justification for this step, that I can think of, is that Government accord exemption only when they are fortified by the considered opinion of eminent doctors who would be in a position correctly to advise Government in the matter; whereas the same could not be said with reference to the exemption granted by the Medical

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Council. I beg to submit most respectfully that this distinction would hardly hold water, for the simple reason that the Medical Council also consists of eminent doctors who have made a name for their professional skill. This Bill aims at creating a distinction between the two sections, and it looks as if the Bill has been hastily drawn up, and it would require some more time for sifting these objections."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I shall first deal with the last point raised by Diwan Bahadur Appadurai Pillai. It would seem to suggest that we are going to have two classes of exemptions, namely, one class of exemption by the Provincial Government under section 16, and another class of exemption under the present section 6 or in the amended form; and that it would tend to bring about a disparity of potency between the exemption issued by the professional body of doctors and exemptions based on the authority of the Provincial Government. I may at once say that this is not either the intention or purpose of these two sections. Under section 16, hon. Members will see, that exemption power is reserved with Local Government in respect of the whole body of liquors required for medicinal, scientific, industrial and such like purposes. The idea under section 16 is that the Local Government should have the authority to take certain articles altogether out of the scope of this Act. Methylated spirits, for instance, which are required for industrial purposes, for scientific purposes and other purposes, are used every day in the laboratory; and certain drugs for medicinal purposes, which hon. Members will find in the shelves of any household, and wherein important and active elements of alcohol will be found, are used in the practice of medicine; and certain medicines in order to preserve their potency have to be kept always under alcohol, for example, tinctures, essences and the like; thus though they are not tonics, yet they are things which are necessary for the ordinary, daily prescription of medicine, and consequently they are exempt under section 16. What is contemplated in section 6, either as it stands at present or as amended, is a different set of articles. They are things like Wincarnis, Hall's Wine, Drakshasava, etc.

"They are not tinctures and they are not simply drugs preserved in alcohol which cannot be prescribed otherwise, so to say. Certain forms of wine contain various attractive colouring things and the like. Well, these two have to be made distinctly clear. The latter class is brought under the advertisement provision. Nobody need be anxious or feel doubtful about the picture I have drawn. Now there are one or two things that are to be seen in any hospital; they are not patent or tonic wines but they are preserved in alcohol. It is for these that the exemption is provided under section 16. Here under section 6, it is the tonic wine that has to be dealt with and not those articles that come under

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the first category. With reference to this, it was said by the hon. Member Mr. Appadurai Pillai that these advertisements are based upon professional opinion, that is to say, medical opinion, and that it is not non-professional opinion and the opinion of interested proprietary concerns that ask people to buy them, but that they are based upon the opinion of eminent doctors. Well, I submit that the hon. Member himself has proved as an illustration of the type of men who are likely to be misled and about which I have been laying so much stress. He has been deceived and he is imagining that eminent doctors have recommended this tonic and says so now on the floor of this House. It illustrates very well the danger that I am trying to prevent by this amending Bill. Here is an eminent doctor, Dr. Hotkinson, the physician of the London Hospital and I would very much like to read out what he says regarding tonic wines. In the Select Committee, the doctor says, 'The use of these wines can on no account be recommended to any one. Their manufacture and sale ought to be deprecated by the Medical profession.' Nothing can be more clear than this, and the opinion that the hon. Member has expressed just now shows exactly how far the danger can go. The hon. Member has been deceived by what has been stated and is of opinion that eminent doctors have recommended that such wines are not bad. If this is so in the case of our learned friend, it is needless for me to say how much more the danger will be in the case of ordinary men. There is no doubt about it, and whatever may be the safeguards and a fairly good amount of equipment for people in other countries, in our country where disease is rampant, false statements and false claims said to be based on medical opinion and phrases like that, are certainly bound to deceive our people and lead them to danger, if not to danger, at any rate, to great and useless expenditure and to, what has been stated to be, the common cause for the acquisition of the drink habit. I know that many gentlemen begin with only a dose of medicine and end with a daily pick-me-up as it is called and finally end with something worse. I do not think that the hon. Member can ever believe that eminent medical men have advised this. But supposing that medical opinion says it is good, what next? Surely the Medical Council will approve of it. Quite right. If the Medical Council approves of it because it is good, let them prescribe it. They are entitled to do so even now. The amending Bill I am now proposing does not prevent that. What we want is that magazines and journals should not have the liberty for the sake of advertisement revenue, as was stressed by another hon. Member, to recommend the use of the wine. And what are they recommending? They recommend that these sick people should pay money to the newspaper. That is the real meaning of it and that is what the argument of the hon. Member on behalf of the European Group comes to. If I accept the argument that medical men recommend it, it finally

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comes to this; that some wines are good no doubt and are of medicinal value according to medical men. The Medical Council cannot say that such and such a thing is not of medicinal value, because what is of medicinal value in certain cases and on certain occasions may not be so in certain other cases and on other occasions. It all depends upon the question as to how it should be administered, how much of it should be used and who ought to use it. What we propose to do by this amending Bill is that only doctors must say all these things, and it is a dangerous policy to entrust newspapers with this obligation of advising and educating people as to what is good and what is not. Newspapers are no doubt interested, and Mr. Hodgson very truly pleaded for them that they are losing a great amount of revenue which would enable them to live and may go to swell their revenue to some extent. Well, we have overcome a much bigger argument. We have lost a considerable portion—and we propose to lose the whole of our revenue that comes under the Excise Head. When we as a State are prepared to lose all our excise revenue, I only appeal to the interests so ably advocated for by Mr. Hodgson—I am appealing to those interests—to share in this general sacrifice, and to lose a portion of their advertisement revenue in this plan of ours for the sake of the people. The hon. Member for the European group has said that when once a thing has been proved to be of medicinal value, it cannot be bad for health. How plausible that argument is! But let us examine it a little further. It has been proved that quinine is of medicinal value, and because it is good for me to-day, can I take it in any quantity at any time? Because doctors recommend quinine, because it is good for me to-day, suppose I take 15 grains of quinine, what will be the result? That is the reason why I say that it should be prescribed by a doctor and not left to the newspapers. A layman cannot prescribe what should be taken and when and how much is to be taken of that even if it is originally recommended by doctors. It may be asked 'What we want is a harmless dose of alcohol and not an overdose of it.' If we accept that principle, then of course it is no harm. But since we do not accept that principle, and since we are faced with the only other alternative based upon medicinal value, we must leave the option to doctors and not to the solicitations of newspapers and proprietors of such medicine. Therefore it is not right to argue that because a thing is of medicinal value it is not bad for health. For instance arsenic is of medicinal value, but surely Mr. Hodgson will not say that arsenic is good for health. It is one thing to say that a thing is of medicinal value—it is a scientific statement—and it is another thing to say that it is good for health because it is of medicinal value. That is a very dangerous statement.

"Then it was said that it is not true to say that false claims in the newspaper will deceive ordinary men and that if they are not good, the Medical Council would never have certified them.

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Again a very plausible argument indeed! It is one thing to say that a doctor when he examined a patient had prescribed a certain thing to be taken for certain purposes and for certain reasons. But to put in a continuous claim on behalf of twenty thousand doctors that that certain thing is good and that people may take it whenever they are tired, or fatigued, just as for example before and after a cricket match, is likely to deceive people and lead them to harm and danger. The doctor has nothing to do with that claim. The two things cannot come together and so the doctor cannot come and say, 'I said that it was of medicinal value only to these men, but the advertisement is not correct, and an injunction cannot be placed on the newspaper, as the law stands at present.' What is exactly meant by this amending Bill is to correct this. We propose here that such advertisements should appear only in Medical Journals and Medical Literature. Then only will the doctor have a continual check over them. He may learn what is good and what is not, and tell the patients accordingly. Therefore, I submit that what Mr. Hodgson has said confirms the claim made by this amending Bill. He also made a plea that newspapers should be allowed to exist. Far better that the Government of the day gives a subsidy to weak and good newspapers—if they are good and really in need of subsidy—than to ask them to solicit people to buy dangerous drugs and thereby give a portion of that amount to the newspapers. If the hon. Member of the European group brings forward a Bill for subsidy to newspapers that are fit and deserving, then the House will have ample opportunity to consider that.' (Cheers.)

MR. G. KRISHNA RAO:—"My question has not been answered, Sir."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Of course, it was not a question; it was a speech and I ought to have remembered it, though there is no legal claim that the question should be answered. But, if you permit me to speak, I would like to say this. The hon. Member has asked whether the facts and figures show that there has been a considerable amount of traffic in these wines. There is considerable traffic no doubt, and if it is true that it is bad, it ought to be prevented before it becomes worse. We have already introduced prohibition in one district and two more districts will be added to this, thus making the 'dry' districts three in number. A considerable population there, including a number of those who read newspapers will be without any form of alcohol to which they were previously used. Therefore, there is this precaution taken. Prevention is better than cure, and apart from that, this proposed law regarding advertisement is not a law for a single district. It is a law applicable to the whole of the province. Whether people should have the solicitations in regard to these articles or not, or whether the quantity of these

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articles taken into the prohibited area is very small or very great, there is no doubt so far as my experience and the experience of many doctors whose names I have quoted go, that people are taken on to drink from the first use of these wines and therefore it is not justifiable in any circumstance to allow this traffic. Therefore that is the reason for this measure, even though there is no proof regarding the quantity of drink in this respect. As a matter of fact, I may assure hon. Members that this question arose when dealing with prohibition and the various questions that cropped up while enforcing the regulations thereof. Thus it became absolutely necessary to make it precise, and the present Bill has arisen out of that."

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

Clauses 2 and 1 and the Preamble were put and carried.

THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I beg to move—

'that the Bill be passed into law.'"

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

V.—THE MADRAS MINOR PORTS FUND BILL, 1938.

The Hon. Mr. Yakub Hasan rose to introduce the Bill.*

* MR. SPEAKER:—"Before it is introduced, I should like to know from the Hon. Minister whether there was sufficient publication of this Bill?"

45 p.m. THE HON. MR. YAKUB HASAN:—"The Bill was published on the 12th, and I understand you have given permission . . ."

* MR. SPEAKER:—"I do not think that the discretion of the Speaker should be exercised in favour of taking up this Bill now, because it is a very important Bill dealing with the diversion of Rs. 55,00,000 from the use of the minor ports. There is an accumulation of sixty lakhs and Government want to keep only five lakhs in the Minor Ports Fund and take away the fifty-five lakhs. The opinion of the ports and other interested bodies should be obtained beforehand. So it can be moved in the next session."

THE HON. MR. YAKUB HASAN:—"I shall move it on the 18th."

* MR. SPEAKER:—"Next session will be better. I suggest that sufficient publication be given because it is a very important Bill affecting a large sum."

THE HON. MR. YAKUB HASAN:—"I understand according to the rules only six days' notice of publication is necessary."

* Published in the *Fort St. George Gazette Extraordinary*, dated 12th August 1938.

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* **MR. SPEAKER**:—"Whereas for a resolution fifteen days are required under the rules, only six days are required for a Bill, and I propose to ask the House that this rule regarding six days' notice may be amended. At any rate this is a Bill for which the public have got a right to claim some time to enable them to examine it. So it is better that sufficient publicity is given by Government instead of hurrying it up."

THE HON. MR. YAKUB HASAN:—"As to-day it is brought here all the members of the Legislature have become acquainted with it. So six days' notice may suffice in this case."

* **MR. SPEAKER**:—"I may suggest to the Hon. Minister that it is not a question confined merely to the members of this House. Is not the public affected, are not the members of the ports affected, if that fifty-five lakhs to be used for the improvement of the ports is being diverted to the general revenues? And so it is better that opportunity is given to the public in those ports and to the minor ports committees concerned to study the matter. I think the Hon. Minister may consider the suggestion. It is very desirable that the Government do not stick to the six days' minimum notice."

THE HON. MR. YAKUB HASAN:—"In matters of this kind, what do you think, Sir, will be sufficient notice?"

* **MR. SPEAKER**:—"I think the Premier may be consulted in the matter."

MR. ABDUL HAMEED KHAN:—"It is a question of finance."

* **MR. SPEAKER**:—"Yes. Government are dealing with a large amount of revenue and as such they may move it in the next session."

* **THE HON. MR. C. RAJAGOPALACHARIAR**:—"I beg to submit to you, Sir, and through you to the House that there is a point in the request of the Hon. Minister to have it on the 18th. If on the 18th after the sufficient minimum notice, hon. members of the House feel that it should be considered further a Select Committee will be appointed and the Bill can be taken into consideration after the report of the Select Committee, at the next sitting. But if on the 18th it is found that the nature of the Bill is such that the House does not see any objection to it, but on the other hand, as I expect they may do, it welcomes it, then on the 18th it is open to the House without any controversy to pass it."

* **MR. SPEAKER**:—"It is for you to move for a Select Committee."

* **MR. T. T. KRISHNAMACHARIAR**:—"May I make a submission, Sir. I have received a communication from the South Indian Chamber of Commerce stating that they had no time to

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consider this important matter. The acceptance of a reference to a Select Committee involves acceptance of the principle of the Bill. We have to seriously examine the question and consult the business interests in the minor ports and what is really called for, is a circulation of the Bill. But if the Bill is to come on the 18th, the only purpose for which anybody in the Opposition representing commercial interests can agree to this course is for the circulation of the Bill for public opinion."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I am sorry that we are getting rather irregular. The present debate is practically forestalling the discussion on the Bill which may be done on the 18th. As to whether the Bill should be sent to the Select Committee or circulated, that is really a matter on which much may be said on either side; and I shall be able to explain that in the interests of the province we should expedite the Bill. But to-day it is open to the Government with the aid of you, Sir, to decide the procedure. On behalf of the Government I submit that we may be permitted in the usual course to bring it on the 18th, and then if we find from the House that the Bill is to be circulated or sent to the Select Committee, in either case if the House wants time it will not be pushed through at that sitting, but it will go over to another sitting. At the present moment the position may be this, that we bring it on the 18th."

* MR. SPEAKER:—"After all, the money is intact; Government does not lose a pie; why should the House be pressed to take it up on the 18th?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"On that question I submit that this Bill is intended to use the money which has been absolutely locked up. For the first time this money has been seen and found to be ours and lying idle somewhere else. Any delay in using this money is a serious loss to the province and hence this Bill has been brought forward. There will be no haste, no hustling, because the Select Committee will then be able to get the opinion of interested parties. After all this is not a Bill on which literary societies and reading rooms have to give opinion, but only the commercial bodies have to consider it, and commercial bodies will be able to come to a decision then. I do not wish to go further than this in this matter. If your view is that we should give more time we shall do so. But I suggest there is a great advantage in putting it at an intermediate stage, on the 18th, when the House will have time to examine the Bill and say actually whether they should take more time on it."

* MR. J. NUTTALL:—"Mr. Speaker, I submit that this House can definitely say it has not had sufficient time to consider so important a matter. Some reference was made to six days' notice. We have not had 'six days' notice'. This Bill came

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into my hands late on Sunday night, the 14th and I consider that a matter of rupees sixty lakhs is no small concern; the interests connected with these sixty lakhs are not in Madras, but they are scattered all over the Presidency, and I would press, therefore, that the Bill should not be brought up on the 18th, but only at the next Session."

* MR. T. T. KRISHNAMACHARIAR:—"I am sorry I was not quite clear when I made my statement. I am not suggesting, Sir, that it should be on the 18th or on any particular date. What we, on this side, want is that the Bill should come at the next Session, so that the opinion of the entire commercial body may be mobilized and their views ascertained. I am not going into a discussion of the nature and merits of the Bill, but I want to make it clear that we are clearly for the postponement of the Bill to a later date and not the 18th."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I beg to submit that we are agreed that it is not to be moved to-day. As to whether it should be moved on the 18th or not it is a matter for Government to consider. I beg to submit that . . ."

MR. J. NUTTALL:—"Is it not a matter of sufficient notice being given to move the Bill?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Mr. Nuttall is making a mistake and I do not think it necessary to correct it. We do not say that six days' notice has been given now, but on the 18th it will be six days, that is, the minimum. But that is not the point; it is for the Government to consider whether they will move it on the 18th or not, and the Hon. the Speaker will certainly give his ruling at that time. We need not discuss now the whole process of administrative justification."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I shall confine myself to the last point mentioned by the Speaker, i.e., whether it is possible to state on behalf of the Government that they would have given six days' notice by the 18th, in view of the statement of Mr. Nuttall."

* MR. SPEAKER:—"I do not think that a point should be made about Mr. Nuttall's statement."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"But what I thought was, the Prime Minister wanted to suggest a compromise through a Select Committee. As a representative of the commercial interests, I may point out it is not a thing to which we will easily agree, for, not only the commercial bodies but the public also, should be consulted, as they are also concerned. It is a very large question and we would very much like the Government to consult public opinion before they go on with this Bill. The money is there and they can decide what

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to do with it before the financial year closes and also utilize the money in spite of opposition. That being so, there is nothing to justify this matter being hurried through."

* MR. SPEAKER:—"The Hon. Minister will see that this matter is not a small one. The Bill was published on the 12th and now the matter is sought to be discussed here; it may be ordered to be republished and then six days' notice given afresh. Instead of going into these technicalities, I would suggest to the Hon. Prime Minister to introduce the Bill at the next Session."

THE HON. MR. C. RAJAGOPALACHARIAR:—"The suggestion will be given every consideration, Sir."

VI.—THE MADRAS BORSTAL SCHOOLS (AMENDMENT) BILL, 1938.

THE HON. MR. K. RAMAN MENON:—"I beg to introduce a Bill * further to amend the Madras Borstal Schools Act, 1925, for certain purposes and move—

'that the Bill be taken into consideration at once.'

"Sir, the statement of objects and reasons gives a clear idea as to how it has become necessary to amend this Act. I do not think there is any need to make a speech on this particular matter now."

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

Clauses 2 and 3 were put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. MR. K. RAMAN MENON:—"I move, Sir—

'that the Bill be passed into law.'"

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

p.m. VII.—THE MADRAS LOCAL BOARDS (AMENDMENT) BILL, 1938.

* THE HON. MR. B. GOPALA REDDI:—"Sir, I beg to introduce a Bill * further to amend the Madras Local Boards Act, 1920, and the Madras Local Boards (Amendment) Act, 1935, for certain purposes and move—

'that the Bill be taken into consideration at once.'

"Sir, though there is no proper notice for this Bill, I would request you to give me permission to move for its being taken into consideration at once. This will enable the Government to order elections to eight district boards to take place this October. Under the present Act, I cannot order the elections to take place simultaneously for all the eight boards in October this year."

* Published in the Fort St. George Gazette Extraordinary, dated 12th August 1938.

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* MR. SPEAKER:—“ What is the harm if elections are conducted at different times? ”

THE HON. MR. B. GOPALA REDDI:—“ I am just coming to that. In 1935, four district boards were reconstituted on the 1st of December and four other boards were reconstituted on the 1st of January. The Guntur District Board was reconstituted on 15th February 1936, though all these boards belong to the same group. I now want that in all these eight district boards, there should be elections in the month of October, so that they can all be reconstituted in the month of November. Under the Municipal Act, all the new members will take their seats on 1st November. So as to enable me to reconstitute all the eight boards on 1st November, I want also that the Local Boards Act should be amended.

“ Sir, there are three groups of eight districts each. Malabar had elections in March 1937 and on 1st April it was reconstituted. If the present rule were to stand, the Malabar Board can be reconstituted only on 1st April 1940. I want power under this Bill to reconstitute the Malabar Board also along with the Ramnad, Coimbatore, Salem, East Godavari, Kistna and Nellore District Boards on the 1st November 1938. There is no harm done to these boards by this amending Bill. In the circumstances I hope the Bill will be passed into law at once.”

* MR. SPEAKER:—“ I am considering the question as to whether there is need for dispensing with notice. I must be satisfied that there is necessity for the Bill being taken into consideration at once.”

THE HON. MR. B. GOPALA REDDI:—“ There is administrative convenience in having the elections conducted in October. The Revenue authorities always complain that a good deal of difficulty is caused to them by having the elections fixed at a time when their staff are engaged in tax collection. If we conduct the elections in October, the Revenue authorities will be free for this work and on 1st November the eight boards can be reconstituted.”

* MR. SPEAKER:—“ So in order to facilitate the elections to be conducted in October this year, this Bill should be passed in this session? ”

THE HON. MR. B. GOPALA REDDI:—“ Yes, Sir.”

* MR. SPEAKER:—“ I dispense with notice. The Bill may be moved.”

THE HON. MR. B. GOPALA REDDI:—“ I beg to introduce the Bill and move—

... *that it be taken into consideration at once.* ”

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Mr. ABDUL HAMEED KHAN:—"Mr. Speaker, if it is for administrative convenience that the Hon. Minister is seeking the consent of this House for passing this Bill into law, we have no objection. We do not want to put any obstacle in his way. But, at the same time, I wish to know from him whether it is the policy of the Government in the meantime to re-allocate the areas or the wards in the district boards before the elections in October. If he is going to attempt any such thing, I would submit that it is not advisable to do any such thing now. I know that if a party comes into office it is natural for the party in power to so arrange the areas as to secure majority for it on the boards. If he has any such idea, I think he ought to give consideration to the convenience of the electors as well as to the minority communities that are called upon to elect their representatives to these boards. That is the information that I want from the Hon. Minister. I may in this connexion suggest that it will certainly be not proper, if, during this short period, re-allocations were to take place in a hurry without consulting the convenience of the voters of the locality."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"Mr. Speaker, I wish to say in this connexion that in several cases it will be an advantage to advance the date of elections to October in that it will be a convenient time for the Revenue authorities. Further, we could have better elections by having more time for preparing correct electoral rolls. But if the work of preparing the electoral rolls is entrusted to the Revenue authorities, it will never be done correctly or well. They are a very much over-worked people and they have no time to do anything else. Now there is hardly a fortnight given for preparing the rolls for their publication in time. I say that there should be a separate authority for this work. But if the Government do not want to create a new authority for this work, they can entrust this to the panchayat officers who might be given for this purpose one or two extra clerks. The Revenue authorities also are getting the help of extra clerks for this work. In the present rolls there are so many names of persons who are dead and gone long ago and in some cases names have been curiously put in there. For instance, an entry like Rama, son of Muhammad, is found there (laughter) and also Abdullah, son of Kristna." (Renewed laughter.)

* **MR. SPEAKER:**—"Is it inconsistent?"

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"They are not correct."

* **MR. SPEAKER:**—"They may be perfectly correct." (Laughter.)

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"But there are no such names at all."

* **MR. SPEAKER:**—"You have no authority to say that."

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KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"True. As it is printed in the roll like that nobody can question it. If you want to avoid mistakes like that you will have to entrust this work to a separate authority. Some time back I remember there was a proposal to have separate election officers, staff, etc. Whether that is going to be done or not, I think it is necessary that this work should be taken out of the hands of the Revenue people. They are very much overworked. Whatever you do, you should give sufficient time to the authority concerned to prepare the rolls properly and proper directions as to how the rolls should be prepared. Then only the rolls would be correct. I hope the Hon. Minister will consider these suggestions."

* MR. T. N. RAMAKRISHNA REDDI:—"Mr. Speaker, my hon. Friend who represents the city of Madras just now said that some re-allocation of district board circles have been ordered by the Government to suit the convenience of the party members. It is not correct. There was nothing of the sort. The previous Government made re-allocations to suit the convenience of some of their party members, but the present Government have done no such thing. They have ordered re-allocation of the district board circles according to certain definite principles which were enunciated even during the time of the previous Government but were broken here and there. In one case I know that the previous Government in re-allocating the areas, to suit the convenience of a member belonging to their party who was standing for a certain circle, tore off some villages in one firka from a particular circle and added them on to another circle. But what is happening now is different. The Inspector of Local Boards has just now sent a circular to the district boards to re-allocate the seats only if there are any such inconsistencies and form circles on certain definite principles. All the district boards are now following these principles. Except in certain cases there is no need for the district boards to re-allocate the areas. There is plenty of time to re-allocate the circles before the 15th of the next month and hold the elections in time. I heartily support the motion."

MR. BASHEER AHMED SAYEED:—"Sir, the fear given expression to by the hon. Member for the Muslim constituency of the city of Madras was with reference to the allocation or reservation of certain seats for certain minority communities. His fear was that if uniform principles are followed in these matters, the interests of the minorities will suffer. The *status quo* need not in all cases be maintained. The object of any re-allocation should be in the interests of public convenience and of the minority communities of the locality. I emphasise the words 'minority communities' for this reason that most of the reservations have been only 25 per cent of the strength of the board. Any re-allocation is therefore likely to affect the interests of the minorities. Is it therefore too much to ask the Hon. Minister to take the

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representatives of the minority communities in this House into confidence and find out which is the most convenient form of re-allocation or alteration of the existing arrangement? I hope the Hon. Minister will not feel it in any way inconvenient to get the opinion of those who are interested in this matter before ordering alterations finally."

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.m. * THE HON. MR. B. GOPALA REDDI:—"My hon. Friend, Mr. Schammad, has raised the question of the preparation of the electoral rolls. I beg to submit, Sir, that that question is not pertinent to this Bill. This Bill seeks power to order elections in October. It has nothing to do with the preparation of electoral rolls. I may also say that the Local Administration Department has nothing to do with the preparation of electoral rolls, which is being dealt with in the Public Department, and he may address the Prime Minister if he chooses to do so. As regards the preparation of electoral rolls, whether Rama is the son of Allah, and whether Allah is the son of Jesus, that does not arise here. As regards the allocation of seats . . ."

MR. ABDUL HAMEED KHAN:—"The Hon. Minister for Local Administration mentioned the name of Allah. Evidently he meant something else. He may correct it . . ."

* MR. SPEAKER:—"Because an hon. Member said that Rama was the son of Abdullah, it was only by way of repartee, I think, that the Hon. Minister made that remark. Nothing more serious than that was meant."

MR. MAHBOOB ALI BAIG:—"The Hon. Minister knows very well that he has not come across any Muhammadan name as Allah."

DIWAN BAHADUR A. APPADURAI PILLAI:—"May I also add my humble protest, Sir, at the name of our Lord Jesus being so lightly mentioned?" (Laughter.)

* MR. SPEAKER:—"Such things might be avoided in future."

THE HON. MR. B. GOPALA REDDI:—"I withdraw. I expected the hon. Member would not take it as an offence. I never meant it as an offence."

"As regards the allocation of seats, I may point out to the hon. Member for the City of Madras, Muslims, that we have amalgamated the boards in four districts. For instance, in Guntur, after the amalgamation, the strength of the board has become 64. Under the Act, the maximum strength is 52. I must necessarily reduce the strength of 64 constituencies to 52. And necessarily I will have to re-allocate seats, including the reserved seats also. At present in Guntur, there are two Muslim seats and I want to give them three seats. Does the hon. Member deny

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me the power to give them one more seat, because they are under-represented? Likewise, in West Godavari, I propose to give one more seat to the Muslims. Is he going to deny me the power? So, I beg the hon. Members, of minority communities especially, to allow me to examine the reserved seats according to the importance of the communities. They are at liberty to represent to me, if I have in any district done anything wrong. It is in the interest of the district as a whole and not in the interests of any party that this re-allocation is going to be made. It is not going to be done in the interests of the Congress Party. One may examine the re-allocation fully and see whether I have done anything to which they may take any objection. It is open to them to raise it at any stage. I would surely consider all these re-allocations on their merits. As regards other things, the district boards themselves are moving in the matter. Chittoor has now 48 seats. They want 52. Should this district board have no power to increase it by four? So, all these considerations are there, and in such a re-allocation of seats, I say it is open to the hon. Members to say that this particular reservation or re-allocation is bad and it would certainly be considered by the Government. But the present Bill has nothing to do with the re-allocation of seats or with the preparation of electoral rolls. It is for a uniform time-table for the elections that are due this year and also in the month of October 1939. As I already said, Sir, perhaps for various administrative reasons boards were reconstituted, some on the 1st of December, and some on the 1st January and some on the 15th February and the case of Malabar is peculiar—it was postponed till after the general elections in 1937, till after 31st March; the elections were due in October 1936. Perhaps all that was due to administrative convenience. I have no objection to that. I only want all these boards in the second and third groups to have elections in October, so that they may be able to function from the 1st November."

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

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. MR. B. GOPALA REDDI:—"I now move, Sir—
'that the Bill be passed into law.'"

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

The House then adjourned to meet again at 3 p.m. the next day.

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Alleged complaints of the President of the Kerala Provincial Congress Committee against certain head constables in Malabar.

* 47 Q.—KHAN BAHADUR P. M. ATTAKOYA THANGAL: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that the President of the Kerala Provincial Congress Committee had written to Inspectors of Police in the interior to meet him and if so, what the reasons are for which they were asked to meet him; and

(b) whether the Government have received any complaints from the President of the Kerala Provincial Congress Committee about certain head constables in places like Kundotti, Tirurangadi and Manjeri and if so, what the complaints against them are?

THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) The Government have received a report that on one occasion the President of the Kerala Provincial Congress Committee requested the Inspector of Police, Tirurangadi, to meet him. The President had some complaint about a subordinate police official to be communicated to the Inspector.

“(b) The answer is in the negative.”

MR. E. KANNAN:—“May I know whether he wrote in his capacity as the President of the Kerala Provincial Congress Committee or in his capacity as a Member of this House?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“It is difficult for me to say it, Sir.”

Retention of both the husband and wife, employed under Government in the same station.

* 48 Q.—MR. D. R. ISAAC: Will the Hon. the Prime Minister be pleased to state—

(a) whether there is a Government Order to the effect that both the husband and wife, if employed in Government and Local Fund Service, should be kept in the same station;

(b) whether any officers have been brought to the same station in pursuance of this Government Order; and

(c) how many have still to be brought to such stations?

THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) There is no such Government Order. There however is an order applicable to Government servants providing that when both husband and wife are Government servants and one applies for transfer to the station where the other is employed, the transfer may be allowed, if it can be made without prejudice to the public interest.

“(b) & (c) The Government have no information. Those who are affected by such separation may be expected to apply when and if necessary and Government will consider each case.”

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Inclusion of the prices of local produce in the weekly season reports of Collectors.

* 49 Q.—KHAN BAHADUR P. M. ATTAKOYA THANGAL: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is now incumbent on the Collectors of districts to include the prices of produces in their respective districts in their weekly season reports; and

(b) if not, whether the Government will consider the desirability of issuing instructions to the Collectors to include the same in their season reports?

MR. T. VISWANATHAM, Parliamentary Secretary, on behalf of the Hon. Mr. T. Prakasam:—“(a) & (b) The weekly season reports furnish figures of retail prices of principal food grains. Besides this, there is a statement of wholesale prices of agricultural commodities prevailing on each Monday published by the Director of Industries as a Supplement to Part II of the *Fort St. George Gazette* every week. This statement gives prices of 33 articles in about 35 stations in the Presidency.”

Payment of allowances or “Tasdik” to Hindu and Muslim religious institutions.

* 50 Q.—MR. H. S. MUSSAIN: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that the Government are paying allowances or “Tasdik” annually to Hindu and Muslim religious institutions;

(b) if so, the number and names of such institutions with the amounts paid to them respectively;

(c) whether it is a fact that some institutions are not paid such allowances or “Tasdik” directly from Government treasuries and that an arrangement with the landholders is in force to have them paid from the revenue payable on their lands;

(d) whether the Government are aware of instances where such an arrangement with the landholders necessitates the filing of suits against the landholders for recovery of the same; and

(e) whether the Government will consider the desirability of arranging direct payment of the same from the Government treasuries in all cases?

MR. T. VISWANATHAM, Parliamentary Secretary, on behalf of the Hon. Mr. T. Prakasam:—“(a) Yes.

“(b) The attention of the hon. Member is invited to G.O. No. 2065, Revenue, dated 9th October 1929, which is available in the Library of the Madras Legislature. It gives the required information.

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“(c) Yes.

“(d) No such instances have come to the notice of Government.

“(e) A report will be called for.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“May I know whether it is not a fact that it is left to the managers or the dharmakarthis to choose either the direct payment system or payments from pattadars or landholders? If the manager wants direct payment, can he not get it directly from the Revenue authorities after deducting the expenses of collection?”

MR. T. VISWANATHAM:—“Yes, Sir, the presumption of the hon. Member is correct.”

MR. H. S. HUSSAIN:—“May I know whether it is not part of the revenue payable to Government?”

MR. T. VISWANATHAM:—“It is an allowance granted to certain institutions individually.”

MR. H. S. HUSSAIN:—“May I ask whether the Agriculturists Relief Act will apply to such allowances if they fall into arrears?”

MR. T. VISWANATHAM:—“I do not think so, Sir. But the Act is before the hon. Member.”

Non-payment of allowances or “Tasdik” to the temples of Sri Mahalingeswar of Padubidri and Sri Subbaraya of Padebettu in South Kanara.

* 51 Q.—MR. H. S. HUSSAIN: Will the Hon. the Minister for Revenue be pleased to state whether it is a fact that allowances or “Tasdik” have not been paid to the temples of Sri Mahalingeswar of Padubidri and Sri Subbaraya of Padebettu, respectively, in South Kanara, either directly or otherwise for the past two years and that as a result the lands of the two said temples have been sold in revenue auction for arrears of assessment?

MR. T. VISWANATHAM, Parliamentary Secretary, on behalf of the Hon. Mr. T. Prakasam:—“The Government have no information regarding the matter but they have called for a report.”

Extension of electric transmission lines from Chittoor to Tirupati and from Conjeevaram to Arkonam.

* 52 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Public Works be pleased to state whether the work on the proposed extensions of the electric transmission lines from Chittoor to Tirupati and from Conjeevaram to Arkonam has been taken on hand and when it is likely to be finished?

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THE HON. MR. YAKUB HASAN :—“ Specifications for transmission lines and sub-stations for the supply of power to Pakala and Chandragiri are under preparation and the work on the extension is expected to be completed in a year. The work on extending the supply of power to Arkonam has already been taken up and is in progress. Supply is expected to be given by the end of this year.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—“ May I ask whether the Government will be pleased to place on the table of the House a list of places to which electric supply is proposed to be extended and a list of places with regard to which schemes are in progress? ”

THE HON. MR. YAKUB HASAN :—“ This is a very big question. It deals with all the schemes in progress and places to which electric supply will be taken. A list like that cannot be prepared.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—“ At least can we have a list of places to which electricity will be taken in the course of the next year? ”

THE HON. MR. YAKUB HASAN :—“ That question does not arise out of this.”

MR. R. B. RAMAKRISHNA RAJU :—“ May I ask whether the Government propose to supply power for agricultural purposes along the line? ”

THE HON. MR. YAKUB HASAN :—“ Along these two lines, yes.”

Execution of the scheme for the supply of electricity to Sholinghur.

* 53 Q.—**MR. R. B. RAMAKRISHNA RAJU :** Will the Hon. the Minister for Public Works be pleased to state—

(a) whether a scheme to supply electricity to Sholinghur has been sanctioned, and if so, what the course of the line which will supply Sholinghur is; and

(b) when the work on this line is to be started and finished?

THE HON. MR. YAKUB HASAN :—“ (a) The answer to the first part is in the negative. A proposal to extend the supply of Mettur power to Sholinghur from Valluvambakkam is under examination by the Chief Engineer for Electricity.

“ (b) If the scheme is sanctioned line materials will be collected by the middle of May 1939 and the work completed within three months.”

MR. R. B. RAMAKRISHNA RAJU :—“ May I ask whether it is three months from this date? ”

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THE HON. MR. YAKUB HASAN :—“ As I have already stated if the scheme is sanctioned, line materials will be collected by the middle of May 1939 and the work will be completed within three months from May 1939.”

MR. T. N. RAMAKRISHNA REDDI :—“ May I ask whether it is proposed to extend the line to Madanapalle in Chittoor district? ”

THE HON. MR. YAKUB HASAN :—“ Notice, Sir.”

Policy of Government regarding the issue of licences to private individuals for distribution of electricity.

* 54 Q.—MR. R. B. RAMAKRISHNA RAJU : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have come to a decision regarding its policy with reference to the grant of private licences for distribution of electricity; and

(b) whether the Government have decided to take up the distribution of electricity in rural areas through its own agency?

THE HON. MR. YAKUB HASAN :—“ (a) & (b) The attention of the hon. Member is invited to the answers to clauses (ii) and (iii) of starred question No. 395 given on 23rd March 1938.”

MR. V. M. RAMASWAMI MUDALIYAR :—“ May I ask whether the Government will revise their policy with regard to private licensees as they are not taking adequate steps to cater to the needs of the rural population? ”

THE HON. MR. YAKUB HASAN :—“ If the hon. Member refers to the answer to starred question No. 395 he will find there the answer to this supplementary question also.”

Need for the continuance of the post of Assistant Curator in the Madras Record Office.

* 55 Q.—MR. T. T. KRISHNAMACHARIAR : Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the post of Curator of the Record Office was at any time held by the Collector of Madras in addition to his other duties;

(b) whether it is a fact that the present incumbent is specially qualified for the post;

(c) (i) whether there is any necessity to continue to have an Assistant Curator;

(ii) whether the present incumbent has passed the limits of superannuation fixed for Government employees generally; and

(iii) if the answer to (ii) is in the affirmative, why the present incumbent is continued in the post?

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MR. C. J. VARKEY, Parliamentary Secretary, on behalf of the Hon. Dr. P. Subbarayan:—“(a) Yes, as a temporary measure in 1924.

“(b) & (c) (i) The answers to these clauses are in the affirmative.

(ii) He is a retired Government servant re-employed as Assistant Curator.

(iii) He is considered suitable for the post. Moreover, the arrangement is economical.”

MR. T. T. KRISHNAMACHARIAR:—“Arising out of the answer to clause (c) (iii), may I ask the Hon. Minister to state what salary is paid to this particular Assistant Curator?”

MR. C. J. VARKEY:—“He is paid a fixed salary of Rs. 300 a month.”

MR. T. T. KRISHNAMACHARIAR:—“May I ask the hon. Member to state whether it is not a fact that under the new salary regulations the salary of the Assistant Curator will be considerably less than Rs. 300?”

MR. C. J. VARKEY:—“Yes.”

MR. T. T. KRISHNAMACHARIAR:—“If so, may I ask where is the question of economy in this matter?”

MR. C. J. VARKEY:—“Because if we appoint a regular Assistant Curator with the required qualifications we will have to pay a much higher salary.”

MR. T. T. KRISHNAMACHARIAR:—“I am afraid the hon. the Parliamentary Secretary is contradicting himself. He says that the salary of the . . .”

MR. SPEAKER:—“The hon. Member should not make a speech; he is entitled only to put a question.”

MR. T. T. KRISHNAMACHARIAR:—“If the salary of the post is Rs. 200 and odd, i.e., less than Rs. 300, where does the question of economy come in and how will a new man be more costly than the present incumbent?”

MR. C. J. VARKEY:—“We cannot send away the man who is there. The salary was fixed when he was appointed.

When a new Assistant Curator is appointed the revised scale will apply to him.”

MR. BASHEER AHMED SAYEED:—“May I ask, Sir, whether there is any time-limit for this superannuated man?”

MR. C. J. VARKEY:—“No, Sir. Under the scheme he is to work till September 1938 when a report will be called for from the Curator. After examining the report we may discontinue the very office itself.”

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Levy of the maximum rate of fee on graduate secondary grade teachers for admission to L.T. and B.Ed. courses.

* 56 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) why the Government have decided to levy Rs. 160 the maximum rate of fee on graduate secondary grade teachers seeking admission to training colleges for L.T. and B.Ed. courses; and

(b) whether this maximum fee rule is applicable to graduates seeking admission in these colleges?

MR. C. J. VARKEY, Parliamentary Secretary, on behalf of the Hon. Dr. P. Subbarayan:—“(a) Because the secondary grade trained teachers have already received training at Government expense.

“(b) No, except for graduates coming from outside the Madras Province.”

MR. G. KRISHNA RAO:—“Arising out of this answer, may I know if the Parliamentary Secretary is aware of the resolution passed by the Madras Teachers' Guild requesting the Government to rescind this order?”

MR. C. J. VARKEY:—“Yes, the resolution was received and considered by the Government.”

MR. G. KRISHNA RAO:—“May I know if the Government are going to take action in the matter soon?”

MR. C. J. VARKEY:—“The action taken is to confirm the Government's view already expressed.”

MR. BASHEER AHMED SAYEED:—“May I ask whether the Government have considered the proposal made at one time by the Selection Committee that fees should be levied even from graduates of our own Province who seek admission into the Teachers' College?”

MR. C. J. VARKEY:—“As far as I understand it, the Director of Public Instruction has taken action in the matter on the recommendations of the Selection Committee.”

MR. BASHEER AHMED SAYEED:—“May I ask, Sir, whether even graduates are going to be called upon to pay a fee for undergoing training in the Teachers' College in the future?”

MR. C. J. VARKEY:—“Graduates are not expected to pay anything at present for undergoing training in the college, but they do not join the college after they have once failed in the examination.”

MR. BASHEER AHMED SAYEED:—“Both in the case of graduates and the secondary grade teachers?”

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MR. C. J. VARKEY:—"Secondary grade teachers have already undergone training at Government expense, and if they come again to the college, they do so in order to improve their prospects in life."

MR. K. V. R. SWAMI:—"Why should the secondary grade teacher be made to undergo training a second time?"

MR. C. J. VARKEY:—"I submit, Sir, that it is a general question and does not arise out of this question."

MR. BASHEER AHMED SAYEED:—"May I ask whether Government do or do not propose to levy a fee on all graduates who seek admission for training in the Teachers' College?"

MR. C. J. VARKEY:—"Perhaps that will be the next step after the abolition of stipends."

Action taken on the criticisms directed against certain question papers set for the recent S.S.L.C. Examination.

* 57 Q.—MR. G. KRISHNA RAO: Will the Hon. the Minister for Education and Legal Departments be pleased to state with regard to the adverse criticism in the newspapers regarding certain S.S.L.C. question papers of the recent S.S.L.C. Examination and the resolution passed by the Madras Teachers' Guild, what steps are being taken in the matter?

MR. C. J. VARKEY, Parliamentary Secretary, on behalf of the Hon. Dr. P. Subbarayan:—"The criticisms were duly considered by the S.S.L.C. Board and the Universities and suitable action was taken."

MR. K. V. R. SWAMI:—"May I know what the action taken was?" 3-1
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MR. C. J. VARKEY:—"The action taken was raising the percentage of passes from 32 to 52; that is no doubt a considerable concession."

Prosecutions in the Madras City in 1936-37 for the overloading of lorries.

* 58 Q.—MR. V. VENKATASUBBAYYA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) the number of prosecutions in Madras City for overloading of lorries in 1936-37;

(b) the total amount of fines levied in these cases;

(c) whether the weight of the lorries is checked before prosecutions at the Salt Cottars Goods shed; and

(d) whether any railway servant notes the weight or whether it is done by the Police official?

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THE HON. MR. K. RAMAN MENON :—“(a) The number of prosecutions in the Madras City for overloading lorries from April 1936 to March 1937 was 205.

“(b) The amount of fines levied in these cases was Rupees 3,131-8-0.

“(c) The lorries were weighed either at the Salt Cottours Goods shed or at the Public Works Department Workshops or at Massey and Company's premises, before prosecution.

“(d) The lorries are weighed and the weights are noted by the railway servant in the presence of the policeman.”

AN HON. MEMBER :—“May I know whether it is the owners of the lorries who were prosecuted or the drivers of the lorries?”

THE HON. MR. K. RAMAN MENON :—“Owners ordinarily.”

Order issued by the District Magistrate of Nellore regarding punishment for certain offences under the Criminal Tribes Act.

* 59 Q.—MR. V. VENKATASUBBAYYA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether any executive order has been issued by the District Magistrate of Nellore directing Subordinate Magistrates not to inflict on members of criminal tribes, fines for offences under sections 21, 22 and 24 of the Criminal Tribes Act on the ground that such persons have rarely the means to pay the fines without committing fresh offences and suggesting that in every such case imprisonment should be awarded; and

(b) when this order was made?

THE HON. MR. K. RAMAN MENON :—“(a) The answer is in the affirmative. The instructions issued by the District Magistrate also authorize the Subordinate Magistrate to make use of section 562, Criminal Procedure Code, if imprisonment is considered to be too drastic a punishment, in any particular case.

“(b) The order was issued in 1931.”

MR. GOPAVARAM VENKATA REDDI :—“May I know whether that order will not interfere with the discretion of the trying magistrate?”

THE HON. MR. K. RAMAN MENON :—“It does not.”

MR. S. NAGAPPA :—“May I know whether the Government are justified in declaring a particular tribe as a criminal tribe when only one or two individuals belonging to that tribe commit offences?”

THE HON. MR. K. RAMAN MENON :—“The present Government do not classify any particular class of persons as criminal tribes. They only classify certain individuals belonging to particular classes as belonging to the criminal tribes. Circulars to that effect have been issued to various magistrates.”

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MR. S. NAGAPPA:—“ What do the Government propose to do in the matter? ”

THE HON. MR. K. RAMAN MENON:—“ In what matter, I am not able to understand.” (Laughter.)

MR. S. NAGAPPA:—“ In regard to declaring some tribes as criminal tribes? ”

THE HON. MR. K. RAMAN MENON:—“ The Government have a good scheme in view. They are working out the details, and this hon. House will be put in possession of all the materials in due course.”

MR. S. NAGAPPA:—“ May I know the general policy of the Government that was adopted hitherto in respect of the classification of these tribes? ”

THE HON. MR. K. RAMAN MENON:—“ Ever since July 1937, no particular tribe has been declared as a criminal tribe.”

MR. S. NAGAPPA:—“ May I know for what reasons the Yenadis of Kurnool were declared as a criminal tribe? ”

THE HON. MR. K. RAMAN MENON:—“ This Government have not declared them as a criminal tribe; they have only declared some individuals as belonging to criminal tribes.”

MR. S. NAGAPPA:—“ There are some Yenadis who have come to Kurnool from some other districts and who have been declared as criminal tribes; what are the offences committed by them? ”

THE HON. MR. K. RAMAN MENON:—“ It is only on an examination of individual cases when Government are satisfied that particular persons have committed offences more than once or twice, that those persons are declared as belonging to a criminal tribe.”

MR. S. NAGAPPA:—“ May I know who are the persons who have committed offences more than twice? ”

THE HON. MR. K. RAMAN MENON:—“ Notice, please.”

MRS. A. RUKMINI LAKSHMIPATHI:—“ May I know whether it is the policy of the Government to repeal the Criminal Tribes Act? ”

THE HON. MR. K. RAMAN MENON:—“ I am not able to give a definite answer to that question just now, but I may say that the Government have under consideration that question also.”

MR. GOPAVARAM VENKATA REDDI:—“ May I know whether any other magistrate has been given such executive orders? ”

THE HON. MR. K. RAMAN MENON:—“ This is a question that I have already answered; magistrates in more than one place have been circularized.”

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Additions made to the list of criminal tribes in this Province since July 1937.

* 60 Q.—MR. V. VENKATASUBBAYYA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether any communities in any district in this Province have been newly added to the list of criminal tribes after July 1937; and

(b) whether it is a fact that Pitchiguntas of Kovur taluk, Nellore district, and the Yenadis of Kurnool district have been declared as criminal tribes; if so, when?

THE HON. MR. K. RAMAN MENON:—“(a) No communities as a whole have been declared to form criminal tribes after July 1937. Certain individuals of proved criminality have been declared to constitute, collectively in each instance, criminal tribes under section 3 of the Criminal Tribes Act. The total number of such individuals is 103.

“(b) Seven Pitchiguntas residing in Kovur taluk of the Nellore district and four Yenadis residing in Nandyal taluk of the Kurnool district have been declared to constitute criminal tribes for the purposes of the Criminal Tribes Act, in December 1937 and January 1938 respectively.”

MR. BASHEER AHMED SAYEED:—“Do the Government propose to reduce the existing list of criminal tribes, in course of time?”

THE HON. MR. K. RAMAN MENON:—“Yes, it will be reduced.”

MR. BASHEER AHMED SAYEED:—“If that is so, may I ask whether the Kallars in the Tanjore and Madura districts will not find a place any more in that list?”

THE HON. MR. K. RAMAN MENON:—“I am not able to give a definite reply, as the matter is under the consideration of the Government.”

Fixation of grades in the service of Municipal Commissioners.

* 61 Q.—MR. D. R. ISAAC: Will the Hon. the Minister for Local Administration be pleased to state—

(a) how many Commissioners of each grade there are now;

(b) how the distinction is made in fixing the particular grade in the case of persons appointed as Commissioners who do not hold a permanent lien; and

(c) whether the distinction of scale is based on the financial position of the municipality; if so, in what direction?

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THE HON. MR. B. GOPALA REDDI:—“(a) The number of Commissioners in each grade as on 1st August 1938, is as shown below:—

1st grade	...	...	...	...	...	11
2nd grade	...	...	...	...	...	31
3rd grade	...	...	...	...	...	37
4th grade	...	...	...	...	...	3

“(b) No distinction is made in fixing the grade of Commissioners between persons who hold a permanent lien on another post and those who do not. The grade is fixed with reference to their previous pay.

“(c) The scale of pay is based on several considerations such as the size, importance and the financial position of the municipality.”

MR. R. VENKATAPPA NAYUDU:—“May I know, Sir, whether any preference is given to those who have already acted as special officers in panchayats, in respect of appointment as Commissioners of municipalities?”

THE HON. MR. B. GOPALA REDDI:—“No, Sir.”

Inapplicability of the Agriculturists Relief Act to decrees obtained on negotiable instruments.

* 61-A Q.—MR. H. S. HUSSAIN: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether the Government are aware that the Agriculturists Debt Relief Act has not been applied to decrees obtained on negotiable instruments and to suits based on such instruments by some courts in the Province;

(b) if the answer to the above is in the negative, whether the Government will immediately call for information from the various courts in the Province with regard to the application of the Act to suits and decrees based on negotiable instruments and place the information thus obtained before the Legislature and the public; and

(c) if the Act has not been applied in such cases, what steps, if any, the Government propose to take in the matter?

THE HON. MR. V. I. MUNISWAMI PILLAI:—“(a) The answer is in the negative.

“(b) & (c) On the contingency stated happening, Government will take necessary steps. Government do not consider it necessary to call for any reports.”

MR. H. S. HUSSAIN:—“Will the Government be pleased to consider the question whether the Agriculturists Relief Act in so far as it affects the Negotiable Instruments Act is or is not *ultra vires* of the Provincial Government?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“I want notice of the question.”

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Constitution of Harijan Advisory Boards.

* 61-B Q.—MR. D. V. RAMASWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state what steps have been taken in the matter of constituting Harijan Advisory Boards in all the districts?

THE HON. MR. V. V. GIRI:—"The Government have decided to constitute such Boards in every district. Orders will issue shortly."

MR. D. V. RAMASWAMI:—"Do the Government propose to constitute a provincial executive board also in order to co-ordinate the work of the various district advisory boards?"

THE HON. MR. V. V. GIRI:—"Yes, Sir."

MR. E. KANNAN:—"If even in March last, the question of constituting these boards was under the immediate consideration of the Government, may I know what were the reasons that prevented Government from constituting them earlier?"

THE HON. MR. V. V. GIRI:—"Orders will be issued shortly."

MR. MAHBOOB ALI BAIG:—"May I know whether the word 'Harijan' includes Scheduled Classes who were converted to Christianity or some other religion?"

THE HON. MR. V. V. GIRI:—"No, Sir."

MR. MAHBOOB ALI BAIG:—"May I request the Government to consider the question whether persons belonging to the Scheduled Classes who are converted to Christianity and other religions, may not also have the benefit which may be afforded to the Harijan classes?"

THE HON. MR. V. V. GIRI:—"Then, they cannot be called Scheduled Classes."

MR. MAHBOOB ALI BAIG:—"I am suggesting to the Government that . . ."

MR. SPEAKER:—"I think the hon. Member is entitled only to put a question and not make a suggestion now." (Laughter.)

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

NON-OFFICIAL BUSINESS.

II.—BILLS.

(1) A BILL TO PROVIDE FOR THE REMOVAL OF CIVIL DISABILITIES AMONG CERTAIN CLASSES OF HINDUS (L.A. BILL NO. 9 OF 1937).

* RAO BAHADUR M. C. RAJAH:—"Mr. Speaker, Sir, I beg to present the report^a of the Select Committee on the Bill to provide for the removal of civil disabilities among certain classes of Hindus (L.A. Bill No. 9 of 1937).

^a Printed as appendix on pages 241-243 infra.

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AMONG CERTAIN CLASSES OF HINDUS (L.A. BILL NO. 9 OF 1937)

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“ I also move—

‘ that the Bill^a as amended by the Select Committee be taken into consideration.’

“ Sir, the Select Committee to which this Bill was referred considered the Bill very carefully and went into the minutest details. They have made certain alterations with a view to make the provisions clearer. For instance, it was not the intention of the original Bill to affect the usages of temples or religious institutions; and in order to make this perfectly clear, the Committee has omitted the expression ‘ other service ’ in paragraph 1 of clause 2 of the Bill, and substituted therefor the expression ‘ secular institution.’ You will also notice, Sir, that paragraph 2 of clause 2 has been added to paragraph 1 so that it may be clear that the provision contained in it is applicable only to matters referred to in paragraph 1. The other changes are all mere drafting changes, I take this opportunity to thank the members of the Select Committee for the valuable services they have rendered in this connexion. I have nothing more to add, Sir, as I have already made a long speech while referring this Bill to the Select Committee.”

Mr. R. M. Palat seconded the motion.

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

Clause 2.

* MR. K. R. KARANT:—“ I beg to move—

‘ that in line 1 the words “ decree of court ” be inserted³⁻ between the word “ law ” and the word “ custom.” ’ P

“ May I also move the other amendments in this clause. Sir? ”

* MR. SPEAKER:—“ One after another.”

MR. K. R. KARANT:—“ My amendment is only in the nature of a drafting amendment. There may be cases of public wells, tanks or pathways, in respect of which there may have been decrees of courts excluding Harijans but to which the other classes of the public have a right. I take it that the intention of this Bill is to make no such distinction, notwithstanding any law, custom, usage or prescription to the contrary. There is no reason to exclude decrees of courts from the description and hence my amendment.”

MR. A. KARUNAKARA MENON:—“ I second it.”

* THE HON. MR. C. RAJAGOPALACHARIAR:—“ I beg to submit, Sir, that the introduction of the words ‘ decree of court ’ would not be proper, either from the point of view of jurisprudence or from the point of view of practicality. It would be impossible to frame a law in such language as to make it

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appear that for all time no court can ever make any decree in respect of the application of the law; it would not be right. I submit, therefore, Sir, that while we may have 'law, custom, usage' and all that, we cannot bar courts from decreeing on the law as it stands, from time to time. That is the reason why the words decree of court or judgment is not there."

MR. A. KALESWARA RAO:—"Decree" is only an interpretation of law and therefore it need not be added separately. That is why I also oppose the amendment."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I ask, Sir, whether the 'decree' now suggested by Mr. Karant, may not be taken to be a decree passed already and not a decree to be passed hereafter? Decrees that have been passed already debarring Harijan people from using certain wells, of course, may be included here, but not decrees to be passed hereafter."

MR. K. R. KARANT:—"May I make a reply, Sir."

* MR. SPEAKER:—"It cannot be a precedent. You may make a brief observation."

MR. K. R. KARANT:—"If it cannot be a precedent, I do not want to reply."

The amendment was put and lost.

MR. K. R. KARANT:—"I beg to move, Sir, the amendment in my name—

'to delete the word "public" in line 8.'

"I do not move the earlier one to insert the word 'public' in line 7. It is the second that I beg to move, i.e., in line 8 the word 'public' should be deleted.

"I find that this arrangement of the wording is liable to be misconstrued. In the first place the word 'public' goes only with the word 'well' and not with the following words owing to a number of commas intervening. Secondly, I find that the mention of all these words, such as stream, river, well, tank, pathway, sanitary convenience, etc., are followed by the qualification, namely, that the general public belonging to all other classes of Hindus have a right to enjoy or have access to them. Therefore, as long as that qualification stands, it would be more mischievous than otherwise to have this particular word 'public' somewhere in the middle, and hence my alteration."

The amendment was duly seconded.

THE HON. MR. C. RAJAGOPALACHARIAR:—"I understand the hon. the Mover of the amendment does not propose to insert the word 'public' elsewhere, but simply remove it from the clause. That would mean that even private wells would be

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covered by this clause. It would lead to difficulties. If the object is simply to remove an ambiguity, I would suggest the insertion of the word 'or' between 'river' and 'public well,' if that will satisfy the real intention of the mover of the amendment. Since there is an 'or' between the word 'convenience' and 'means of transport,' it was understood that the word 'public' would cover all these words up to that point. Otherwise there would be no need for two 'ors' grammatically. If a further clarification is necessary, the insertion of the word 'or' between 'river' and 'public well' would meet the situation. If this is done, I believe the Mover will accept the same."

MR. SPEAKER:—"In that case, it would be better, probably, to bring 'public well' first so that the clause may read 'public well, river, tank, pathway, sanitary convenience, or means of transport,' etc. It would be better if the words 'public well' are taken first. I hope that the Mover will agree to this."

RAO BAHADUR M. C. RAJAH:—"I have no objection."

MR. SPEAKER:—"So this amendment is as follows: After the word 'any,' the words 'public well, stream, river, tank, pathways, sanitary convenience, or means of transport or any secular institution which the general public belonging to all other classes of Hindus, etc.' will come in."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Instead of putting 'public well' in advance, we may put 'public' alone in advance. To put 'well' before and then 'stream' and 'tank' seems rather a misarrangement. 'Public stream, river, well, tank' would be better."

"I would therefore move a further amendment, i.e.,—
'to insert the word "public" before the word "stream" in line 7.'

MR. SPEAKER:—"That is all right. The question is that the word 'public' be deleted from line 8 and inserted before the word 'stream' in line 7."

MR. K. R. KARANT:—"I have no objection."

The amendment of Mr. Karant as further amended was put and carried.

THE HON. MR. V. V. GIRI:—"I move—

'that in clause 2, in line 11, for the words "other classes of Hindus," the words "other classes and communities of Hindus," be substituted.'

The amendment was put and carried.

THE HON. MR. V. V. GIRI:—"Sir, I move—

'that in lines 14 and 15 for the words "or local statutory authority," the words "or a local authority" be substituted.'

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The amendment was put and carried.

MR. K. R. KARANT:—"Sir, in line 19 I beg to move—

*'that the word "law" be inserted between the words
"any" and the word "custom".'*

"My object is this, Sir. Whereas in the first part of this clause, it is said that 'Notwithstanding any law, custom, usage' declaration is made removing all distinctions, when we come to giving effect to it, it says:—'no civil, criminal or revenue court in adjudicating any matter or executing any order . . . shall recognize any custom, usage or prescription.' The word 'law' should be here also. Therefore, the omission of the word 'law' is not correct. It would mean impliedly that the court shall be bound to recognize any law which imposes a disability of this sort. This mistake is to be rectified."

The amendment was duly seconded.

THE HON. MR. C. RAJAGOPALACHARIAR:—"I have to give the same explanation here to the hon. the Mover of this amendment. In the first part of clause 2, we are making a new law and there is no direction to a court or other authority bound by law. The first part makes the law and says 'notwithstanding any law, custom, usage or prescription to the contrary,' such and such a thing shall be the law. When we come to the second part of the clause courts are referred to and they are asked to be bound by this law. Therefore we cannot certainly say there that a court shall recognize any law. We have only to ask them not to recognize anything which has ceased to become law by the first part or other laws that have ceased to be laws. And therefore we need not ask courts, civil, criminal or revenue, not to give effect to the laws that have been repealed. It will be a mistake in common legislation to say that any court shall not recognize a law, because, if a law exists, the courts are bound to recognize it. What is sought to be achieved by this amendment has been achieved by the first part of the clause; so the second part does not refer to law, but only to usage or custom which may remain in spite of this law."

The amendment was put and lost.

Clause 2 as amended was put and carried.

Clause 1.

THE HON. MR. V. V. GIRI:—"Mr. Speaker, Sir, I beg to move—

'that in clause 1, sub-clause (2) for the words "shall apply," the word "extends" be substituted and for the word "Presidency," the word "Province" be substituted.'"

The amendment was put and carried.

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MR. ABDUL HAMEED KHAN:—"Sir, if I intervene in this debate at this stage, I do so in order to have one difficulty cleared. I want to know from the hon. the Mover of this Bill, or for the matter of fact from the Government whether under this particular measure, a well in a temple is a public well or a private well. It is just possible these Harijans, who may not be allowed to enter a temple, or the precincts of the temple, may not be allowed to use the well. I want to know whether under this measure they will have admission to that part of the temple where the well is situated and allowed to make use of the well."

MR. H. S. HUSSAIN:—"Mr. Speaker, Sir, I want to know just one thing from the hon. the Mover of the Bill. It is stated in clause 2, 'have a right to enjoy or have access to or which is dedicated or maintained or licensed for the use of the general public.' Any secular institution which is licensed for the use of the general public—I want to know, whether this will include hotels and public restaurants. I am very glad that Mr. Rajah has brought this measure, and I am sure it will go a long way in removing what is at present obtaining. I mean the feeling of that inferiority complex, among the depressed classes. I really feel happy on this occasion and I congratulate my hon. Friend, Mr. M. C. Rajah, over this Bill."

SWAMI A. S. SAHAJANANDAM:—

"சாதாரணமாக ஒரு இடங்களுக்குமேயும் சாப்பிடச் சென்று ஒட்டல்காரர்கள், அங்கே இரு, டங்குவாரதே நாவர்கள் பம்புச் சொல்வதின் காரணம் மத சம்பந்தம்தான் மத்திய இடத்தின் இங்கு வித்யாசம் ஏற்பட்டிருக்கிறது என்கிறார்கள். நாங்கள் அது விஷயம் மத சம்பந்தமில்லை இல்லையென்று சொன்னால் அவர்கள் ஏன் சமயம் உண்டு என்பார்கள். ஆகையினால் என்னின் இடங்களில் இந்த பில் வியாபிக்கக்கூடியது என்ற விஷயத்தை கனம் முதல் மந்திரி விளக்கிக் காட்டுமபடி கேட்டுக்கொள்ளுகிறேன்."

RAO BAHADUR M. C. RAJAH:—"Sir, I am very thankful to my friend Mr. Hameed Khan for putting this question. This Bill is a secular Bill; and, as I have said already, the Select Committee has already made it very clear that the provisions of this Bill do not affect religious institutions. A well belonging to a temple is a religious institution. It cannot be called a public well, like the wells we have outside a temple. (The Hon. Mr. C. Rajagopalachariar: 'Hear, hear.') And therefore temples do not come under this Act.

"Secondly, my friend Mr. Hussain wanted to know whether restaurants and public hotels are included. Certainly they are included."

Clause 1 as amended was put and carried.

The Preamble was put and carried.

RAO BAHADUR M. C. RAJAH:—"Sir, I move—

'that the Bill as amended be passed into law.'"

166 A BILL TO PROVIDE FOR THE REMOVAL OF CIVIL DISABILITIES
AMONG CERTAIN CLASSES OF HINDUS (L.A. BILL NO. 9 OF 1937)

[17th August 1938]

KUMARARAJA MUTHIAN CHETTIYAR OF CHETTINAD:—
“ Mr. Speaker, Sir, in the general discussion that took place, to some extent, on this Bill on the last occasion when this Bill was referred to the Select Committee, hon. Members will remember with what great cheer the Bill was accepted by hon. Members and referred to the Select Committee. I mention the word ‘cheer,’ just to show that the state of social reform in this country has reached that stage to-day, when reform should not be delayed any longer. For, a body like this composed of members representing various political parties and various communities have found it possible to give their accord to refer the Bill to the Select Committee by a unanimous vote of the House. In this, all those members of the Hindu community who are going to have greater benefits and privileges, will find comforting news. I need not repeat what all I said on the previous occasion except to say that thanks to the social reformers of the last two or three decades in this country, irrespective of the various parties or groups to which they might belong, who have given their blessing to this social reform, the object of their agitation has at last been achieved. Sir, it is very easy to talk of social reform and removal of social disabilities, and it is very easy to ask the draftsman of Government to draft a bill, to put it in the proper legal form in a day or two; but the success of the measure does not lie in the ability with which the person drafts the bill or the way in which the bill is worded, but in the manner in which it will be acceptable to the general public. Sir, a Government may be very strong with 200 or 250 members at their back to support them but that cannot ensure the success of a measure, if they do not gauge the opinion in the country. Sir, the Government and all Members of this House have to-day come to the conclusion that to-day the country is ready to receive the Act if passed by this Legislature. And I am sure not only hon. Members of this House sitting here but also the general public will approve that this Bill will go a great way and will further educate our brethren about temple entry. (Laughter and cheers.) I shall not refer to it here except to say that the great enthusiasts of social reform should not rest content and be pleased with the Legislature passing this measure, as otherwise the success of the measure will be imperilled. The leaders and reformers should still further educate the public. I have no doubt that this Bill with the unanimous support of this House will not only please the particular communities of the Hindu group who are going to be benefited but also please all those enthusiastic reformers, both political bodies and social parties who have worked through the last two or three decades towards this great cause. I congratulate my hon. Friend, Mr. M. C. Rajah, the veteran leader of his community on this great move of to-day; and I once again congratulate him on the great effort he has made. At the same time I would like to congratulate the Hon. the Premier and

**A BILL TO PROVIDE FOR THE REMOVAL OF CIVIL DISABILITIES :67
AMONG CERTAIN CLASSES OF HINDUS (L.A. BILL NO. 9 OF 1937)**

[Kumararaja Muthiah Chettiyar of Chettinad]

[17th August 1938]

the Government in having accepted this Bill. I am sure the good wishes of this House will be a guarantee for the success of the measure in the country."

RAO BAHADUR M. C. RAJAH:—"Sir, I am very grateful to this House for supporting this measure unanimously. I am not only grateful to the Ministerial party but also to the Opposition party here; for both of them co-operated in bringing this measure to a successful conclusion. I am sure, Sir, this Bill will relieve the sufferings of the depressed classes to a somewhat little extent. But if the House gives me also support for the other Bill, which is to follow (laughter) surely it will be doing a service to the community, and you will be fulfilling the pledge given to the community. (Hear, hear.) I am not going to speak more on this. I am reserving my speech to the other Bill. I once again thank the Hon. Premier, Mr. Muthiah Chettiyar, Mr. Hameed Khan, the Leader of the European Group (laughter and applause) and others also for their unanimous support to this measure."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Just a few words, Sir. Those who have been following during the last quarter of a century the progress of this movement for the emancipation of the classes that have been suffering under the disabilities referred to in this Bill may perhaps think that the enthusiasm of the House has somewhat waned, because we do not see exhibitions of enthusiasm in the passage of this truly memorable Bill into law. And I have only to point out that that negative phenomenon is proof of the stage to which we have attained. We take this now for a common thing; we take this for something which was due already; we do not see any reason for enthusiasm over this. That I say, gives me great joy."

"I submit that it would be a greater pleasure if, from step to step, we feel when these great things happen that nothing extraordinary has happened. I hope, Sir, that not only will this Bill get into the Statute Book but that all of us throughout the country will see to it that this Bill is given the fullest peaceful effect that it deserves at the hands of the people." (Applause.)

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

(2) **THE MADRAS MUSLIM WAKF BILL (L.A. BILL NO. 6 OF 1938).**

MR. BASHEER AHMED SAYEED:—"Sir, I beg to move—

'that the Madras Muslim Wakf Bill (L.A. Bill No. 6 of 1938) be referred to a Select Committee.'

"I shall give the names of members after I finish my speech."

* Published in the *Fort St. George Gazette*, dated 19th April 1938.

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" Sir, this Bill, I may even at the outset mention, has had a very chequered career. This Bill was originally introduced in the old Legislative Council some three years ago, and it was published by the Government after the Council had recorded its vote. After its publication, the Bill was sought to be referred to a Select Committee. At this stage, the then Government had certain proposals and those proposals could not be given effect to, and so the motion for reference to the Select Committee at that stage was delayed. Thereafter, the then Government appointed a Committee to consider as to what should be the course that had to be adopted with a view to securing better control over the administration of Muslim Wakfs in the Presidency. That Committee constituted as it was, of many lawyers and some Government officers, sat on more than one occasion, and then they came to certain decisions. But those decisions were not acceptable to the then Government, and the matter was kept pending, until the old Government went out of office and the Council was dissolved. Because the urgency of a measure of this kind has been felt long ago for proper control and regulation of Muslim Wakfs and also because the Bill was published and the same has been before the public for many months, I plead that the present time is the most opportune one to take up the Bill and refer it to a Select Committee. The public have had ample opportunities to express their opinions on the various clauses that were in the Bill. In short, the Bill only seeks to bring about some machinery for the proper administration and for the proper regulation and control of the income and expenditure of the endowments that belong to the Muslim community. The old Act XX of 1863 which has been in existence for more than half a century has proved ineffective. The committees that were appointed, in many cases, have ceased to exist and the Government at present do not know how many of them are functioning and how they are functioning. The right of filling up vacancies on these committees had been vested in them, so much so that the present state of Muslim Wakfs is in a chaotic condition. The result has been that most of the Wakfs have disappeared, and some are slowly disappearing, and if no law is made to preserve them, and to exercise better control over their administration, there is the fear that these Wakfs will be lost altogether to the public in general and to the Muslim community in particular. I, therefore, think that it is high time that this Bill should become law, and we must soon go through the stages by which this measure might become a law.

" The Bill in the main, let me once again repeat, seeks to appoint a Religious Endowments Board for the administration of these Wakfs. The committees and other officers will keep watch over the administration and over the income and expenditure of these religious endowments. It may be stated in brief that this is somewhat on the lines of the Religious Endowment Act of 1925, which is applicable to the Hindu Religious Endowments.

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I for one, personally, would feel that the Government ought to take up the responsibility of discharging these duties of controlling the administration and the regulation of Wakfs in the interests of the Muslim community. I might mention that this is in accordance with and consistent with the Muslim personal law which is not in any way against the duties and the functions of any Government. In fact, Sir, under the old regulation that existed, I mean the Act XX of 1863, there devolved a great responsibility on the then system of Government, of taking up all these endowments, charitable endowments and Muslim Wakfs and administering them in the best interests of those who are really concerned. I would submit that it must be remembered that the Government's intention must not be not to spend any money on the administration of these Wakfs. On the other hand, they ought to make it a part of the provincial administration and take up all religious and charitable endowments, be they Hindu, Muslim or even Christian endowments. I also submit that if the Government is not going to take up that responsibility, it must at least allow private enterprise to bring in legislation so that the other available means may be resorted to with a view to having efficient administration and control of these Wakfs.

"Sir, the Government had for some time, at any rate, the late Government, been of opinion that it ought not to interfere in the matter of religious endowments of any particular community. But I submit that that policy is an old one. It is a bygone policy and it is a wrong policy. It is not merely not liked but also not supported by the communities concerned. The communities that want that the State should come in and take up the responsibility to administer these Wakfs, consider this to be in accordance with the law of the community. So, this point of view in effect comes to this, namely, that Government must maintain a department in this respect, even as other Governments have done abroad and in other countries. The Turkish Government has instituted a special department for the administration of the Muslim and other Wakfs in its territory. There are various other things in which the Government could take up the responsibility, and if they do not want to take up the responsibility, let them at least allow a measure of this kind brought up by private members to be enacted and do as much as it lies in their power for the proper administration of the Wakfs.

"It may be contended that there is no hurry or urgency for this measure. But I submit that unless and until immediate steps are taken, there is no scope or hope for even the small relics of the Muslim Wakfs that have hitherto survived, to continue and survive the onslaught of dishonesty and the onslaught of selfishness. I, therefore, submit that the Bill having been before the House for several months—this being an old Bill that was once introduced in the late Legislative Council and published

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for the information of the public—ought to command the support of the Government and they must agree to my motion that the Bill be referred to a Select Committee.”

MR. ABDUL HAMEED KHAN:—“ I have great pleasure in seconding the motion of my Friend, Mr. Basheer Ahmed Sayeed for referring this Bill to a Select Committee. He has told us that this Bill has been before the public for a number of months. But may I say that the Bill has been both before the public and the legislature not for many months only, but for a number of years. The previous Government that considered this question, were of opinion that certain changes were to be made in the Bill and they themselves wanted to bring in a Bill. A committee was appointed which was presided over by my Friend, Mr. Quarashi Sahib. That committee went into the question of the Muslim Wakfs and its report is also before the Government. It is high time that the Wakfs belonging to the Muslim community were put in a certain order. As it is, the Wakfs are mismanaged in many respects and as a matter of fact, lands and properties belonging to the Wakfs have been sold out and they have been purchased both by Muslims and non-Muslims, and now it is not possible either for the Government or for anybody to trace the documents of those properties that have passed out of the hands of the managers and the descendants of the donors whose wish it was that those properties should be utilized for a certain purpose. Therefore, in view of the fact that such a long time has passed since the Wakfs have been endowed and also in view of the fact that a good deal of the properties have gone out of the hands of the managers and the descendants of the donors of these Wakfs, I think it is absolutely necessary that a Board of Commissioners like the Hindu Religious Endowments Board should be constituted and put in charge of the administration of these Wakfs, belonging to the Muslim community as also, if there be any, those belonging to Christian or any other community, so that they can be properly administered and the money that is derived from those Wakfs utilized in accordance with the wishes of the donors. Therefore, I have great pleasure in seconding this motion.

“ From the papers that are circulated to us, I think, it is the wish of the Government to have this Bill circulated for eliciting public opinion. Perhaps, the Government have their own views on the subject. We would like to know what their object is in having this Bill circulated for public opinion. Perhaps they want the owners and the managers of these Wakf properties to express what their views are on this matter. It may also be that Government want to find out the views of other interests that are involved in these Wakfs. But I think, Sir, all that information was already collected by the previous Government, and I am sure if the present Government would examine the files, they would be able to find them—though of course old they may be, but all the same the report is available. On the basis of that report,

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the Government can allow the present Bill to go through the House, and I am sure that hon. Members will consider that proposition as well. I have now great pleasure in seconding the motion."

* MR. SPEAKER:—"There is a motion for circulation and 4.15 after it is moved the two motions will be discussed together." p.m.

* THE HON. DR. T. S. S. RAJAN:—"Mr. Speaker, I beg to move—

'that the Madras Muslim Wakf Bill (L.A. Bill No. 6 of 1938) be circulated for eliciting public opinion.'

"In doing so, it is not my business to go into the merits of the question. The Government are not in full possession of the Muslim public opinion in this country regarding this Bill. I heard the hon. Muslim Member for the Madras City saying that the Government have received some of the opinions of his community. But as far as I know of anything in the matter, and as far as the Government are aware, ever since this Bill was published in the papers we have not received any opinions either for or against the Bill. It is very doubtful even whether the Bill has been taken note of by the persons interested in the Bill. That is the first point. Secondly, in matters relating to a particular community, it is the desire of the Government that they should have unmistakable proof of consent on the part of those people for whom that Bill is intended; particularly in matters relating to religion and to a sensitive type of people like my Muslim friends, I want to make myself quite sure that the whole community, at least a good majority of them, have given unmistakable proof of their consent to such a measure. Until the matter is referred individually and severally to organizations that control the trusts and their opinions secured incontrovertibly, Government will not be discharging their duty properly, and it will be absolutely wrong on their part to rush through it without giving it due publicity.

"Another argument has been advanced, namely, that this Bill is more or less on the lines of the Hindu Religious Endowments Act. I am not at all quite sure whether the Hindu Religious Endowments Act as it stands to-day, has given all that was expected of it. It has brought a certain amount of control over the temples, but at the same time, it has also shown some enormous defects owing to the existence of which it is not possible to have better control over the temples. To-day the Government is engaged in examining the question and trying to insert amendments to make the Act effective and give the results that were expected of it. Being engaged in that work, we are rather doubtful as to whether any legislation on the same lines should be undertaken now before the full completed Act is brought before this House. So it will be better to wait and see till the completed Endowments Bill is passed so that the new Wakf Bill might be modelled on the lines of that Bill and it may not be subject to the same

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mistakes and same faults which this present Endowments Act is suffering from. In any case, it is better that a little time is given to this measure and that the undoubted opinion of the Muslim community as a whole is secured before the matter is taken to the Select Committee. So, I would personally ask my friend, the mover of this Bill; to hold it up for a little longer till the Hindu Religious Endowments Act is completed and brought before this House and discussed. In the light of that we may frame a better Act which will serve the purpose that this is intended to serve. In any case I am for circulating the Bill and I request the House to take time and allow the fullest possible expression of public opinion to be brought to bear upon it."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"Mr. President, Sir, now there are two motions before this House, one for referring this Bill to a Select Committee and the other for circulating it for public opinion. I think that I should support the first motion, for referring the Bill to a Select Committee, because this matter has been agitating the Muslim community for a very long time. I think it was in 1923, in the Central Assembly, that a law was passed known as 'the Muslim Wakf Act' for putting a stop to mismanagement of Wakf properties. That did not prove a sufficient remedy. The only law that applies to Muslim Wakfs is Act XX of 1863. That applied to all the endowments, both Muslim as well as Hindu endowments. As this Act was so imperfect and defective, several unsuccessful attempts were made by the Hindu community to replace this Act by a Religious Endowments Act and after several attempts failed the present Religious Endowments Act was passed. Now it is said that even that Act is not a perfect Act and it has still to be amended to make it more useful. Whatever it is, it is a recognized fact that the Endowments Act of 1863 has not been effective but it is only that Act that applies to Muhammadan Endowments. I know that it is an imperfect Act; according to that Act, committees are to be appointed and these committees have no other power except to appoint Muthavallis or dharma-karthas. I know it from experience because I have been a member of such a committee for the last thirty years. These committees are quite impotent. When such is the case, it is very urgent that immediate measures should be taken for remedying these defects in the managements of Muslim Wakfs. In the last Council, my Friend Mr. Basheer Ahmed and another gentleman also introduced some bills for enacting a law for the better management of the Wakf properties; but the Government of the day thought that it would be enough if the Hindu Endowments Act was amended and made applicable both to the Hindu Endowments and Muhammadan Endowments and one more Muhammadan Member was added to the present Endowment Board, and Muhammadan Inspectors were appointed for Muhammadan Endowments and Hindu Inspectors for Hindu Endowments. But

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many of the Muhammadans did not like the idea. So the Government appointed a committee to go into that question and that committee is existing. They have not finished their work and so my Friend Mr. Hameed Khan was not right when he said that the committee had submitted their report and that it should be found among the files of the Government. That committee has not completed its work and submitted its report. I am a member of that committee. The committee is still there. (Laughter.) The committee has not yet been abolished. The committee was appointed by the Government and not by the Legislative Council. So that committee is still there. If the Government wants it to start work, it will be working again. Moreover, Sir, the Hon. Minister for Public Health said that he is thinking of bringing a new perfect Bill for the Hindu Endowments. I may point out that before 1863 all the endowments were being managed or looked after by Government through the Revenue Board, and I think it would be much better if they are again taken over by Government and managed by the Revenue authorities as was done before. (The Hon. Mr. C. Rajagopalachariar: 'Hear, hear.') That is the best remedy. I do not know how it will be received in the country. It is the only remedy in my opinion for the proper management of endowments. You may appoint any number of committees, or boards of management; yet mismanagement will continue. I know that mismanagement is going on even now in Hindu temples. There is much corruption among the subordinates of the Endowments Board and temple managers and if you want to put a stop to it, it must be done through Government departments, preferably the Revenue Department. But if the Government is determined on the circulation of this Bill then I will request them to fix a time-limit for which it should be done, say, of three months."

* MR. K. ABDUR RAHMAN KHAN:—"Mr. Speaker, Sir, when I rise to speak on this subject, it is with an amount of disappointment because I never expected that the Ministry would bring forth a counter-proposition and say that the Bill be circulated for public opinion. Sir, I closely followed the speech of Mr. Schamnad Sahib, but at the end, I am sorry to say I could not make out whether he was supporting the mover or the Minister. I am not able to follow why Mr. Schamnad Sahib should have been so pessimistic about the working of this Bill in case it was passed into law and why he should doubt the success of this measure. Do we not see how the Premier has introduced the measure of Prohibition and how it is working successfully? I refer hon. Members to the speeches made by him. So also we have got strong hopes that this thing will be a success. It is only on hopes that we begin any work. It is premature to say that the Muslim Wakf Board will not work efficiently, that there will be corruption, mismanagement and so on. The whole question has been a live issue for the last so many years. It came up in the

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last Council. It is discussed in the press and Mussalmans have been discussing about it and everyday some article or other is appearing in the papers. So, it is dilatory tactics to say that the Bill should be sent for circulation for eliciting public opinion.

“ I am afraid this is not the proper way to approach the problem. For instance, in my own district there are a number of endowments for mosques and other Muslim institutions and I find that those endowments and trust properties have been passing away into the hands of strangers. Therefore if this Bill is not passed and those things are not checked as early as possible, I am afraid the little that is left will also disappear. So, if you are going to do any service to the Muslim community it is absolutely necessary that this Bill should be taken on hand and passed into law as early as possible. No purpose will be served by circulating the Bill for eliciting public opinion. The public opinion is already there; people have supported the measure. The best thing to do therefore would be to refer it to a Select Committee and see what it has got to say on this important Bill. The Government may then give their wholehearted support to this measure and see its way through. They should not be uncharitable and delay their support to this important measure.”

MR. MAHBOOB ALI BAIG:—“ Mr. Speaker, if I rise to speak on this Bill it is with a view to correct a wrong impression created in this House. While I very much appreciate the speech of the Government explaining the need for exercising caution in regard to matters which interfere with the religion of particular communities, I must state that in this matter there has been a long delay. It is not true to say that the matter has not been agitating the minds of the Muslim public. We the representatives of the Muslims in this Province have been agitating for this measure all these years, and Bills had been brought before the old Legislative Council. The Government of the day gave an assurance that the matter would be investigated by a Government committee and the measure was allowed to be dropped at that stage. I was myself one of the members of that committee and the President of the Hindu Religious Endowments Board was also a member thereof. We held two or three sittings to discuss the matter, but the difficulty that presented itself to us was this: whether the machinery that should control these institutions should be the Hindu Religious Endowments Board created under the Endowments Act or whether the Muslim Religious Endowments should be under the control of a separate machinery and if so whether sufficient funds would be forthcoming for the purpose. In that situation we adjourned and subsequently a new Ministry was constituted, and we have now brought this measure before this Assembly. I therefore say that it is not true to say that the matter has not been brought to the pointed notice of the community concerned. The very fact that all the representatives of the Muslims of this Province are agreed that there should be

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legislation on this matter and of this kind is proof positive that the matter is not only necessary but is urgent also.

"As for the question whether the Muslims are sensitive or not, I may say, Sir, we are frankly sensitive whereas the others may not be. I very much appreciate, as I said, the statement of the Hon. Minister advising caution in legislating on a matter of this kind, but I may give him the assurance of all the Muslim members of this Assembly and also through them the assurance of the Muslim public of this province that a measure of this kind is necessary. Therefore I do not think any useful purpose will be served by publishing this matter for eliciting public opinion. As the Hon. Minister himself has stated, although the matter was before the public for over two or three years, no opinion has been expressed one way or the other. But that does not mean that the Muslim public has not taken notice of this matter. We may infer from their silence that they are not opposed to it. It cannot be argued from this that the Muslim public is opposed to it. Here are the Muslim Members of this House, the accredited representatives and leaders of the Muslim community of the province saying positively that this Bill is necessary and urgent. This must surely do for the Hon. Minister to concede that the Muslim public opinion has given its consent to a measure like this. These dilatory motions, as we know from experience, are meant more to reject a proposition than to help in bringing it forward later. I therefore urge that as it is a matter that primarily concerns the Muslims and that as we, the representatives of the community, are here emphasizing the necessity and urgency for the measure, in the absence of any proof that the Muslim community is opposed to it, the motion to refer the Bill to a select committee may be accepted by this Hon. House. Sir, this dilatory motion will be construed by Muslims as one tantamount to the rejection of the measure. I therefore appeal to this Congress Government which bases its authority on the vote of the public, to take our word and allow this measure to proceed."

MR. H. S. HUSSAIN:—"Mr. Speaker, I strongly support the motion of my hon. Friend, Mr. Basheer Ahmed, for referring this Bill to a select committee. I am surprised to see the Hon. Minister for Religious Endowments moving a motion for circulation of the Bill for eliciting public opinion. Sir, a Bill of this kind is long overdue, and I may say that not only the representatives of the Muslims here in this House but also the Muslim public at large feel strongly that a measure like this is not only necessary, but urgently necessary. We know from our own personal experience as Muslims that Muslim wakfs are being mismanaged and that some properties have already been lost. I know personally of an instance in my own place where the property would have been practically lost had not a suit been filed to recover the property. The *muthavalli* mismanaged the trust properties and sold them away for his own debts. That is how

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the wakf properties are being managed now. Therefore we who are representatives of the Muslims to whom belong the vast wakf properties know full well that this measure has become an urgent necessity. Under these circumstances I would request and humbly beg this Government to expedite the passing of this measure by agreeing to refer it to the select committee and not put obstacles in its way by moving for circulation for eliciting public opinion. Muslim public opinion has been focussed here in this House by the feelings and by the expressions voiced forth by the accredited representatives and leaders of that community. It is a matter which touches our religion and I am assure the Hon. Minister that we are here speaking for the community and we know what our religion needs. Therefore I would strongly appeal to the Government to expedite this measure by adopting the motion of my hon. Friend, Mr. Basheer Ahmed Sayeed."

* Mr. SPEAKER:—"There are now two motions before the House, the motion for referring the Bill to a select committee and the motion for circulation of the Bill."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I had not anticipated that there would be so much opposition or controversy in respect of the procedure we adopted in connexion with this Bill; but I find that the motion for circulation has been construed to be something in the nature of a dilatory motion and that it is not considered to be really helpful. It is necessary, therefore, I think that a little more emphasis should be laid upon the reasons which prompted the Government to make this motion and to clear the possible misunderstanding as to the object of the motion for circulation."

"It is stated that there is the Hindu Religious Endowments Act under which a Board is working and that there is no reason why this should be delayed in respect of the proper management of Muslim religious endowments. The argument is very sound; the reason is perfectly correct; the wonder is, however, Sir, why such a sound argument was not understood, pressed and carried out all these years. It makes the present Government hesitate when it sees that not for a few years, but for many many years, this Bill had been before the previous Governments and with such a sound reason behind it, namely, that there was already a Hindu Religious Endowments Board working under an Act, and there was such unanimity of feeling on the part of Muslim representatives in the House all these years who were intimately connected with the previous Governments, nothing has been done. A man like me and men like my colleagues must think before taking the step. Now, we are not desirous at all of hesitating to act in this matter. That is proved by this, that we have the Religious Endowments Board working and that we are thinking of taking a further step forward. We are thinking of, as the Hon. the Muslim Member from South Kanara suggested, recasting the executive authority dealing with these endowments by probably

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taking over the management ourselves or by some means to ensure more efficient control the lack of which was the subject-matter of the complaint of my hon. Friend, Mr. Schamnad. When we are actually hatching a Bill to replace the Hindu Religious Endowments Act and when it is with our legal advisers, it would not have been proper on our part, I submit, to be parties to hastening a measure in respect of the Muslim community of exactly the kind which we wish to displace in respect of the Hindu community.

"An explanation would certainly be demanded of us later, if we proceeded to bring forward a copy of the Hindu Religious Endowments Act in respect of Muslim endowments just on the eve of our introducing a measure to replace the Hindu Religious Endowments Act and when the whole thing has so far advanced that as I said it is with our legal advisers for finishing touches. It is because we thought that consideration should be given to the advance already made in respect of Hindu Religious Endowments and also to the difficulties and defects which we have discovered and which we are immediately meeting by a new Bill, a new measure, we thought that this thing should also be placed before the Muslim public before Government could be a party to the bringing up of such a measure. If we had no doubts at all about the matter, if opinion had been expressed in a clear form, it would have been something to go upon. But after the publication of this Bill, as was observed by the Hon. Member for Endowments and Public Health, no opinion has reached us and it is a little too much to say that just as no news is good news, we should take no opinion as good opinion in a controversial matter of this kind. It is all right to proceed upon in ordinary cases, but a very dangerous ground to proceed upon when we deal with religious institutions and communities, whose leaders have times without number pointed out that we have to be very slow and cautious in dealing with such matters and have not hitherto shown any signs of haste in dealing with such matters or even toleration of haste in dealing with such matters. I should therefore apologise for our attitude of caution by pointing out these matters. It may be said by those who are cautious that when we deal with religious matters, say, marriage, property, marriage laws, and the like which partly touch upon religion, the Muslim community has emphasized the need for excluding the Muslims from the ambit of such legislation. Let us take the Civil Marriage Bill for instance. If I remember right, if I know my law, I think the Muslims were very particular that they should be excluded from that law. Am I right? (Cries of 'yes.') And it is merely a registration affair. But here property and the interests of successive generations of people are affected and we do not know what the reactions may be. It is all very well for educated and public-spirited gentlemen coming on the vote on other matters to represent the Muslim community, supporting us. We are very glad and I promise on behalf of the Government that after the

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steps we ask for are gone through, which I claim are not dilatory but only cautious, we shall render all help to get the measure passed into law. But to-day, we feel that it would be better that the public are consulted and that we simply do not go upon the evidence offered by those who represent the constituencies and other Muslim representatives here. It is a safe ground to proceed as a first step before we take final steps with regard to properties and institutions of a religious character. Nothing is lost by a few months' delay. If as a matter of fact, we have allowed this kind of wastage and misappropriation for all these years, a few months' delay, I think, will not make a large difference, because we shall then have proceeded in a manner which will not be open to attack or suspicion thereafter. I hope it will not be misunderstood if I add one more thought that passes my mind in this connexion. It is all right that previously it was circulated and let us take it that there was no objection. We have not analysed the previous public opinion; let us take it that there was no objection to the Bill before, but let us remember that the Government has now to exercise control even though it be by a Board. Just as the Hindu Religious Endowments Board is very much controlled by the Government and the Government has to bear the praise and blame for the work of the Board, let us remember that the present Government will have to bear the blame or praise of that control in respect of the Muslim Board also, that will be brought into existence. I cannot act on the assumption that the entire Muslim public will not find fault with me for making this partial inroad into religious institutions and their properties. Let us therefore get fresh evidence: I suggest that with or without the addition of the three months suggested by my Friend, Mr. Schamnad. If we can get the opinion before three months, there is no need to wait beyond three months and the motion can be brought forward. I therefore submit for the acceptance of the House including the Muslim members the motion for circulation. I hope that we shall have a unanimous resolution of this kind which will make it easier for us to get it through later. I therefore appeal to the Muslim members of this House to support the motion for circulation and help us to get it through as quickly as possible."

* MR. SPEAKER:—"I shall now put the motion to the vote of the House."

MR. BASHEER AHMED SAYEED:—"May I say a word, Sir?"

* MR. SPEAKER:—"Your say is always too long. I shall give you five minutes."

MR. BASHEER AHMED SAYEED:—"Sir, I submit that there is not much point in the argument that the Bill has not been before the public, and that the public has not given its opinion. The Hon. Member from Kistna, Sir, has represented

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the entire Muslim feeling that the existing law is unsuitable to meet the needs of the situation so far as they apply to Muslim waqfs. Now, Sir, I quite understand that the present Hindu Religious Endowments Act has many defects which require correction, but may I hope, Sir, that the Government is going to give an undertaking that the measure which they are having before them is to be comprehensive enough to include Muslim waqfs and they would be administered according to the Muslim laws? Then I think, Sir, it will be acceptable to the Muslim Members of this House. Will, Sir, the Premier be in a position to say that they will bring forward a measure which will be comprehensive enough to include Hindu and Muslim endowments, the object being to administer them according to the respective laws of the community?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"As he asks for an assurance, Sir, if the consultation of the public results in that, most certainly, Sir." (Applause).

MR. BASHEER AHMED SAYEED:—"Another thing I would like to say is this: this Bill may serve as an indication of the opinions of this House. It is open to the Government to call the Muslim Members of this House and ask them as to what should be the lines on which the Government should undertake a measure in this direction. I want to warn the Government that this motion for circulation is likely to be misunderstood by the Muslim community that the Government opposes the better administration of Muslim waqfs in this country. I do not want that the Government should be put in the wrong in that manner. (Laughter.) Moreover, I want, Sir, that the Government do take up in right earnest the question of securing the efficient administration of the Muslim waqfs. If they were to say here and now that their responsibility towards the Muslim waqfs is as great as their responsibility towards the Hindu and other endowments and that they will bring forward a legislation which will enable them to control and regulate the administration of the Muslim waqfs, then, Sir, I say it will be time for us I think to agree to the circulation. But nothing of that kind has come forward except this bare circulation motion. The Bill has been before the public. It is unnecessary for it to go before the public again. There is no divergence of opinion so far as the Muslim representatives of the 26 districts are concerned, that this Bill is quite essential. You need not have any fear that the Muslim community is sensitive and that it will come down upon the Hindu majority against this measure and that there will be any trouble with the administration. There is not going to be any interference by the Government. The administration is going to be on the terms of the waqfs and according to the law of the community. I would therefore respectfully appeal to the Government to reconsider their position."

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(The Hon. Mr. Yakub Hasan rose.)

* MR. SPEAKER:—"I think it will not be proper to allow the Minister for Public Works to speak at this stage."

THE HON. MR. YAKUB HASAN:—"This being a Muslim measure . . ."

* MR. SPEAKER:—"But it will be a violation of the rules of debate."

THE HON. MR. YAKUB HASAN:—"But I want to say that Mr. Basheer Ahmed (cries of 'No, no' and 'Order'). There were two motions, one by Mr. Basheer Ahmed, and then another by the Minister in charge of Public Health for circulation. Mr. Basheer Ahmed did speak on this motion for circulation and I think that he had exercised that right, and he has spoken. I think it should not be taken to be a speech in answer to the other also."

* MR. SPEAKER:—"I can allow the Member of the Government in charge of the department to speak even after the reply of the mover of a substantive motion, but unfortunately, the Hon. Member is not in charge of the department. So, if the Hon. Dr. Rajan wants to speak, he may do so."

* THE HON. DR. T. S. S. RAJAN:—"I have only to reiterate what the Hon. Premier has stated in such unmistakable terms. One may take it that we take the same responsibility for Muslim waqfs with the same sense of duty as we do it not only in the case of Hindu but of all other communities and we are responsible to the public as Government. Therefore it is unnecessary to enunciate the proposition that we are a responsible Government and that we are sensitive to public feeling. Therefore it is in the interests of the public to have a clear and enlightened opinion, an unmistakable opinion especially in a religious matter relating to Muslim endowments. We want to be careful and I certainly expect Muslim gentlemen on the other side of the House to be charitable enough to understand the motives underlying the motion by the Government. It is not as if we do not understand the difficulties under which the Muslim waqfs are working. I take my friend's assurance that they are in a bad state, for, I myself certainly would not make that statement. Therefore in making a statement of that sort, I would only quote my Muslim friends' opinions in this House. We want to be pretty sure about it and I do not want Muslim friends to turn round and say that Government are hostile. Not at all. We have accepted it, we have accepted the proposition enunciated in this measure, but what we want is this: we want more public opinion and an unmistakable public opinion. As I already said, being a responsible Government we want to make no mistake about the Muslim view being adopted in regard to the Bill which is religious in character. And therefore, I want to make the position of the

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Government perfectly clear. The Government is willing to take the responsibility and to help the Muslim members to take such precautionary measures to protect their endowments. All that the Government want is unmistakable proof of what has been expressed in this House by Muslim members and if we are assured of the public opinion outside and particularly of those who are really controlling these trusts, then I would give the assurance on behalf of the Government that we shall ourselves help to have the necessary legislation brought forward in the public interest in this matter. It is only to enable the Government to arrive at such a conclusion that we are now moving to refer the motion for circulation. There is no other motive behind it. I think it is quite clear that there is no other motive. After the assurance given by the Leader of the House and by me as the Member in charge of the department, I hope the mover of the motion will accept the proposition that it ought to be circulated for opinion."

MR. MAHBOOB ALI BALG:—"Will you allow me, 5 p.m.
Mr. Speaker, to move my amendment?"

* MR. SPEAKER:—"It is too late now."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Sir, the Hon. Minister in charge has not replied as to whether he is agreeable to the time-limit of three months. If he gives out the opinion of the Government in the matter, it will enable us to vote properly."

* THE HON. DR. T. S. S. RAJAN:—"With regard to this matter of the time-limit I want to point out one difficulty. We are certainly prepared for three months, but it also depends on the people to whom the Bill is referred. If such people with ulterior motives do not give their views within three months we will be placed in a ridiculous position if we now commit the Government to the time-limit of three months."

* MR. SPEAKER:—"The Hon. Minister does not want to have it formally tagged on."

THE HON. DR. T. S. S. RAJAN:—"No."

MR. BASHEER AHMED SAYEED:—"The object of fixing a time-limit is to enable the Government to tell the parties interested that they should send in their opinions within the time fixed. It is not with any other motive that a time-limit is fixed. I hope the Government will accept the time-limit of three months."

THE HON. DR. T. S. S. RAJAN:—"I am not attributing any motives to hon. Members of this House. I am thinking of those people who are now in charge of these trusts and to whose interest it is that this matter should be delayed as far as possible so that the Government may be put in the wrong by their delay. Even then, I have absolutely no objection on behalf of the Government to give a three months' time-limit."

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MR. BASHEER AHMED SAYEED:—"Under the circumstances, I have no objection to the circulation of the Bill."

* MR. SPEAKER:—"Does the Hon. Minister agree to have the time-limit put in the motion itself?"

THE HON. DR. T. S. S. RAJAN:—"Yes, Sir. Public opinion will have to be obtained in three months."

* MR. SPEAKER:—"The question is—

'that the Madras Muslim Wakf Bill (L.A. Bill No. 6 of 1938) be circulated for eliciting public opinion and that public opinion be obtained in three months.'"

The motion was put and carried.

* MR. SPEAKER:—"I think the motion for Select Committee is withdrawn."

MR. BASHEER AHMED SAYEED:—"It automatically goes."

* MR. SPEAKER:—"Automatically of course. But probably the hon. Member will gracefully withdraw it."

MR. BASHEER AHMED SAYEED:—"It automatically goes."

* MR. SPEAKER:—"Of course it does go."

(3) A BILL TO REMOVE THE DISABILITIES OF THE SO-CALLED DEPRESSED CLASSES IN REGARD TO ENTRY INTO HINDU TEMPLES (L.A. BILL NO. 7 OF 1938).

* RAO BAHADUR M. C. RAJAH:—"Sir, I move—

'that the Bill "to remove the disabilities of the so-called depressed classes in regard to entry into Hindu temples (L.A. Bill No. 7 of 1938) be referred to a select committee.'

'I shall give the names of the Members later on. Mr. Speaker, Sir, in moving this motion I wish to remind the House that my Hon. Friend Dr. Subbarayan moved a resolution in the Madras Legislative Council on the 1st of November 1932, six years ago, for temple entry for depressed classes. The resolution reads as follows:—

"This Council recommends to the Government that they may be pleased—

(1) to recognise the strong and growing public feeling in the Hindu community that disabilities hitherto imposed by usage on certain classes of the community in regard to social intercourse and common worship at temples should be removed and justice rendered to them;

(2) to take advantage of the great impetus given in this respect by the settlement arrived at at Poona among the leaders of the communities and the consequent agitation in the country that places of public worship should be thrown open to the so-called Depressed Classes; and

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(3) to bring up legislation setting at rest and removing, if necessary, the doubts and disabilities which trustees and other persons holding authority in the administration of Hindu temples feel in regard to throwing them open to the said classes, with necessary safeguards for the making of regulations for maintaining order and cleanliness in temples and also the performance of ceremonies according to the usage of the temples.

“ This resolution was accepted by the Council without a dissentient voice. Dr. Subbarayan in his opening speech spoke as follows:—

‘ Mr. President, this resolution is not being brought forward by me as a mere pious wish to admit our depressed brethren into temples. If this resolution is accepted by the House, I mean to go on with legislation in this respect also, if the Government do not seem to do it. Because, Sir, I do feel that the time has come when we must recognize the growing public feeling in this country and also we must recognize the sentiment of our depressed brethren. We cry hoarse about nationalism and nationality.’ ”

* Mr. SPEAKER:—“ Is the hon. Member going to read the whole speech? ”

RAO BAHADUR M. C. RAJAH:—“ No, Sir. I am going to read only the relevant portion.

‘ I would like to ask hon. Gentleman sitting on the other side as well as my hon. Friends on this side of the House whether this cry is going to be only of nationalism for ourselves, so that we, the higher castes, may dominate this country, or is it going to be a common nationalism by which we are all going to be one with the growing sentiment of our depressed brethren that their place in the Hindu community should be recognized. I do not think we can get away from the fact that in spite of all that has been done during the last half a century by reformers in this country, we, caste Hindus have not done our duty to our depressed brethren. . . .

“ I would like to read more, Mr. Speaker, but I do not want to do so.

“ True to his words Dr. Subbarayan presented a Bill to the Government of Madras on the 1st of December 1932. This was the Madras Temple Entry Bill. The principle and the object of the Bill were the same as of the Bill now before this House. That Bill would now have been on the statute book and there would have been no need for the present Bill if the Governor-General had accorded sanction for the introduction of the Bill in the Madras Legislative Council. But he accorded sanction for the introduction of the Bill in the Central Legislative Assembly, where as you all know, myself and Mr. C. S. Ranga Ayyar introduced it in 1933. I was not able to pilot the Bill through as I had left the Central Assembly and entered this House.

“ Let me point out at the outset that this Bill is not a piece of compulsory legislation. It only provides for the practical expression of the people's desire when they wish to allow depressed class people to join them in worship in their temples. To describe this as an interference with religion is to misrepresent it altogether.

“ May I request you to read the Bill carefully? The Bill does not throw open the doors of temples to depressed classes all at

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once, whether the worshippers like it or not. This is a kind of Local Option Bill for removing the legal impediments to reform and puts no compulsion whatever on the caste Hindus. The Bill seeks to give every congregation of Hindu worshippers the right of deciding the question of opening the temples to Harijans instead of being dictated to by a minority.

"In this country usages and customs have become hardened into law and reform has become difficult. The British Courts and British law have enforced the established usages and customs of the Hindus and prevented the natural growth and evolution of Hindu customs. Any departure from the custom has been prevented and penalized by the law. Reformers, when they obtain for their proposals the consent of the majority of people in any area, have been unable to give effect to their object, if even a single dissident rushed to the courts to block the reform. I need not say that customs which have become part and parcel of law cannot be altered except by legal enactment. Such being the state of the law, it becomes necessary to seek the aid of legislation. This Bill seeks to enable Hindu opinion when it has become liberal enough to be translated into action, to express itself without any legal impediment. In fact we want the help of the courts to be refused to the practice of untouchability which, as you all know, is interference with the elementary rights of a vast section of the Hindu community. To check this interference, cannot be described as interference at all.

"This Bill is intended to create a machinery for the education and ascertainment of public opinion and for giving practical expression to it, where opinion is preponderatingly in favour of the Reform. If in any locality the majority of the caste Hindu worshippers decide to open any of their temples in that area to the depressed classes, this Bill enables them to do so, even though a small minority may object to it. If the majority of the people do not favour this view, the Bill will compel nobody to throw open the temples to the depressed classes.

"I am against coercion of any kind in matters of social and religious rights whether the party concerned is a majority or a minority. No doubt minorities should be protected, but when the minority is coercing the majority we need protection for the majority. What we want legislation for is for the removal of the existing legal obstacles. Laws could be changed only by laws. An act for the removal of the impediment is but the barest justice due to the depressed classes.

"I have pointed out that public opinion has already been registered by the vote of the Madras Legislative Council in 1932. The Congress has always advocated Temple Entry to depressed

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classes and the Bill gives effect to a vital of the Congress programme as embodied in the Poona Pact.

" Sir, the Tamil Nadu Congress on the 19th January 1938 met at a place called Battlagundu and unanimously passed a resolution that a Bill like this should be passed in this Assembly. The resolution was published in the '*Hindu*' of the 19th January. The resolution asked that suitable legislation be undertaken to remove all legal obstacles in the way of Harijans entering Hindu temples and urged upon the Government and the Legislature to take the necessary steps in this matter. Sir, I need not again repeat to you the statement of Mahatma Gandhi with reference to public opinion in this matter because I have already quoted that in the speech I made while referring my other Bill to the select committee.

" Temples, Sir, are meant to be spiritual power houses and places of purity and sanctity. Temples are places consecrated for devotion and worship. They were intended to be available to all devotees in spite of differing manners and customs, and cannot be closed against even the most wretched amongst us who stand in greatest need of religious consolation and purification. Temples are not the sole property of any section of Hindus. Temples are the most catholic of Hindu institutions. Caste distinctions should be forgotten inside temples. Temples should be unifying forces and not disintegrating factors.

" In the second statement, dated 5th November 1932, issued by Mahatma Gandhi soon after his memorable fast, he expressed his foremost desire that there should be a complete merger of the depressed classes with caste-Hindus. He wrote thus:—

' What I wanted and what I still want is their complete merger in the Caste-Hindus and that of the latter in the former. It is my deliberate opinion, not likely to be altered by any fresh fact that may come to light, that the more the suppressors give the suppressed the more they gain.'

" Sir, the people on whose behalf I approach this House with this Bill are not treated as out-castes by Hindus alone. The bar that has been put upon them in the Hindu society affects the psychology of other classes as well. The depressed classes are treated as unfit for close association by the Mussalmans, Christians and other communities, among whom they live. I hear Mrs. Yakub Hasan say, 'no.' Mrs. Yakub Hasan does not know the existing conditions in the village parts. Sir, the removal of this disability is therefore not merely a Hindu question, but a national question. So long as the Hindus act in the spirit of the Poona Pact, the merger will take place and the depressed classes will be numbered amongst them. If at any time there should be a departure from the spirit of that Pact, they will become and behave as a separate community, and this will not be their fault, and the Hindus

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will have to thank themselves for it. I have only to call your attention to the state of things in Bengal where the scheduled classes remain apart from the Hindus and their strength is cast on this side or that. The Temple Entry Bill which I had the honour to introduce and which I have no doubt you will accept and pass into an Act, is a kind of social and religious insurance against any such fate overtaking us in this Presidency.

"I request this House, Sir, to give its considered opinion to this Bill and pass this motion without any dissentient voice."

Mr. Basheer Ahmed Sayeed seconded the motion.

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, this Bill has been introduced, I may take the House into my confidence, through you, Sir, not only with my consent, but I may say even at my request, if the hon. the Mover will permit me to use such an expression. It was a few years ago, as was stated just now by the hon. the Mover, that the Bill was introduced in the Legislative Council of Madras. It had a chequered career till it reached Delhi. A Bill was introduced in Delhi also, and I cannot forget the scenes when I sat on the galleries above the House and tried to pull the strings of central legislation from there. There was a dilatory motion, and both the hon. the Mover and myself and other colleagues contrived to give a great deal of difficulty to the Government then in power there, and almost got this Bill through there. But the exigencies of the circumstances prevented that Bill becoming law. It is now before us again. If I did not advise the Government to accept this as a Government measure, it was because we thought that a measure of this kind relating to religious institutions of one community, though it might receive the strong support of the Government, should be initiated by a private member of that community, and that it would be a bad precedent to start with official measures in matters relating to this kind. Having consented, not only consented, but promised, warm and full support to the mover of the Bill, it is my duty now to explain the attitude of the Government before any other speeches are made in the course of the debate and to explain the reasons for that attitude.

"When the Bill was put into our hands, Sir, along with notice of the motion, my colleagues and myself, as I said, on behalf of the Government, intended to give our fullest support. But since then, we have turned the matter over in our minds and I must take the earliest opportunity to explain to the House, Sir, what we think now to be the better means to achieve the object which is so dear to us and which is embodied in this Bill. We witnessed some time ago, a great—what I may claim to call and rightly call a great—revolution in the State of Travancore, in regard to

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religious worship appertaining to the Hindu community. Hon. Members are aware of the resolution that was adopted in this very House in regard to it and are aware of the enthusiasm and the rejoicing in all circles and specially in Hindu circles over that proclamation of His Highness the Maharajah of Travancore, throwing open all Hindu temples under the management of his State—and they are very large and important temples—to all classes including the Harijans. Not only was there rejoicing throughout, but pilgrimages were undertaken to see actually the miracle at work, and men who doubted saw with joy the truth and the sincerity of the change, and they came back; and further pilgrimages were undertaken, organized at the instance of friends of myself and my colleagues, to take village men and women to Travancore, in order that they might see what they never imagined they could see. All that was done. Now, after we turned this Bill over in our minds, it struck me, Sir—permit me to say it in this autobiographical form, because it is necessary—it struck me that we failed in our duty to make the best use of that great change in Travancore in that respect. It struck me that we would find this great work, this dear work, much simpler than it might be otherwise, if we utilized the change brought about in Travancore effectively a little more than we had done. The Province of Kerala is not an administrative province as yet. But Travancore and Cochin and Malabar are one integral, closely connected people, not only speaking the same language but following the same customs, governed by the same religious institutions and closely knit with one another by relationship of blood as well. This change brought about in Travancore certainly must bring about automatically a change in the religious psychology of other Kerala people, whether they be in British Malabar or in Travancore. If what we want is not a Bill on the Statute Book and a struggle later under the optional provisions of this Bill, if what we want is the reality of a united common form of temple worship for all classes of Hindus, it is unwise to follow the more difficult path when the easier path is before us. He who wants glory may walk barefoot up a jungle; he who wants to exhibit his physical strength may, without a stick, go uphill, but he who wants to reach his mother uphill, will take a stick and anything else with him that may perhaps be useful to him. It is in that spirit I submit that it is wiser for us to proceed from Travancore to Malabar and go, as it were, up the sacred hill with a mountain-climber's stick in our hands and not simply exhibit our strength and our confidence, going without the help of a stick. It is possible that we may work hard; it is possible that the opinion of Gandhiji may be such a great force that we may win easily if we proceed with this optional measure in all parts of Madras straightaway. But, as I said already, though it may be possible, let us go by the

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shorter path.—shorter is not always the geometrical length—it may look longer,—but as every hon. Member knows, we may reach in a motor car on a tarred road a railway station in quicker time than we may reach getting over houses across, as the crow flies, barefoot.

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“ I, therefore, advise that those who are interested in attaining this object should make the fullest use of the achievements already made and try to drive this reform along the path of least resistance—not that we are afraid of resistance, not that we run away from difficulties; if we must face difficulties, we must and we shall—but, where there is an easier way open to us, if the object is near and dear to us, if the achievement, if the accomplishment is what we want, it would be wrong to put aside an assistance that is placed in our hands by God. Who dreamt that Travancore would come out with a proclamation of this type when we were dealing with this measure at Delhi or in the Legislative Council of Madras? We never dreamt of it.”

RAO BAHADUR M. C. RAJAH:—“ Before this Bill was introduced here we knew that it had come in Travancore. I knew it.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ Mr. Rajah is mistaking what I said . . . ”

RAO BAHADUR M. C. RAJAH:—“ You are mistaking what you said.”

* THE HON. MR. C. RAJAGOPALACHARIAR:—“ I was saying, when you introduced it in the Legislative Council of Madras in 1934 and I was promoting it in Delhi, none of us dreamt of the Travancore Proclamation.

“ When later, it was mentioned to me and this Bill was placed in my hands in the present Assembly of Madras, it is true that the Travancore Proclamation had been made, it is true that I actually went and saw the worship personally. But, in a case which is dear it is possible we may be guilty of lapses of intelligence, lapse of wisdom and it must be open to us to find out as to what line we are to follow. In all seriousness, I tell you, Sir, that till a week ago, it did not flash across my mind that we could adopt a line of action, which I will presently state; and as soon as it flashed across my mind, it was a struggle of ‘ Shall I do this? Will it not look like retraction? Will it not look like a change of mind, like showing the white feather? Shall I not look like a betrayer? Oh yes, it may be so. But one must be true to oneself, and to the cause that one holds dear. These misinterpretations will pass like the mist at some time or other before the sun. We should not be frightened by possible misrepresentations or even slander. This cause is dear and it is just as dear to me and to my colleagues even as Hinduism is dear, and may failure in this cause be a failure for our civilization and for our religion which

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we hold dear. Therefore, the fear of misrepresentation is nothing before that. An optional measure like this is not finished as soon as it is printed in the Code. An optional measure like this will have to be taken before the people and the first failure means an enormous loss, years of retrogression and we will have to wait patiently for many years, before we can regain the ground lost. The merest enthusiast will come forward with a challenge, and there are people these days, who are quite prepared to say 'Oh yes. We have failed. We have failed, because others did not do their duty. We have failed because of this and that. There is satisfaction enough for us.' But, that is not satisfaction enough for me or my colleagues, for Hinduism or the Hindu community. To lose ground, by any wrong step taken, would be fatal and we do not want to take such risks simply because I fear that Mr. Rajah may misunderstand me; that misunderstanding is nothing before the loss we are going to . . ."

RAO BAHADUR M. C. RAJAH:—"I understand you very well."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"I, therefore, immediately proceed, Sir, to explain to the House what it is that has attracted me in preference to this measure and which I wish to place before the House. Government have decided to introduce a measure for Malabar. The measure of Travancore carried forward to the British area in Kerala, very rightly will be a Government measure and it will be a measure on these same lines, because they are the lines which we all have examined and found to be the best. We are going to introduce a measure which we do hope will come for consideration in November. We do propose to introduce a measure for opening the temples of Malabar if the people of Malabar want it and will allow it. We are sure, almost sure, that it will be enthusiastically received in Malabar, because, they have seen it is not mere words, it is not mere imagination, but it is concrete experience—their own temples, the temples which they themselves must visit and worship, wherein they worshipped,—their own people, men, women and children have gone through the experience of common worship and we expect, therefore, that that wedge will drive in effectively into the Hindu superstition in this respect. And after Malabar, the next step will be easy. I ask friends to be patient. It is easy to be enthusiastic, but it is difficult to accomplish things. We have not failed, we have not shown cowardice, we have not shown unwillingness and if we succeed in Malabar, we shall have avoided many difficulties."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"Between Malabar and Travancore, there is Cochin."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"It is not a topographical affinity alone that counts between Malabar and Travancore. There is the bond of religious union, identity of

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usages, customs, language, manners, everything, which has a capacity to jump over Cochin and finally take Cochin also into the transaction without a word. But, let us not discuss an Indian State. We can talk of what an Indian State has accomplished; it would not do for us to refer to what an Indian State has not done. Who knows what we may see before November? We need not go into that. But, after it is accomplished as a fact in Malabar, I was saying that it would be the easiest thing to go through here, but some say 'why not go through it at once?'

"When we introduced prohibition—I am not introducing a favourite subject automatically or by habit, but for a relevant purpose, deliberately—when we introduced prohibition, we took it by stages. We introduced a general Act and we said, we will introduce it in this district now and in that district later on. Even then, there were people who said 'why not do the whole thing?' We are always faced with that phenomenon. Those who did not do anything before, are always ready to say 'why not do the whole thing? Why do you walk, why not you run?' When we begin to walk or when we do something, this is the cry. It was said even then in both Houses, 'why not we introduce prohibition everywhere; what is this petty little measure!' But those who hold causes dear do not think much of that kind of criticism. But, there is a difference here. In the case of prohibition, the stage by stage was dictated not by reason of anticipation of opposition from anybody, but by reason of rupees, annas and pies. We said stage by stage, not because, the people of other districts did not want prohibition, or were opposed to prohibition. Therefore, we had the whole law and we said stage by stage only to get over financial difficulties. But here, what are our difficulties? It is not money. It is not rupees, annas and pies. It is not time. But, it is the toughness of an old custom. The ignorance, the superstition and the dangers arising out of the ignorance and ignorant opposition. Sir, I have not lived only in towns. I may well say that times have advanced, but sometimes, I feel times have not advanced at all, when I remember some of the village scenes that I have witnessed. Even now, I can imagine the great physical disturbances in connexion with the struggles against ignorance. I do not wish to describe all that passes across my mind, for, crime may be suggested even by such descriptions. I only wish to summarise the position in respect of that, that things are not so easy as we would like to believe them to be, but times are ripe for progress and for action. Difficulties are not to be an answer, but difficulties should guide us by which path we should go. If we might say to Malabar, here is Travancore, and if we are able to show to the province of Madras, here is Malabar and Palghat and after these we go from Malabar to the Tamil country, the work will be easier. Why not then have a general Act? Why

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only a Malabar Act? (Hear, hear.) I am facing difficulties squarely and plainly; so there is nothing surprising in my anticipation of arguments. It is not as if I am a disinterested person. I am most interested in this and so I am prepared for every aspect of the matter. To repeat my argument, the difficulty is not rupees, annas and pies. The difficulty is this. Now, if we propose to make an all-Province Act without really introducing it in any place, we are making a difficulty unnecessarily. If it is a question of money and time, we can follow the prohibition plan. But, since we want to reduce difficulties, since we want to overcome human psychology of ignorance, we need not create a difficulty in that area where we do not propose really to work it. It will, therefore, be more easy to overcome the difficulty by starting with a local Act. We do not talk about it, but we do it in Malabar; but we cannot stop all talk, nor is it necessary or wise to stop all talk. The propaganda must go on. But there is a difference between the intensity of the difficulty that we will meet with in actually asking them to open the door and that which we face when we present a mere idea. We have addressed, Sir, hundreds and thousands of meetings. We were unanimous in accepting the idea of opening the temples.

“ But that does not apply to actually opening the door. The 5-4/
other day, in the district to which the hon. the Mover of the Bill belongs, there was a festival, fire-walking festival; the vil- P.m
lagers were walking over the fire; it is a well-known festival, highly exciting and interesting. A Harijan—pious man—wanted to enjoy the benefits of the same worship of fire—and therein he treated the fire as a friend instead of as an enemy or terror, as it is. The Harijan walked over it. He was immediately caught—pursued in broad daylight—he was killed; and there was no evidence forthcoming. And this Government filed an appeal on the evidence that was there. They failed and the men were acquitted. The man was killed! And there is nothing for it! In broad daylight! Walking over fire, not even going into a temple! I am sure if, in that village, we had organized a meeting and said, ‘ what do you say to common worship,’ they would have listened to it and they would have said ‘ Yes.’ Because, the brain is open. When there is no ignorance or superstition or religious fervour working, the brain is intelligent, the ears are open, the mind is not made up, they hear, they listen, and say, ‘ yes, what you say is right, these are our brethren, they too should worship the same God; surely the temple is pure, it must be open to all; we do not object to your resolution.’ And yet things like this come to happen! Therefore, I beseech the hon. Mover of this Bill to wait. Let us not merely make a measure of a big nature and be content with a book entry in the ledger so to say. Let us get it done in Malabar; and with

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Travancore and Malabar, not all the ignorance in Madras can prevent the movement from proceeding from place to place in the province. With these words, Sir, I commend to the hon. the Mover of the Bill, not to withdraw, not to give up, but merely to suspend the Bill; having been introduced, it will be there; he need not push on with this to-day; he may wait till we keep our word in November to bring a Bill, till we keep our promise of bringing it about before your eyes in Malabar. Let him test us, and if need be, make his case stronger to complain against us, if necessary—and not reject my advice to-day.” (Applause.)

* MR. SPEAKER:—“He has to withdraw his motion, or it must be put to the House and voted upon.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“Having introduced the Bill, it is open to the mover to make this motion at any sitting at any time. To-day he does not move it. That is the proposition that I put to him.”

Swami A. S. Sahajanandam rose to speak.

* MR. SPEAKER:—“I will suggest to the hon. Member to be very brief. There are other items of non-official business to-day. Unless this is expedited, I fear those items may not be reached.”

RAO BAHADUR M. C. RAJAH:—“Sir, I would like to follow Mr. Sahajanandam.”

* MR. SPEAKER:—“Surely every hon. Member is entitled to speak; all the 215 members have a right to speak. But, I am entitled to cut down the time-limit of hon. Members.” (Laughter.)

Swami A. S. Sahajanandam began to speak in Tamil.

THE HON. MR. C. RAJAGOPALACHARIAR:—“What I said before, I hope was understood by the hon. Member, as I spoke in English.”

* SWAMI A. S. SAHAJANANDAM:—

“இது முக்கியமான விஷயமாயிருக்கிறது. இது அடுத்த வருஷமாகட்டும் என்று சொல்லுது—(At this stage the Hon. the Premier asked: ‘நான் ஆங்கிலத்தில் சொன்னது கனம் மெம்பர் அவர்களுக்குத் தெரிந்ததா?’) தெரிந்துகொண்டுதான் சொல்லுகிறேன். இப்பொழுது இந்த மனோதாவைக் கட்டலாகக் கொண்டுவரலாம் என்று நினைத்தால் - அது முக்கியமாயிருந்தால் - யார் கொண்டுவருவதாலும், அதை நடத்திவைக்கவேண்டுமென்று கூறுகிறேன். ஆகையால் சர்க்காரே கொண்டுவரவேண்டியது என்ற அவசியமில்லை. இந்த பில்லை ஆராய்ந்து பார்த்தால் ஹரிஜனங்களுக்கு உடனே ஆலயங்களைத் திறந்துவிட்டுவண்டுமென்று சொல்லவில்லை. இந்த பில்லை என்ன கூறியிருக்கிறது என்றால் ஒவ்வொரு டிஸ்ட்ரிக்ட்டும் தன் அதிகாரத்திற்குக் கீழுள்ள கோயிலுக்குப் போய்த் தொழுவோர் 50 பேர் ஹரிஜனங்களுக்கு ஆஸ்பத் பிரவேசம் - வழிபாடு - வேண்டுமென்று எசுயெழுத்துப்பொட்டு அவர் கையில் கொடுத்தால் அவர் அதுபற்றி சுற்றுப்புறத்திலுள்ள வாக்காளர்கள் அழிப்பிராயத்தைக் கேட்டு அந்த மெசாரியூயாரின் கருத்தை அவர் தீர்மானமாக வெளியிடலாம். ஆகையி

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ஞால அவசரமாகச் செய்வது ஒன்றுமில்லை. இந்த நிலைமை மாணாது
லும்சுட நாட்டிலுள்ள எல்லா ஆயுதங்களிலும் அந்தச் சட்டத்தை நடத்தி
வைக்கவேண்டியிருக்கிறது. இங்கு பல விடங்களிலும் மதுரை முதலிய
பல விடங்களிலும் ஹரிஜனங்களுக்கு ஆயுதங்களைத் திறந்துவிட்டுவாறு
மென்று பல காங்கிரஸ் தொண்டர்கள் வேலை செய்யத் தயாராயிருக்கி
றார்கள். அவர்களுக்கிடையில் இது சங்களைக் காட்டிவிட்டதற்கெல்லா
ரும். ஆகையால் இது உடனே செய்யவேண்டிய வேலை. இதனால் யாருக்
கும் பாதகம் உண்டாகாது. சாக்காருக்கும் பாதகம் உண்டாகாது. ஆனால்
இந்த சமயம் சர்க்காருக்கு விரோதமாக வெளியில் கிளர்ச்சி செய்வோர் -
இதைத் தள்ளிவைத்துவிட்டால் அதை வியாஜ்ஜாகக்கொண்டு வெளியில் எங்கு
தும் பெயர் சர்க்கார் ஆலயத்தில் ஹரிஜனங்களை விடக்கூடாது என்று நினைப்ப
தாய் பிரசாரம் செய்வதற்கு உதவியாகும். ஆலயப் பிரவேச மனோ
வானது சட்ட சபையில் வந்து அதை சர்க்கார் சில காணங்களை முன்வை
ந்து சில மாதகாலம் தள்ளிவைத்துவிட்டார்கள் என்று சொன்னால் ஜனங்
களுக்கு அது தெரியாது. ஆகையால் இந்தப் பிரவேசம் உடனே மனப்
பூர்வமாக ஏற்றுக்கொண்டு சர்க்கார் பாஸ்யமால் அது ஹரிஜனங்களு
க்கு மிக்க நம்பிக்கை தரும். இப்பொழுது சர்க்கார் கொள்கை அப்பி
பிரயத்தனினால் எனக்கு மனத்தினது குழம்பிவிட்டது. நாங்கள் - எங்
களுக்கு சமாயிப்பைத் கொடுத்தோடுமென்று ஆவல்கூறுகிறது. இந்த சர்க்
கார் இந்த நிலை உடனே ஏற்றுக்கொள்ளுங்கள். வெறு கொள்கை
அந்த ஆவல் கைகூடும் என்று எதிர்பார்த்தோம். திருவங்கூர் சமஸ்த
தானத்தில் ஆலயங்களைத் திறந்துவிட்டார்கள். அங்குள்ள ஹரிஜனத் தொண்ட
ர்கள் இந்த இப்படிப்பட்ட பிரசாரம் காங்கிரஸ்காரர்கள் செய்யவில்லை
என்ற பேர் வந்துவிடும். ஆனாலும் நான் அறிவேன். இந்த கொள்கையி
லும் பல விடங்களிலும் காங்கிரஸ் தொண்டர்கள் அது விஷயமாய் பிர
சாரம் செய்ய தயாராயிருக்கிறார்கள். இந்த சமயத்தில் இதைத் தள்ளி
வைத்துவிட்டால் ஆங்காங்குள்ள சனநாயக சங்கங்கள் குறுகிய எண்ணத்தை
நிறைவேற்றிக்கொள்ளுமாறுதரும் பிரசாரம் செய்யவும் அது ஏதுவாகும்.
இந்த சந்தர்ப்பம் நனாழியிருக்கிறது. காங்கிரஸ் கையில் ஆக்கியிருக்கிறது.
இங்ஙனம் மெசாரியார்கள் காங்கிரஸ்காரர்களாயிருக்கிறார்கள். ஜனநாய
ககரியாரும் இந்த நிலை ஆதரிக்கக் கூடியவர்களாயிருக்கிறார்கள். மற்
றக் கவியாரும் ஆதரிக்கக்கூடியவர்களாயிருக்கிறார்கள். இப்பொழுது காலத்
தில் - இந்த அரசாங்கம் மாறினால் அப்பொழுது யார் மந்திரிகளாய் வரு
வார்களோ தெரியாது. ஆகையால் நல்ல காரியமென்றால் உடனே செய்ய
வேண்டும். பொது ஜனங்கள் ஆசைப்பிப்பார்களோ என்றால் அவர்களும்
ஆசைப்பிக்கமாட்டார்கள். இந்தச் சட்டம் வருவதற்கு முன்னாலேயே சர்க்கா
ராளாகிய நாடார் சமூகமானது ஹரிஜனங்களுக்கு ஆயுதங்களைத் திற
ந்துவிட்டிருக்கிறது. மேல் சட்டம் செய்யாமலேயே திறந்துவைத்திருக்கிறது.
இந்த சட்டத்தினால் சர்க்கார் நாளைக்கே ஆயுதங்களைத் திறந்துவிட்டுவோம்
என்று உத்தரவு போட்டுப்போவதில்லை. இந்த சட்டத்தை எப்படிப் பரஸ்
செய்தால் அனுசுலமாயிருக்குமோ அப்படிச் செய்யலாம். சர்க்காரியிருந்
து மேல்கின்பு பணம் வாங்குதிற கோயில்கள் உண்டு. அவைகளை உடனே
திறந்துவைத்துவிடலாம் என்று சொன்னால் பொது ஜனங்கள் கிளர்ச்சி
யுண்டாகி தடை யுண்டாகலாம். ஆனால் இந்த மசோதாவில் அவர்கள்
ஆதரவின் பேரில், அவர்கள் எங்கு பிரியப்படுகிறார்களோ அங்கேல்லாம்,
அவைகளைத் திறந்துவிடலாம். பொது ஜனங்களின் எண்ணத்தை மறு
த்து - அவர்களுக்கு விரோதமாக ஆயுதங்களைத் திறந்துவிட்டுவாறு
மென்று சொல்லவில்லை. ஆகையால் நல்ல காரியத்தை எதற்காகத் தடு
த்து வைக்கவேண்டும். நல்ல காரியமென்று நிச்சயமாக காங்கிரஸ்கார
கள் சொல்லியிருக்கிறார்கள். மேலும், அதற்காக மகாத்மா கிருபா நான்
பட்டினி இடந்தார். சுயராஜ்ய கவர்ன்மெண்டானது வந்துவருவதெனே கோயிற்

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HINDU TEMPLES (L.A. BILL NO. 7 OF 1938)

[Mr. A. S. Sahajanandam] [17th August 1938]

பிரவேசமானது நிறைவேறும் என்று வாக்களித்தார். அதைத்தான். நம் பிழிந்துபோனது. அவ்விதம் மகர்தம் காந்தி யளித்த வாக்குறுதி பலத்தி னால் 30 பெர்கள் சட்ட சபையில் நுழைந்தோம். இப்படி வந்த பிறகு இந்த கலாநிமொடியல் எங்களுக்கு நல்லது கிடைக்கும் என்று நம்பிக் கொண்டிருக்கிறோம். இந்த சமயத்தில் இதைத் தள்ளிவைத்தால், கனம் பிரதம மந்திரி சொன்னபடி இதைத் தள்ளிவைத்தால் நாங்கள் எமாந்த வாக்கள வோம். + அக்காரும் எங்களை எமாற்றினது போலாகும். ஆகையால் அப்படிக்குத் தொழில்மில் உடனே இந்த பிலை அங்கீகரித்து சட்ட மாக்கிவிடவேண்டுமென்று சொல்லிக்கொள்ளுகிறோம். ஹரிஜனங்களை மிகக் கொடுமையாக நடத்தும் மலையாளத்தில் அந்த மெல் ஜாதி இந்துக்கள் எல்லாம் அங்கு ராஜாவினுடைய கட்டளையினால் அடங்கிவிட்டார்கள். அதுபோல் இங்குள்ள அரசாங்கமும் இதைச் சட்டமாக்கி விடுமானால் யாரும ஆட்சேபிக்கப்பொருதினில்லை. அதில் பொது ஜனங்கள் அப்பிராயத்தையும் கேட்டுச் செய்யத்தக்கவை இருக்கிறது. இதைத் தள்ளிவைத்தால் எங்களுக்கு எப்படியிருக்கும். நாங்கள் பாவினா ? எங்களுக்கு ஆலய வழிபாடு வேண்டாம். கோவில்களுள் எங்களை வரவேண்டாம் என்று சொல்லுகிறவர்கள் எப்பெரியபட்ட பாவினாமிருப்பார்கள் ? தம்மைய போன்ற மனிதர்களை விடாமலிருப்பவர்களுல் அவர்கள் மனிதர்களா, பாவிகள் ? ஆகையால் இந்த சமயத்தில் நல்ல கலாநிமொடியல்க்கிறது. மேலும், பிராஸிடியாயிருக்கிறார்கள். இவ்வளவு நல்ல காரியத்தில் முதல் மந்திரி சட்டை போடுவதில் இந்த பிலை மனப்பூர்வமாக உடனே ஆதரிக்கும்படி கேட்டுக்கொள்ளுகிறேன்.”

(At this stage, the Deputy Speaker occupied the Chair.)

* THE HON. MR. V. I. MUNISWAMI PILLAI:—“ Madam, on an occasion like this, if I cast a silent vote on a very important matter, whereby the disabilities of the Harijan community are to disappear, it will be a disappointment to the community to which I belong, and to the whole Hindu population. Madam, this matter has been engaging the attention of not only the leaders of the Harijan community but also of all those who love the religion of Hinduism.”

MR. V. M. RAMASWAMI MUDALIYAR:—“ May I suggest, with the permission of the Chair, to the Hon. Minister for Agriculture and Rural Development, to go over to this side of the House and speak to the microphone so that his speech may be audible to all, as the microphone on his side is not working properly? ”

* THE DEPUTY SPEAKER:—“ The Hon. Minister may do so.”

(The Hon. Minister went over to the other side and spoke from there.)

THE HON. MR. V. I. MUNISWAMI PILLAI:—“ I was saying, Madam, that this matter had been agitating the minds of not only the Harijans but also of all those who love the religion of Hinduism. It has taken all these centuries for my countrymen to realize the necessity for taking the Harijans along with them,

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who have been on the outskirts of the Hindu society. It has been possible during the last ten years, I may say, through the agency of the Indian National Congress for the major portion of the Hindus and non-Hindus to realize the necessity that real efforts must be made to do away with the pitiable condition of the Harijan community. To-day we have the opportunity of placing on the Statute Book a very useful legislation to ameliorate the condition of the Harijan community. Then we come to the question of this very important Bill throwing open the portals of the Hindu temples for the worship of God by Harijans. I am glad that my hon. Friend, Mr. M. C. Rajah, has made his case very clear. Not only myself, everyone of the members of my party including every Member of the Cabinet, is really sincere in having a piece of legislation embodying provisions of this nature.

"But I must say that we should not run with the shadow leaving the substance. (Hear, hear.) I may tell my hon. Friend . . . (interruption from Rao Bahadur M. C. Rajah). I would request my hon. Friend to allow me to go on, and he will soon have his turn when he could explain his views to the House. It has taken all these years by gradual steps to improve our lot, and my hon. Friend who brought this Bill has himself admitted of the many beneficent measures that have been brought forth in this country, not only by that great man, Mahatma Gandhi, but by the institution to which he belongs. If to-day we are not agreeing to the measure brought forward by my hon. Friend, let me make myself clear that our disagreement is not with the principles of the Bill but with the method by which the provisions of that Bill have to be applied in this country. I also know the conditions that are obtaining in the rural parts, and I do admit that they are most pitiable ones. The need for this legislation is indeed very great, and in this connexion I may say that the methods suggested by the Hon. the Prime Minister are really good. I may tell this Hon. House that it is not only in Chingleput that incidents like the one just now cited by the Hon. the Prime Minister take place, but I know of many other incidents wherein greater atrocities have been committed towards Harijans for their merely asking entry into the temple. I know as a matter of fact that a few years back some of our community men were very badly treated when they attempted to go up the Tirupati Hills. Not only that. I know also that Harijans have been treated worse than dogs, for the simple reason that they want to worship the God which others also profess to worship. I may assure and tell my friend, Mr. Rajah, that I am sincere when I say this, and had it not been for that sincerity I would not have been occupying a place in the Cabinet representing the interests of my community. (Hear, hear.) I may even go further and say

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that I have no reason to doubt the sincerity either of my colleagues or of the other members of my party, for if it had been otherwise, you can take it from me that I will have no place either in this House or in the country. Therefore I plead with the Hon. the Prime Minister and appeal to my friend, Mr. Rajah, to agree to this measure being taken to the next meeting, and then if the Government fail in their duty to bring in a new Bill covering mostly all the provisions contained in the Bill now before us, then he will be justified in thinking that I am insincere in making this plea. I not only appeal to my hon. Friend, Mr. Rajah, but to all Members of this House that on a measure like this we must all be unanimous so that the object with which the Bill is passed may be fully realized in the country."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTIYAD:—
"The measure now before the House is an extension of the previous one, and in fact more extensive than that which this House has sanctioned this morning. The difference is enormous, and I know all hon. Members of this House do realize it, even including those who are very anxious for the temple entry. I may say on behalf of my party that, as a political party it has always stood for the emancipation of the Depressed Classes in all ways possible. We have given our unstinted support to the removal of the Civil Disabilities Bill, and with regard to the temple entry, our view is that it should be made possible with the consent of the people, so that a greater measure of success is ensured. (Hear, hear.)

"I have previously congratulated Mr. M. C. Rajah to-day and also on a previous occasion on the great efforts that he has put forward in this matter, but what this House, and particularly my friend, Mr. M. C. Rajah, have to take into consideration is that these things should not be taken as tests to know whether the hon. Members of this House are for temple entry or not. I do not think that that question can arise in a matter like this. I do not think that hon. Members of this House have any doubt with regard to the main objective of this motion, though it may be that they have got a feeling of doubt with regard to the practicability of enforcing such a measure, and though they are considering the question as to whether this measure will provoke unnecessary controversy which would only retard the progress of temple entry. (Hear, hear.) I believe it should be the intention of all Members, including those who are most enthusiastic, like my friend, Mr. M. C. Rajah, that day by day people should be educated to accept this proposal. I can assure him, not only on my behalf but on behalf of many sitting here, that to-day he has made a great step forward in that direction. He can be satisfied with that for the time being, and he need not at all feel sorry even if this motion is defeated. I think he has put such a

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memorable Act on the Statute Book this morning, and the intention of all those present here is to help him in the great task to which he has devoted himself.

“ Sir, coming directly to the point, the Hon. the Prime Minister has suggested to us a milder form of temple entry in the first instance. This House only recently passed a resolution congratulating His Highness the Maharaja of Travancore on his proclamation regarding the temple entry in his State. Luckily, we have not heard so far any untoward incidents, as a result of the temples in that State being thrown open to all. That has given satisfaction to many, and it has led them to ask the question that when such a thing was made possible in Travancore why not in other parts such as Coimbatore and other districts, as well? Some have even suggested that why not temple entry be introduced in the Salem district where the Hon. the Prime Minister has introduced prohibition. But all that we are concerned with is the success of the measure which Mr. M. C. Rajah wants to be placed on the Statute Book. I have no doubt that the success of the measure will be greatly achieved, the moment it is introduced in a British district. The Hon. the Prime Minister has assured Mr. Rajah that the Government themselves would bring forward a similar Bill. But we are not in a position now to say what form that Bill will take and what will be the several clauses of such a Bill. It is no use to anticipate what the provisions of that Bill will be, and we have to wait. But in the meantime persons like myself who are in sympathy with the Bill introduced by my friend, Mr. Rajah, will be anxiously looking forward to the Government measure, and then, after seeing the Government's Bill, if we are not satisfied with its provisions, it will certainly be open to all of us to say ‘No’ to that measure.”

RAO BAHADUR M. C. RAJAH:—“ You have no strength to say ‘No’ and reject it.”

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—“ We are not functioning here to test our strength. We have been functioning here all these fourteen months, and I must say that good sense has always prevailed in this House. (Hear, hear.) (Interruption from Mr. M. C. Rajah.) What is expected of the hon. Members of this House is the good sense, and I say that on the whole, so far as the debating point is concerned, it has been very satisfactory, and I think the public will approve that this House is functioning effectively so far, irrespective of the strength of the parties here (hear, hear), and I do hope that a measure like this does not bring in the question of Congress versus any other party. It must also be realized that whenever a measure brought forward by anyone on this side of the House, say the previous measure brought forward by Mr. M. C. Rajah, was able to go

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through the House and get passed, it was not because of the strength on this side but because of the good sense of the whole House. If Mr. M. C. Rajah was able to get his measure passed it was because of the power of persuasion that was brought to bear on the other side (hear, hear) and that should encourage him to feel that his Bill, though it may not be accepted to-day for being referred to a Select Committee, stands there with the support of all the 215 Members of this House."

RAO BAHADUR M. C. RAJAH :—" You yourself agreed to this legislation in 1932."

HON. MEMBERS :—" No interruption, please."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" What I am speaking now is no contradiction at all. I hope my hon. Friend would have realized my heartfelt sympathy and support for a measure of this kind when I said that this is a measure which all of us ought to support. If to-day I say that we can wait till the Government bring forward their Bill, it does not in any way interfere with our rights and privileges to oppose the Government Bill when they bring it in November next and when we feel that it does not come up to our expectations. This morning when the motion for referring the Muslim Wakf Bill to a Select Committee was made, the Muslim community was terribly anxious about it, and they feel that because the Hindu Religious Endowments Act was working satisfactorily all these years, why not the same thing be done with regard to the Muslim Wakfs also. But in spite of that it was said that the Bill must be circulated for public opinion and that nothing would be lost by that. Well, if such an argument is made in regard to this Bill brought forward by Mr. M. C. Rajah, and if anybody said that, then certainly it would be doing a great disservice to that community, because such a Bill has long been before the public inasmuch as Mr. M. C. Rajah had introduced it in the Central Legislature. What the House is requesting at the present time is not for a dilatory motion, but it requests Mr. Rajah to wait for some time, while at the same time it gives its full support to the main principle contained in that Bill. Thus it will be clear that anybody who would be voting against the motion of Mr. M. C. Rajah is not at all against that Bill, and I think it is very important in these days of public criticism, to clarify one's position before voting. I once again repeat that those that may vote against this Bill are not at all against it; all that they want is that Mr. Rajah might wait for some time, and I appeal to Mr. Rajah to take into consideration the appeal made on behalf of 214 Members of this House.

AN HON. MEMBER :—" Not all the 214 Members! "

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KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—
“I stand corrected, and I apologize to you for that. At least there are a considerable portion of the Members (laughter) of this House. I once again appeal to Mr. M. C. Rajah to agree to the request of these Members, relying on them as a safeguard for the measure that he wants to pass. I hope my request also will be considered favourably by my friend on whose enthusiasm we should all offer our sincere congratulations.”

MR. MAHBOOB ALI BAIG:—“The House need not be surprised if I rise to speak on this motion. I have the authority, the authority of the party to which I have the honour to belong, to express not only the sympathy of the Muslims all over this province but also to support this motion, with all the emphasis at its command. The Hon. the Premier's speech has for the first time failed to convince most of us, and the speech of the Leader of the Justice Party has taken our breath away. (Laughter.) I find in the speeches of the Hon. the Premier and of the Leader of the Justice Party nothing but words, words. Perhaps it is a little presumptuous on my part to take the role of a Hindu reformist, a Hindu congressman and a downtrodden Harijan and speak in these strong terms. But I claim that as an Indian I have got the right to say that the Harijans should no longer suffer and it is not a day too early that this measure should be brought forward before an Assembly in which there are 160 stalwart congressmen. It is really a pity that I have not been able to be convinced with the reasoning advanced by the Hon. the Premier and supported by the leader of the Justice Party, the party of which I was a member sometime ago. (Laughter.) I do admit it. But that the leader of such a party should have opposed this motion is beyond one's comprehension. I submit that the gentleman who was responsible for casting his vote on the side of reform six years ago should have thought fit not to vote for it now is strange. I may say it is not for any fault of the Justice Party that this measure was not brought in to existence. That as a leader of the Justice Party he should have thought fit to say such a thing is really surprising. And then it is said that there is a lot of opposition. This has been there for centuries. Can anybody deny that there was not opposition of this kind at any time? If any time is propitious for this reform it is only now; and why should we lose this opportunity? Is it not that in spite of opposition on the part of the orthodox Brahmans and others the Sarada Act has been passed and is successfully working? Is it difficult for this Government commanding 160 members in this Assembly, having the valuable opinion of the Leader of the Congress, Mahatma Gandhi, and having on its side all the good opinions of all congressmen not only in this province but everywhere, not only of congressmen but non-congressmen also, to accept this Bill and push it through?

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[Mr. Mahboob Ali Baig]

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Where is the charm, where is the merit if you introduce it piecemeal? My friend, Mr. M. C. Rajah, has been agitating over it, and that is admitted by the Premier himself; this has been engaging the attention of all Indians for the past five or six years. Why delay then? Is there any special reason for delay? This matter has been before the country, before the congressmen in the forefront of their programme, and that this Ministry has not found it possible to bring in a legislation of this kind shows, to say the least, lack of proper interest and timely interest in the matter. Therefore, Madam, I reiterate my strong conviction that delays in such matters are dangerous, and no one inside this House or outside it, will be convinced if it is said that it is impossible for this Government to put through a legislation of this kind and see to its successful working? Has not the Government succeeded in introducing prohibition where other countries have failed? Can it for a moment be said that this Government which is able and determined to put down anti-Hindi propaganda has not the support for this reform? Is it impossible to bring this measure throughout the whole of this Presidency? As far as my personal knowledge goes—the Chief Parliamentary Secretary Sri Kaleswar Rao will agree with me—so far as the Andhra districts are concerned will any Andhra stand up and say that the Andhra Province is not ready for it? Why then should there be delay? Even if we credit the other side, the Government, with the sincerity of its intentions to introduce such a measure three or four months hence, I will not be convinced why should it be done piecemeal. Time is ripe now. You must take the opportunity by the forelock and introduce it at once. A person belonging to the Harijan caste has been said to be murdered. After the introduction of this Legislation it is possible and it is the duty of the Government to see that no such thing happens. At the time of the passing of the Sarada Act and Prohibition Act, people said that it was not possible for the successful working of these Acts. What do you see now? Why, I ask, only in this matter there should be delay?

“Now I may be excused, Madam, for having made this speech as if I were a Harijan myself. I wish I were a Harijan myself, for, Mussalmans—I am speaking from the bottom of my heart—cannot brook to see any human being being treated as a Harijan is treated now. It may be presumptuous on my part, but yet I have got the right to speak because I am an Indian, and also a Mussalman, whose religion does not permit another human being to be treated as a Harijan is being treated now. So I strongly support this measure and on behalf of the Muslims in this House and the party to which I belong I accord my sincere support.”

* THE HON. MR. T. PRAKASAM:—“Madam, I had no idea of intervening in this debate, but the observations that fell from the lips of Mr. Mahboob Ali Baig that this is a matter relating

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only to the Tamil area and that there was no trouble at all in the Andhra country rather induced me to rise. I may invite Mr. Mahboob Ali Baig to go with me into the Andhra country and he will be able to see what the Andhra country is in villages and even towns. Let us not ignore facts, we must face facts and we must try to do our best to reform the societies and communities. I am not a Mussalman; I am a Hindu and I may say, Madam, to Mr. Mahboob Ali Baig, and other friends here that I was one of those who had been excommunicated formerly on the banks of the Godavari river for having gone to England and returned and for no other offence. (A voice: Those days are gone.) We have gone through all those days. Till now, we have been solving the social problems without putting a Bill on the legislative anvil and without passing an Act. Many people were victims in the past to social persecution. If to-day the Harijans have reached a high level it is without any legislative enactment. I can agree with Mr. Mahboob Ali Baig in saying that some parts of the Presidency and some parts of India have gone farther ahead in the matter of social reform than some others. Beyond that we cannot say anything. It is a very difficult matter. Social Reform Movement has been in this country for over seventy or eighty years. Some of us have gone through all the different stages with reference to the working of it, and who is there in this House that can say that this Government is delaying this matter? The Government knows its duty. The Government must say what it has to say when the time comes without caring for praise or blame. What is it that may be done practically at this stage? A great reform has dawned in the Travancore State where—I never expected such a result so soon—it has been received well. The proposal now is that it should be extended to the next area in the same part of the country, and when we have done that we would have prepared the country to receive this reform not only on the Statute Book here but as a practical measure which will be put into force from place to place as and when the occasion arises.

“With such object in all measures this Government have assumed office. They will bring in a measure, a suitable measure in proper time and give effect to it. There should be no misunderstanding on this matter. It is a very very important measure. The hon. Mover, as a practical man of the world, ought to have seen that there could not have been any other motive in the minds of the Government when they made this proposal and when they requested him to consider and pause for a few months and see what steps would be taken with regard to the introduction of this measure in Malabar and what would be the time that would intervene between then and the time when it would be extended to other areas. (At this stage Mr. Speaker resumed the Chair.) There would be no half-way-house so far as this Government

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is concerned with regard to this measure or with regard to any measure. I can give that assurance. So I would appeal to the hon. Member Mr. M. C. Raja not to press the matter further so far as this measure is concerned. This cause is dear to every one of us. But what is the good of simply saying, 'Put it on the Statute Book. Never mind what happens to-morrow'? Sir, some people referred to the success of the Sarda Act. What happened to the Sarda Act? I was present in the Indian Legislative Assembly at Delhi when that Act was passed. I knew all the stages through which it passed before it became law. After it became law, what happened? Hundreds and hundreds of people removed themselves to the neighbouring French territory, Pondicherry, Mahe and so on to perform infant marriages. That Act was powerless to prevent it. It became a dead letter practically after it was put on the Statute Book. Now, recently an attempt was made to revive it by amending it suitably to meet such infringements. Sir, these are all the struggles which the Hindu community has been going through. When the path of reform is so very difficult to tread upon, there is not much good done by the Muslim brethren extending their sympathy. Sir, the Hindu society has advanced to such an extent that I never believed that I would live to witness the society in this condition. To-day there are thirty Harijan members in this House, let them speak out what they feel with regard to the whole matter. There are disabilities . . . (A voice: 'They cannot speak.') Why not? (A voice: They say that they cannot speak.) If all cannot speak, it is because of discipline, I am not free to be speaking always. They say that they cannot speak because of the discipline. (Laughter.) Why is the hon. Member shouting so much? The hon. Member who had gone to other countries ought to have seen with his own eyes how people behave in the House of Commons in England and in other Parliaments. Discipline is discipline. You cannot run away with the bit in your mouth. It is that discipline that has secured freedom to this country. It is that discipline that has put this Government in office to-day. It is that discipline that has enabled the people of this Presidency to get freedom. (Applause.) It is that discipline that will open the doors of the temples in the quickest possible manner and without the least worry to Harijan brothers or other brothers."

* RAO BAHADUR M. C. RAJAH:—"Sir, I am amazed at the attitude of the Hon. the Prime Minister Mr. C. Rajagopalachari. Now, I would like to place certain facts before this House. Six years ago my hon. Friend Mr. C. Rajagopalachari drafted this Bill and sent it to me."

MR. SPEAKER:—"Is not the microphone working?"

RAO BAHADUR M. C. RAJAH:—"No Sir; even the lights on the other side are off. Sir, these lights and these phones are not

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working as they also feel the gravity of the situation. (Laughter.) They also resent the attitude of the Hon. the Prime Minister to-day.

“ Sir, the Hon. the Prime Minister has anticipated what I am going to say and he has replied to it all in his own inimitable way. He says that I had introduced this Bill with his consent and at his request. Quite so; but what was the request? When he handed over the draft Bill to me, he told me and he told the country that the country was ripe for this measure. And now, six years afterwards, he comes and asks me to withdraw the Bill or to withhold the Bill. Is it right for him to do so, Sir? I have been deceived in this matter. (Cries of ‘ Oh ’ from all sides of the House.) I believed what the Hon. the Premier said then; I took him at his word that the country was ripe for this reform. I can prove that in a minute. I introduced the Bill with great trepidation. I had to fight the Government of India and I had to fight some of my hon. Friends in the Indian Legislative Assembly including the hon. Member Raja Bahadur Krishnamachariyar who was then the leader of the Central Party of which I was the Secretary. Why did I do it? I did it because I believed what the Congressmen said, namely, that they knew the country well and that the country was behind them. They said that public opinion was ripe then. Did not my hon. Friend the Premier tell me that public opinion was ripe then? Did he not tell me that this measure cannot wait for a day more? I will quote chapter and verse to prove this. I have got all the papers with me. Now, he comes and tells me, “ Withdraw the Bill ’. And what is the suggestion? The suggestion is that it can come up in the next session and then he killed. Is it not so, Sir? (Voices: ‘ Why ? ’ ‘ No. ’). If I withhold the Bill now, what is going to happen to it? The Bill is not going to come before the House again. He is going to supplant it by another smaller Bill.

“ Sir, six years ago the Hon. Mr. C. Rajagopalachariyar told me that the country from the Himalayas to Cape Comorin was ripe for a Bill like mine. Did he not say so, Sir? But now when I want to introduce this Bill, not for the whole of India, but for a smaller area, for our province, he comes and says ‘ No, no You cannot do it.’ But what does he say? He says: ‘ Let us have a Bill for Timbuctoo or Malabar and not for the whole province.’ Sir, I am surprised that my hon. friend Mr. Bhakta vatsalam Mudaliyar is laughing.” (Loud laughter.)

*MR. SPEAKER :—“ I think the hon. Member will finish his speech very soon if the Members on the other side do not interrupt him either by observations or by shouts. There is a lot of business to be done and so the hon. Member has to be very brief.

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But if he is interrupted, he will take longer time. The hon. Member may go on with his speech unmindful of the observations of the Members on the other side."

RAO BAHADUR M. C. RAJAH:—"I am standing here all alone and they think they can play their tricks with me. Sir, I have been subjected to too many interruptions. For ages we have suffered like this. When we want to place our grievances before the House, they shout and howl. Why should they do it? They think by this, they can suppress me. They are mistaken."

* MR. SPEAKER:—"The hon. Members will be perfectly silent and Mr. Rajah will be very brief."

RAO BAHADUR M. C. RAJAH:—"Sir, only the wearer of the shoe knows where it pinches. Hon. Members do not know to what position they have driven me to-day by asking me to withhold the Bill. They have no feelings. Swami Sahajanandam feels with me and the Harijan members on the other side also feel like me, but they cannot express their feelings; as my hon. Friend Mr. Prakasam said just now, they are under discipline. You have no business to exercise discipline over the Harijan members there. They joined the Congress subject to certain conditions laid down by Mahatma Gandhi. I am not going to touch my hon. Friend Mr. Muniswami Pillai. He is under discipline. He will clear out . . ."

THE HON. MR. C. RAJAGOPALACHARIAR:—"On a point of order . . ."

RAO BAHADUR M. C. RAJAH:—"I am not going to give way."

* MR. SPEAKER:—"I think both the hon. Members will resume their seats for the present. I think personal references and names ought not to be mentioned by any Member even in the heat of the moment. Mr. Muniswami Pillai's name and his being under discipline ought not to have been mentioned. All that is absolutely out of order. Hon. Members should not hereafter refer to personalities in their speeches."

RAO BAHADUR M. C. RAJAH:—"I beg your pardon, Sir."

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—"On a point of order, Sir; are we prohibited from referring to any speech made in this House?"

* MR. SPEAKER:—"Well, when it actually arises, a decision will be given."

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—"It has arisen now. My hon. Friend Mr. Rajah was referring to a speech recently made."

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* MR. SPEAKER:—"I do not think that Mr. Muniswami Pillai is now in the picture. He might have spoken, and Hon. Members may criticise his speech, but not make personal references. Personal and caustic remarks are out of place here."

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—"When you, Sir, were not in the chair, certain speeches were made here and Mr. Rajah was only referring to those speeches." (Voices: 'No, no.')

* MR. SPEAKER:—"My ruling is there; personal references even under passion must be avoided."

THE HON. MR. C. RAJAGOPALACHARIAR:—"A minute, Mr. Speaker. It is quite inaccurate information that has been given to you that when you were absent the Hon. Minister for Agriculture stated that he was under discipline in making any statement or any remark. He never made any such observation, and I am surprised that such information is being tendered to you when you returned to the Chair."

MR. ABDUL HAMEED KHAN:—"I am sorry for the misrepresentation made with regard to the observations made by Mr. Kalif-ul-lah Sahib. He never said that Mr. M. C. Rajah . . ."

* MR. SPEAKER:—"I think the matter must end there. Mr. Rajah will continue his speech."

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—"But not in a misunderstanding."

* MR. SPEAKER:—"There is no misunderstanding. I have understood you." (Laughter.)

RAO BAHADUR M. C. RAJAH:—"I was making reference to a speech which Mr. Muniswami Pillai made just now. I said that I am not going to criticize him, because he belongs to my community. I am not going to criticize him also for the reason given out by the Hon. Mr. Prakasam just now, viz., that the Harijan members are under the discipline of the Congress Party."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Here again, Sir, my hon. Colleague's speech was not that. Somebody interrupted him, or to be more specific, a prominent member sitting on the front bench interrupted him and said that some people could not speak and thereupon the Hon. Mr. Prakasam made a general observation on the value of discipline." (Cheers.)

RAO BAHADUR M. C. RAJAH:—"I would like you, Sir, to get the reporter read his notes. Anyhow, Sir, what I wanted to tell you was that when Mr. Mahboob Ali Baig spoke on this motion and said that there were three members who could speak on

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the subject but dare not do so, the Hon. Mr. Prakasam said: 'No, they dare not speak, because they are under discipline.'"
(Voices: 'No, no. Certainly not.')

MR. SPEAKER:—"Mr. Rajah may continue his reply."

RAO BAHADUR M. C. RAJAH:—"Sir, my friend, Mr. C. Rajagopalachariar always speaks in parables, and to-day he said he who wants to go into the jungle must go wearing shoes and he who wants to ascend a mountain must take with him a stick. He is quite right, Sir, if the mountains and the jungles are actual mountains and jungles; but Sir, as regards the mountains and jungles which we are going to pass through and ascend, with reference to this Bill, I say, we have cleared the weeds already and made the paths safe. Public opinion has been created during the last twenty years. There are no weeds, no wild beasts also, and therefore we can walk there quickly and safely without shoes or sticks. Sir, then, what did he say? My friend, Mr. Rajagopalachariar said: this was not action taken by the whole Cabinet. Till last week he was in favour of the Bill. But only last week, something flashed through his brains. I do not know what it was and immediately he called the Cabinet and said, 'you must all agree to this Bill being withdrawn.' If this is the considered opinion of the Cabinet and also the considered opinion of his party, I can very well understand it. But I cannot understand this flashing through his brain. Something flashed through his brain! Then he says: 'Mr. M. C. Rajah must withdraw his Bill', and gives his command like Hitler, 'Do not budge an inch'. Sir, something might flash through his mind next week. I do not know what it would be. It may probably be to kill this Bill. Flashes might be coming to him every month, nay, every week. We are not going to accommodate ourselves to these flashes. Sir, he said that he is introducing prohibition, district after district. It is all right. We should like to know the reason for his going to confine the Bill to Malabar only. He says, it is not rupees, annas, pies, but difficulty. At one time he says rupees, annas, pies. At another time, he says 'No; it is not rupees, annas, pies but difficulty.' Which is true? Whenever it suits him, it is rupees, annas, pies. Otherwise, not money, but difficulty. But here he says it is not rupees, annas, pies but time. I can also say the same thing over and over again. And then, Sir, as regards the Government piloting a Bill, I should like the House to know that before I introduced this Bill, I sent a letter to my friend, Mr. Rajagopalachariar on the 7th of January 1937 in which I wrote . . ."

* MR. SPEAKER:—"Mr. Rajah, you are entitled only to reply to the criticisms made on your speech and not introduce new matter."

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RAO BAHADUR M. C. RAJAH:—"It is not new matter, Sir."

* MR. SPEAKER:—"Not new matter? You are referring to new documents."

RAO BAHADUR M. C. RAJAH:—"They are old documents, Sir." (Laughter.)

* MR. SPEAKER:—"You can give their substance by way of observation, but you cannot read new documents."

RAO BAHADUR M. C. RAJAH:—"Sir, I can only speak with documents and prove what he has written to me. Without documents, what can I say?"

* MR. SPEAKER:—"Give the substance."

RAO BAHADUR M. C. RAJAH:—"I never said I was anxious to introduce the Bill. I offered my Bill to Government to take it as the Government Bill. I preferred the Government taking up the Bill and piloting it as their own, so that they may pass it as a Congress measure before the end of the official year. It would give me great pleasure to support it as such on behalf of the depressed classes. Sir, I was not at all anxious to pilot the Bill myself. But for his asking me to do so in the Legislative Assembly, I would not have done it. Sir, let me read his reply to my letter. It is this: 'Yours of 7th January. You may depend upon me to do all that is useful and good for your community. So you need not be anxious about such legislation as you want to get through. There will be no non-official day in the present short sitting, but I shall provide you facilities after the budget is over. I do not approve of your amendment of the Criminal Procedure Code.' Sir, I wanted to introduce a Bill to amend the Criminal Procedure Code also, because the Premier said that he was giving facilities for this Bill."

* MR. SPEAKER:—"Is it relevant?"

RAO BAHADUR M. C. RAJAH:—"Yes, Sir. That was why I withdrew that Bill."

* MR. SPEAKER:—"The introduction of the Criminal Procedure Code Amendment Bill is entirely irrelevant to the Temple Entry legislation. I think the hon. Member should not digress from the subject-matter under discussion."

RAO BAHADUR M. C. RAJAH:—"Yes, Sir. This amendment to the Criminal Procedure Code, I withdrew because I was assured that this Bill would get through. . ."

* MR. SPEAKER:—"Will the hon. Member speak with regard to this portion of the subject and relevantly?"

RAO BAHADUR M. C. RAJAH:—"And then, Sir, if the Hon. Premier had told me that he was opposed to the introduction of

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the Bill, I would not have introduced it. Because he gave me every hope till last week, I was sure of his support. And then, Sir, with reference to this Bill, I asked the Premier to give me facilities to introduce the Bill, and at the same time move a motion for consideration. For that the Premier wrote on the 18th March as follows: 'The Government after careful consideration are of the opinion that it would be desirable that the normal procedure should be followed in this case, that is to say, the leave of the Legislative Assembly should be obtained for the introduction of your Bill.' So I introduced the Bill last session. And I am now bringing the motion for reference to the Select Committee. Moreover, Sir, I should like to tell this House that I brought this Bill in this Assembly at the request or invitation of the Premier. It was on the 15th May 1937, just before the Premier took up office, speaking at Tanjore to the Tanjore Circle Temple Committee. The Hon. Premier said, it is reported in the *Madras Mail*, that he could not rest at peace for a minute longer without securing temple entry for Harijans and invited Rao Bahadur M. C. Rajah to introduce a Bill in the Madras Assembly and assured him of popular support for the measure."

* MR. SPEAKER:—"In your reply, you are repeating a point which was admitted by the Prime Minister in his speech. He does not deny that he asked you to introduce the Bill. Why this elaboration of that point?"

RAO BAHADUR M. C. RAJAH:—"Sir, it is to make it perfectly clear."

* MR. SPEAKER:—"It is clear to the whole House that he asked you to move this Bill. He does not deny it. What is the good of elaborating that point?"

RAO BAHADUR M. C. RAJAH:—"I will take your ruling, Sir. Now the Premier says, the time is not ripe and therefore, I must withdraw the Bill. May I ask, Sir, how often has not public opinion been ignored and even set at defiance when you were anxious to pass a Bill on which you have set your heart. What about the Prohibition Bill? What about the Debtors' Relief Act or compulsory introduction of Hindi in schools? Did you heed to public opinion? Is there not agitation now throughout the country? There will be agitation of every kind. What sort of public opinion does the Premier want? Is it the enlightened public opinion or the ignorant public opinion or the orthodox public opinion? Sir, are our rights to be sacrificed simply because a set of people priding themselves on imaginary religious superiority are to be humoured and their so-called religious scruples which are really fetters with which they seek to

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enslave us to be cajoled and left undisturbed? Is the Congress Government, Sir, in order to pacify the religious scruples of a handful of orthodox Hindus going to sacrifice the rights and privileges of the depressed classes who are the ancient sons of the soil? Is caste arrogance to receive Congress recognition? Is the Congress Government going to countenance the doctrine of touch pollution? There seems to be, Sir, absolutely no justification for the Congress Government to ask me to withdraw this Bill. This Bill has been most widely circulated and public opinion has been received in its favour. You are anxious, Sir, that I should finish. I am not going into details. I wanted to tell you the reason why we subscribed to the Poona Pact. We thought there will be total removal of untouchability. That was the promise given to us then. But now, Sir, we understand from the attitude of the Government that the Poona Pact was intended only as a political manoeuvre and not for the eradication of the wrongs. When the Poona Pact was signed, Mahatma Gandhi said: "But if these vital conditions of the Poona Pact are not carried out by the caste Hindus, could I possibly live to face God and Man? I ventured even to tell Dr. Ambedkhar, Rao Bahadur Rajah and other friends belonging to the suppressed group that they should regard me as a hostage for the due fulfilment by caste Hindus of the conditions of the Pact."

* MR. SPEAKER:—"The hon. Member should remember that he is exercising his right of reply and so he cannot go on with his speech in this fashion, reading documents and writings of Mahatma Gandhi and others. There is so much of non-official business to be done and it is only other members who will be affected; he must therefore finish in two or three minutes."

MR. BASHEER AHMED SAYEED:—"May we not hear the words of Mahatma Gandhi on a matter like this, Sir?" (Laughter.)

* MR. SPEAKER:—"What is that observation of Mr. Basheer Ahmed? (No reply). I suppose it does not bear repetition."

RAO BAHADUR M. C. RAJAH:—"I should like to know, Sir."

* MR. SPEAKER:—"May I know what time you intend to take for the reply?"

RAO BAHADUR M. C. RAJAH:—"I will take a few more minutes."

* MR. SPEAKER:—"The hon. Member will kindly finish as early as possible."

RAO BAHADUR M. C. RAJAH:—"I should like to know if Gaudhiji was consulted in the matter, or the Working Committee?"

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Because Gandhiji is the central figure in this. I should like to know this, Sir. May I pause for a reply? "

* MR. SPEAKER:—"The reply of the Premier will be given after you finish your speech."

RAO BAHADUR M. C. RAJAH:—"He has no right of reply."

* MR. SPEAKER:—"It is not a question of reply. I can call upon the Prime Minister to speak after your reply is finished."

RAO BAHADUR M. C. RAJAH:—"The Hon. the Premier said that there is toughness, ignorance and something more. I want to know when he found out that there is toughness and ignorance. I have been under the impression that there has been this toughness and ignorance for the last so many centuries. Only the rigour of the toughness and ignorance has been gradually waning. My friend Mr. Prakasam said and my Friend Mr. Muthiah Chettiyar appealed to me. "when 250 members ask you to withdraw the Bill; why not you do it?" May I tell them that 250 million people asked me to pilot this Bill in the Legislative Assembly? If I now accede to the request of 250 people here what am I to tell my friends outside? The whole country from the Himalayas to Cape Comorin asked me to pilot this Bill and I did it. If to-day 250 members here ask me to kill this Bill, am I to kill it? Am I to be played with like this, Sir and be subjected to the whims and fancies of 250 members here? (Interruption.) There is only one more point, Sir, and I will finish, because you are anxious that I should finish soon. The Hon. the Premier said that in my district of Chingleput during a fire-walking ceremony an Adi-Dravida was killed. True. May I also tell him, that in my district, in my own place, Alandur, during fire-walking ceremonies depressed classes are allowed to participate in the ceremony (Hear, hear.) If, Sir, we are going to withhold this Bill now henceforth caste people will say, 'You dare not come in here.' Some of the temples as you all know are now thrown open to the depressed classes. If you are going to withhold the Bill to-day, do you know what will happen to-morrow? Caste people will not allow the depressed classes hereafter to enter into these temples and will say "You dare not come in here; you go to Malabar." Is it right, Sir, to withdraw the bill? Are you not going back? Where is the plighted word given to me and to my people?"

THE HON. MR. T. PRAKASAM:—"Tamilnad is not so bad as that."

RAO BAHADUR M. C. RAJAH:—"Sir, Mr. Prakasam is a very good friend of mine. Three or four years ago when he came to

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Simla he paid me a visit and assured me of his support for all these measures. But to-day, Sir, he has disappointed me and Mr. Prakasam is under discipline! (Laughter.)

“ Then again, Sir, coming to the question of the Harijan Members, I must certainly make an appeal to them. The Harijan Members of the Congress party are all members of my community. I do not attack their present attitude, because the Hon. the Minister for Agriculture has said that they are under discipline. (Hon. Members: ‘ He never said so.’) I mean the Hon. the Minister for Revenue. (Laughter.)

(At this stage the Hon. Mr. V. I. Muniswami Pillai rose in his seat.)

“ I tell you Mr. Muniswami Pillai, I am not going to touch you. Sir, during the elections when the Congress Party wanted the Harijans to join them, there were negotiations; and then, Sir, I wrote to Mahatma Gandhi on that point.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ On a point of order, Mr. Speaker, is this relevant at all—rules of the Congress Party and so on? ”

* MR. SPEAKER:—“ Absolutely irrelevant. (Laughter.) The hon. Member promised to finish his speech in a few minutes. After his speech, probably a brief statement from the Prime Minister will close the debate. There is so much of other important business to be done before the House.”

RAO BAHADUR M. C. RAJAH:—“ Sir, I am not at all interfering with any other party's discipline. I am only referring to my Harijan party discipline and the condition that Mahatma Gandhi gave me. Mahatma Gandhi said that the Depressed Classes might join the Congress on certain conditions. Why did those hon. Members join the Congress? (An hon. Member: ‘ But you did not join.’) Ah: I did not join. Yes. (Laughter.) Because I wanted to test the sincerity of the Congressmen still further (Hear, hear). I have tested them now. I will test them further. Sir, the condition is this.”

* MR. SPEAKER:—“ I think the hon. Member is really going beyond what is necessary and relevant because the Congress Party may have its own rules beyond Mahatma Gandhi's suggestions.”

MR. R. M. PALAT:—“ May I ask, Sir, whether we could not have anything to do with party rules and whether we could ignore party rules altogether? ”

* MR. SPEAKER:—“ Absolutely. The hon. Member may ignore Mahatma Gandhi's advice also; he is perfectly entitled to do so.”

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RAO BAHADUR M. C. RAJAH:—"Sir, I am not saying anything about the bulls which the party might have issued, but I am only concerned about my friends, the members of the Depressed Classes belonging to the Congress Party, because I was in a way instrumental in making some of them join the Congress, because I then agreed with Mahatma Gandhi and his conditions. The condition is this: Harijan members of the Congress Party will have full freedom of opinion and vote in respect of matters specially affecting the Harijan community where they differ from the policy adopted by the party should any such difference arise. I say this, Sir, because some of the Harijan Congress Members came and told me that they were not in agreement with the Premier. I may tell them, Sir, that they are not bound by the discipline of the party in this matter, because they have joined the party only on the condition I have mentioned and they are therefore free to vote with me if they agree with me.

"Sir, since you are anxious that I should finish soon. . . ."

* MR. SPEAKER:—"I thought the hon. Member was equally anxious that the other business might be reached. The Hon. the Premier will make a brief statement."

(Rao Bahadur M. C. Rajah rose to speak.)

* MR. SPEAKER:—"I thought the hon. Member had finished."

RAO BAHADUR M. C. RAJAH:—"Only one word more, Sir. (Laughter.) I am not going to be a party to this unholy alliance. I am not going to withdraw this Bill nor withhold this Bill till the next session. If I withhold the Bill what will happen? (An hon. Member: 'Another Bill'). If my Bill is not going to function what is the use of keeping it in agony for one month more and then killing it? If you want to kill it, kill it now. Why keep the Bill in agony?"

"Sir, this is the last thing I want to say. I expected very many things from this Congress Party and at one stage I even co-operated with it in the hope (An hon. Member: 'What about the Interim Ministry?') Mr. Speaker, Sir, the hon. Member is asking me about the Interim Ministry. May I answer him?" (Some hon. Members: 'No.')

* MR. SPEAKER:—"No answer is required."

RAO BAHADUR M. C. RAJAH:—"Sir, but for our Interim Ministry you would not have been here to-day. We paved the way for you; we made you accept the Ministry. (Some hon. Members: 'No, No.')

Sir, I expected many good things for my people from the Congress. In the first attempt I made here I am disappointed. The other Bill which we have passed of course

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may go a little way. (The Hon. Dr. P. Subbarayan: 'A long way.') My friend Dr. Subbarayan says 'A long way.' But he did not say that in 1932 when he moved his Bill. My friend is a very good man. He has made a lot of propaganda on behalf of the Harijans. Wherever he went he took votes—in Tanjore, Negapatam, and Rajahmundry. I have got the notes here. But Mr. Speaker, you would not allow me to deal with them, Sir. (Laughter.) Sir, he has been taking votes. He said that our province was ripe. But to-day he cannot go against the discipline of his leader; he is also bound by discipline.

"Sir, I have only one more word. I am disappointed. I say, Sir, that I am deceived also. I am very sorry to say that but I feel that I have been deceived in this matter. If I had known that six years hence you would go back to your old position . . ."

THE HON. MR. T. PRAKASAM:—"May I rise to a point of order now?"

RAO BAHADUR M. C. RAJAH:—"Sir, I have had a number of duels with my Hon. Friend in the past . . ."

* MR. SPEAKER:—"I think that the hon. Mover should finish soon."

RAO BAHADUR M. C. RAJAH:—"I have finished, Sir."

* MR. SPEAKER:—"The Hon. the Prime Minister will now make a brief statement."

RAO BAHADUR M. C. RAJAH:—"If he is going to make another speech, I must have a right of reply."

* MR. SPEAKER:—"The hon. Member cannot have the right of another reply. The Hon. the Prime Minister is allowed to make a brief statement because he happens to be the Prime Minister."

RAO BAHADUR M. C. RAJAH:—"He has no right to speak again because he is the Prime Minister."

* MR. SPEAKER:—"The rules do not allow the Mover to speak after the Minister in charge has spoken."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, the last incident shall be the first thing with which I shall begin. I requested Mr. Prakasam not to raise any objection to the word 'deceived.' The hon. the Mover has a right to be angry with me. I knew that he would not only be angry with me but that he would wholly misunderstand me, which is much more permanent than temporary anger, which is much more injurious than even temporary anger. When I consulted not only my colleagues but as my friend would want to be told, the whole Cabinet, when we all consulted together and decided that this step should be

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taken for attaining the very object, for the accomplishment of the very purpose, we took into account the consequences. We knew that we would be misunderstood. Therefore I am not puzzled by the exhibitions of anger and misunderstanding that I have seen. We are not surprised at them. It is the cost that we have to pay for opening the temples of South India. I do not mind all these misinterpretations because I feel in my heart the confidence that the step that we are going to take will result in the very thing that is wanted and all these things will disappear thereafter at least with the grace of the Gods that live in the temples, if not by the understanding of each other here. The hon. the Mover went about casting out for documents to prove what I have admitted from the very outset. I am responsible for it; I moved him to do it; I pressed him; I abetted him to do it and I instigated him to do it. All this is true. Dr. Subbarayan supported it; he was in the conspiracy six years ago. The hon. the Leader of the Opposition supported it in 1932. He was there in the conspiracy. Then why move for documents? We admit it in so many words. I said I induced Mr. Rajah and requested him to move this. I did not remember the terms of the letter that was read out just now. I wrote so because I felt sincerely. I spoke out my mind. Every word written there confirms what I have said. Yes, I induced him to do it; but does that prevent me from advising rightly and properly now? Unless I am a man of small mind with the hobgoblin of inconsistency staring at me, I should not refrain from giving advice which I know will achieve the object dear to us. It is not inconsistent either, if we will only look below the surface. I want the Harijan community to progress; I want them to be brothers and partners in the same worship. That is why I say this, not because I want to back out of any promise I made or any inducement I provided.

"It is wrong to imagine an estoppel out of this. We could not build a nation by estoppels. I had asked him to do it. My friend mentioned an amendment to the Criminal Procedure Code, relating to section 144; he thought it might help this movement. I told him it won't help. Section 144 won't help; to-day too, it is the same thing I say. It is not the Bill that would open the temples. Another hon. Member, I think Mr. Mahboob Ali Baig, suggested 'why not you put them in prison as you are putting the picketters in prison and so get the temples opened?' Our temples cannot be opened like that; and if the temples are opened like that, they will be so many prisons, they will be deserts. They will have to be opened properly."

MR. MAHBOOB ALI BAIG:—"I did not say so."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"I thought that was the intention of the reference. 'If you are so powerful,

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you will open—that is what he said, or some such thing. The point of it is this: that the consent of the people, the cheerful consent of the people and the common worship by the people must be got; that is the meaning of opening the doors of the temple. All that can be got, I feel, by means of this method, and got easily; and if only this debate had not taken this turn, if it had been a unanimous drive, it would have been easier; and even now, although my purpose has been spoiled a little by the exhibition of temper and the character of this debate to-day, and although the work has been made more difficult, it would even now be easier if the Bill is not passed at present, as moved by Mr. Rajah. I claim that this is not a case for pleading estoppel. Yes, I promised; Dr. Subbarayan also promised; and the hon. Leader of the Opposition also supported. But what does it show? Do not draw an estoppel from it, but draw *bona fides*, a good intention from all this. When all people at various times supported this measure, should you not infer that they want it to be done and will see to it that it is done; that their support is quite consistent with their good intention; and should you not see that it is not to be made a matter of estoppel and a matter of complaint?

“Again, Sir, reference was made to an important point. It was sought to be made out very unfairly and very wrongly, that the Harijan members of our party have been simply suppressed into silence now. It is wrong.”

RAO BAHADUR M. C. RAJAH:—“Because Mr. Prakasam said that . . .”

* THE HON. MR. C. RAJAGOPALACHARIAR:—“If the hon. Member will be patient, I may tell you, Sir, that just now reference was made to their silence, and Mr. Prakasam said that not talking under discipline was a good thing for things to get through. He did not mean to urge at all, and he never could mean to urge that they had different opinions and suppressed them. I may tell you why, Sir. Because of the very thing that was attempted to be referred to by Mr. Rajah, in the shape of rules. It is not only a proposal or anything like that, but it is the present rule with the party. It was I that got that rule made, that the Harijan Members who become Congress members are free, in matters relating to their community, to hold and vote according to whatever views they like. They are not subject in that matter to party discipline. But speaking and wasting time is a different matter, and that is what was referred to. Mr. Prakasam may be presumed to know the rule of our party. I say it again for the information of all Members here that the Harijan Members, in matters like this, are free to hold whatever views they like. But they are not prevented from taking good advice given to them; Mr. Rajah may refuse to take that advice; they know what I want, and I know

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what they want, and we believe one another. Can Mr. Rajah blame us for it, or can he put a *wrong construction* over it? Of course, he can assume *mala fides* right through, but that is not how we have been progressing. I do not want that any such mistake should be committed. If the Harijan Members of the party support the proposal that the Government make, they support it out of their free will and as a result of understanding of the matter. I press that again upon Mr. Rajah. I can understand, I can appreciate, his surprise, his amazement; I can understand his anger. I can understand his calling me names even; I can understand the use of the word 'deceit' for I have given the reason for that. Eighteen days ago, I was of that opinion; I supported it, and the Government said 'we will support.' The hon. Member wants to infer that even the Government have been coerced by me to agree to this move. It is an attempt to prove too much indeed. Perhaps it may be said of Harijan Members, but it cannot be said in general about the members of the Congress party. Am I coercing Congress Members? No such thing. Congress Members are not made of that stuff, and they will not be coerced by me or by anybody else; they will be coerced by reason, they will be coerced by persuasion, they will be coerced by right thinking, and they feel with us, that this is the right thing to do at this moment if we want the temples to be opened, and not merely an Act on the Statute Book.

"Sir, as I said, I quite understand his anger with me; I quite understand his use of all kinds of words; but I want to tell, through you, the hon. Mover, that all that is not going to spoil his position or worsen the position with regard to the acceptance of the Government proposal here and the suspension of his own proposal. It is not going to worsen his position in any manner; and if people will talk that anything has been given up or that members have changed their opinions, when they actually see things accomplished and functioning, all these things will disappear. I once again appeal to the hon. Member that the procedure that we propose to follow is the right procedure, a procedure that will accomplish that which is dear to us all. While I can understand the hon. Mover's disappointment and anger with us—or with me in particular—it is very unfair for him to have said or even thought all the things he seemed to think about the hon. Leader of the Opposition. The Leader of the Opposition supported him and he now supports the Government position. Is that a matter for blame? He understands policy. It is not only a matter for Harijans; it is not a matter only of Harijan feeling. This reform, as has been said times without number, as the mover of the Bill knows, is a reform of Hinduism. It is essentially the business of the caste-Hindus; it is they that lose or suffer by this. The loss to the caste-Hindus is greater if we fail in accomplishing

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this reform. That is why we are more anxious about it; but we are anxious, without being confused in our understanding. We want it to be accomplished, and that is why we find the hon. Leader of the Opposition agreeing, strangely, with the Leader of the House and with the Government. You may imagine that this is bad politics. Mr. Mahboob Ali Baig very nearly said it, that it was very bad politics for the Leader of the Justice Party to agree with the Government. It may be bad politics, Sir, but it is good national reconstruction." (Applause.)

* MR. SPEAKER:—"Before putting the motion to the vote, I should really congratulate hon. Members of all sections of this House on the great restraint and dignity of speech with which this debate has been concluded to-night. I now put the motion to the vote."

The motion was put and declared lost.

Rao Bahadur M. C. Rajah demanded a poll which was taken.

* MR. SPEAKER:—"I suppose hon. Members are sitting in the seats allotted to them in the new division lists; hon. Members will not kindly leave their seats until the result of the poll is announced."

(While the poll was going on, one hon. Member in the first block was seen rising in favour of the motion, and the neighbouring Member was seen pulling his coat.)

DIWAN BAHADUR A. APPADURAI PILLAI:—"Mr. Speaker, Sir, can a Member rise and then another hon. Member pull him down?" (Laughter.)

* MR. SPEAKER:—"He has not fully risen." (Laughter.) 7

The following was the result of the poll taken:—

Ayes.

1 Kumararaja Muthiah Chettiyar of Chettinad.	13 Mr. K. Abdur Rahiman Khan.
2 Mr. Adimoolam, Jamedar.	14 " H. S. Hussain.
3 Diwan Bahadur A. Appadurai Pillai.	15 Khan Sahib K. A. Shaik Dawood.
4 Mr. B. Bhakthavathsalu Nayudu.	16 Mr. V. S. T. Shaik Mansoor Tharaganar.
5 " S. Ghouse Mohideen.	17 " Mahboob Ali Baig.
6 " J. Raja Rao.	18 " M. Ahmed Badsha.
7 " S. M. Laljan.	19 " K. C. Saptharishi Reddiyar.
8 " Grandhi Venkata Reddi.	20 Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.
9 The Zamindar of Chellapalli.	21 Mr. R. M. Palat.
10 Mr. Abdul Hameed Khan.	22 Rao Bahadur M. C. Rajah.
11 " D. Abdul Rawoof.	23 Swami A. S. Sahojenandam.
12 " Abdur Rahman Ali Raja, Arakal Sultan.	24 Mr. H. B. Ari Gowder.

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Noes.

1 The Hon. Mr. C. Rajagopala-	52 Mr. A. K. A. Ramachandra
2 " Mr. T. Prakasam.	Reddiyar.
3 " Mr. Yakub Hassan.	53 " R. Raghava Menon.
4 Mrs. A. Rukmini Lakshmiopathi.	54 " R. Ponnuswami Pillai.
5 Mr. A. Kaleswara Rao.	55 " B. Perumalla Nayudu.
6 " T. Viswanathulu.	56 " V. R. Perumal Chettiyar.
7 " K. P. Yagneswara Sarma.	57 " K. Periyaswami Goundar.
8 " V. Venkatasubbayya.	58 " K. S. Periyaswami Goun-
9 " R. Venkatasubba Reddiyar.	dar.
10 " B. Venkatarao Baliga.	59 " P. Pedda Padalu.
11 " P. Venkatarama Ayyar.	60 " C. R. Parthasarathi Ayyan-
12 " K. Venkatappayya.	gar.
13 " R. Venkatappa Nayudu.	61 " V. C. Palaniswami Goundar.
14 " S. C. Venkatappa Chettiyar.	62 " C. Ohi Reddi.
15 " B. Venkatanarayana Reddi.	63 " M. G. Natesa Chettiyar.
16 " P. T. Venkatachari.	64 " D. Narayana Raju.
17 The Hon. Dr. P. Subbarayan.	65 " V. V. Narasimham.
18 The Hon. Mr. V. I. Muniswami	66 " C. Narasimhaa.
Pillai.	67 " P. L. Narasimha Raj.
19 " Mr. V. V. Giri.	68 " D. L. Narasimha Raju.
20 Mr. C. J. Varkey.	69 " S. Nagiah.
21 " A. B. Shetty.	70 " N. Nagaraja Ayyangar.
22 " N. S. Varadachari.	71 " S. Nagappa.
23 " B. S. Murti.	72 " K. A. Nachiappa Goundar.
24 " K. Varadachariar	73 " K. S. Muhammad Abdul
25 " V. S. Rm. Valliappa Chet-	Kadir Ravuttar.
tiyar.	74 " P. Madhavan.
26 " K. V. R. Swami.	75 " P. Lakshmanaswami.
27 " A. Subramanian.	76 " O. Lakshmanaswami.
28 " A. M. P. Subbaraya Chetti-	77 " V. Kurmayya.
yar.	78 " K. Kulasekaran.
29 " C. P. Subbiah Mudaliyar.	79 " G. Krishnamurti.
30 " P. Subbiah.	80 " K. Koti Reddi.
31 " N. M. R. Subbaraman.	81 " K. Kolundavelu Nayanar.
32 " K. Subba Rao.	82 " A. Karunakara Menon.
33 " Subba Rao, Karunakaram.	83 " K. R. Karant.
34 " K. Sitarama Reddiyar.	84 " E. Kannan.
35 The Hon. Mr. S. Ramanathan.	85 " K. Kamaraj Nadar.
36 " Mr. K. Raman	86 " Kala Venkata Rao.
Menon.	87 " D. Kadirappa.
37 " Mr. B. Gopala	88 " A. Jogi Nayudu.
Reddi.	89 Mrs. Jebamoney Masillamoney.
38 Mr. A. Vedaratnam Pillai.	90 Mr. K. Ishwara.
39 " M. Bapineedu.	91 " N. Halasyam.
40 " Ahmed Thambi Md. Moli-	92 " V. J. Gupta.
deen Maracair.	93 " C. K. Govindan Nayar.
41 " M. Bhakthavathsalam.	94 " D. Govinda Dass.
42 " H. Sitarama Reddi.	95 " A. R. A. S. Doraiswami
43 " B. T. Seshadriachariyar.	Nadar.
44 " K. Shanmugam.	96 " M. Doraikannu.
45 " A. Rami Reddi.	97 " M. P. Damodaram.
46 " V. M. Ramaswami Mudali-	98 " S. Chidambara Ayyar.
yar.	99 " O. Chengam Pillai.
47 " K. S. Ramaswami Gounder.	100 " K. Chandramouli.
48 " D. V. Ramaswami.	101 " A. Chandu.
49 " A. Ramalingam.	102 " V. Bhuvargan.
50 " D. Ramalinga Reddiyar.	103 " Y. V. A. Baskara Rao.
51 " R. B. Ramakrishna Raju.	104 " Muthu Kr. Ar. Kr. Aruna-
	chalam Chettiyar.

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Noes—cont.

105 Mr. N. Annamalai Pillai.	119 Mr. S. T. P. Marimuthu Pillai.
106 " B. Anantachar.	120 Khan Bahadur P. M. Attakoya
107 " K. Venkata Reddi.	Thangal.
108 " M. Subba Rao.	121 Khan Bahadur Mahmud Scham-
109 " P. S. Srinivasa Ayyar.	nad Sahib Bahadur.
110 " D. S. Prasad.	122 Srimathi K. Lakshmi Ammal.
111 " L. Sattanatha Karayalar.	123 " V. Lakshmi Ammal.
112 " P. R. K. Sarma.	124 Mr. P. S. Kumaraswami Raja.
113 " V. J. Samu Pillai.	125 " L. Krishnaswami Bharathi.
114 " J. L. P. Roche Victoria.	126 " S. Guruvulu.
115 " N. G. Ramaswami Nayudu.	127 " T. S. Chokkalingam Pillai.
116 " M. P. Periaswami.	128 " P. Chinnanuthu.
117 " P. Natesa Mudaliyar.	129 " P. Buchappa Nayudu.
118 " K. V. Narayana Rao.	130 " P. M. Adikesavalu Naicker.

Neutral.

1 Mr. J. Nuttall.	5 Mr. E. G. Luker.
3 " R. D. Denniston.	6 " G. H. Hodgson.
3 " R. D. Denniston.	7 " G. B. Roade.
4 Lieut.-Col. C. H. Brock.	8 Mrs. Khadija Yakub Hassan.

Ayes 24. Noes 130. Neutral 8.

The motion was lost.

- (4) A BILL FURTHER TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, AND THE MADRAS LOCAL BOARDS ACT, 1920.

* MR. H. S. HUSSAIN :—" Mr. Speaker, Sir, I beg leave of the House to introduce a Bill further to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920."

MR. ABDUL HAMEED KHAN :—" I second the motion."

* MR. SPEAKER :—" Is there any opposition? "

THE HON. MR. B. GOPALA REDDI :—" I oppose it, Sir."

* MR. SPEAKER :—" Has Mr. Hussain got any statement to make? "

MR. H. S. HUSSAIN :—" Mr. Speaker, Sir, before the motion is put to the vote of the House, I wish to make a statement with regard to the Bill that I have given notice of. The present system by which Muslims are elected to the local bodies is quite unsatisfactory. And under the present arrangement, it is only one-fourth of the total strength of a local body that has been reserved for representation of not only minorities but of some special interests. That being so, the system of representation as is now in force is not at all satisfactory. In this Bill it is sought to give adequate and effective representation to Muslims in local bodies. With that object I have given notice of a motion for introducing this Bill in this Assembly. But, now, I find that the Hon. Minister who is in charge of the Local Administration Department wants to oppose it. But since he has not had enough experience

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of the working of the Act which was passed not by the present Ministry, but by a former Ministry and as no amendments were accepted to that Act by the former Ministry the representation of the minorities, especially of the Muslims, has not been properly provided for. It is for that reason, though time has elapsed, we feel, after experience for such a long period, that the system under which Muslims are being returned to local bodies, is defective and does not achieve the object for which it is intended. In the hope that the present Government will go through the whole question and give facilities to the Muslim community to return the men of their own choice to these local bodies, I came forward with this Bill. If it is found, that this system could not be for any reason reorganized and the Government feels that this Bill is not at all for a beneficial purpose, I am sorry, Sir, that such an attitude should have been taken by the present Government which stands for the safeguarding of the interests of the minorities, more than anything else. In the absence of any other arrangement at present, I feel that the only remedy is my proposal which they regard as a sort of evil. I would rather prefer this sort of lesser evil than go through the present evil which is doing manifest injustice to the interests of the Muslims. It is for this reason, Sir, I submit, that I have sought the leave of the honourable House to introduce this Bill, so that the House may go through the whole question and the Government might have an opportunity of studying the whole situation and also the system and the way in which it has worked for the last so many years to the detriment of the Muslims. I will try to give a correct idea and an insight into the whole situation to the Hon. Minister for Local Administration and if the Government is really interested in safeguarding the interests of the Muslims, I am sure that it is their duty to think and find out better ways and means of providing for adequate representation of Muslims in the local bodies. There need not necessarily be separate electorates.

“ But the only remedy as now sought and which I find would be the best in the place of the present system, is the system of separate electorate for giving proper and effective representation to the Muslims in the local bodies all over the province. I know there is a considerable amount of Muslim opinion in favour of such a kind of measure in all parts of the province, and especially in the district of Malabar. I am sure, Government too would have received a number of representations to this effect from all parts of the province. It cannot be denied that the Muslim community is not unmindful of the situation that has arisen out of such a defective system as the present one now is. There is also a demand from the Muslims themselves, and it

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cannot be said that such a demand is not legitimate or justifiable in the circumstances. I repeat that the Muslims themselves want a change; and they cannot be said to be communalists in this respect; if communalism means the safeguarding of one's interests and rights, then every community has got that right to safeguard its own interest and set its own house in order."

* MR. SPEAKER:—"I think the statement is sufficiently long and it is time the hon. Member finishes his speech."

* MR. H. S. HUSSAIN:—"I shall finish in a minute. Mr. Speaker, Sir, now that there is a sufficient demand from the Muslims themselves, it is up to the Government to go into the whole question and see that this demand is satisfied. If any such demand is not met, Government would be only making us more communal than we are to-day; and if they are disposed to do something in the way of satisfying Muslims in the demands they make, surely, they will be winning over to their side fast friends, and that means the promotion of a feeling of nationalism among all communities. If this Bill is to be opposed by Government on the simple ground that it is opposed to sound nationalism, I may say that nationalism, if it is to be pure nationalism, must be the survival of the whole; and it should also be conceded that the survival of the whole means the survival of the part, and we, Muslims, rightly claim to be a very important part of that whole nationalism, and therefore we say we have got a right to demand to develop ourselves to the fullest stature and to provide ourselves with facilities. That is the reason why we compel that such a legislation as the present one should be placed on the statute book. It is for that purpose that I have sought leave of this honourable House to introduce this Bill."

* MR. SPEAKER:—"The Hon. Minister may make a statement. He should not make a long speech. He should be as brief as possible."

THE HON. MR. B. GOPALA REDDI:—"I fear I shall have to make a long speech as I have to give statistics."

* MR. SPEAKER:—"I think details are not permissible at this stage. Only on the principle of the Bill either the mover or the Minister may make a statement. It is a statement and not a speech that is expected at this stage."

MR. BASHEER AHMED SAYEED:—"May we have this to-morrow, Sir?"

* MR. SPEAKER:—"No, Sir. We must finish this to-day. The Hon. Minister will make a very brief statement, and that only with regard to the principle of the Bill, and not go into the statistics and other details."

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* THE HON. MR. B. GOPALA REDDI:—“ Sir, the Bill seeks to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, to allow separate electorates for the Muslims in particular. I am glad the amendment is not seeking to introduce separate electorate for other communities; but it confines itself to the particular community. Whether we should allow separate electorate or whether we should retain the present joint electorate is a question that is not only of provincial importance, but also of national importance. Fortunately for our Presidency, it was in 1930 that we did away with the system of nomination and we introduced the system of joint electorate with reserved seats. Since then it has been working, various Ministers had been in charge of Local Self-Government Department, and not one of them did think it fit to revise or amend those Acts. Till yesterday there was no complaint with the Government that joint electorate was against the interests of any community. I do not want to waste the time of the House by reading statistics, but I may tell the hon. Mover that on population basis they stand to lose than to gain on any system. (Muslim voices: ‘No, no.’) I shall show, if I am permitted to do so, by means of statistics that the present Act gives one Muslim Member to every municipality. There are 82 municipalities in all, in the Presidency, and only in one municipality, and that is Srirangam, there is no Muslim member. The amending Bill seeks to have seats for the Muslim community on a population basis. In 51 municipal councils the Muslim representation is much above the population basis, and only in 28 municipalities, Muslims get below their proportional representation. Fifty-one as against twenty-eight. And also if you examine the statistics, you will see that in 21 municipalities, Muslims are either chairmen or vice-chairmen, and in that capacity they are exercising their influence and authority. So it is not fair to say that the present system is not working well. In five municipalities there are Muslims as chairmen, and in 16 others as vice-chairmen, and all of them are exercising their influence and authority in all branches of administration. That clearly shows that the present system of joint electorate is working well. In other municipalities, if there are 30 Muslim voters there are 100 Hindu or other voters, and these 30 Muslim voters are settling the issue of the day, whether this man should be elected or that man. Thus though they are numerically small, they are strong in actual practice, and for good reasons they are deciding the day. Only the other day, my friend, Mr. Abdul Rawoof, was elected Member of Municipal Council, Bellary, though I suppose for very unfortunate reasons, he could not be elected as chairman. But that apart, only last week he was elected a Member of the Andhra University Senate with a thumping majority. All the members

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of the three municipal councils voted in that election, and Mr. Abdul Rawoof was elected by a thumping majority, and that too, I hear, against a Hindu rival. And again, Sir, I need not remind the House of the fact that Mr. Abdul Hameed Khan was elected Mayor of the Madras Corporation unanimously. (Interruption.) All these show that the present system of joint electorate is working well.

There was also an insinuation made that the present members do not represent the Muslim community. It is not for me to say whether the Muslims in the district boards and municipal councils are fully representing the Muslim opinion or not. But there they are and they will respect their own community. Personally I have no idea of this; but Mr. Hussain says that members do not represent Muslim opinion. Let him recall to mind, how then was Mr. Abdul Khader elected President of the District Board? There are two other district boards where Muslims have been elected vice-presidents. Therefore on behalf of Government I cannot accept this plea for separate electorate. As a party which has been fighting for joint electorate not only in district boards and municipal councils but also for the provincial Assembly and for the Federal Assembly I for one cannot accept this. Good or bad, it is there. I may also say, in the Punjab and in Bengal the tendency is for joint electorate. Municipalities that were formed in the Punjab after 1921 are having joint electorate, and only those that were formed before that year are now having separate electorate. In Bombay, they are following Madras. Hereafter, local boards will have joint electorate only. So it is the general tendency of all provinces to emulate the example of Madras, and it is too late in the day to ask for separate electorate in local boards and municipalities here.

"I am going to lay the statistics that I have with me now on the table of the House to-morrow, and from it, it will be seen that in 51 municipalities, the Muslim representation is much above the population basis, and only in 28 municipalities it is below. I will promise that if any opportunity arises, I shall try to give one or two seats more in these 28 municipalities to Muslims. In 18 district boards, they are much above population, and only in 13 less. I have taken pains to collect these statistics and I shall place them on the table of the House.

"With these remarks, I, with great reluctance, oppose the introduction of Mr. Hussain's Bill."

MR. BASHEER AHMED SAYEED:—"May I make a representation, Sir?"

* MR. SPEAKER:—"No, Sir, I will put the question to the vote of the House."

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MR. BASHEER AHMED SAYEED:—"I only want to say

* MR. SPEAKER:—"No, Sir, I do not allow any debate . . ."

MR. BASHEER AHMED SAYEED:—"No debate; if a vote is to be taken without a debate, and if there is to be a division, will you permit me not to vote silently but allow me to have my say, as otherwise I am liable to be misunderstood? I do not wish to be a party to a silent vote. I therefore crave the indulgence of the Chair that I may not be made to cast a silent vote. Mr. Speaker, Sir, under the rules discretion is vested with the Speaker. It is not an absolute rule; but still it entirely rests with the Speaker to allow or not to allow . . ."

* MR. SPEAKER:—"I think at this stage it is not fair that Mr. Basheer Ahmed should be permitted to speak." (Laughter).

MR. BASHEER AHMED SAYEED:—"I am not going to make any lengthy speech at all. I only want to say a few words, so that I shall not have to cast a silent vote with a view that I may not be misunderstood."

* MR. SPEAKER:—"If you will be able to finish in five minutes, I have no objection."

(At this stage Mr. Abdul Hameed Khan, Khan Bahadur P. Khalif-ul-lah Sahib Bahadur and several others rose in their seats and declared that they too wished to speak.)

* MR. SPEAKER:—"Half a dozen members want to speak! Then I do not permit anybody to speak. I will put the question to the vote of the House . . ."

MR. BASHEER AHMED SAYEED:—"Sir, I thought you allowed me to speak . . ."

* MR. SPEAKER:—"I cannot allow anybody to speak at this stage."

The motion was put and declared lost. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur demanded a poll.

* MR. SPEAKER:—"Do you seriously demand a poll, Mr. Khalif-ul-lah? I fear if it is taken, the rest of the business may not be reached at all."

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—"I want a poll to be taken as this is a very important matter affecting our community."

* MR. SPEAKER:—"To-day is a non-official day, and the House will be adjourning on the 19th instant."

MR. BASHEER AHMED SAYEED:—"Can you not take up the subjects not disposed of to-day, to-morrow, Sir?"

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MR. SPEAKER:—"To-morrow is an official day."

MR. BASHEER AHMED SAYEED:—"But we are going to have some non-official business done to-morrow."

* MR. SPEAKER:—"But Government should agree; I have no objection."

Khan Bahadur P. Khalif-ul-lah Sahib Bahadur stood up in his seat.

* MR. SPEAKER:—"What does Mr. Khalif-ul-lah Sahib want?"

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—"I want a poll."

* MR. SPEAKER:—"Yes, a poll will be taken."

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A poll was taken and the House divided thus:—

Ayes.

1 Kumararaja Muthiah Chettiyar of Chettinad.	9 Mr. Abdur Rahman Ali Rajah, Arakal Sultan.
2 Khan Bahadur Mahmud Schamnad Sahib Bahadur.	10 " K. Abdur Rahiman Khan.
3 Mr. Adimoolam, Jamedar.	11 " H. S. Hussain.
4 Diwan Bahadur A. Appadurai Pillai.	12 " V. S. T. Shaik Mansoor Tharaganar.
5 Mr. B. Bhakthavatsalu Nayudu.	13 " Mahboob Ali Baig.
6 " J. Raja Rao.	14 " M. Ahmed Badsha.
7 " Abdul Hameed Khan.	15 " Basbeer Ahmed Sayeed.
8 " D. Abdul Rawoof.	16 Khan Bahadur P. Kalif-ul-lah Sahib Bahadur.

Noes.

1 The Hon. Mr. C. Rajagopalachariar.	26 Mr. K. V. R. Swami.
2 " Mr. T. Prakasam.	27 " A. Subrahmanian.
3 " Mr. Yakub Hasan.	28 " A. M. P. Subharaya Chettiyar.
4 Mrs. A. Rukmini Lakshminipathi.	29 " O. P. Subbiah Mudaliyar.
5 Mr. A. Kaleswara Rao.	30 " P. Subbiah.
6 " T. Viswanatham.	31 " N. M. R. Subbaraman.
7 " K. P. Yagneswara Sarma.	32 " K. Subba Rao.
8 " V. Venkatasubbayya.	33 " Subba Rao, Karunakaram.
9 " R. Venkatasubba Reddiyar.	34 " K. Sitarama Reddiyar.
10 " B. Venkatarao Baliga.	35 The Hon. Mr. S. Ramanathan.
11 " P. Venkatarama Ayyar.	36 " Mr. K. Raman Menon.
12 " K. Venkatappaeyya.	37 " Mr. B. Gopala Reddi.
13 " R. Venkatappa Nayudu.	38 Mr. A. Vedaratnam Pillai.
14 " S. C. Venkatappa Chettiyar.	39 " M. Bapineedu.
15 " B. Venkatanarayana Reddi.	40 " Ahmed Thambi Md. Mohideen Maracair.
16 " P. T. Venkatachari.	41 " M. Bhakthavatsalam.
17 The Hon. Dr. P. Subbarayan.	42 " H. Sitarama Reddi.
18 " Mr. V. I. Muniswami Pillai.	43 " B. T. Seshadriachariar.
19 " Mr. V. V. Giri.	44 " L. Sattanatha Karayalar.
20 Mr. C. J. Varkey.	45 " P. Ratnavelu Tevar.
21 " A. B. Shetty.	46 " A. Rami Reddi.
22 " N. S. Varadachari.	47 " V. M. Ramaswami Mudaliyar.
23 " B. S. Murti.	48 " K. S. Ramaswami Goundar.
24 " K. Varadachariar.	49 " D. V. Ramaswami.
25 " V. S. Rm. Valliappa Chettiyar.	

226 A BILL FURTHER TO AMEND THE MADRAS DISTRICT
MUNICIPALITIES ACT, 1920, AND THE MADRAS LOCAL
BOARDS ACT, 1920

[17th August 1935]

Noes—cont.

50 Mr. A. Ramalingam.	78 Mr. P. Lakshmanaswami.
51 „ D. Ramalinga Reddiyar.	79 „ O. Lakshmanaswami.
52 „ R. B. Ramakrishna Raju.	80 „ V. Kurmayya.
53 „ A. K. A. Ramachandra Reddiyar.	81 „ K. Kulasekharan.
54 „ R. Raghava Menon.	82 „ G. Krishnamurti.
55 „ R. Ponnuswami Pillai.	83 „ K. Koti Reddi.
56 „ B. Perumalla Nayudu.	84 „ K. Kolandaveilu Nayanar.
57 „ V. R. Perumal Chettiyar.	85 „ A. Karunakara Menon.
58 „ K. Periyaswami Goundar.	86 „ K. R. Karant.
59 „ K. S. Periyaswami Goun- dar.	87 „ E. Kannan.
60 „ P. Pedda Padalu.	88 „ K. Kamaraj Nadar.
61 „ C. R. Parthasarathi Ayyan- gar.	89 „ Kala Venkata Rao.
62 „ V. C. Palaniswami Goun- dar.	90 „ D. Kadirappa.
63 „ C. Obi Reddi.	91 „ A. Jogi Nayudu.
64 „ M. G. Natesa Chettiyar.	92 Mrs. J. Ramoney Masillamoney.
65 „ D. Narayana Raju.	93 Mr. K. Ishwara.
66 „ V. V. Narasimham.	94 „ N. Halasyam Ayyar.
67 „ C. Narasimham.	95 „ V. J. Gupta.
68 „ P. L. Narasimha Raju.	96 „ C. K. Govindan Nayar.
69 „ D. L. Narasimha Raju.	97 „ D. Govinda Doss.
70 „ S. Nagappa.	98 „ A. R. A. S. Doraiswami Nadar.
71 „ N. Nagaraja Ayyangar.	99 „ M. Doraikannu.
72 „ S. Nagiah.	100 „ M. P. Damodaram.
73 „ A. Pl. N. V. Nadimuthu Pillai.	101 „ S. Chidambara Ayyar.
74 „ K. A. Nachiyappa Goundar.	102 „ O. Chengam Pillai.
75 „ V. Muthuramalinga Tevar.	103 „ K. Chandramouli.
76 „ K. S. Muhammad Abdul Kadir Ravuttar.	104 „ A. Chandu.
77 „ P. Madhavan.	105 „ V. Bhuvaregam.
	106 „ Muthu Kr. Ar. Kr. Arana- chalam Chettiyar.
	107 „ N. Annamalai Pillai.
	108 „ B. Anantachar.
	109 Srimathi V. Lakshmi Ammal.
	110 Mr. P. Butchappa Nayudu.

Neutral.

1 Mr. S. M. Laljan.

3 Mr. G. Krishna Rao.

2 T. T. Krishnamachariar.

Ayes 16. Noes 110. Neutral 3.

The motion was lost.

(5) A BILL FURTHER TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS CITY MUNICIPAL ACT, 1919.

* MR. SPEAKER:—“ Mr. Abdul Hameed Khan may formally move the Bill. No statement will be permitted at this stage, because the principle is one, demanding separate electorates, and a statement was already made on the previous Bill.”

MR. ABDUL HAMEED KHAN:—“ It is not so, because this is a very different Bill.”

* MR. SPEAKER:—“ It is only a scheme. I have read the main principle. It is only on the main principle of a Bill that a statement will be allowed. But here, the main principle is the same, and hence no statement will be permitted. It is not proper.”

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MR. ABDUL HAMEED KHAN:—"What difference there is between this Bill and the previous one, I will make clear in a statement."

* MR. SPEAKER:—"No. You may formally move the Bill."

MR. ABDUL HAMEED KHAN:—"Yes: I bow to your ruling, and will formally move the Bill."

"I move that leave may be granted to introduce my Bill further to amend the Madras District Municipalities Act, 1920, the Madras Local Boards Act, 1920, and the Madras City Municipal Act, 1919."

The motion was duly seconded.

THE HON. MR. B. GOPALA REDDI:—"I oppose the motion."

The motion was put and declared lost.

MR. ABDUL HAMEED KHAN:—"I want a poll."

* MR. SPEAKER:—"You want a poll on this! A poll was taken on a similar Bill just now, and the same will be the result. I would have refused the poll but I would suggest to you not to press it."

MR. ABDUL HAMEED KHAN:—"I know you won't refuse."

* MR. SPEAKER:—"I could have refused, but I only appeal to your good sense not to press it."

MR. ABDUL HAMEED KHAN:—"I want poll; there is bound to be a difference."

Then a poll was taken, and the House divided thus:—

Ayes.

1 Kumararaja Muthiah Chettiyar of Chettinad.	10 Mr. Abdur Rahiman Ali Rajah, Arakal Sultan.
2 Khan Bahadur Mahmud Schamnad Sahib Bahadur.	11 " K. Abdur Rahman Khan.
3 Mr. Adimoolam, Jamedar.	12 " H. S. Hussain.
4 Diwan Bahadur A. Appadurai Pillai.	13 " V. S. T. Shaik Mansoor Tharaganar.
5 Mr. B. Bhakthavatsalu Nayudu.	14 " Mahhoob Ali Baig.
6 " J. Raja Rao.	15 " M. Ahmed Badsha.
7 " S. M. Lajjan.	16 " Rasbeer Ahmed Sayeed.
8 " Abdul Hameed Khan.	17 " Khan Bahadur P. Kalif-ullah Sahib Bahadur.
9 " D. Abdul Rawoof.	

Noes.

1 The Hon. Mr. C. Rajagopalachariar.	8 Mr. V. Venkatasubbayya.
2 " Mr. T. Prakasam.	9 " R. Venkatasubba Reddiyar.
3 " Mr. Yakub Hasan.	10 " B. Venkatarao Baliga.
4 Mrs. A. Rukmini Lakshminipathi.	11 " P. Venkatarama Ayyar.
5 Mr. A. Kalaswara Rao.	12 " K. Venkatappayya.
6 " T. Viswanatham.	13 " R. Venkatappa Nayudu.
7 " K. P. Yagneswara Sarma.	14 " S. C. Venkatappa Chettiyar.

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Noes—cont.

15 Mr. B. Venkatanarayana Reddi.	61 Mr. C. R. Parthasarathi Ayyan-
16 " P. T. Venkatachari.	gar.
17 The Hon. Dr. P. Subbarayan.	62 " V. C. Palaniswami Goun-
18 " Mr. V. I. Muniswami	dar.
Pillai.	63 " C. Obi Reddi.
19 " Mr. V. V. Giri.	64 " M. G. Natesa Chettiyar.
20 Mr. C. J. Varkey.	65 " D. Narayana Raju.
21 " A. R. Setty.	66 " Y. V. Narasimham.
22 " N. S. Varadachari.	67 " C. Narasimham.
23 " B. S. Murti.	68 " P. L. Narasimha Raju.
24 " K. Varadachariar.	69 " D. L. Narasimha Raju.
25 " V. S. Rm. Vallyappa Chet-	70 " Nagayya.
tiyar.	71 " N. Nagaraja Ayyangar.
26 " K. V. R. Swami.	72 " S. Nagappa.
27 " A. Subramanian.	73 " A. Pl. N. V. Nadimuthu
28 " A. M. P. Subbaraya Chettu-	Pillai.
yar.	74 " K. A. Nachiyappa Goundar.
29 " C. P. Subbiah Mudaliyar.	75 " V. Muthuramalinga Tevar.
30 " P. Subbiah.	76 " K. S. Muhammad Abdul
31 " N. M. R. Subbaraman.	Kadir Ravuttar.
32 " K. Subba Rao.	77 " P. Madhavan.
33 " Subba Rao, Karunakaram.	78 " P. Lakshmanaswami.
34 " K. Sitarama Reddiyar.	79 " O. Lakshmanaswami.
35 The Hon. Mr. S. Ramanathan.	80 " V. Kurmayya.
36 " Mr. K. Raman	81 " K. Kulasekaran.
Menon.	82 " G. Krishnamurti.
37 " Mr. B. Gopala Reddi.	83 " K. Koti Reddi.
38 Mr. A. Vedaratnam Pillai.	84 " K. Kolandavelu Nayanar.
39 " N. Bapineedu.	85 " A. Karunakara Menon.
40 " Ahmed Thambi Md. Mohi-	86 " K. R. Karant.
deen Maracair.	87 " E. Kannan.
41 " M. Bhakthavatsalam.	88 " K. Kamaraj Nadar.
42 " H. Sitarama Reddi.	89 " Kala Venkata Rao.
43 " B. T. Se-hadriachariar.	90 " D. Kadirappa.
44 " K. Shanmugam.	91 " A. Jogi Nayudu.
45 " P. Ratnavelu Tevar.	92 Mrs. Jebamoney Masillamoney.
46 " A. Rami Reddi.	93 Mr. K. Ishwara.
47 " V. M. Ramaswami Mudali-	94 " N. Halasyam.
yar.	95 " V. J. Gupta.
48 " K. S. Ramaswami Goundar	96 " C. K. Govindan Nayar.
49 " D. V. Ramaswami.	97 " D. Govinda Doss.
50 " A. Ramalingam.	98 " A. R. A. S. Duraiswami
51 " D. Ramalinga Reddiyar.	Nadar.
52 " R. B. Ramakrishna Raju.	99 " M. Duraitkannu.
53 " A. K. A. Ramachandra	100 " M. P. Damodaram.
Reddiyar.	101 " S. Chidambara Ayyar.
54 " R. Raghava Menon.	102 " O. Chengam Pillai.
55 " R. Ponnuswami Pillai.	103 " K. Chandramouli.
56 " B. Perumalla Nayudu.	104 " A. Chandu.
57 " V. R. Perumal Chettiyar.	105 " V. Bhuviragan.
58 " K. Periyaswami Goundar.	106 " V. V. A. Baskara Rao.
59 " K. S. Periyaswami Goun-	107 " Muthu Kr. Ar. Kr. Aruna-
dar.	chalam Chettiyar.
60 " P. Pedda Padalu.	108 " N. Annamalai Pillai.
	109 " B. Anantachar.

Ayes 17. Noes 109.

The motion was lost.

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(6) A BILL TO REPEAL THE CRIMINAL LAW AMENDMENT ACTS (XIV OF 1908 AND XXIII OF 1932) IN SO FAR AS THEY AFFECT THE PROVINCE OF MADRAS. 8-
p.

MR. J. NUTTALL:—“ On a point of order, is it correct to carry on the Assembly as late as this? ”

* MR. SPEAKER:—“ If it is not correct, I would not have carried it on.”

MR. J. NUTTALL:—“ Normally it is understood . . . ”

* MR. SPEAKER:—“ These two days come under abnormal conditions.”

Mr. J. Nuttall rose to speak.

* MR. SPEAKER:—“ Mr. Nuttall may have some patience. After this business, I propose to adjourn the House. If I do not push it on now, the important portion of the non-official business will not be reached. I hope Government will agree to this proposition. We shall finish this Bill with a statement from Mr. T. T. Krishnamachariar.”

MR. J. NUTTALL:—“ I would draw your attention, Sir, to the list of business which has been circulated for to-morrow. What I wish to bring to your notice is the fact that certain private Members who may have Bills to introduce or resolutions to speak on will be prohibited and some will receive the advantage of your concession to carry on the sitting.”

* MR. SPEAKER:—“ Generally, if there was not much importance in the other non-official business, even if one resolution were to take up the whole time it may be finished, but I find that some of the important resolutions are not to be reached on the non-official day and that Mr. Krishnamachariar's Bill should be taken up to-day as a special case even at the risk of keeping the House a little longer. I want to have it finished.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ I am not able to understand Mr. Nuttall's point at all.”

MR. NUTTALL:—“ I am referring to the last item which is brought forward as the first item to-morrow. The last item of the business to-day is Mr. Krishnamachariar's resolution about the Port Trust Board. Are we to omit all the rest? ”

* THE HON. MR. C. RAJAGOPALACHARIAR:—“ I beg to submit that there is some misunderstanding. The arrangement to go on with the next item here about Mr. Krishnamachariar's Bill is what is now being carried out. What Mr. Nuttall wishes to know is whether the whole of the Agenda to-day goes forward to to-morrow. On that point I wish to submit that to-morrow is a day allotted for official business. But if there is time, and if Government consider that of the various resolutions, what concerns administrative affairs, affairs in which Government is directly interested and in which they have also to a great extent decided

[Mr. C. Rajagopalachariar] [17th August 1938]

to take part by way of agreement, may be taken up, they are treated semi-official so to say and time is given for them to-morrow. It is at the discretion of the Government to allot time if they deem it necessary, and that is being done in the case of the Port Trust Board resolution. I do not think therefore that we ought to take up, for instance, resolution 'that new scales of pay should be given effect to' (Resolution 3). That is not to be done to-morrow. That is because we have made distinctions between the various resolutions considering the nature of each. The Port Trust resolution in which Government wished to express their agreement to some extent, we have agreed to have to-morrow."

* MR. SPEAKER:—"Mr. Appadurai Pillai's anti-Hindi propaganda resolution?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"On that I promise that time will be given either to-morrow or the day after."

MR. ABDUL HAMEED KHAN:—"Evidently the Hon. the Speaker was not aware of the change that was made in the agenda for to-morrow which includes certain non-official business."

* MR. SPEAKER:—"I am perfectly aware; it was at my instance that it was put down."

MR. ABDUL HAMEED KHAN:—"I am glad to hear it. But what I want to know from the Hon. the Premier is how did it happen that a certain resolution or certain resolutions which were put down in the agenda for non-official day could not be reached to-day and would therefore be an item for to-morrow and on that account these two resolutions were given special consideration and put down for the official day, i.e., to-morrow. I am sorry, Sir, that this invidious distinction has been made."

* MR. SPEAKER:—"There is absolutely no invidious distinction. It is commonsense to think that such a heavy business would not be reached by 8 o'clock to-day and so calculating what portion would be reached to-day the Government have agreed to take up the rest to-morrow. Now the anti-Hindi propaganda resolution is not also being reached. It will be taken up to-morrow."

THE HON. MR. C. RAJAGOPALACHARIAR:—"This arrangement was settled only in the afternoon."

MR. K. ABDUR RAHIMAN KHAN:—"Will resolution No. 3 be taken up?"

* MR. SPEAKER:—"No, it will not be taken up. Government does not agree."

MR. K. ABDUR RAHIMAN KHAN:—"I want the Government to make a statement. Will the Hon. the Prime Minister say that it is not a matter of importance?"

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* MR. SPEAKER:—"Government are not bound to allot time for it."

MR. K. ABDUR RAHIMAN KHAN:—"I want to know how my resolution is not important."

* MR. SPEAKER:—"I sympathise with you."

MR. BASHEER AHMED SAYEED:—"If the Government has been so pleased as to give time for two resolutions, only one resolution seems to be left over, and that is an innocuous one and if that is also put in, Government may have an opportunity to say something on it. There is a large volume of opinion regarding that."

* MR. SPEAKER:—"That is a matter to be considered later. The business may go on."

* MR. T. T. KRISHNAMACHARIAR:—"Mr. Speaker, I beg to move for leave to introduce my Bill to repeal the Criminal Law Amendment Acts (XIV of 1908 and XXIII of 1932) in so far as they affect the Province of Madras."

* MR. SPEAKER:—"Do the Government oppose the introduction?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Yes."

* MR. T. T. KRISHNAMACHARIAR:—"Mr. Speaker, Sir, in view of the fact that the Government have now decided to oppose leave being granted by this House for the introduction of this Bill, I feel it is my duty to make a brief statement outlining the reasons which prompted me to move this Bill.

"I must, at the outset, categorically state that I entirely dissociate myself from the anti-Hindustani agitation which is being carried on in certain parts of this province. While undoubtedly the Government's action in dealing with this agitation has induced me to come forward with this Bill, this move on my part should not be understood as lending any support to the agitation.

"It is my duty to tell the Assembly of their jurisdiction to deal with this matter. The two Criminal Law Amendment Acts sought to be repealed are those of the Central Legislature and their subject matter is comprehended by items 1 and 2 of list III of Schedule 7 of the Government of India Act of 1935. The right of the Provincial Legislature to deal with this matter is evident from the provisions of section 100 (2) and section 107 of the Government of India Act.

"I would like to give the House, Sir, a brief summary of the sections of these two Acts and their implications from the point of view of civil liberties. The first Criminal Law Amendment Act is the Act of 1908 and it contained two parts of which only the second part is now in force, the first part relating to special procedure

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having been already repealed by an Act of 1922. The two important sections of the 1908 Act which are now in force are sections 16 and 17, the latter being divided into two sub-sections.

“ Section 16 gives the Government unrestricted powers to declare an association of persons unlawful amongst others on the ground of possible danger to the public peace and interference in the maintenance and administration of law and order.

“ Section 17 (1) and (2) prescribes the penalties for persons connected closely or remotely with associations so declared unlawful.

“ The sole judge of what amounts to a danger to the administration of law and order under these sections is the executive and the courts of the land cannot entertain any application by an aggrieved person when this exercise of power is, in any particular case, a curtailment of civil liberties. The effect of a wide and uncontrolled provision like this is virtually to enable the executive to create new offences unknown to the ordinary criminal law leaving the affected person altogether helpless. The history of the administration of this law makes it clear that the temptation to use it against political opponents is in practice irresistible to any executive.

“ The law of conspiracy, particularly, and the provisions of the ordinary criminal law of the country, generally are, I submit, quite adequate to deal effectively with cases of crime. In any case, if it is felt that the mere membership of an association, apart from overt acts coming within the scope of the ordinary criminal law, should be restrained, then guarantees must be provided to the citizen against arbitrary exercise of power by the executive on this score by investing the courts with jurisdiction to decide the matter.

“ The Criminal Law Amendment Act of 1932, originally passed for a period of three years, was extended as a permanent measure by a Governor-General's Act of 1935, under section 67-B of the Government of India Act of 1935, the Central Legislative Assembly having refused to pass it. I shall not trouble this House with the sections which have been already repealed by the Act of 1935. I shall only deal with the important sections of this Act which are awaiting repeal.

-30
m. “ Section 5 of this Act deals with dissemination of contents of proscribed documents. The curtailment of civil liberties lies in the fact that the dissemination of passages, however innocent, from a publication which is proscribed at the absolute and uncontrolled discretion of the executive, is declared to be an offence.

“ Section 7 which in fact contains the concentrated venom of several scattered provisions of the Indian Penal Law was felt by the framers of the Act themselves to be of such serious importance as to require a further special notification of Government before it

A BILL TO REPEAL THE CRIMINAL LAW AMENDMENT ACTS 233
(XIV OF 1908 AND XXIII OF 1932) IN SO FAR AS THEY
AFFECT THE PROVINCE OF MADRAS

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could be brought into force in any area. Originally intended to combat picketing of cloth shops and toddy shops, as is quite evident from the terms of sub-section 1 (b) and the explanation to it, it is now being used for the totally different purpose of protecting an individual from annoyance.

“ A curious provision of sub-section (2) of this section is that the person molested has no right to move the Magistrate under this section. It is, in fact, a charter to the executive to intervene in the supposed protection of an individual's right whether the individual wants such protection or not. I might illustrate it in this manner. On the last occasion when this Act was applied, dealers of cloth shops did not always invite the police to interfere and protect them against picketers and in many cases, the dealers of cloth shops were not disinclined to allow the picketers to remain undisturbed but nevertheless, the police interfered and arrested them for picketing. For cases of real interference to personal liberty, the sections of the Penal Code against intimidation and violence to person and property provide adequate remedies.

“ Section 9 lays down special procedure and amongst other things, declares that an offence punishable under section 7 is non-bailable. If on the same facts a person was proceeded against under the ordinary law, he might be entitled to bail. The right to bail for a person who is as yet merely an accused but not found guilty is a valuable civil liberty, the curtailment of which cannot be justified except in extremely serious and grave cases of crime.

“ Section 10 declares that certain offences which are non-cognizable by the police under the Indian Penal Code are cognizable notwithstanding the provisions of the Criminal Procedure Code, if committed within a notified area, and sub-section (2) of this section declares that offences under sections 188 and 506 of the Indian Penal Code shall be non-bailable offences.

“ Sections 11, 12 and 13 amplify the powers given under the Act of 1908 touching unlawful associations. Section 11 continues the operation of section 16 of the 1908 Act and empowers the Governor-General to declare an association unlawful throughout British India. I want the House particularly to note this fact as even if it is sought to justify the use of the Act by a popular Ministry as not being wrong, even then this section cannot be supported because the Governor-General is not in the same position as a popular Minister.

“ Section 12 makes the offence under section 17 (1) of the Act of 1908 cognizable and non-bailable, and I have already submitted that the conversion of an ordinary accusation into a non-bailable and cognizable offence involves an abridgment of civil liberties.

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“ Section 13 adds further offences to section 17 of the 1908 Act in section 17 (a) to (f). These deal with the power of the executive to take possession of the premises of associations declared unlawful, to forfeit their property and funds and to punish trespass into properties so taken possession of,—drastic measures under which a good part of the Congress funds and properties were taken over by the Government in their campaign for the suppression of the Civil Disobedience Movement recently. The hon. Members opposite cannot be unaware of the way in which these provisions could be worked by a Government determined to bring about desired results. The worst of the additional provisions added to section 17 of the 1908 Act by section 13 is section 17 (f), under which the courts are precluded from going into the questions of the propriety of forfeitures made under this Act or of properties taken possession of by the Government or exercise jurisdiction over officers concerned in such activities. From the point of view of civil liberty this constant distrust of the judiciary and a judicial process amounts to little less than an outrage.

“ Sections 14 and 16 deal with Indian Press (Emergency Powers) Act of 1931 which if put into operation will effectively muzzle the press. These are the sections of the Acts which now remain in force.

“ It is clear that these two enactments as they stand confer such a wide discretion upon the executive wholly free from control of the courts or of any other authority, that they constitute a constant menace to individual freedom and civil liberties. The propriety of a law is not to be determined by the good or the bad intentions of the people who administer it. It is not always possible to presume that an administration, even a Congress administration, are wholly disinterested or unprejudiced. The existence of a law like this is a temptation for its use as an easy way out of the irritations and the difficulties that a Ministry may feel whatever abstract considerations of civil liberty may suggest against such use. As Prof. Laski says—

“ It is the habit of power continuously, if it can, to enlarge the bounds of authority, hence the maxim that the price of liberty is eternal vigilance.”

“ I wish briefly to recapitulate my objections to these Acts: In the first place, no popular Ministry is entitled to make use of a law with a history like what these two Acts have. The Acts were conceived of as a convenient means of strengthening the hands of a Government intent upon destroying the civil liberties and as such, the popular House of the Legislature in the Centre unhesitatingly rejected the Bill when it was brought before it in 1935. It was with the assistance of the Council of State, that notoriously reactionary body, that the Governor-General was able to place this obnoxious piece of legislation on the statute book.

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“ The use of these Acts by this Government is sought to be justified on the ground that the persons using these Acts are a popularly elected Ministry who have the country behind them but again and again this is the only defence which we hear of every act of the Ministers’ which is otherwise unjustifiable. It is stated that it is impossible to carry on a democratic Government unless the popular Ministry is armed with the requisite powers. I am afraid that people on the Treasury Benches who have been speaking about democracy and the will of the majority suffer from a strange delusion. Prof. Basset in his well-known book on ‘ Essentials of Parliamentary Democracy ’ says,

‘ The identification of Democracy with majority rule is not permissible. The will of the majority is not the will of the people and the will of a party conference—itsself expressed in majority decisions—is not the will of the majority.’

In fact, it is this identification of the party with the country which differentiates the totalitarian states from the democratic ones.

“ The recent utterances of the Prime Minister on this question of party and country are strangely reminiscent of certain views we have had from Central and Southern Europe lately. Rule by the majority can only be justified and sustained by the exhibition of ‘ normal wisdom ’ which should be measured by the extent to which the party adheres to essential principles of political justice and an all round fairplay.

“ It is well-known that Congress and Nationalist opinion have demanded the repeal of repressive laws and the abandonment of any attempt for the suppression of civil liberties as the vital step in the reconstruction of the Nation in their onward march towards freedom. It is superfluous for me to remind my friends opposite of the election manifesto of the Congress and of the instructions issued subsequently by the Working Committee on 28th February 1937 on the Congress policy in the legislatures. I refer them to Clause XI, item V of the Working Committee’s instructions which relates to repeal of repressive laws. Do I understand that the Working Committee has since altered those instructions and may I know whether the Congress Ministry here has fortified itself with the sanction of the Working Committee in taking the attitude that they have taken?

“ Quite apart from its very unfavourable history, looked at merely as a law, it is oppressive, clearly and patently oppressive. As a piece of legislative drafting, it is conceived too widely and is capable of extensive mischief. It is our business here as legislators to state our intentions accurately and not merely go on repeating ourselves and where we do not merely repeat, to enact mischievous provisions. My appeal is to the legal conscience of this House.

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" My third reason is this. The people of this country so long oppressed under foreign domination have lost the art of expressing liberty and the science of exercising it. Even at the cost of stray public disorders, it is worthwhile for a Government with traditions of fifty years of fight for freedom behind it, to rouse the spirit of freedom and encourage the practice of liberty making the people passionate defenders of that freedom and liberty. The extensive use of oppressive laws like these is not exactly calculated to achieve this most necessary result in this country. It is with some sadness that I recall the day when, after the Government of India Act of 1919, for a brief period the Congress toyed with the idea of coming into the Councils which it has now actually done. In its manifesto, of which the then reputed author was the Hon. the Prime Minister himself, it described its conflict with its political opponents, the moderates, in the then famous phrase '*Freedom versus Power*,'—the moderate standing for Power and the Congress for Freedom. I remember the splendid controversy that went on between the Rt. Hon. V. S. Srinivasa Sastri and the Hon. the Prime Minister on this issue of Freedom versus Power, and the Hon. the Prime Minister's triumphant vindication of Freedom. The Hon. the Premier to-day is indeed a very changed man. Having succeeded to power he has reversed his political philosophy and now Power stands enthroned against Freedom.

" The strong temptation to make use of such Acts as these, in moments of extreme irritation, brushing aside abstract principles that may suggest themselves against such a course and the great influence of power have made it possible, in a system of Cabinet Government, for the Prime Minister to act without the concurrence of his colleagues; for, I maintain that the Prime Minister could not have consulted his colleagues before he ordered the police to make use of the Criminal Law Amendment Act on the 4th June. From the 1st June, on which day the picketing started, to the 4th June, the Ministers were in the four corners of the Presidency and the Prime Minister himself was between Bangalore and Salem. One would have thought that the use of the Criminal Law Amendment Act was sufficiently a matter of policy to merit Cabinet discussion before it was adopted. But where did the Cabinet meet? I am sure the Ministers will rise in their places to contradict me but I say that in a matter of this sort, I should want to hear more than a mere contradiction. Power corrupts, they say, and it can corrupt one to the point of flouting elementary canons of Cabinet Government by a person who professes to be a true democrat all the time.

" I shall now conclude. I have explained my reasons why this Bill of mine should have the leave of this House for being introduced and why this House should support it, but I know the fate that is reserved for this Bill. Let me assure this House that this

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is not the end of it. Governments, like private individuals, pay for their accumulated sins in proper time. The tragedy of it all is that the first popular Government, to whose success and glory practically all sections of this country have been looking forward, have become so disloyal to their own faith, the faith upon which they were returned to power. I will ask the members opposite to remember the principles for which the Congress organization stood and I hope will stand. I will ask them not to lose sight of those principles in their admiration and worship of persons, and I will ask them to remember that persons fade away while principles are eternal. I ask for the support of the House for my motion." (Applause.)

* MR. SPEAKER:—"I suppose the motion was seconded by somebody?"

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—"I second it."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, references were made in what was called a statement on the Bill of a very personal character about my having been changed and so on and the reasons therefor and the natural causes therefor. References were made, if I could follow the articulation of the hon. Mover of the Bill, to differences or want of agreement in the Cabinet. Appeals were made to Parliamentary Secretaries of the Ministers. I consider, with due deference to the feelings of the hon. Mover of this Bill, that these are impertinent references not pertinent to the occasion by any construction of the situation.

"The question is whether leave should be given for the Bill to be introduced and I shall try to be brief, Sir. The principles on which this Bill to repeal the Criminal Law Amendment Act are explicitly based are principles which have been familiar to me and the colleagues with whom I am working. These principles were not copied from Laski or from any other book, but were forged in the fire of our thoughts and of our own sacrifices. We know what these principles are to some extent.

"We are aware that we are open to commit faults. We are aware that even these principles we have formulated may or may not be quite good and perfect, but we claim that we are still holding on to all these principles. It is easy to take a labelled bottle from a doctor's house and distribute it according to the label. It is difficult to make the medicine. It is difficult to know what is good and what is bad. I say the mover of the Bill, in pressing the motion, is doing an act very much like a compounder's daring in distributing medicine to his patients. He has asked us to repeal the Criminal Law Amendment Act now, and in this sitting. My answer to that is that this is not the time, Sir. I, as a

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doctor, say that this is not the time, though the compounder says this is the time. (Laughter.) I claim, Sir, that this is consistent with all the doctrines that we have professed. We are holding now a responsibility. We came to it not by calculation. We came to it on the sudden. And we have not been sleeping. We have made many pledges and many promises and we are, to the best of our abilities, carrying them out, one after another. Whatever charges have been made, or can be made against us, no charge can be made that we have been lazy. No charge can be made that we have been sleeping. No charge can be made that we have been shirking. I claim that we understand and are pledged to the principles to which references were made. Punishment without trial, authority being exercised by the executive in matters where courts should exercise it, confiscation without decree of court and the like are all wrong and we propose to stand by those principles no doubt. But we cannot be party to committing suicide. It is open to us, it is open to this Government to ask this House to arm it with laws which may enable it to carry on. It is open to us to ask this House and we are going to ask this House to pass laws which will prevent the commission of crime and punish the commission of crime. For instance we propose to ask this House to arm us with powers to stop scurrilous literature that will arouse hatred and create a situation comparable to the condition by which a match can set fire to a magazine. We propose to ask for all these and not to use other peoples' laws. We propose to ask the country and the House to give those powers and laws for the benefit of the country if they think fit and we propose to use them. But we have not had time to do that. We propose to repeal all these laws which have been passed without the sanction of the people and we propose to substitute them by such laws as the people would have in order that the Government may be carried on in their behalf. But till then, it is not open to a member who has no concern in our continuance or in our existence as Government to ask us to throw away laws that are there and look about for means to carry on the Government anyhow. (An hon. Member:— "Lawless laws.") I submit, Sir, that this is not the time for the motion and it is for that reason and for that reason alone that the Government is opposing it. It is open to the other side to claim that we have gone inconsistent, that we have lost our heads, we have lost our heads because we do not like to lose our necks just now. It is quite possible to say all that and I do not mind it. Sir, the mover of the Bill asks us whether we have received instructions from such and such committees. He would get that and more information if he joins the party. (Laughter). But such a question cannot be asked in this House and such a question cannot be answered in this House. He has asked whether the Cabinet is agreed. I say the same thing again. He can get that and more if he gets into our party but not if he asks from

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the opposition benches. But it is an absurd question. I cannot oppose this Bill that he is bringing without the agreement of the Cabinet and without the agreement of the Government as a whole. But these are, as I said, irrelevant . . ."

MR. T. T. KRISHNAMACHARIAR:—"I think the Premier has misunderstood me. I did not say that he has not got the agreement of the Government in opposing it. I said, before using the Act, he had not got the concurrence of the Cabinet; I am sure he did not have."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Before using the Act? That is a matter for to-morrow's resolution, which is coming up before the House. Whatever reasons we have got on various matters, we should keep to the point before us. Whether the Cabinet is agreed that the Government be carried on in a particular manner is a matter for to-morrow and we will deal with it to-morrow if it can be raised, but certainly not over this Bill. I think it cannot be raised to-day. If that was not the intention of the mover, I withdraw the answer I gave on the point."

"With regard to the opposition to this motion, I wish to say one thing more. A reference was made to the inconsistency with the liberal doctrines of the 19th century and with the doctrines of the Congress and election pledges and a fervent appeal was made to the House to accept the Bill in spite of the Government's opposition. Even during the days of active boycott, non-co-operation, boycott of schools and colleges the same sort of attempt was made. We had boycotted courts and we could not go to courts. People cheated us. People cheated the Congress committees. Prompt came the directions from headquarters; these boycotts were for the Nation and not for suicide. Let not anyone imagine that those who have made great sacrifices for the sake of certain principles will suddenly get into the malady of swell-head or love of power, because they are placed in the present position. Surely the hon. Mover of the Bill and those who are carrying on a running conversation across the table just now could understand, if they have the capacity for imagining other people's feelings, that it is not an easy thing to do what I am doing now, that it is not natural or probable that I would choose to have to answer like this for mere love of power. It should be so, if the arguments advanced by the hon. Mover of the Bill were correct. He should see that I stand the gravest chance of censure from those whose censure I care for. Surely, it should be easy imagination for any one on the other side of the House to see that what I am doing now may not possibly be done for a personal object. I say that it is far more out of and urged by a far greater sense of duty that we oppose this Bill than that which impels us to use the

240 A BILL TO REPEAL THE CRIMINAL LAW AMENDMENT ACTS
 (XIV OF 1908 AND XXIII OF 1932) IN SO FAR AS THEY
 AFFECT THE PROVINCE OF MADRAS

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law which this Bill seeks to repeal. I claim that if only the hon. Mover of this Bill could exercise his imagination with regard to other peoples' feelings and other peoples' make up he could see that for mere love of power, the Premier would not be in the present position. It is for love of country that he is in the present position. On behalf of the Government, I oppose this Bill with which it is sought to embarrass the Government." (Cheers.)

The motion for leave to introduce the Bill was then put and lost without a division.

The House then adjourned to meet at three of the clock the **next day** afternoon.

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[Vide item 11 (1) at pages 160-161 supra.]

To

THE HONOURABLE THE LEGISLATIVE
ASSEMBLY, MADRAS.

The Select Committee appointed to consider the Removal of Civic Disabilities Bill of Rao Bahadur M. C. Raja (L.A. Bill No. 9 of 1937) has the honour to make the following report.

2. This Bill was published in the *Fort St. George Gazette*

in English on the 12th October 1937,

in Telugu and Kanarese on the 2nd November 1937, and

in Tamil, Malayalam and Hindustani on 9th November 1937.

3. The Committee was appointed on the 30th March 1938; it met on Tuesday, the 12th July 1938 in the Assembly Buildings, Chempauk, for considering the Bill.

4. The Committee has subjected the provisions of the Bill to a careful scrutiny, but has not thought it necessary to make any elaborate changes.

Clause 2.—It is not the intention of the present Bill to affect the usages of temples or religious institutions; and to make this perfectly clear, the Committee has omitted the expression 'other service' in paragraph 1 of this clause, and substituted therefor the expression 'secular institution'. Paragraph 2 of clause 2 has been added to paragraph 1 so that it may be clear that the provision contained in it is applicable only to matters referred to in paragraph 1.

The other changes made by the Committee are intended to improve the drafting of the Bill and the Committee does not think it necessary to set them forth in detail.

5. A copy of the Bill as amended by the Committee is annexed. It is unnecessary to republish the Bill.

RUKMINI LAKSHMIPATHI,
Chairman.

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ANNEXURE

[*Note.*—The changes made by the Select Committee are shown in clarendon type and the portions omitted are shown by dots.]

L. A. BILL No. 9 OF 1937.

A Bill to provide for the removal of . . . civil disabilities among certain classes of Hindus.

(As amended by the Select Committee.)

WHEREAS it is increasingly felt by the Hindu community that the disabilities, which are imposed by social custom and usage on certain classes of Hindus commonly known as Harijans, Untouchables, . . . or Depressed Classes, and which have been in certain matters even legally recognized in the adjudication of rights and duties in civil and criminal proceedings, are repugnant to modern conditions and ideas of justice and social solidarity, and should no longer be recognized by law or otherwise enforced . . . ; It is hereby enacted as follows :—

t title
extent.

1. (1) This Act may be called the Removal of . . . **Civil Disabilities Act, 1938.**

(2) It shall apply to the whole of the Presidency of Madras.

al dis-
tinction
not
recog-
nized
by law.

2. Notwithstanding any law, custom, usage or prescription to the contrary, no . . . **Hindu** shall, by reason merely of his belonging to any particular community or class . . . known as Harijans, Untouchables, Depressed Class . . . or the like, be prevented or disabled from being appointed to any public office or enjoying or having access to any stream, river, public well, tank, pathway, **sanitary** convenience, or means of transport or any . . . **secular institution** which the general public belonging to all other classes of Hindus have a right to enjoy or have access to or which is dedicated or maintained or licensed for the use of the general public or which is

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maintained or paid for out of the funds of the State or local statutory authority; and no Civil, Criminal or Revenue Court . . . in adjudicating any matter or executing any order . . . **and no public or local authority in** carrying on the affairs entrusted to such authority **shall**, recognize any **custom**, usage or prescription under which it is sought to impose any **civil** . . . disability . . . on any person by reason of his belonging to any of the **classes or** communities aforesaid, or by reason of any acts or omissions on the part of such person which would not furnish grounds for such . . . disability if he did not belong to such **class or** community.

THE MADRAS LEGISLATIVE ASSEMBLY

Thursday, the 18th August 1938.

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. MR. B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Number of law graduates among the prosecuting staff of the Police department.

* 62 Q.—MR. K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state the number of those in the prosecuting staff of the Police department who are graduates in law?

THE HON. MR. C. RAJAGOPALACHARIAR:—“There are three graduates in law among the prosecuting staff in the Police Department, and fourteen others with lesser qualifications in law.”

MR. K. V. R. SWAMI:—“Will the Government consider the desirability of having graduates wherever and whenever possible?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“The question has already been considered and in all probability steps will be taken to increase the number of men in the staff with legal qualifications.”

MR. BASHEER AHMED SAYEED:—“May I ask whether the Government propose to continue the policy of appointing Police Sub-Inspectors and Inspectors as Prosecuting Inspectors and allow them to continue under the jurisdiction and control of the Police Department or whether after appointing them they will put them under a separate independent judicial Agency?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“Too large a question to be answered as a supplementary question.”

MR. SPEAKER:—“The hon. Member may split up the question.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“I was not complaining about the length of the question but about the largeness of it.”

MR. BASHEER AHMED SAYEED:—“May I ask whether the Government will consider the issue involved in the question?”

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THE HON. MR. C. RAJAGOPALACHARIAR:—"The Government have considered it and will still further consider it."

Action taken on the resolution of the Assembly regarding the formation of separate provinces on linguistic basis.

* 63 Q.—MR. MAHBOOB ALI BAIG: Will the Hon. the Prime Minister be pleased to state—

(a) whether any action was taken or is proposed to be taken by the Government on the resolution passed by the Assembly for the creation of separate Andhra, Karnatic, Tamil and Kerala Provinces; if so, what it is;

(b) whether the Government recommended the creation of the said provinces; if so, whether the case of Andhra Province was separately dealt with and recommended;

(c) whether the Government are aware of the opinion expressed by the Secretary of State for India and the Congress President in regard to the creation of separate provinces on linguistic basis;

(d) whether it is a fact that the Prime Minister received a letter from Mr. Dattar of Bombay Presidency, soliciting his opinion on the question of the formation of separate provinces on linguistic basis;

(e) whether it is a fact that the Chief Secretary to the Government of Madras, wrote to Mr. Dattar that the creation of separate provinces on linguistic basis is not in the interests of India; if so, whether the said Secretary was authorized by the Prime Minister to give the said reply;

(f) whether the Government are aware that the Working Committee of the Congress decided to postpone the consideration of the creation of separate provinces on linguistic basis till the Federation came into existence;

(g) whether, in view of the decision of the Working Committee, the Government have also decided to postpone the question of formation of separate provinces; and

(h) whether there is any proposal to send a deputation to England to plead for the creation of the separate provinces before the British Government; if not, whether the Government have any other proposals for giving effect to the said resolution of this Assembly?

THE HON. MR. C. RAJAGOPALACHARIAR:—" (a) & (b) Necessary action was taken upon the resolution and it was forwarded to the Secretary of State with the recommendation of this Government in support of it.

" (c) The Government are aware of the opinion expressed by the Secretary of State.

" The Government have no official information in regard to the opinion expressed by the Congress President.

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“(d) & (e) A letter was received in December 1937 from the Chairman of the All-Karnatak Unification League of Belgaum suggesting that this Government should table a resolution recommending to the British Parliament to take immediate steps for the formation of a separate administrative province for the Karnatak areas in British India, to which a reply was duly sent that the Government of Madras saw no advantage but much possible harm in taking up the subject of the formation of a separate Karnataka province at that moment.

“(f) The Government are aware of the decision of the Working Committee as published in the Press.

“(g) & (h) The answer is in the negative.

“The Government have taken steps to urge upon the Secretary of State the importance and urgency of the question of the Andhra Province.”

MR. MAHBOOB ALI BAIG:—“Sir, the question whether the case for the Andhra Province has been separately dealt with and recommended has not been answered. May I request the Hon. the Prime Minister to answer the question?”

MR. SPEAKER:—“Mr. Mahboob Ali Baig wants a specific answer to the latter part of clause (b).”

THE HON. MR. C. RAJAGOPALACHARIAR:—“I think that the answer given to clauses (g) and (h) should satisfy the hon. Member.”

MR. MAHBOOB ALI BAIG:—“What I wanted to know was whether the case of the Andhra Province was separately dealt with and recommended or whether it was dealt with along with other provinces in an omnibus manner?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“The answer that I gave to clauses (g) and (h) is this: the Government have taken steps to urge upon the Secretary of State the importance and urgency of the question of the Andhra Province.”

MR. MAHBOOB ALI BAIG:—“May I know the unofficial information that this Government have with reference to the opinion of the President of the Congress on the question of the formation of separate provinces?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“The unofficial information of any Minister or Member cannot be dealt with at question time.”

MR. R. M. PALAT:—“May I ask whether the Government propose to protest against the opinion expressed by the Secretary of State to the effect that he is a better judge of the necessity of forming new provinces in India than this House and other Houses in India?”

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THE HON. MR. C. RAJAGOPALACHARIAR:—"I should like to be forgiven if I ask for a repetition of the question."

MR. R. M. PALAT:—"In view of the opinion expressed by the Secretary of State that this is not the occasion for the formation of linguistic provinces in India, do the Government of Madras propose to write to the Secretary of State through the Government of India and protest against that opinion because that opinion is based on the assumption that he is a better judge of the need for the formation of linguistic provinces in India?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Without taking into account the various arguments given by the Member in his supplementary question, I will answer the question alone in this way: the Government have, after the receipt officially of the Secretary of State's answer in the matter, represented again most forcibly the importance and urgency of the question of forming an Andhra province. As to whether he is a better judge or we are better judges, the fact remains that he is actually the judge in the matter."

MR. R. M. PALAT:—"No doubt I note that the Hon. the Premier has recommended the Andhra province. But I want to ask whether he would be good enough to write about the Kerala province also."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Notice, Sir."

MR. K. ABDUR RAHIMAN KHAN:—"May I know why this partiality for the Andhra province?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I do not call it 'partiality', Sir."

MR. K. ABDUR RAHIMAN KHAN:—"Why then did the Government think it fit to make special representations regarding the Andhra province?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"As a result of all that was said on a previous occasion, Sir."

MR. K. ABDUR RAHIMAN KHAN:—"May I remind the Hon. Prime Minister that the resolution passed by the House related not only to the formation of an Andhra province but to other provinces as well?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"We cannot enter into an argument. I do not find what new information exactly the hon. Member is asking for."

MR. BASHEER AHMED SAYEED:—"May I ask whether the original recommendation as well as the subsequent representation included Royalaseema within the Andhra province?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"These various boundary disputes were not gone into."

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MR. MAHBOOB ALI BAIG:—" May I ask, Sir, whether this Government will have any difficulty in taking further steps in the matter in view of the resolution of the Congress Working Committee postponing the formation of these provinces till after Federation? "

THE HON. MR. C. RAJAGOPALACHARIAR:—" The hon. Member has not correctly understood the resolution of the Working Committee."

MR. K. ABDUR RAHMAN KHAN:—" In making their recommendation for the formation of separate provinces, may I know whether the Government have taken note of the criticisms against the formation of such provinces? "

THE HON. MR. C. RAJAGOPALACHARIAR:—" We have, I presume, taken note of the criticisms levelled contra, but I cannot vouch whether we have read or understood all the criticisms. So far as we were aware, we did take them into account."

MR. MAHBOOB ALI BAIG:—" In order to understand the resolution of the Working Committee, may I ask when and under what circumstances it may be said that the Congress has the power to be able to form separate provinces? "

MR. SPEAKER:—" It is a hypothetical question, and need not be answered."

THE HON. MR. C. RAJAGOPALACHARIAR:—" I will answer it."

MR. SPEAKER:—" When the Congress could be said to have come into power is a thing which the Prime Minister or even the Cabinet cannot say."

MR. MAHBOOB ALI BAIG:—" I asked that question in order to understand the resolution of the Working Committee."

THE HON. MR. C. RAJAGOPALACHARIAR:—" True. May I submit, Sir, that such a question should be asked in the All-India Congress Committee and not here? " (Laughter.)

Attitude of the Government towards the repeal of the Criminal Law Amendment Act.

* 64 Q.—MR. MAHBOOB ALI BAIG: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that the Government have issued a circular to the Magistrates that the provisions of the Criminal Law Amendment Act be applied freely to stem the tide of anti-Hindi agitation;

(b) whether it is a fact that the Government are opposed to the repeal of the said Act so far as this province is concerned; and

(c) whether any private Bill for the repeal of the said Act has been given notice off?

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THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) No circular of the character described has been issued.

“(b) & (c) Notice has been given of a private bill to repeal the said Act.

“The opinion of the Government will be stated when the Bill is introduced.

“This answer was written down some time before and, in view of what has happened yesterday, it is not necessary now as the event has passed. Clauses (b) and (c) may be taken to have been cut out.”

MR. MAHBOOB ALI BAIG:—“May I know whether the Government are aware that the Central Provinces Congress Government has repealed the Criminal Law Amendment Act?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“The question may be put in the Central Provinces Assembly.”

MR. G. KRISHNA RAO:—“May I ask, Sir, whether the Hon. the Premier is aware that under the present administration of the Act, the punishments given to the offenders are far in excess of the gravity of the crimes and misdemeanours committed by them? There is a general impression like that and may I know if such information has reached the Hon. the Premier?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“It would not be proper for me to discuss that question.”

MR. G. KRISHNA RAO:—“May I know whether the accounts of the punishments that are being awarded have reached the Hon. the Premier?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“It would not be proper for me to discuss that question.”

MR. BASHEER AHMED SAYEED:—“May I take it, Sir, that no instructions of any kind have been issued to any authority in this matter?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“If a proper question is put, I shall answer; but I wish here to point out that if questions are put in this form suggesting and insinuating, the only answer can be a negative; and if a proper question is put, giving an opportunity to the Government to state exactly the actual state of affairs, I shall not hesitate to give a correct answer.”

MR. ABDUL HAMEED KHAN:—“May I know if the Assembly is meeting in November and whether it will not be too late then to answer the question?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“I did not ask for time at all; I am complaining that the question put suggests certain things which it is my duty to deny. It cannot be modified now into a general question without notice.”

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MR. MAHBOOB ALI BAIG:—"May I appeal to you, Sir, that when you have allowed this question, it cannot any longer be an insinuating question; and therefore the Hon. the Premier is not quite correct in saying that this is an insinuating question?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I did not call it an insinuating question. I only gave a negative answer and in common language, the negative is for the whole of the question."

MR. SPEAKER:—"He only suggests that if a positive question is put, a positive answer can be got."

MR. MAHBOOB ALI BAIG:—"It is a positive question, Sir; I ask whether it is a fact."

MR. SPEAKER:—"No discussion can be had on that point."

MR. MAHBOOB ALI BAIG:—"I am appealing to the Chair. When a question has been rightly put and allowed by the Chair . . ."

MR. SPEAKER:—"It has been rightly answered."

MR. BASHEER AHMED SAYEED:—"May I know whether it is true that if anybody presumes that any such instructions have been given, he will be in the wrong?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"If the word 'such' is remembered, the question is perfectly right. If anybody presumes that any *such* instructions have been given, he is entirely wrong."

Rates of assessment for coconut gardens in the different districts of the Province.

* 65 Q.—MR. H. S. HUSSAIN: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether garden rates of assessment are levied in all parts of the Province;

(b) whether dry rates of assessment are levied in respect of coconut or other gardens in any part of the Province;

(c) what the rate of assessment in respect of such gardens is in the district of Tanjore;

(d) what the rate of assessment in respect of such classes is in the districts of South Kanara and Malabar respectively; and

(e) the reasons for the difference, if any, in the rates of such assessment in respect of such classes in the different districts of the Province?

MR. T. VISWANATHAM, Parliamentary Secretary, on behalf of the Hon. Mr. T. Prakasam:—" (a) The garden rates of assessment are levied only in the Malabar and South Kanara districts.

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“(b) & (c) In districts other than Malabar and South Kanara lands are classified as wet or dry for purposes of assessment and lands containing coconut or other kinds of trees are assessed at the appropriate wet or dry rates. There are no garden rates similar to that in Malabar and South Kanara in the Tanjore district.

“(d) The garden rates of assessment in the eight plains taluks of Malabar and in South Kanara (exclusive of the Amindivi islands) are as follows:—

Eight plains taluks of Malabar.

Talam.	Old holdings.		New holdings.	
	Rate per acre.		Rate per acre.	
	RS.	A.	RS.	A.
1	8	5	16	10
2	7	2	14	4
3	5	15	11	14
4	4	12	9	8
5	3	9	7	2
6	2	6	4	12
7	1	3	2	6

South Kanara (exclusive of the Amindivi islands).

Talam.	Rate per acre.	
	RS. A.	
	RS.	A.
1	9	0
2	7	14
3	6	12
4	5	10
5	4	8
6	3	6
7	2	4
8	1	2

“(e) The difference is due to the different conditions prevailing in the districts and the revenue history of each district.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—

“May I know, Sir, what is the rate per acre in other districts than Malabar and South Kanara, in which there are coconut trees and arecanut trees?”

MR. T. VISWANATHAM:—“I have submitted that except in Malabar and South Kanara, there are no garden rates.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—

“What is the rate per acre for land in which there is no wet cultivation but there are only coconut and arecanut trees, in districts other than Malabar and South Kanara?”

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MR. T. VISWANATHAM :—“ It depends upon the nature of the land on which these trees stand. If the land is wet, the assessment will be wet; if the land is dry on which these trees are grown, then the assessment will be dry assessment.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—“ In the South Kanara district, the garden rates are said to vary from Re. 1-2-0 to Rs. 9. May I know what are the rates in other districts—whether they are more or less than these rules? ”

MR. T. VISWANATHAM :—“ I submit, Sir, I cannot give an answer in regard to a position which does not exist in the rest of the Presidency.”

Assessment on dwelling sites in the Province.

* 66 Q.—**MR. H. S. HUSSAIN** : Will the Hon. the Minister for Revenue be pleased to state—

(a) whether in any part of the Province the sites on which dwelling houses and buildings stand are held free of assessment and if so, whether they are so held as a rule or in exceptional cases; and

(b) if in some parts of the Province such sites are held free of assessment, why a distinction is made in other parts?

MR. T. VISWANATHAM, Parliamentary Secretary, on behalf of the Hon. Mr. T. Prakasam :—“(a) & (b) The rules regarding the levy of land revenues on house-sites are uniform for the whole Province.

“ No charge for land revenue is made in the cases of houses standing on land registered as village-site poramboke except on such sites in towns as were assigned subsequent to the declaration of the place as town or if such declaration was later than 1900 on such sites as were assigned in that year and subsequently.

“ In the case of houses erected on land other than village-site poramboke the land revenue assessed on the land continues to be paid.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—“ May I know whether houses are allowed to be built on village-site porambokes? ”

MR. T. VISWANATHAM :—“ If the site is registered as village-site poramboke houses can be built thereon, and no assessment is levied.”

Transfer of pattas in zamin areas.

* 67 Q.—**MR. R. S. MANIKKAM** : Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that a fee of 8 annas is being strictly collected towards the transfer of registry during the registration of sale-deeds;

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(b) if so, under what authority;

(c) whether it is a fact that the zamin authorities do not, as a rule, care to effect the transfer of registry and do not move unless the mamul amounts are paid; and

(d) what steps the Government have taken to ensure speedy transfer of pattas in zamin areas?

MR. T. VISWANATHAM, Parliamentary Secretary, on behalf of the Hon. Mr. T. Prakasam:—“(a) & (b) Under section 145 (2) of the Madras Estates Land Act, 1908, the Government have prescribed a fee of eight annas for the transmission to the landholder by the Registration department of the notice referred to in that section, asking for recognition of the transfer of a holding or any portion thereof. No fee is collected *towards transfer of registry*.

“(c) The Government have no information.

“(d) The attention of the hon. Member is invited to section 145 of the Madras Estates Land Act which provides that the landholder shall be bound to recognize, subject to the provisions of the said section, transfers of holdings and to enter into fresh engagements with the transferees. Under section 55 of the said Act, the ryot may file a suit before the Collector when a landholder for three months after demand fails to grant a patta to him on such terms as he is entitled to receive.”

MR. V. S. RM. VALLIAPPA CHETTIYAR:—“In view of the universal complaint in zamin areas, will it not be possible for the Government to advise the authorities concerned to make a speedy transfer of pattas?”

MR. T. VISWANATHAM:—“The advice of the Government and of the Legislature is contained in the sections of the Act, Sir.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“May I know whether a fee of eight annas is being collected only in zamin areas or also in the ryotwari areas?”

MR. T. VISWANATHAM:—“It is only in the zamin areas.”

*Report of the Chief Engineer on the Coringa Island
Irrigation Project.*

* 68 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the report of the Chief Engineer regarding the two proposals in respect of the Coringa Island Irrigation Project has been received; and

(b) if so, what his recommendations are?

THE HON. MR. YAKUB HASAN:—“(a) & (b) The report has not yet been received.”

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MR. K. V. R. SWAMI:—“ May I know the reason for this long delay in the submission of the report? ”

THE HON. MR. YAKUB HASAN:—“ I have visited the place myself; the scheme has had to go backwards and forwards because it required much consideration. It has not come back in a final form yet.”

Selection of centres in Chittoor district for the installation of radio sets.

* 69 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the villages of Palmaner, Thamballapalli, Kalikiri and Chandragiri were selected in Chittoor district for installation of radio sets;

(b) on whose recommendation and on what considerations the said selection was made; and

(c) why even one set is not given to a zamin area though two-thirds of the district consists of zamindaris?

THE HON. MR. YAKUB HASAN:—“ (a) Yes.

“ (b) & (c) The places were selected from the list of places, recommended by the old District Economic Councils, on the following principles:—

- (1) A taluk to have not more than one set—in one of the villages recommended by the District Economic Councils—generally five for each district;
- (2) Villages offering contribution and having electric supply or likely to have it in the near future, to have preference;
- (3) Only four sets to be given for each district where no contribution is forthcoming or where only four places, one for each taluk, have been recommended by the District Economic Council.”

MR. R. B. RAMAKRISHNA RAJU:—“ May I know why the Puttur and Tiruttani taluks have been left out? They are two separate subdivisions.”

THE HON. MR. YAKUB HASAN:—“ As I have said already, we selected four places, one in each taluk.”

MR. R. B. RAMAKRISHNA RAJU:—“ What I say is that Puttur and Tiruttani taluks have been completely left out; no place has been selected in these taluks? ”

THE HON. MR. YAKUB HASAN:—“ It is because only four places have been chosen; other taluks also will be taken up if more sets are to be allotted.”

MR. R. B. RAMAKRISHNA RAJU:—“ Why, Sir, I ask? ”

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THE HON. MR. YAKUB HASAN:—"In view of the number of sets that could be given, to each district."

MRS. A. RUKMINI LAKSHMIPATHI:—"Can I put a general question with reference to the installation of the radio sets?"

MR. SPEAKER:—"Please put the question."

MRS. A. RUKMINI LAKSHMIPATHI:—"May I know whether the Government intend to set up radio stations in the Andhra area and in the Malabar area?"

THE HON. MR. YAKUB HASAN:—"There is no question of setting up any radio stations anywhere in the Madras Presidency."

MR. R. B. RAMAKRISHNA RAJU:—"May I know whether the Government will consider the question of the distribution of one set to the eastern portion of the district? One of them may be installed in Puttur or Tiruttani."

THE HON. MR. YAKUB HASAN:—"I am sorry I cannot give more than what I have already given."

Constitution of a River Conservancy Board for the Madras Presidency.

* 70 Q.—MR. D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there is any proposal to constitute a river conservancy board for the Presidency of Madras; and

(b) if not, whether the Government will consider the desirability of having one such board?

THE HON. MR. YAKUB HASAN:—" (a) The answer is in the negative.

" (b) The matter will be considered if the need for such a board is felt."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know what is the function of such a board, and what is the use of such a board?"

THE HON. MR. YAKUB HASAN:—"Because we feel there is no use for such a board we have not constituted one."

MR. D. RAMALINGA REDDIYAR:—"Do the Government think that there is no need for the formation of such a board at present?"

THE HON. MR. YAKUB HASAN:—"That is quite clear from my answer."

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Protest against the proposal for the abolition of the Board Middle school at Pakala.

* 71 Q.—MR. M. DORAICKANNU: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether there is a proposal to abolish the Board Middle school at Pakala;

(b) what the statement given by the District Board of Chittoor in connexion with this matter was; and

(c) whether the Government received any protest against the abolition of the school from the public of Pakala as well as from the parents?

THE HON. DR. P. SUBBARAYAN:—“(a) Yes, but no decision has yet been reached.

“(b) The Board is in favour of continuing the school.

“(c) Yes.”

AN HON. MEMBER:—“May I know whether there is a railway school at Pakala?”

THE HON. DR. P. SUBBARAYAN:—“If the hon. Member will put down another question, I may be able to get the information he wants.”

Abolition of the posts of Arabic Munshis in certain schools managed by the Malabar District Board.

* 72 Q.—MR. S. M. LALJAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that the Malabar District Board has abolished the posts of Arabic Munshis in board schools where the strength of Arabic taking students is less than twenty;

(b) if so, the reasons that prompted the Government to take such an action; and

(c) whether the Hon. Minister has received any protest from the Muslim community in Malabar on this question; if so, what action the Government propose to take in the matter?

THE HON. DR. P. SUBBARAYAN:—“(a) Yes.

“(b) There is no question of the Government's initiative as the matter is one essentially for the District Board of Malabar to determine with reference to local needs and its financial position. The information available with the Government is that in connexion with the board's hudget for the year 1938-39 it was compelled to adopt various measures of retrenchment in educational expenditure one of which was that Sanskrit Pandits and Arabic Munshis should be employed

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only in board secondary schools having a minimum of 40 pupils offering the language in the one case and 20 in the other.

“(c) Yes; the question is under correspondence with the Director of Public Instruction.”

MR. S. M. LALJAN:—“May I know whether there is no possibility of amending the rules so as to afford greater facilities for Muslim students?”

THE HON. DR. P. SUBBARAYAN:—“I do not believe in coercing the district boards more than is necessary.”

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an. KHAN BAHADUR MAHMUD SHAMNAD SAHIB BAHADUR:—
“May I know, Sir, whether it is a matter entirely for the district boards, or whether it also involves the policy of the Government?”

THE HON. DR. P. SUBBARAYAN:—“In my opinion, it is a matter entirely for the local body concerned.”

MR. BANSHER AHMED SAYEED:—“May I know whether consequent on the abolition of the post of Arabic Munshis, the Government have satisfied themselves that adequate provision has been made for the imparting of religious instruction in those schools where the abolition has taken place?”

THE HON. DR. P. SUBBARAYAN:—“If the hon. Member had read the answer to the question, he would have found that the whole question is under correspondence with the Director of Public Instruction.”

Purchase and use of khaddar by Government.

* 73 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) the value of the cloth purchased by Government during 1937-38;

(b) how much of it was devoted to the purchase of khaddar; and

(c) the purposes for which khaddar purchased was used?

THE HON. DR. P. SUBBARAYAN:—“(a) to (c) The value of cloth purchased by the Superintendent of Stationery during the year 1937-38 was approximately Rs. 27,400. Out of this amount, a sum of Rs. 341 was spent for the purchase of khaddar for making clothing for peons and the dubashes of the Madras Legislature. Besides the clothing supplied by the Superintendent of Stationery, clothing for certain staffs in the Excise, Forest, Jail and Police departments is arranged by the heads of the departments concerned. Information has been called for in this regard.”

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MR. K. V. R. SWAMI:—" May I know from the Hon. Minister whether these departments have been informed that they should prefer khaddar? "

THE HON. DR. P. SUBBARAYAN:—" No such general order has been passed as yet."

MR. K. V. R. SWAMI:—" Have the Government any objection to issue such an order saying that khaddar ought to be encouraged? "

THE HON. DR. P. SUBBARAYAN:—" This is a matter for the entire Government to decide; it has not been considered by them as yet."

Removal of the night-soil storage station of the Tellicherry Municipality from its present site.

* 74 Q.—MR. P. MADHAVAN: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government are aware that human dung collected from the Tellicherry municipal areas is deposited on the sea-shore between the Jagannath Temple Gate and the Mahe station in such a way as to contaminate the surrounding atmosphere, thus causing permanent nuisance to the public residing in the locality as well as to the railway passengers; and

(b) whether the Government will consider the desirability of having the nuisance removed?

THE HON. DR. T. S. S. RAJAN:—" (a) The Government understand that the night-soil is not exposed as is implied in the question, but trenched, and that there is occasionally a certain amount of nuisance caused by it even though it is trenched.

" (b) This is for the Municipal Council to consider. It has already under consideration a biological method for the trenching of the night-soil with a view to remove the nuisance."

Provision of protected water-supply to non-municipal rural areas.

* 75 Q.—MR. K. P. YEGNESWARA SARMA: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the non-municipal rural towns in the Presidency are within the scope of the new rural water-supply scheme enunciated by the Government and whether the requisite works for protected water-supply for these towns will be financed entirely from the new Provincial Fund for rural water-supply; and

(b) if not, what the Government propose to do in order to solve the problem of protected drinking water-supply for these rural towns?

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THE HON. DR. T. S. S. RAJAN:—“(a) & (b) Non-municipal rural towns which have a population of less than 5,000 and whose annual income is less than Rs. 3,000 are within the scope of the rural water-supply scheme. Water-supply schemes for other non-municipal towns have to be financed by the local boards concerned with the aid of Government grants.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“May I know, Sir, what is meant by the ‘new Provincial Fund’? Does it mean that the schemes are financed entirely from the Provincial funds?”

THE HON. DR. T. S. S. RAJAN:—“The hon. Member has certainly followed the budget debate in this House and he ought to know that a sum of Rs. 15 lakhs has been set apart by the Provincial Government under the head ‘Rural Water-supply Schemes’.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“Is it to be called then as ‘new Provincial fund.’”

THE HON. DR. T. S. S. RAJAN:—“It is provincial.”

MR. BASHEER AHMED SAYEED:—“Is it the policy of the Government that these non-municipal rural towns which cannot afford to pay, notwithstanding the fact that they satisfy the two conditions, should go without any protected water-supply?”

THE HON. DR. T. S. S. RAJAN:—“The Government certainly will provide water-supply to those areas. There are boards, panchayat boards and district boards, whose duty it is to come to the relief of these areas.”

MR. BASHEER AHMED SAYEED:—“In cases where neither a panchayat board nor a district board is in a position to finance any scheme of rural water-supply, should that place within that panchayat board or district board have no water-supply at all?”

THE HON. DR. T. S. S. RAJAN:—“The Government consider that one of the primary duties of the local boards is to provide drinking water for those who come under that area. It is one of the duties of these bodies also to find funds for the work.”

MR. BASHEER AHMED SAYEED:—“If these bodies do fail in their duties will the Government allow them to fail continuously and not provide a necessity so important for human life?”

THE HON. DR. T. S. S. RAJAN:—“I would ask the hon. Member to wait for the Public Health Bill that is to come.”

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Selection of a panel for the posts of Public Prosecutors and Government Pleaders.

* 76 Q.—MR. S. M. LALJAN: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether any election was held so far in the Madras Presidency for the selection of a panel for the posts of Public Prosecutor and Government Pleader;

(b) if so, whether any Non-Brahman or Christian or Scheduled class or Muhammadan advocate has been elected to these panels; and

(c) whether the Government have considered the likelihood of a Non-Brahman or Indian Christian or Scheduled class or a Muhammadan advocate being elected to this panel by any Bar Association?

THE HON. MR. K. RAMAN MENON:—“(a) Elections were held by the Bar Associations of Ramnad, Guntur, Tinnevely, Chingleput, Mangalore and Rajahmundry.

“(b) Non-Brahmans have been elected to the panels of Government Pleader and Public Prosecutor, South Kanara, Government Pleader and Public Prosecutor, East Godavari and Additional Public Prosecutors, Tinnevely and East Godavari. An Indian Christian has been elected to the panel of Additional Public Prosecutor, Tinnevely. No lawyers belonging to the Scheduled Class or the Muhammadan community have been elected to any of these panels.

“(c) The answer is in the affirmative.”

MR. S. M. LALJAN:—“May I know, Sir, what the Government propose to do, if no Muhammadans were to be elected to these panels?”

THE HON. MR. K. RAMAN MENON:—“The question of appointing the Public Prosecutors does not depend upon the class or community of the people from whom the selection should be made.”

MR. MAHBOOB ALI BAIG:—“Does the question depend only upon the election to the panel by Bar Associations, Sir?”

THE HON. MR. K. RAMAN MENON:—“It does not necessarily follow. Instructions have been issued to the District Magistrates that they are entitled to make their own recommendations, if they think that a suitable candidate has not been selected to the panel.”

MR. G. RANGAYYA NAYUDU:—“Into how many communities is the Hindu community divided for the purpose of this communal Government Order, Sir?”

THE HON. MR. K. RAMAN MENON:—“I am not aware of it, Sir.”

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MR. S. M. LALJAN :—“ May I know, Sir, if it is the intention of the Government that no Muhammadan should be elected and that these posts should be monopolized by the Hindus? ”

THE HON. MR. K. RAMAN MENON :—“ Certainly not.”

MR. S. M. LALJAN :—“ May I know what is the fate of the Mussalmans? ”

THE HON. MR. K. RAMAN MENON :—“ I know the fate of one Mussalman and that is that he has been appointed as an additional Public Prosecutor recently.”

Introduction of spinning and weaving in jails.

* 77 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether any industries are being carried on in the prisons in this Presidency and if so, what they are in each prison;

(b) whether the shoe-making industry in the Central Jail, Vellore, is in any way useful to the general public or is serving the needs of the Government departments only;

(c) whether there is practically no industry being carried on in the Presidency Jail for Women, Vellore;

(d) whether the Government have got any proposals in hand to utilize the man-power available in prisons for carrying on Nation-building industries;

(e) whether the Government have considered the desirability of introducing spinning and weaving in jails so that khaddar in large quantities can be produced and supplied to the country and if not, why not; and

(f) whether the Government have made any investigation as to what particular kinds of industries are suitable for introduction in jails and if so, what they are?

THE HON. MR. K. RAMAN MENON :—“ (a) A statement ^a is placed on the table of the House.

“ (b) The products of the shoe-making industry in the Central Jail, Vellore, are in practice purchased only by Government departments. It is useful to the public in so far as it teaches convicts a trade which may enable them to earn a living on release.

“ (c) Some small industries are carried on, as given in the statement.

“ (d) This matter is under the consideration of the Government.

“ (e) The answer to the first part is in the affirmative and the second part does not arise.

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“(f) The matter has frequently been considered and it is proposed to make a further investigation shortly.”

MR. R. B. RAMAKRISHNA RAJU:—“ May I know, what the Government mean by saying that the answer to the first part of clause (e) is in the affirmative? Is spinning introduced in any jail? ”

THE HON. MR. K. RAMAN MENON:—“ The first part of the question is whether the Government have considered the desirability of introducing spinning and weaving in jails, and the answer is in the affirmative.”

MR. R. B. RAMAKRISHNA RAJU:—“ May I know, Sir, what they have done further after consideration? ”

THE HON. MR. K. RAMAN MENON:—“ Spinning has been introduced in the Women's Jail at Vellore.”

MR. G. RANGAYYA NAYUDU:—“ Was the Carpets department abolished sometime back? ”

MR. SPEAKER:—“ If the hon. Member sits, he will have the answer.”

THE HON. MR. K. RAMAN MENON:—“ I am not able to understand the question, Sir.”

MR. G. RANGAYYA NAYUDU:—“ Is it a fact, Sir, that some time ago, the Carpets department was proposed to be abolished? ”

THE HON. MR. K. RAMAN MENON:—“ There is no department known as the Carpets department in the Jail department.”

MR. G. RANGAYYA NAYUDU:—“ I mean the Carpet industry.”

THE HON. MR. K. RAMAN MENON:—“ So far as I know, it was abolished a long time ago.”

MR. G. RANGAYYA NAYUDU:—“ Is it supplied now? ”

THE HON. MR. K. RAMAN MENON:—“ If my hon. Friend or any other gentleman will place an order with the Jail department, carpets will be supplied.”

Reorganization of the establishment of official receivers in the mufassal.

* 78 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether any decision has been reached by the Government on the report of the Committee for the reorganization of the establishment of official receivers in the mufassal; and

(b) if so, what it is?

THE HON. MR. K. RAMAN MENON:—“ (a) & (b) The report of the committee is still under the consideration of the Government.”

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Details regarding the number of Commissioners of Municipalities recruited direct and from the several services under Government and Local Bodies.

* 79 Q.—MR. D. R. ISAAC: Will the Hon. the Minister for Local Administration be pleased to state—

(a) the number of Commissioners of Municipalities who have been drafted from Government service;

(b) the number of Commissioners who have been drafted from municipal service;

(c) the number of Commissioners who have been drafted from local fund service; and

(d) the number of Commissioners who have been recruited direct, that is, those that have no lien in Government, municipal or local fund service?

THE HON. MR. B. GOPALA REDDI:—“(a) to (d) Of the total number of eighty municipal commissioners in office on the 1st August 1938, twenty-eight were recruited from Government service, twenty-eight from Municipal service and twenty-four from Local Fund Service. Eleven of them do not retain a lien on any substantive appointment.”

Issue of rules regarding communal representation in municipal services.

* 80 Q.—MR. MAHBOOB ALI BAIG: Will the Hon. the Minister for Local Administration be pleased to state with reference to the answer to starred question No. 174, dated the 21st September 1937—

(a) whether rules under section 73 of the amended District Municipalities Act in regard to communal representation in municipal services have been issued; and

(b) if not, what the delay is due to?

THE HON. MR. B. GOPALA REDDI:—“(a) The answer is in the negative.

“(b) The rules have to be issued after the designations and scales of pay of Municipal establishments are standardized under section 70 (3) of the Madras District Municipalities Act, 1920 and this proposal is under consideration.”

MR. MAHBOOB ALI BAIG:—“The question was last answered in September 1937. May I know, Sir, how long it will take for issuing these orders?”

THE HON. MR. B. GOPALA REDDI:—“I am unable to give any date, Sir.”

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MR. MAHBOOB ALI BAIG:—“ Is the Government aware that there is abnormal disparity in the representation of communities in these services under the Municipalities? ”

THE HON. MR. B. GOPALA REDDI:—“ I do not think, that there is any abnormal disparity.”

MR. MAHBOOB ALI BAIG:—“ If the Government thinks that the disparity is not abnormal, under the amendment which was made in order to set right the disparity, how long will it take to issue these orders, Sir? ”

THE HON. MR. B. GOPALA REDDI:—“ I am unable to give any date, Sir.”

MR. BASHEER AHMED SAYEED:—“ May I ask whether the Government will kindly expedite the issue of these orders? ”

THE HON. MR. B. GOPALA REDDI:—“ Notice, Sir.”

MR. MAHBOOB ALI BAIG:—“ When was this Act amended? ”

THE HON. MR. B. GOPALA REDDI:—“ I would like to have notice, Sir.”

Classification of Sivananda Adigal as a B class prisoner.

* 80-A Q.—MR. B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) the class in which and the name of the prison where Mr. Sivananda Adigal is detained; and

(b) if he is placed in ‘ C ’ class, whether the Government will consider the matter of transferring him to ‘ B ’ class?

THE HON. MR. K. RAMAN MENON:—“ (a) Sivananda Adigal is now confined in the Penitentiary and is in ‘ B ’ class.

“ (b) The question does not arise.”

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

II.—MESSAGES FROM THE COUNCIL.

* MR. SPEAKER:—“ I have to announce to the House that I have received messages, dated the 18th August 1938, from the President, Madras Legislative Council, transmitting the following Bills passed by the Assembly which have been agreed to by the Council without any amendment on the 18th August 1938 and signed by him:—

(1) The Indian Lunacy (Madras Amendment) Bill, 1938;

(2) The Madras Medical Registration (Amendment) Bill, 1938;

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- (3) The Madras Estates Land (Amendment) Bill, 1938;
- (4) The Prisons and Indian Lunacy (Madras Amendment) Bill, 1938;
- (5) The Madras Famine Relief Fund (Amendment) Bill, 1938;
- (6) The Madras Repealing and Amending Bill, 1938;
- (7) The Madras Prohibition (Amendment) Bill, 1938;
- (8) The Madras Borstal Schools (Amendment) Bill, 1938; and
- (9) The Madras Local Boards (Amendment) Bill, 1938."

III.—HOUSE COMMITTEE.

* MR. SPEAKER:—"I have to announce to the House that the following candidates have been nominated for election to the House Committee:—

- (1) Mr. E. Kannan.
- (2) „ K. Bhashyam Ayyangar.
- (3) „ J. L. P. Roche Victoria.
- (4) Dr. (Mrs.) N. Lakshmi Devi.
- (5) Mr. K. Abdur Rahiman Khan.
- (6) „ B. Bhakthavathsalu Nayudu.

"As the number of candidates nominated is equal to the number of vacancies to be filled, viz., six, I hereby declare them to have been duly elected to the House Committee.

"In addition to the above, under Rule 152 of the Madras Assembly Rules, I nominate the following two members to be members of the said Committee:—

- (1) Mr. K. R. Karant.
- (2) „ J. Nuttall."

IV.—ELECTION TO THE ANNAMALAI UNIVERSITY SENATE.

* MR. SPEAKER:—"I have to announce to the House that the following candidates were nominated for election of three members to the Senate of the Annamalai University:—

- (1) Mr. L. Sattanatha Karayalar.
- (2) „ P. Ratnavelu Tevar.
- (3) Srimathi V. Lakshmi Ammal.
- (4) Mr. V. S. Rm. Valliappa Chettiyar.
- (5) „ Basheer Ahmed Sayeed.
- (6) Diwan Bahadur A. Appadurai Pillai.

"Mr. L. Sattanatha Karayalar has since withdrawn his candidature. The nominations of Mr. Basheer Ahmed Sayeed and

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Diwan Bahadur A. Appadurai Pillai were invalid as their nomination papers were presented after the hour fixed for the receipt of nomination papers. The remaining candidates are—

- (1) Mr. P. Ratnavelu Tevar,
- (2) Srimathi V. Lakshmi Ammal, and
- (3) Mr. V. S. Rm. Valliappa Chettiayar.

“As the number of candidates remaining is equal to the number of vacancies to be filled, namely, three, I hereby declare them to have been duly elected to the Senate of the Annamalai University.”

NON-OFFICIAL BUSINESS.

V.—RESOLUTIONS.

(1) THE RECENT HAPPENINGS IN BURMA.

* MR. SPEAKER:—“Mr. Abdul Hameed Khan is permitted to move the slightly altered resolution regarding Burma situation.” 3.45 p.m.

MR. ABDUL HAMEED KHAN:—“Mr. Speaker, Sir, I shall first read the resolution which I have the honour to move before this august body:—

‘This Assembly recommends to the Government of Madras to bring to the notice of the Government of Burma that the people of this province greatly deplore the recent riots in Burma and hope that effective measures to preserve life and property have been adopted and that adequate measures will be continued to prevent a recrudescence of the same;

‘and further recommends the appointment of a committee to enquire fully into the disturbances and suggest what measures may be adopted to maintain permanent peace and goodwill between the various communities in that country;

‘and further it is the earnest wish of all communities in this province that peace and tranquillity will be speedily restored and maintained, and that a fair and satisfactory measure of relief will be afforded to all sufferers.’

“Mr. Speaker, Sir, this resolution is moved in order to strengthen the hands of the Government of Madras not so much as a mandate from this House but as an appeal to them in order that they might take necessary action to make the Government of Burma realize the intense feeling in this part of the country over the unfortunate situation that exists to-day in Burma. It is now unnecessary for me to tell the House or narrate either the causes or the events that subsequently happened in Burma in connexion with this unfortunate situation. What is sought by means of this resolution is that every effective step should

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be taken by the Government of Burma to see that the Indian population is safe and their property is also safeguarded. We expect that the Government of Burma would have taken effective measures to control the situation, and we had been hoping, from the information that was available to us from time to time, that the situation was improving. But it is really unfortunate that we are disappointed. On the other hand the situation is becoming graver, and it seems to us that it is getting out of control of the Government of Burma; for, the latest news that we have received published in the newspapers is that there are as many as 60,000 Indians, of whom 36,000 are Hindus and 24,000 are Muslims, who are in a condition of destitution. Sir, the fact that as many as 60,000 people from this part of the country are in that unfortunate plight goes to show the gravity of the situation in Burma. Neither the Government of India has taken the necessary action in the matter, nor the Government of Burma is able to control the situation. It therefore seems to me necessary that we in this province should endeavour to see that our Government, which is interested in the people of this province who are living in Burma, should take immediate and effective measures to preserve the life and property of Indians in that country. Sir, it must be understood that South Indians in particular and Indians in general, who have lived in Burma for a large number of years, have in most cases made Burma their home. And it is also a well-known fact that it is Indians, and particularly South Indians, who have been responsible to a very large extent for making Burma what it is to-day. Therefore, it will be wrong for Burmans to believe that Burma belongs only to Burmans, and that Indians, particularly South Indians, have no place in Burma, and that they should quit Burma sooner or later. That would certainly be a wrong policy. For, excepting for the fact that Indians who have settled in Burma have some relations in India, for all other purposes, those Indians have made Burma their home. Such being the case, it will be certainly wrong to create this racial animosity and also a situation like the present one in that country.

"Sir, when the proposals for the separation of Burma from India were on the anvil, we who were interested in our people who had gone over to Burma and lived there for a long number of years, were certainly very much anxious to know what would be their fate. What we feared has come true. For we saw a couple of years ago, a similar situation was created, and Indians suffered considerably both in life and property; and to-day the same thing has been repeated, as a number of people have been killed, a larger number have been injured, and a much larger number have lost all their property. Many of them are now destitute; so much so, in batches of hundreds have they come back to India under very distressing circumstances. Some of us have seen the refugees who have arrived by the various steamers, and also the condition of those refugees, panic-stricken as they were. And not only are

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they panic-stricken, but they came away, after leaving everything that belonged to them in Burma, in one single set of clothes that they were wearing, without any property whatsoever and without any money for them to reach their home in this country. Of course, we are thankful to those official and non-official agencies, and particularly to the Government of Madras for the help they have rendered to them, on the first occasion through the Collector of Madras, and on the second occasion through the Commissioner of Police, by not only feeding them but also by providing them with fares, so that they can reach their homes. When they reach their homes we know what their fate will be; for, having made Burma their home, it will be impossible for them to find any means of livelihood here. That goes to show the unfortunate condition to which Indians have been driven in Burma on account of the situation that has arisen.

"There is another suggestion in this resolution, and that is the formation of a committee to inquire fully into the disturbances and suggest what measures may be adopted to maintain permanent peace and goodwill between the various communities in Burma. Sir, it is certainly not our desire in this country to do anything which will result in disturbing the harmony and peace between the various communities that inhabit Burma, much less between Burmans and Indians. On the other hand, it is our anxious desire that we should do everything possible in our power to promote that harmony and goodwill that used to exist between Burmans and Indians who have settled there. We hope also at the same time that the incidents that have taken place and the disturbance of peace that took place are only temporary, and that this state of things will not long continue. We are sure that in addition to the attempts that were and will be made by the various communities in that country to restore and maintain peace and tranquillity, every attempt will be made by the Government of Burma to bring about harmony between the various communities that live in that country. Sir, a committee like this, I am sure, will certainly help to bring about that consummation. It is just possible that the Government of Madras may appoint a committee composed entirely of officials, or it is just possible that it may appoint a committee composed of officials and non-officials. I think it would be much better if the Government would include certain non-officials in the committee, for there are in this part of the country non-officials who are quite aware of the situation in Burma; and further we are also aware of the fact that non-official element will help a good deal in bringing about that consummation which we have in view. Sir, this committee should be appointed forthwith; for, from the information we have been getting from time to time regarding the situation in Burma I do not think that we can afford to lose time. Therefore it is absolutely necessary that the committee should be appointed without delay and that it should proceed forthwith to Burma and see, with the co-operation of the Government of Burma

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and its people, that peace, harmony and goodwill are restored between the various communities in that country.

“ That is not the only thing. But what we are anxious about is, apart from the restoration of peace and tranquillity for the present, that the Government of Burma should take adequate steps to see that such a situation does not recur. For, we know that the unfortunate feeling has taken hold of a certain class of people. That class-feeling is there, and knowing as we do that class-feeling exists, it is the duty of the Government of Burma to see that adequate and special steps are taken to safeguard the interests of the Indian population and to safeguard not only their life but also their property. To do that, they will have to maintain a standing department who will look after the interests of the Indians for a certain number of years to come. For, we know that if sufficient and adequate steps are not taken for a long number of years to come, there is the fear that such unfortunate disturbances might recur at intervals of two years or four years. Therefore this resolution seeks to achieve that end also.

“ In conclusion, I trust that the Government of Madras who have so far done their best in the matter, will continue to take more and more interest in their own population which has settled down in Burma, so that the safety of life and property of the Indian people will be secured by the Government of Burma, and that our people there will no longer live under conditions which certainly have necessitated a large number of them running away from that country. Hundreds of them have come away, and I understand there are thousands of them who are getting relief from the non-official agencies in Burma and who are anxious to come back to India. Those people should be given that security which will certainly not necessitate their coming back to their country, leaving Burma for good. Effective and immediate steps will relieve the panic-stricken people who are waiting for their passage back to their country and make them resume their work and profession under peaceful conditions.

“ Therefore I have great pleasure in moving this resolution.”

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—“ In seconding the resolution moved by my friend, let me at the outset express the hope that this resolution will be understood in the spirit in which it is moved here, in view of the indispensable relationship between Burma and Madras towards each other. I believe, Sir, that we in India, more particularly in Madras, are situated towards Burma very much as we are towards those in Ceylon. Past associations between us—associations dating back to several decades if not centuries—have made Burma indispensable to Madras just as Madras is indispensable to Burma. Without in any way desiring to minimize the importance of Burma, I may say that we in Madras have contributed considerably in the past towards the development of Burma in various ways. Indian

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capital has been playing a very great part in bringing Burma to its present condition. It might be that other countries might hold an example to us merely in the matter of importing foreign capital for developing the resources of a particular country—it may be for exploiting the resources of that country. But our contribution to Burma has not been merely in the field of capital. A greater contribution has been made in the field of labour also. For every business magnate or capitalist that may have gone over to Burma from India to develop the resources of Burma, hundreds of thousands of Indian labourers year after year have been going there to give of their best, to work on the soil there, so that the land may yield much more than what it would otherwise do and make Burma more prosperous than ever before it was, and could ever have been, without the Indian labour. I can say without any fear of contradiction that year after year, during the working season, thousands and tens of thousands of our labourers migrate there and cultivate the lands there, making them yield their best and add more and more to the Burman stores. After the season is over, they return with only the wages they have earned there. As a result of this continuous flow of Indian capital and labour during several years, as is the natural consequence in such cases—hundreds of Indian families have settled down permanently and made Burma their home. I know personally of Indian people who have 9/10ths of all they own in this world, in Burma only, and they have very little or nothing in India. Though they are Indians they have not come over to India at all. It is only for the purpose of meeting their own relatives or for performing some marriage or for some such thing they come back to India, but even then with the object of returning to Burma. There are thus hundreds of thousands of Indian families who have made Burma their home. Therefore I submit that there is a sort of binding between us and Burma, and as such we cannot afford to be antagonistic towards Burma just as Burma cannot be antagonistic towards Madras. It is in that spirit that we move this resolution, and I do hope that Burma also will understand this resolution in the same spirit, and treat the Indians as Burmese citizens who work for the welfare of Burma, who work for the betterment of the Burmese, who are there as fellow-citizens of Burma and as Burmese citizens, and that even though they be Indian by birth and by race, they are entitled to the rights of citizenship and entitled to the protection of person and property. It is in that spirit that I appeal to the Burma Government to take the necessary steps. I am sure that the representations to be made by the Government of Madras will have in due course a salutary effect on the course of events in Burma, and that peace and order will once again be restored in Burma so that Indians in Burma might live in peace and harmony with the Burmans and with full citizenship rights as the Burmans."

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* MR. SPEAKER :—“ I have made certain verbal alterations in the original resolution, so as to bring it to the proper form. I shall read it, before putting it for the consideration of the House :—

‘ *This Assembly recommends to the Government—*

(1) *to bring to the notice of the Government of Burma that the people of this Province greatly deplore the recent riots in Burma and hope that effective measures to preserve life and property have been adopted and that adequate measures will be continued to prevent a recrudescence; and*

(2) *to recommend the appointment of a committee to enquire fully into the disturbances and suggest what measures may be adopted to maintain permanent peace and goodwill between various communities.*

‘ *This Assembly further recommends to the Government to bring to the notice of the Government of Burma that it is the earnest wish of all communities in this Province that peace and tranquillity will be speedily restored and maintained, and that a fair and satisfactory measure of relief will be afforded to all sufferers.*’ ”

MR. ABDUL HAMEED KHAN :—“ I thank you for the changes you have made.”

* MR. V. S. RM. VALLIAPPA CHETTIYAR :—“ Mr. Speaker, Sir, while supporting the resolution before the House, I wish to associate myself with the sentiments expressed by the previous speakers. Sir, we, the members of the commercial community of South India, are very grateful to the Hon. the Premier for taking prompt action in the matter. This has proved, if proof is necessary at all, that the Congress Government is behind none in its anxiety to protect the interests of the commercial community and in its attempt to safeguard the life and property of those Indians carrying on business in foreign countries.

“ Sir, Burma was annexed to India at a huge cost to the Indian exchequer and at an enormous loss of Indian blood. Hoping that Burma will ever be an integral part of India, many Indians went to that land and have invested crores and crores in improving and increasing the productivity of that country. Thousands of acres of neglected and uncultivated forest tracts have been converted into fertile fields, all with the help of Indian labour and capital. But the setback to our hopes commenced as early as 1930 during the anti-Indian agitation and the great disturbances that followed it. British diplomacy, well planned as it was, triumphed, and Burma was lost to India for ever. Sir, Burma is entitled as every nation ought to be, to complete freedom and self-government, but generations of association of commercial intercourse and mutual bond between the two countries so closely situated and related cannot

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be severed immediately. The minorities have a stake in that country, and equity demands that they should be well protected from the oppression of the majority. The principles of democracy demand that every interest forming a component part of the State should be adequately safeguarded and protected from the aggression and tyranny of one another.

"Sir, a cry is raised in certain quarters that Indians are exploiting the Burmans. The term 'exploitation' is an elusive concept and is often ingeniously used to suit any and every argument. Indians, at any rate the majority of South Indians in Burma, Sir, I am sure, will be prepared to quit Burma that rebellious land of Burma, bag and baggage to-day, now and immediately if they could realize in hard cash 50 per cent of what they have 4-
invested there. Is that not reasonable? Since the rebellion of 1930, Indians are nervous to go to Burma and in fact the few Indians that are there are busy collecting their arrears and are ever anxious to return to their mother country. P

"Sir, I believe Buddhism is based on perfect non-violence of thought and deed and it is a strange irony of fate that much blood should be shed in the name of Buddha and his religion. If Buddha had been alive to-day, certainly he would have shed tears at his name being associated with such brutal murders. The mad act of a fanatic has caused much blood to run and it is inexplicable as to how the outbreak began in spite of the fact that the Muslim community had already on the 24th expressed regret at the publication and dissociated itself from the sentiments contained in the book. Religion is not a thing to play with and it is a dangerous game to play in places where we have gone to do business. In our own interests it is essential and imperative that we forget religion and communal feeling and mind our business without creating any ill-feeling with the majority community. The situation has developed practically into a question of life and death and the slow manner in which the Burma Government are handling the situation is really despairing to us. A minor scuffle in a lonely street of Rangoon has developed into a serious riot and has spread like wild fire to the innumerable villages in the interior—not by the Pongyis, not by the monks who were molested by ruffians in the City of Rangoon but I see, Sir, it was carried on by a certain section of the Burmese papers whose favourite game is to insinuate and create ill-feelings between Indians and Burmans. It is such mischievous propaganda carried on by such gutter presses that develop and result in indiscriminate assault on innocent persons, not to speak of the innumerable women and children who have been mercilessly butchered in broad day-light in the presence of their own kith and kin for no fault of theirs. If the Burmese Government had prevented the procession of the monks on the first day and nipped the mischief in the bud itself, the whole trouble could have been avoided. It is however, gratifying to note that the Burma Government, though late, have

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demanding security from some such papers and have even ordered the suspension of publication of an influential Burmese paper. We hope and believe that the Burma Government will continue to take drastic action in controlling the bad elements and do justice to the minority.

"Sir, I appeal to the Hon. the Premier to take a serious view of the situation in Burma and strongly represent the matter to the Government of India to take all necessary steps to safeguard the interests of South Indians in Burma and not to give rest to the Government of India, until peace and tranquillity is restored in Burma. I also appeal to him to impress upon the Government of India the necessity to appoint an impartial committee to go into the question of the recent rioting and suggest ways and means to prevent the recrudescence of such unfortunate happenings which we are witnessing to-day in Burma."

* MR. B. S. MURTI:—

"అగ్రహ! యీ తిరువాయ్ నేనుమాడా లేదు మాటలు చెప్పడమే కున్నాను. వీల సేనగా 1927 వ సంవత్సరమునకు పూర్వము నేనుమాడా రెండునాళ్లలోవున్నాను. ఇది సంవత్సరము రెండునాళ్లలో వుండి, ఆక్కడ వదులుకొని, ఆక్కడ కాల్చినట్లు కృష్ణమణిములను చాగా తెలుసుకొని, వారియొక్క అధికారిగారకు మాయపడినాను. అక్కడ అడగా రెండునాళ్లలో, హాలేన్, మాండలే ప్రాంతములలో మలివారుగావుండేవారు యెక్కువగా, అంద్రులు, కొండమరకు తమిళులు. మొన్న 1930 సంవత్సరములో జరిగిన అల్లరులలో యెక్కువగా వదిపొయినవారు అంద్రులు. ఆరోజులలో, నేను రాజమండ్రిలో వున్నప్పుడు, తరుచుగా ప్రతి ఏడవ కానినాడే వెళ్లడమూ, రెండునాడు నుంచి ఆవాధులు పదిలేక, కష్టములు పడలేక, వచ్చినటువంటి కాల్చికులను అందరినీ నేనుమాడా చూచి, వారి కష్టములు తీర్చడమే పరార్చడమూ జరిగినది. నేను యిప్పుడు ముఖ్యముగా చెప్పడం యేమిటంటే, జీవనోపాధికారకేమి, యితర కారణముల వలననేమి, బర్మాలోవున్నటువంటి మన దేశస్థులయొక్క, భారతీయులయొక్క కష్టములు అనుభవము యెక్కువ అవుతున్నవని నా అభిప్రాయము. వీకో పుస్తకము వ్రాయడము, సాంగీతం కోవము కలగడం, అల్లరులు రావడం జరుగుతున్నది. వీరిధముగా చూచినా, రెండునాళ్లలో ముఖ్యంగా అంద్రులు యెక్కువవున్నారు. భారతీయులు అనడంకోలే అంద్రుల అపస్తలు యెక్కువగావున్నవి అనాలి. వారు కాల్చిన, హాలేవారు, ప్రొద్దున్ననుంచి రాత్రి 10 గంటలవరకు పనిచేస్తూ వుంటారు. పూర్వకాలములో వారి సంపాదన యెక్కువగావుండేది. ఇప్పుడు సంపాదన లేదు. వారు చాలా అపస్తలు పడుతున్నారు. రెండునాడునుంచి రావడమునకు కేవలం లేక అనేకమంది కేవలం యొక్కడనుంచి తెప్పించుకొని, రావడమునకు చూస్తున్నారు. తినుటకు తిండిలేక అపస్తపడే అంద్రులు, భారతీయులు బర్మాలోవున్నారు. అటువంటి వారిమీద, యే విధమైన ఒత్తిడి అయినా తెచ్చి తెలుపుకు అవకాశము వుంది. కాబట్టి బర్మా బర్మావారికి కావలసిన కోరుతూ యేవిధమైన సౌకర్యములు బర్మావారు నిందితపక్షానికి బర్మాదేశ అధిక ఉత్పత్తికై కష్టపడి రెండునాడు మొదలైన పట్టణములను ఆధిపత్యం చేసిన అంద్రుల దురవస్థలు చాలావారులను నా అభిప్రాయము. వారి దేశంలో వారు గుళం అనభవించుచున్నప్పటికీ, తమ దేశమునకు

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సహాయముచేసిన భారతీయులయందు బుద్ధియు లు కృతజ్ఞత చూపించవలసి యున్నది. ఈ సందర్భములో, మన గవర్నమెంటువారు బర్మా గవర్నమెంటుకు చెప్పవలసివది యుమిటుంటే, మీదేశం మీదే జరిగినవృత్తికి, అన్నియును భారతీయులను సంబంధించిన వ్యక్తులమీద తగిన చర్య తీసుకోవలెనని, ఈ భావాలలో భిన్నమును బలకరుదు చున్నాను.”

* KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR :—
“ Mr. Speaker, Sir, with your permission I beg to associate myself with the resolution that has been moved by my Friend Mr. Abdul Hameed Khan. Having had the opportunity of hearing the heart-rending tales of the actual sufferers themselves, I cannot resist the temptation to join in the discussion. It is not possible, Sir, easily to describe the havoc that has been done in Burma. I will mention only one instance to illustrate the slaughter that has taken place and the havoc that has been committed. One of the men that recently came from Burma lost his senses completely and has become so to say a mad man. The reason for this seems to be that his own daughter, son-in-law, wife and other relations were butchered in his presence, and this has upset his mind and he has returned to the land of his birth, a complete wreck. Similar stories I have heard in large numbers, but I think that this is not the place or opportunity for detailing them at large. So I leave the matter there. I think this one instance would be ample evidence of the havoc that has been committed and the mercilessness with which it has been carried.

“ One of the previous speakers referred to a writing by a Mussalman and said that that writing was responsible for this outburst. I have very great doubts if that was really responsible for the trouble that took place there. As I understand it, that writing was published about 10 years ago, as long ago as 1929, and that book passed through a second edition also more than five or six years back. To say that it is the cause of the serious riots that took place 10 or 15 days back is neither just nor reasonable. Another reason why I doubt this is that if that be the reason the rioting ought to have taken place only at the place where the meeting to consider that question was held and certainly not in other places. The reports amply prove that this was a deliberate and widespread attempt to murder Indians, so to say, and though the worst offences were committed in Rangoon itself, the Indians in outlying districts and villages have not been safe at all. Murders have been taking place throughout the length and breadth of Burma. Therefore I beg to submit that the reason for this rioting and this hardship caused to the lives of Indians and their property has to be sought somewhere else than the book to which reference was made.

“ In this connexion, I may also point out that it is the Madras Presidency that stands to lose most. Both Andhras and Tamils,

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both Mussalmans and Hindus, have been the victims at the hands of the rioters, and the loss in property alone goes up to several crores. And the loss of life, if a real count is taken, will extend to thousands more. Anyhow, the actual sufferers have been computed, according to the latest report, at tens of thousands. Therefore, I submit that the question is a very serious one affecting the vital interests of Madrasis settled in Burma and their property. It is therefore that I make this appeal to the Premier, and I feel sure that he with the earnestness and zeal with which he has taken up the question already will certainly take up this resolution and see that a proper committee is nominated to go into the entire question, study the whole thing and find out ways and means for the proper solution of this problem."

DIWAN BAHADUR A. APPADURAI PILLAI:—“ Mr. Speaker, Sir, I wish to associate myself with the sentiments expressed by the previous speakers, and in doing so, I should like to draw the attention of the House to one or two points connected with the Burma Indians. Indians and Burmans lived together as a single unit in their relationships towards each other until the separation of Burma. Ever since the annexation of Burma, India has been playing a very prominent part in the development and progress of that country. Before the separation of Burma recently, the Indians in Burma had very great doubts as to their safety and continued prosperity in that country. A deputation of Indians in Burma came over to Madras seeking to start a small agitation on their behalf to protest against the separation of Burma as an independent province. Sir, it had not been possible for them to make out a case, but what they apprehended a few years ago has come to pass. On a very flimsy excuse, Sir, the Burmans have risen against Indians. In doing so, they made no difference whatsoever between caste and creed, they attacked all Indians alike, Muslim or Hindu. But, Sir, the reports in the papers show that the Indians have behaved very nobly and that there has not been a single Burman killed, which proves beyond doubt that the Indians had behaved with considerable restraint. Of about 100 Indians killed, we find that over 80 per cent are Muslims. Whatever may be the percentage, Sir, the fact is there that Indians have been able to exercise considerable self-restraint as they generally do all over the world.

4-30 p.m. “ Sir, it must be said to their credit, that the Burmese Government are keenly alive to the gravity of the situation. That is demonstrated by the fact that they have kept a very close watch over the matters published in the newspapers that have been circulating false rumours about the conduct of Indians. Sir, we find from the reports that two prominent Burmese papers have been proscribed and the editors have been punished with various terms of imprisonment for the offence of spreading false rumours about Indians. It is hoped Sir that for the mutual

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benefit of both Indians and Burmans, the Burma Government will continue their activities in this direction and restore peace and order at no distant date.

"It is also a matter for satisfaction that the Government of India are alive to the need for an early settlement of this trouble. I find that Sir Bajpai has issued a statement in the press about the various steps that the Government of India have taken to obtain detailed particulars of the incident in order to enable them to assess the present situation properly and take such remedial measures as the circumstances may dictate. Sir, it is also a matter for congratulation that the Local Government have taken necessary action in the matter. Reports have been called for and replies have been received and read out to the hon. Members the other day. These activities show that our Government are quite alive to the needs of the situation and that our Premier would leave no stone unturned to see that peace and order are restored. Sir, if we have been benefited to a considerable extent in the matter of the employment of labour, Burma also has got to remember that what she is to-day is largely due to the Indian labour. Not only that, Sir, in point of commerce Burma has benefited considerably as compared with India. We have been taking their silks, their oil, their rice and their teak. A great deal of money has flowed from India to Burma. If Burma ever remembers with gratitude the contribution made by India towards her welfare, I should think, Sir, that Burmans would soon get their senses back and treat Indians as their brethren. With these few words, I heartily support the resolution."

* **MR. M. AHMED BADSHA:**—"Sir, I have great pleasure in associating myself with the resolution that has been moved by my hon. Friend, Mr. Abdul Hameed Khan. I should certainly not have spoken but for the fact that there is some feeling, at least among the Muslim community in Madras, that our Government has not been sufficiently strong in its protests to the Government of India in order to interfere in this matter. Sir, I may be excused for being frank in this matter and allowed to voice the feelings of the Muslim community at the back of their mind that the problem has not been sufficiently brought forward before the Government of India. The statement made by the Hon. Minister yesterday should have allayed the feelings of those people, but it has not done so. The Hon. the Prime Minister pointed out the difficulties in his way in the same manner as the Imperial Government very often points out or brings forward arguments when the question of Indians abroad is taken up. They put forward the stereotyped argument that it is an Imperial question and that it could be tackled only by the Government of *His Majesty*. It is very easy to give forth arguments of that type, but I would humbly request the Hon. the Premier to consider the

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responsibilities that he has undertaken for the protection of the interests of the minorities.

"Sir, I quite remember a very impressive and a very beautiful speech of his made in the Congress House just on the eve of taking charge of his office as the Premier of this province on the question of minorities that had come before the Governor and himself. On that occasion Mr. Tandon was there and the hon. Mr. Yakub Hasan was sitting on the dais and I was one of the humble listeners. The Hon. the Premier put forward a very important argument. He said: 'Are the Europeans coming from a distance of over 6,000 miles going to be the custodians of the Muslim minorities in India? Are we not, people that have been brought up for hundreds and thousands of years as brethren in the same country and who have lived side by side with each other, competent to protect the interests of the minorities? The insistence of the Government, therefore, that they should be allowed to interfere in the matter of the minorities is wrong.' This argument of the Hon. the Premier went home to me and I agreed with him on that date. Since then, many changes have taken place; he has taken charge of the Premiership. Now I may remind the House sorrowfully of another speech of his in which he said that he was the lion in power and we, the Muslims, were the lambs. He said that he was approaching the lamb, and the lamb, naturally frightened, went over and he could not help it. Sir, if we are the lambs, certainly we must be frightened."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I would be doing grave injustice to myself if I should be silently hearing the so-called speech of mine which I never made."

MR. M. AHMED BADSHA:—"Sir, I was referring to the speech of the Hon. the Prime Minister reported in the *Madras Mail* as delivered at Chittoor."

* MR. SPEAKER:—"I suppose the hon. Member accepts the version now given by the Premier."

MR. M. AHMED BADSHA:—"Sir, I may be given permission to quote the speech on a future occasion."

* MR. SPEAKER:—"Does not the hon. Member accept the statement made by the Prime Minister that he never made such a speech? Does he still insist that the newspaper report is accurate?"

MR. M. AHMED BADSHA:—"Other papers also have reported that speech."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, it is difficult for me to make out whether the hon. Member was himself listening to that speech or whether he is quoting from a report. All that I heard was that he was giving out the speech as mine

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and I say that I could not possibly have pronounced such sentiments. It is a mistake wherever it is found. I could not have expressed such an opinion. Even if it be found in the *Madras Mail* I could not accept that statement."

MR. M. AHMED BADSHA:—"I take the Hon. the Prime Minister's assurance, Sir. Whatever may be the justification for it, I may be permitted to say, Sir . . ."

THE HON. MR. C. RAJAGOPALACHARIAR:—"There is no justification, Sir, I plead. I deny that I made such a statement."

MR. ABDUL HAMEED KHAN (sitting):—"The speech is withdrawn."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I strongly object, Sir, and I appeal to you. Is it sight for the hon. Member, Mr. Abdul Hameed Khan, to sit down and say that the speech is *withdrawn* when I have been repeatedly saying that the speech was *never made*. Is it not an offensive remark? I did not make such a speech."

MR. M. AHMED BADSHA:—"The effect is the same."

* MR. SPEAKER:—"I think the hon. Member, Mr. Abdul Hameed Khan, was entirely out of order when he said that the speech was withdrawn when no such speech was made. He should note the distinction."

MR. M. AHMED BADSHA:—"Then I come to the point, Sir. The point that I was making was about the interests of the minorities in the hands of the Government. When those interests are in the hands of the Hon. the Premier, I appeal to him earnestly, in the spirit in which the first speech that I heard and which I appreciated before he assumed office, was made, to extend it. No doubt the argument can be brought forward at this stage that it was a matter not entirely in the hands of the Madras Government. I quite agree. But the only grievance that we feel and have in the matter is that the matter has not been brought forward with sufficient strength so as to bring pressure upon the Government of India to take it up seriously with the Government of Burma."

"Sir, as the report says, the sufferers are greater in number among the Muslims and naturally they feel that the apathetic attitude of the Madras Government must be due to the fact that the persons suffering are members of the minority communities. (Voices: 'No, no.')

"Sir, I find that an attempt has been made to trace the present troubles to communal considerations. But the fact seems to be that there have been recurrences of such events in Burma even in the past when the sufferers have been largely the Nattukottai Chettiyars. Sir, it is the Nattukottai community and the Indian

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labour that has been contributing to the development of Burma. Burmese forests and the raw products require Indian labour and capital of the Chettiyar community to work them and give profits. Therefore the development of the raw products is to the mutual advantage of the Indians and the Burmans. Burma has to depend upon the technical skill and ability of the Indian labourer and at the same time upon the capital that has to flow from this country for the development of her resources. Burma has been enabled to achieve an independent status and separation from the Indian Empire by virtue of the advance she has made with the help and co-operation of Indian labour and capital. Therefore, Sir, I hope that this Government will not leave any stone unturned in bringing forward this question of Burma before the Government of India and insisting upon its intervention immediately to bring about communal accord and peace in that country."

4-45
2.11.1. * Mr. T. T. KRISHNAMACHARIAR:—"Mr. Speaker, Sir, on behalf of the South Indian commercial community, I wish to support this resolution before the House. I am afraid I cannot say in the usual manner that I wish to associate myself with all that was said by the previous speakers. It is a little unfortunate that in a matter like this resolution which ought to represent the unanimous opinion of the Presidency, acrimony has been imported. I can appreciate the position of the Madras Government, who are not in a position to bring pressure directly to bear upon the Government of Burma except by means of persuasion. It is one of the penalties we have to pay for the Federation. And if the Government of India is not alert enough to respond to our requests, it is unfortunate. I am sure the Government of Madras are fully aware of the interests of the several communities in South India that are involved in Burma. Nattukottai Chetti bankers, petty traders, Muslims and Hindus, clerks, mainly from South India, and Andhra and Tamil labourers are all of them people whose interests should be dear and near so far as Madras Government is concerned. There is no object in my reiterating here what has been said by the previous speakers or in recapitulating all that has happened in Burma. Things that have happened are now matters of history. But I feel assured that the Government of Madras is doing, and will do all that they can in this matter. I wish to join as a member of the Indian commercial community in the support of this resolution."

* Mr. J. NUTTALL:—"Mr. Speaker, Sir, I would like to add the support of the European group to this resolution that has been proposed by Mr. Hamid Khan. We watch with considerable concern, Sir, any disturbances that may occur whether it is in this country or elsewhere and when those who are affected are so closely connected with South India, we cannot fail to feel concern for them and we hope that this resolution if it is passed by

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this House, which I hope will be unanimously, will have its effect in Burma to which we have to look for assistance at the present time for relieving the considerable distress and suffering that is taking place. I have great pleasure to accord my support to this resolution."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"It is a great pity there is recrudescence of the riots in Burma. It is a misfortune that several people from my part of the country had to go and settle there and a few of them have come back, bringing the tale of suffering that is going on in Burma and the accounts they give are staggering. It is not only the Muhammadans but several others also have suffered. I may tell you, Sir, that the Indians have been contributing to the development of Burma not only after the annexation of Burma but even long before. The development and improvement of Burma is largely attributable to the enterprising spirit of the Indians. They have invested large sums of money in industrial concerns, agriculture, business and so forth. Not only that; even the religion of the Burmese has had its origin in India, and yet they hate Indians. I think, Sir, this is due to the instigation of some political exploiters for some ulterior political motive. It is a misfortune, Sir, that we have not yet attained sufficient political independence to enable us to deal with the Burma Government directly and efficiently, and we have not got even full provincial autonomy which will have enabled us to deal with Burma in a more effective and direct manner. Moreover, Sir, the policy of the present Government is pledged to non-violence and even if we had political independence, I think they would make use of it only in extreme cases. In any case they have now to use non-violent means before doing anything else. Therefore, Sir, we hope that the Burmans will remember all that we have done for Burma, for the improvement, development and prosperity of that country. I support the resolution with all my heart."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, Sir, I wish to join in this resolution and give my support to what has been so ably moved, seconded and supported and elaborately dealt with by my predecessors. I am glad that an hon. Member of the Government has had personal experience of Burma. I mean Mr. Murthi who has been in Burma and who has been able to tell this House from his personal experiences. Sir, on an occasion like this when we all feel much concern about the welfare of our brethren in Burma, a resolution of this nature that we may pass in this House serves a double purpose: a resolution to express our concern, our anxiety about the welfare of our brethren there and also for peace in the future. It is in that spirit that this resolution is moved and I have no doubt that this will be accepted in that spirit by this House and also received in the same manner in Burma, when it goes over there. Mr. Speaker, Sir, within the last 10 years, Burma has witnessed

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a serious tension, resulting in an appalling loss of life and property. The actual figures are not yet available and the Hon. Premier in reply to a short notice question of mine said that he had not been able to get the information and he hoped to get it. Sir, till we get the official information, whatever we say here is subject to correction, but from the reports that have appeared in the press so far, one can see that there has been considerable loss of life and property and that the position of Indians in Burma has been rather very precarious in the last three weeks. There has been wanton destruction of life and property. During the last two weeks, about 350 refugees have arrived here and their accounts confirm the reports. The whole trouble seems to have started on the publication or republication of a pamphlet or book which is said to have offended the religious susceptibilities of Burmese Buddhists. While we are very sorry that their feelings were provoked and hurt, we also feel that the remedy for the indiscretion committed by an individual should not be found in the worst excess of mob rule. Rangoon the seat of the Government was powerless to afford protection to its inhabitants and save them from the fury of the fanatics. While such was the case in Rangoon, we can easily imagine the position in the outlying and interior villages where the police force and other forces are not so much to be found as in towns and where the Indians are only few and scattered amongst a large Burmese population. I am afraid, Sir, such disturbances as have happened now have to a great extent damaged the friendly relations that have been existing between the communities and one wonders whether a remote cause is to be found in the fact that there is a steadily growing feeling that Indian property and life could be attacked with impunity. Sir, the sooner it is impressed that life and property are sacred it is better for the communities. It will depend no doubt on the attitude of the Government of India, particularly in view of the separated Burma. The Government of India are supposed to be in charge of the portfolio of the welfare of the Indian nationals abroad. The adoption of a firm and strong attitude in the matter of the protection of Indians in Burma will greatly help not merely in removing the bad feeling but also the creation and maintenance of a better understanding between the communities. I think when an emergency of this character arises in foreign countries and our brethren are subjected to brutal treatment, the Government of India as well as the Provincial Governments should put their heads together and send a mission to the spot in any possible manner not only restore confidence in the minds of the distressed brethren but also to impress upon the conflicting elements that the legitimate interest of the Indians should not be trampled under foot. I say this in no spirit of complaint; I say this only with the main object of the protection of nationals abroad. It should not be understood by this House that

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it is mainly a concern of the Viceroy and the Government of India. Hon. Members will understand that the welfare of many people in this part of the country is intimately connected with the welfare of their relations and brethren working in foreign countries. That being the case, the Provincial Government are also concerned in the question of the welfare of the nationals abroad. The reason why it has been the portfolio of the Government of India is because Indians in foreign countries hail from several provinces of this country and with the object of better co-ordination the Central Government has been carrying on the work of this portfolio. But it does not mean that the Local Government cannot in any way take interest in the matter. I am glad that the Local Government have taken up the matter. What this House wants is that the Local Government should investigate the conditions not only in Burma but also in Ceylon, Malaya and other countries and vigilantly watch the interests of their people in these countries.

" If this is done, when emergencies come it will be possible for this Local Government to be in close touch with the other Governments. When I say this, Sir, I mean nothing wrong. Sir, we are all very pleased to see that leading Burmese and Indians in Burma have issued an appeal for peace and it is my fervent hope that the appeal will have the desired effect. But, Sir, this alone will not do. The Government of India will have to make it clear and plain to the Burma Government that they should put down lawlessness at any rate. It is gratifying to note and it is a consolation to know that the Hon. Dr. Ba Maw, the Premier of Burma whose personal acquaintance I have the honour to possess—a very able statesman himself—is trying his best to strengthen the forces of peace. The Premier of Burma is reported to have said that the Burma Government was faced with a difficult and complex problem. It is true, but that does not in any way minimise the responsibility of the Government for easing the situation. That nothing should be left undone to restore peace is our request. I think it is a very mild and reasonable request. I would also say that on this occasion it is the duty of the Burma Government to appoint an impartial and representative committee to go into the causes, both remote and immediate, of the disturbances. This is not the first occasion when there has been tension. Hardly have ten years elapsed before we have had another tension now. The harrowing details of the 1930 riots are still green in our memory. Ways and means of preventing such occurrences and establishing goodwill between Burmans and Indians should be speedily devised. The President of the Indian National Congress has very rightly said, that we Indians cherish feelings of friendship and cordiality and esteem for Burma, for her culture and religion with which we have so much in common. He has rightly added that we Indians expect the Burmans to do justice to the Indian minority,

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seeing that Indians have in no small measure contributed to the welfare of the country and that close relationship has existed between them in the past. There is no reason, Sir, why the same relationship in the social and economic sphere should not continue to exist to-day.

“ There is one other point, Sir. There are several Indians who have completely made Burma their home and some of them have had now to come here as refugees. I believe the Hon. the Prime Minister will be able to make a statement later on when he has received reports from the officers who have been deputed to meet the refugees. I think it will be found that some at least of the refugees have not been able to find their relations in this country. These Indians have taken life in Burma as a permanent feature of their lives and that being the case, great consideration should be shown to them on these occasions.

“ Finally, Sir, let me say a word of appreciation of the efforts that have been made by this Government with all the limitations of provincial autonomy and a separated Burma. I quite appreciate the difficulties. But in an emergency like this, on a serious occasion like this, we all feel that though what has been done has been no doubt good, much remains to be done and much more could be done. In this anxiety of ours, if we say anything with regard to what we expect from the Government, it should not be understood that we do so in a complaining mood.

“ Sir, a suggestion was made by an hon. Member in the course of a supplementary question the other day that an officer of this Government might have been deputed to Burma and the Hon. the Prime Minister replied that if an officer had been deputed he would not have commanded the necessary co-operation. That may be, Sir. I earnestly urge upon the Government to think of other alternatives and I am sure other suitable alternatives could be found. There is one serious suggestion I have to make in this connexion with regard to the welfare of the Indian nationals even in normal times. Mostly our brethren have gone over there for business, trade and labour. I believe these subjects come under the portfolio of the Hon. Minister for Industries and Labour. I have therefore no doubt, Sir, that the welfare of our nationals in Burma should be the anxious concern of this Ministry. During normal times, the Minister in charge of Industries and Labour should be deputed on good-will missions to countries like Burma, Ceylon and Malaya so that he may establish personal contacts with Ministers of those Governments there, so that if an emergency arises he would be able to get into touch with the Governments of those places quickly. Even now, I am going to make another serious suggestion, namely, that my Hon. Friend, the Prime Minister, should see his way to depute my Hon. Friend, Mr. Giri, the Minister in charge of Industries and Labour, to pay a short

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visit to Burma just for a period of ten days. If that is done, it will go a great way. It will not be like the deputation of an officer of the Government. His visit will be welcomed not only by Indians but also by the Burmese Government and the Burmese people. He would be in a position to turn his visit into a good-will mission and he will be able to restore confidence in the minds of the distressed people there and the people here who are interested in the welfare of the people there. The visit will not be an inquisitorial visit but a good-will mission and I have no doubt . . . (Interruption) I hear the Hon. the Prime Minister say that he would like me to go. I perfectly agree with him if that suggestion is possible. I can go of my own accord, because I have business connexions there. . . (Interruption). I am very happy to hear again from the Prime Minister that I am to go on his behalf and I may say that nothing will give me greater pleasure than to do so. (Applause.) A command like this from the Government of the day to do some service to the country and for the Indian nationals abroad is to be taken cheerfully. At the same time, I would impress upon him that a person more qualified than myself, my Hon. Friend Mr. Giri, who has great experience of labour conditions and who has many personal friends in Burma, would be able to do much greater service in this connexion. I have no objection to go, but I am perfectly certain in my mind that my Hon. Friend Mr. Giri would be the best person to go in this connexion. I would request the Government to consider the suggestion seriously.

“ Finally, Sir, the resolution which has been moved if accepted by House will be an expression of the grave feelings of the people of this country, of how they deplore the recent riots and disturbances and how they wish the people inhabiting Burma to live in peace and amity. It is in this hope that this resolution will be passed. I sincerely trust that the Government of Burma and all the communities in Burma will receive this resolution in the spirit in which it has been moved and will be passed to-day.”

*THE HON. MR. T. PRAKASAM:—“ Sir, I should not have risen to speak and should have left it entirely to our Leader the Prime Minister himself, but having had some experience of this country some years ago and known the Burmese people and the Indians of all communities from one end of Burma to the other, I thought I should say a few words on this occasion. I have been a guest of almost all the communities all over Burma including the Shan States. I have known them so intimately in their business, agriculture, trade and commerce. I have known the Mussalman friends who have settled down there as well as the Hindus, the Christians and the other communities who are doing very vast business there. They have been domiciled in that country and they have made it their home. Some of them, as the Hon. the Leader of the Opposition put it, have forgotten altogether their houses and villages in India. Whenever these riots occur, it

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might look as though the whole of the Burmese people had been against the Indians. It is not so. The Burmese people are very good people who would not ordinarily interfere with others. The *badmash* element in any part of the country, however small it might be, would be sufficient to start the fire and then carry it on until the whole country has been burnt to ashes. Not only in Burma, but in any part of the world, that is what we have been seeing all along. In this particular case, I do not believe that the Burmese people as a whole could be charged with anything. It is the *badmash* element that started it. How it started has been stated by the Prime Minister. When the trouble started it was the duty of the Government to have put all the forces at their command on the scene with a view to prevent this massacre, this butchery even in broad daylight. It is there, the responsibility of the Government comes in: whether it is the Burmese Government or the Madras Government or the Government of India, it makes no difference whatever. If any Government failed in that respect to do all that is necessary to prevent murder immediately that Government would be failing in its duty. There is no question of minority so far as the Madras Presidency, so far as India is concerned, with regard to this, the greatest distress that has overtaken our people, and when we have to face such a distress it is rather painful to hear from some of the hon. Members references to minorities, references to this community or that community. This is an occasion on which we should have forgotten everything of communities if we had had anything of that in the past. This is an occasion on which we should all be brought together, feel and think and move and act together so far as the sufferings of our people are concerned. What did it matter whether it was the Muhammadans who were attacked or the Hindu who were attacked, or the Christians who were attacked or any other people who were attacked? It was a common attack. We should take the lesson from this wretched occurrence that we should become strong and move together and act together on all such occasions.

- 5 “I would like to say one word to the Government of Burma.
 4 The Government of Burma is in the hands of Ministers to-day; it should understand that the Madras Government is in the hands of Ministers who are responsible to the people of this Province. The Government of Burma should realise that the relationship between Burma as it is to-day and the people of this Province, is not the same as it was in the past. Although we are separated, the Burmese Government must realise that the separation was not intended and should not be calculated to widen the gulf. On the other hand, the separation must give greater strength to that country as well as to this country. The question of nationals in any country is of the greatest importance for the Government functioning in that country. If one man was murdered or if one woman was murdered anywhere, in any part of the world, the concerned Government should take it up and should feel as

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if the whole nation had been attacked generally speaking. We are here living on this side of the sea while Burma is on the other side; it is the sea that separates us. That such things should have happened and that we should be sitting on this side helpless, is rather a tragedy. The provincial Government of Madras, however much it has no control over this matter, is not a Government which should be considered as powerless by the Burma Government. We are on an equal footing now. Our relations with regard to trade and business have been already referred to by the hon. Member Mr. Appadurai Pillai briefly. It should not be forgotten that we are bound to-day by trade and commerce and so many other things, even though on the map Burma is separated from India. Keeping that in view, it will be the duty of the Burma Government to see that such occurrences do not take place in the future at least. As regards the past, it is a thing which cannot be repaired immediately. One hon. Member was speaking so much and so vehemently against the head of this Government, suggesting thereby that all that was possible was not done and also suggesting, as it were, that there was some neglect here. Far from that, the hon. Member ought to have known that immediately necessary action was taken and every possible step was taken by the head of the Government and by this Government as a whole from the very first day. What is it that could possibly be done with regard to what had already happened? It could not be removed straightaway from here; we had to attend to those who had been coming here and at the same time to endeavour to do something to prevent a recurrence of the trouble. I submit, that this Government is not helpless; the people of this province are not helpless either. We do hope that all necessary steps will be taken by the Government of Burma to bring peace and consolation to all the sufferers. It is not creditable to any Government that so many murders and so many massacres should have taken place; and it would be their duty to do everything that is necessary to remedy the evil. This is not a matter relating to emigration of coolies. The coolie population of our province are going to Burma, Ceylon and to Malay States and other countries in order to develop those countries just for the sake of earning a few annas for their everyday livelihood. It is not good for our Provincial Government or for the Government of India or any Government for that matter in the whole of India to-day; it should be our duty to see that migration of the coolie population is stopped as early as possible. Times have changed; the Burmese people have begun to feel that foreigners should not go there even for coolie work. In the past, they came into conflict on account of rivalry between the Burmese coolies and the Indian coolies. The Indian coolies, wretched as they have been, had to go for work in other countries for even lower wages than what they got locally. It was a great misfortune, and we should see to it that they are prevented from going over there and they are enabled to earn their livelihood in our own country, as far as possible. This is not a matter confined to

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the coolie population alone, whether from the Andhra country, the Tamil country, Malabar or South Kanara. I have seen people of all these four linguistic areas of this province in every nook and corner of Burma, spread in every department of life. It is these people who have left their homes that are in serious danger now. The Provincial Government of Burma should also note that the protection of nationals is of the greatest consequence to us here in the same way as it is for them to see that their nationals in this province or in India generally are protected. If they only feel like that, I am sure such things would not happen in the future. We should all support this resolution in the hope that it would produce the desired effect.

"As regards the proposal made by the Hon. the Leader of the Opposition that the Minister for Industries should be deputed to go over to Burma, I leave it to the Hon. the Leader of the House."

* THE HON. MR. C. RAJAGOPALACHARIAR:—“Sir, it is an indication of the amount of feeling in the country that so much time and attention have been given to this resolution. The magnitude of the slaughter that was perpetrated in Rangoon and in the districts of Burma is fairly indicated by the fact that the Government of Burma have yet been unable to give us a casualty list which this Government pressed for, the very moment that news came here over the wires. It is quite obvious that there was a terrible holocaust. It is quite obvious that bodies were picked up and carried to the cemetery without any enquiry being made, without its being possible for any enquiry being made. But it is unnecessary, Sir, to anticipate. I have no doubt that when the events have been fully investigated into and we have a report, we shall have something terrible. But we must, even in the midst of this, tender our congratulations to the Government of Burma, that the frenzy was stopped at least after a few days. It is quite possible, seeing sometimes how things developed in that country on former occasions, that the position could have been even worse. We must congratulate ourselves and the Government of that province that so far at least, things have been brought under control. Still, the reports that we receive and the stories that we have heard from the refugees show that a large, a very large number of destitute people are wandering in Rangoon and that the toll of crime was very very great, both in respect of property and in respect of human life. It is wrong to anticipate the results of any enquiry that is to be made. It is easy to guess, because we are all students of human nature, and we know the causes operating in that country. We know the conflict of motives and interests, and we can easily guess. There is enough material for us to know that there is continual ill-will generated and anything can set fire to the magazine that is ready to explode. In that way, any immediate cause that may be found, upon enquiry, to have brought this about might serve to show the last cause, and further enquiries might show the chronic

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causes also. But it is not necessary for us to anticipate these enquiries by guesses and conjectures according to our inclinations and individual bias. Some might be inclined to attribute the whole thing to the constant conflict between Burmans and Indians and to the desire to turn the Indians out of Burma. Some might attribute it to the dangers of attacks on religious feelings. Some might attribute it to folly; others might attribute it to want of proper administration on the part of the Government. And perhaps, some might also attribute it to the present Premier of the present Government of Madras. This is individual bias; but on a solemn occasion like this, it is hardly necessary, Sir, to try to make any politics out of this. I did not expect what came from the mouth of the hon. Member from North Arcot; I did not expect the line that he took; but I think that besides this passing comment on my part, I had better leave it altogether aside. We are one and united in this matter of expression of our feelings, and in our expectations on the part of the Governments of India and of Burma; and the Government of Madras which has, I respectfully submit, done what it could be expected to do under the circumstances, is prepared to carry on and carry forward along the lines suggested in this resolution. Having taken already, on behalf of Government, action in the matter, I purposely refrain from diluting this spontaneous expression of opinion on the part of this House—which chanced to be sitting at the time we got this news—with any comments or criticisms on the part of the Government, except to say now that we fully and wholeheartedly accept the recommendation of this House. The demands made here are such as cannot be set aside by the Government of India lightly, as a mere recommendatory resolution. The demands confirm what we have already demanded on behalf of the Government before this House took up this matter. And therefore, the House may expect that something tangible will result.

“The question whether we should have more permanent arrangements for preventing such mishaps will certainly be one of the good things resulting from an examination of such an unfortunate occurrence. The House is aware that the Government of India will have from now an Agent in Burma, as there is an Agent in the other outlying Dominions, such as South Africa. The Agent, however, can do little, unless he is backed by a powerful Government and a sympathetic, quick and an alert Government behind him. The Government of Madras, though constitutionally it is not the principal for the Agent, will, I may assure the House act to all intents and purposes, as the principal of the Agent through the Government of India. £

“As for immediate action to be taken, I do hope, Sir, one day we shall be able to keep a few quick transports and means of communication, which would take officers and representatives from this Province, straight on to the scene of riots and disturbances in

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Burma and enable us to tender advice to the Government responsible for peace and order there on behalf of the sufferers hailing from this country. To-day, however, our resources are limited, though our desires are unlimited. Let us hope that we shall be enabled by the House to act strongly and not in hesitancy, not knowing what the House wants us to do or what it may approve or not approve.

“ So far as the generous, quick and useful suggestion that came from the Leader of the Opposition that one of our colleagues should immediately rush to the scene, it is a very good idea and it will be given deep thought; though it may not help the quick quelling of a riot it may help to heal the more chronic wounds and I add my own suggestion that the Leader of the Opposition should consider himself for purposes like these as handy an instrument as any member sitting on this side, for the deep thought of friends opposite. It is by such strange co-operation as perhaps it may seem in the present phase of party Government, but quite natural to the genius of India—it is by such co-operation that perhaps we may make an impression upon the people and the Government of Burma. Apart from expressing our feelings of great sorrow, almost amounting to wrath, at things that have happened in Burma, we must not do injustice to a sister Government. Let me plead on behalf of the Government of Burma, that it is not easy to quell a riot, taken up by the Burmans, for people who have lived in Burma and who have gone to Burma know what a Burmese riot is.

(At this stage Rao Bahadur Sir A. T. Pannir Selvam occupied the Chair.)

“ People who have experienced the difficulties of quelling a riot based upon a religious rumour or book or story or even a fancy, which spreads itself over the wireless all over a vast province, into the jungle and into the villages, will know that it is not an easy thing to quell. Let us not, therefore, say anything carping at the fact that the Burma Government was not able to stop it within a few hours. It is time when we receive the reports, it is time when we receive all the facts that will be placed before a proper tribunal or Committee or Commission, whatever it may be, it is time then for us to sit and apportion the blame as between the Government and the people or between the departments or between one set of people and another set of people. At present, it should be our duty to express our sympathy with the sufferers, our sympathy with those who have been killed and who have been rendered destitute—of all their possessions in many cases—in the terrible distress that they must have gone through, with those who have been victims, with those who have lost their properties. It is nothing strange that some people have actually gone mad—such things occur whenever such events occur. It is our duty to express our sympathy with those and our sympathy even for the Govern-

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ment that must be feeling keenly for all this and our readiness to help and co-operate in every endeavour that may be made by that Government to give immediate relief as well as find permanent remedies for this state of affairs. The Government, Sir, accepts this resolution and promises to do all that is necessary to give effect to the resolution." (Applause.)

The resolution was put and carried.

(2) STOPPAGE OF THE ALLEGED REPRESSIVE POLICY OF
THE GOVERNMENT AGAINST ANTI-HINDI PROPAGANDISTS.

MR. ABDUL HAMEED KHAN:—"Sir, I move the resolution that stands in my name, namely:—

'This Assembly recommends to the Government to stop its policy of repression against persons who take part in the anti-Hindi agitation.'

"Sir, to consider this resolution, soon after the one that has just been passed with regard to the serious situation that is taking place in Burma, is certainly a fair trial. My object in giving notice of this resolution to be considered by this House is to suggest to the Government of Madras to stop the repressive policy that they have been adopting against those fellow countrymen of ours, who have been opposing the compulsory introduction of Hindi or Hindustani, whatever it is called, in the schools in this Presidency. Sir, the Government of Madras, it is true, included a certain amount of money for expenditure on this proposal, during this year, and the budget including that amount was passed by this very House. On that account, I understand that the Hon. the Premier believes that it is his duty as the Leader of the House—not only as the Leader of the House, but as the Premier of Madras—to give effect to the decision of this House. Sir, I might on this occasion, tell the Hon. Premier that what this House has done in this respect is not very different from what it did in giving a vote for a further sum to be made use of by the Hon. the Speaker for his tour in Europe. It is not absolutely necessary on that account for the Hon. the Premier to say that his hands are tied and that he is bound to give effect to the decision of this Legislature, in compulsorily introducing Hindi or Hindustani in some of the high schools in this Province. Sir, I would ask the Hon. the Premier, apart from his desire to introduce a common language in this Presidency which will be useful to the people at a later date in dealing with their fellow countrymen in other parts of the country, particularly in Northern India,—apart from that question, I would like to ask him most respectfully whether it is not his duty to consider the views expressed by a section of the people in this Presidency, however small it may be. I am sure he will not come forward and say

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15 m, that the people who are opposing the compulsory introduction of Hindustani into the schools are small in numbers and these people who are opposing the compulsory introduction of this language are not so much against this language, but that they are in opposition to the party itself. Sir, that may be the argument that may possibly be advanced by the Hon. the Premier in support of the stand that he has taken with regard to this thorny question. But the fact remains that the volume of opposition that has gathered against the compulsory introduction of this language has increased considerably. That fact cannot be denied. Not only in the City of Madras, but throughout the Presidency, and much more so, in the Tamil Nadu, opposition has become more voluminous, and it has been gaining ground.

(At this stage Mr. Speaker resumed the Chair.)

“ If any proof was wanting, there was sufficient proof given in the meetings that were held on the beach in recent times by those gentlemen who took the opposite view. Very largely attended meetings were held, and those meetings were carried on very peacefully, and for a long time. I did not attend any one of those meetings, but while I was passing along the Marina as late as 9 a.m. (laughter)—I am sorry, 9 p.m.—on the day, perhaps on which the first meeting was held, although it was raining heavily, I saw hundreds and thousands of people assembled at that meeting, and that meeting was going on peacefully. That shows that there is a considerable amount of feeling against this proposal, and that means that there are a large number of people who are opposed to Government's view. We have to take notice of that opposition. If we cannot take notice of that opposition it means that we are not concerned with public opinion. Public opinion expressed on the eve of election or at the time of election is not the only opinion that deserves consideration, but public opinion expressed at all times deserves the same consideration. That is, public opinion expressed at all times deserves the same consideration even as public opinion expressed either at the time of general election or by means of votes at bye-elections is considered valuable. Therefore at any time, when any public opinion is expressed with a certain amount of volume, it is the duty of Government, and much more so of that Government which regards itself as a national Government, to give heed to that opinion, which is expressed by a large number of people. You cannot brush aside the opinion that is expressed by a large number of people. For there must be something in that opinion; you have to consider, whether you should regard that opinion as useful or valuable and which should be given heed. Sir, it may be said, as I have already stated, that the agitation that is carried on against this proposal of the Government is carried on by the enemies of Government, by people who want to supplant this Government and take

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their place after this Government is defeated. That is certainly a matter which has to be investigated. Perhaps it may be true; even if it is true, is it not the duty of this Government which is responsible to those persons who have given votes to the party to which this Government belong, and who have thus made it possible for their party to come into office and establish this Government, to give heed to the opinion of those who are in support of it? They are governing not in the interests of Congress people alone. Having come into power, I say, it is their duty to take into account opinions expressed by any party or by any section of people.

“ Sir, after all, with regard to the question of the introduction of Hindi or Hindustani, I know, the Hon. Premier has told us through his speeches at other places, that although Hindustani is introduced as a compulsory language in the schools, it would not be really compulsory, because it will not be taken into account at the time of examination, that is, if a student fails in the Hindustani language, his promotion will not be stopped. To that extent, the compulsory aspect of the question is minimized. When that can be done, I wish to ask, ‘What is the loss if the Hon. the Premier takes away that compulsory aspect altogether?’ There is feeling against that qualifying word. What exactly is lost by so doing? Well, he might give heed to the opinion and agree to take away the compulsory aspect for a time, and if the Hon. Premier takes away that compulsory aspect at the present moment, I suppose a time will come when the people themselves of their own accord may ask for compulsion. When they ask for compulsion, we may declare compulsion and make the language compulsory in the schools. After all, when we introduce any reform, we have to be very cautious. We have seen how the Hon. Minister for Public Health declared the other day that Government want to be very cautious in introducing new proposals, or for the matter of that any change in the administration. When they say that, I know they mean that they should not take a leap in the dark. I know the Hon. Premier is always very cautious. I know he always errs on the side of caution rather than on the side of persistence. But in this case, I fail to see, why he persists. Gentlemen who are fond of Tamil language, gentlemen who are anxious to keep Tamil language and see that it is not killed, gentlemen who want to see that that language is not adversely affected, are anxious that the Hindi language should not be made compulsory. When they say so, I believe they are honest; I believe they are sincere in what they say; and hence I believe the Hon. Premier should take that aspect of the question into account and take away the compulsory aspect altogether. Sir, this is so far as the compulsory side of the question is concerned.

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"Sir, a certain number of our countrymen, when they agitated against this by means of petitions and by means of meetings, found that these things had no effect upon the Hon. Premier, and so some of them resorted to picketing. I must condemn all that some of them had done while they loitered in front of the Premier's house shouting very objectionable slogans. They have, in my opinion, committed a wrong. It is certainly wrong for any person to go and stand opposite another's house, much less the house of a Member of Government, and shout and create disturbance and even to cry objectionable slogans. Certainly it is most objectionable. I certainly do not agree with those picketers who resorted to this sort of picketing and shouting slogans. But, for the offence they have committed in this manner, is it necessary, is it desirable, or is it right for a national Government to put these people down by having them arrested under a law, which has been condemned by themselves, which is to say the least lawless law, the most objectionable of the laws of the country—a law which ought to have been removed from the Statute Book long ago. The moment the Congress Government came into power, it should have been taken out of the Statute Book: but it has been allowed to remain, perhaps to be used against these very innocent persons. Sir, this law has been condemned from time to time, by Congressmen who were carrying on agitation against Government on the lines of Non-co-operation and picketing. Hon. Members belonging to the Congress Party and the Nationalist Party were opposed to the introduction of this law in the Central Legislature; they wanted it to be cancelled, for it was considered a satanic law, a lawless law. It is very unfortunate that that very satanic law has now become the law of the saint, the law of the angel; it has become an angelic law in the hands of the Congress Government, to be used against petty agitators. Petty agitators, I say, because they are merely a handful of persons picketing in front of the house of the Hon. the Premier or in front of a school where Hindi language has been introduced as a compulsory language. I know the Hon. Premier is a non-violent gentleman. If there is any gentleman who believes in non-violence to the extreme extent, it is my Hon. Friend, the Premier. He would not hurt even an ant that passes before him; he would not hurt anybody; he would avoid doing harm to anybody; and at the same time he would be tolerant to any amount of offence done to him. And I cannot understand how such a change came over such a gentleman the moment he assumed office. Now he cannot stand the sight of a batch of people standing in front of his house and shouting slogans. I know his ears were of such a nature that no noise could disturb his equanimity or upset his equilibrium of mind. The moment he has become the Minister, he cannot stand people loitering in front of his house and shouting. [The Hon. Mr. C. Rajagopalachariar: 'I have shown tolerance towards you

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now so long.' (Laughter.)] My hon. Friend cannot but be tolerant, I know; because there is the Speaker there to protect me. (Laughter.) (Rao Bahadur Sir A. T. Pannir Selvam: 'Hear, hear.') Perhaps if the Hon. Premier had not changed his tolerance this thing would not have happened. I am sure if he had overlooked this agitation, if he had not taken any notice of this agitation, perhaps the picketers would have stopped it themselves when they find that nobody was taking any notice of them. You know, the moment you use oppression against any agitation, that agitation grows in volume, grows in quality and grows in seriousness. I am afraid it is the Hon. Premier, who is to a very large extent responsible for the volume of agitation that is going on in this Presidency. If it had not been taken notice of, I am sure it might have lost its importance, and the agitation would never have assumed the voluminous proportion it has now done. I do not know whether the Hon. the Premier believes that the noise which these people make is undesirable. I only wish that the Hon. the Premier leaves his quiet place in Bazlullah Street in Mambalam and takes his residence in China Bazaar Road. Then he would have known what noise is—the hooting of the horns of the several motor cars that pass to and fro, the noise due to running of the tram-cars and added to all these, the noise made by other conveyances and the noisy hawkers. All these noises that are a common affair to the residents in that locality, would certainly have upset the Hon. the Premier.

“I only wish that the Hon. the Premier comes forward and says that he is not responsible for the arrests of these people, and that the police who have to do their duty are responsible for the arrests of those gentlemen who were creating disturbance in the street and who were resorting to picketing in front of his house. But that, he cannot do. Because, he is not only the Premier but is also in charge of police. He cannot say that it is against his wish that the police have taken this action. I know that he governs and he is in charge of the police; therefore whatever the police does or does not do, the Hon. the Premier is either indirectly or directly, more indirectly than directly, held answerable. I am told that this agitation is a small agitation but that it is gaining ground. It is not only gaining ground but it is creating communal feeling, and it is creating communal trouble. I submit communal difference is becoming more and more acute on account of the persistence of the Hon. the Premier as well as the persistence of the Hon. the Minister for Education in making the study of Hindi compulsory. Therefore in order to avoid these unfortunate results of compulsory introduction of Hindi and making the question a very large one, and in order to prevent it developing into other questions that will ultimately be responsible for creating a very wide gulf between communities in this Province, I appeal to Hon. the Prime Minister to give up

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compulsory introduction of Hindi. Thereby he will not lose anything. Hindi or Hindustani as it is called will be learnt by the people of this Province. They have been learning it. The Hindi Prachar Sabha has been doing this work of teaching people Hindi, and a large number of Hindus are learning this language.

"The Hon. the Premier in one of his speeches said that he was not against the non-Brahmans in compulsorily introducing Hindustani. If he had not made Hindustani compulsory, only the Brahmans will learn it and not the non-Brahmans. But as his desire was that the non-Brahmans also should learn Hindustani, he has made it compulsory."

THE HON. MR. T. PRAKASAM:—"May I request the hon. Member through you, Sir, not to bring in here the question of Brahmans and non-Brahmans. I would request him to avoid that as far as possible, and it is the best thing under the circumstances."

* MR. SPEAKER:—"It is a mere suggestion."

THE HON. MR. T. PRAKASAM:—"Yes."

MR. ABDUL HAMEED KHAN:—"On a point of order, Sir; I know it is a very unfortunate thing that I have to refer to that, because the Hon. the Premier in one of his speeches said—perhaps it was wrongly reported, and I shall be glad to stand corrected—that he was introducing this language compulsorily in the interests of the non-Brahmans. He said so. But now, it is the non-Brahmans that say that they do not want to study that language compulsorily."

THE HON. MR. T. PRAKASAM:—"I must certainly request you, Sir, Mr. Speaker, to advise the hon. Member not to lay stress upon it. Even in one of the Provincial Legislatures—I believe it is in the Punjab—when questions were brought upon communal basis, they were stopped. So I request you not to allow this."

MR. ABDUL HAMEED KHAN:—"It is not my purpose to create a division where it does not exist."

* MR. SPEAKER:—"Is it not desirable to concentrate upon the subject-matter of the resolution?"

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"The question is not of . . ."

* MR. SPEAKER:—"I think Sir Pannir Selvam may leave the matter between myself and the hon. Member, Mr. Hameed Khan."

MR. ABDUL HAMEED KHAN:—"Because it is not a question . . ."

* MR. SPEAKER:—"It is advisable that the hon. Member . . ."

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MR. ABDUL HAMEED KHAN:—"My respectful submission is that there is no question of creating a division where there is none. The division is there. What I say is 'don't make it worse. It is there, and you cannot deny the fact that it is there. It is growing . . .'"

* MR. SPEAKER:—"I think it is time that the hon. Member proceeds to other aspects of the question, because he has already taken a long time."

MR. ABDUL HAMEED KHAN:—"Yes, I shall try to go to some other point that I may have. (Laughter.)"

"Sir, so far as the language is concerned, there is another aspect. I am a Mussalman. My second language is Hindustani or Urdu as I would call it."

THE HON. DR. P. SUBBARAYAN:—"Your mother-tongue is Hindustani." (Laughter.)

MR. ABDUL HAMEED KHAN:—"I am thankful to the Hon. Minister for Education. Because he is the Minister for Education, he must correct me (renewed laughter); and I am thankful to him for the correction."

"Sir, I am a Mussalman whose mother-tongue is Hindustani, that is to say, Urdu. There is a misunderstanding so far as our position is concerned in this matter of the language. So far as we are concerned, we the Mussalmans will be called upon to study this language which is called Hindustani in a different script, that is, in the Persian script. Whereas the other communities will be called upon to learn that language in the Devanagari script. Of course, so far as the scripts are concerned, there is a great controversy. It is one of the most difficult things about it. So far as we the Mussalmans are concerned the Hon. the Premier, at a certain stage at the time when we considered the Budget, told us definitely that the language that will be taught will be Hindustani that is being spoken in the streets of Delhi and Lucknow. With that assurance, we were certainly satisfied. But we have not yet seen the books that are said to be prepared by the Madras Government, which will be introduced in those schools. All of us, the Mussalmans, are still awaiting those books. But we are afraid that those books are of such a nature that will not satisfy the Mussalmans. So far as this question is concerned, if we consider that these books are not satisfactory, we will certainly not be a party to the introduction of this language, either compulsorily or voluntarily and its being learned by Urdu-speaking Mussalmans or any other Mussalmans. At present we, as a community, are not joining with those who have been agitating against the compulsory introduction of this language. But when we find that this language is different from the Urdu or Hindustani which is being spoken in the streets of

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Delhi and Lucknow, we will swell the numbers of those who are now agitating against the introduction of this language either compulsorily or voluntarily in schools in the Madras Presidency.

"I now move the resolution."

MR. SPEAKER:—"I suppose Mr. Appadurai Pillai is practically withdrawing his motion? Both the resolutions relate to the same question, and when one is decided, either in the affirmative or in the negative, the other does not arise. It cannot be moved again."

DIWAN BAHADUR A. APPADURAI PILLAI:—"May I speak in support of this resolution?"

MR. SPEAKER:—"Yes. You can second the resolution now before the House."

* DIWAN BAHADUR A. APPADURAI PILLAI:—"Sir, I intended to move the resolution that stands in my name, namely,—

'that this Assembly recommends to the Government that the use of the Criminal Law (Amendment) Act against persons who take part in the anti-Hindi agitation be disapproved.'

"Since my friend Mr. Abdul Hameed Khan has moved his resolution, and since my resolution covers almost the same ground, I would content myself with seconding the resolution so ably moved by my friend.

"Sir, it is not my purpose to take the House into the history or the origin of this anti-Hindi agitation. Until about the last Budget Session, that is up to March 1938, there was not a whisper about the introduction of Hindi or Hindustani in our schools. It was only in the Hon. the Premier's speech when he presented the Budget for 1938-39 it was stated that among the new schemes of expenditure, provision has been made for the teaching of Hindustani in 125 Secondary schools in the Presidency. That was the first occasion when we came to know anything about Hindustani. This was then followed by a statement in the memorandum of explanations prepared by the Finance Secretary to the effect that provision has been made in the Budget for the introduction and for teaching Hindustani in Government Secondary schools; the same remark was repeated with reference to non-Government schools. In all these, there was no indication that Government have made up their minds to introduce Hindustani either as an optional subject or as a compulsory subject. A number of Members of this hon. House gave notice of cut motions to discuss the policy under 'Education' with reference to the compulsory introduction of Hindi in our schools. There was no regular discussion on it. Unfortunately owing to the temporary abstention on the part of some of the members on this side of the House there was no debate. Though some of the hon. Muslim members

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spoke on that discussion, as also my friend Mr. T. T. Krishnamachari, several other members on this side of the House did not take part in the debate.

“ It is not therefore correct to say that the matter was fully threshed out on the floor of the House during the budget session. There was no full dress debate. Nor was there a mandate from the people regarding the advisability of introducing Hindustani teaching. The matter was not placed in the form of a resolution nor was an appeal made to the public to give their sanction for the introduction of this measure. Sir, people came to know of this when the Government selected 125 schools for the introduction of Hindustani teaching. Seeing that Government seriously meant business, people protested as mildly as possible against this innovation. The press and the platform made a great deal of representation against this introduction of Hindustani. Seeing, Sir, that these protests from the press and the platform had not the desired effect, the sympathisers or advocates of the Dravidian literature took it into their heads to follow the method of peaceful picketing and procession. Sir, this peaceful picketing is considered to be in consonance with the orthodox form of agitation. Unfortunately, Sir, this peaceful picketing came to be viewed with displeasure, apparently due to unforeseen excesses on the part of some of the picketers. If, as Mr. Abdul Hameed Khan stated, the picketers transgressed their limits, if the processionists transgressed their line of demarcation and propriety, the ordinary law was open to Government to proceed against the malefactors. Unfortunately, at an ill-fated moment, the Government thought of stifling the agitation and nipping it in the bud by the application of the Criminal Law (Amendment) Act. That leads us to the real point in this resolution.

“ The Criminal Law (Amendment) Act, as this hon. House knows, has acquired an evil reputation. It has been condemned as a pernicious piece of legislation which should be scrapped from the Statute Book at the earliest opportunity. If I am not wasting your time and the time of this hon. House, may I just refer very briefly to a few adverse remarks made by the hon. Members of the Central Legislative Assembly at the time this Bill was on the legislative anvil. Mr. B. Sitarama Raju characterized this Act, Sir, and incidentally the explanation appended to section 7 of the Act under which prosecutions are now launched, as a *fraud* upon the constitution. Mr. Jaggannath Agarwal characterized it as an *engine of oppression* in the hands of people who are vested with power. Pandit Satyendra Nath Sen went further and called it an *idiotic* piece of legislation. Mr. Mody called it *silly* and *dangerous*. Mr. C. S. Ranga Ayyar characterized it in his own characteristic language as a *reprehensible* piece of legislation, reprehensible from the moderate and opposition point of view, reprehensible from the Congress point of

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view and reprehensible from the point of view of every lawyer and lover of the ordinary law. Mr. Amarnath Dutt called it, Sir, by a very unparliamentary name, *stupid*. That is the Act, Sir, which was put through the Central Legislature then."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Is it open to me to suggest that he might proceed to quote from my speeches instead of from others?"

* DIWAN BAHADUR A. APPADURAI PILLAI:—"It was pushed through the legislature in these unenviable circumstances and this has been resorted to by this popular Government to enforce what is now known as the compulsory introduction of Hindustani. Sir, under clause (3), section 1, of this Act, it is stated that the Act shall remain in force for a period of three years from its commencement. Its commencement was on 19th December 1932. Naturally therefore, in the ordinary course of events, its life ought to have ceased on 19th December 1935. Knowing that it was not going to be extinct or rather apprehending that its life might probably be extended, Mr. B. Das, the Member from Orissa, a Congress Member, brought into the Central Legislature a measure purporting to repeal this Criminal Law Amendment Act. He introduced a Bill on 2nd September 1935. It came up for discussion both on 2nd September 1935 and on 17th September 1935 to 24th September 1935. Non-official days having expired, the Bill stood in an unfinished stage. Mr. Das could not get through the Bill repealing this pernicious Act of 1932. But Government were not quiet. They tried to bring in another Bill contrary to Mr. Das's Bill in order to make this Act permanent. On 2nd September 1935, they introduced a Bill in the Central Assembly and the Bill came up for discussion on 5th September 1935; it was debated upon on the 5th September and the following days, but on the 12th September 1935 it was given a decent burial by the Assembly members voting solidly against it. It is a matter of great pleasure to me, Sir, to find some of the illustrious names among those who voted down this Bill of Government intended to give the 1932 Act a permanent life. I find among those who voted against it Mr. Ananthasayanam Ayyangar, Mr. Avanashilingam Chettiyar, Mr. Sami Venkatachalam Chetti, who are our honourable representatives in the Central Assembly at the present day. Among others we find the Hon. Dr. T. S. S. Rajan and the Hon. Mr. V. V. Giri who are at present gracing the treasury benches here. We find in their company Mr. P. S. Kumaraswami Raja who is a fellow member with me in this hon. House. We find, Sir, the name of Dr. N. B. Khare whose name unfortunately is on everybody's lips at the present moment. We find also the name of Mr. Jayamurti, the big gun of Madras. Seventy-one voted against the notion and sixty-one voted for it. But Government would not take the defeat lying down. They carried it to His Excellency the Viceroy who remitted it for reconsideration by the Assembly in

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an amended form. But the Assembly was not in a mood to accept even the amended Bill. The revised bill shared the fate of its predecessor. There was a debate and the bill was thrown out. That Bill was taken to the Council of State and was passed by that body, and signed by the President on the 28th September 1935, and His Excellency the Viceroy certified it on 4th October 1935, and it has now got into the statute book.

“ With this chequered career which does not redound to its credit, the Act managed to secure a place on the statute book. But, unfortunately, Sir, the success on the part of this ill-fated Act of 1935 giving a permanent life to the Act of 1932 was very short-lived because in 1937, hardly two years later, the Act of 1935 was wholly repealed. Apart from this trouble, Sir, there is a little more storm in the tea-cup. Under the previous Government of India Act, section 67-B, when an Act is assented to by one chamber and thrown out by the other, it is up to His Excellency the Viceroy to certify that Act and bring it into operation. His Excellency the Viceroy accordingly granted the certification; but that certification should be subject to the condition that the certified Act is placed before both Houses of Parliament for about two weeks when the Parliament is in session. Otherwise it can be certified only as an emergency measure. Just at the time the Act was passed in 1935, the Parliament was in session for a number of days. The House of Lords also sat from the 27th October to 17th December 1935 and the House of Commons sat for a similar period.

“ But His Excellency the Viceroy preferred to take action under the proviso to section 69-B and certified the Act as an emergency measure.

“ This Act of 1935 was however short-lived, as stated already, because it was wholly repealed in the year 1937. What is the result of this repeal? The result of the repeal of the Act of 1935 is to restore the *status quo ante*. That means that the Act of 1932 will remain unaffected by the Act of 1935. If it remains unaffected, if we forget for a moment that the 1935 Act does not exist, it brings us to the position that the Act of 1932 would function only for a period of three years with reference to clause 3 of section 1. That is until 19th December 1935. That date having passed, the 1932 Act dies of its own accord. That is the fate of this Act. Sir, I cannot imagine how the legal advisers of Government have advised Government to proceed under this Act which is not on the statute book. If we contend that the Act of 1935, which removed the word ‘temporary’ from the preamble and omitted the words ‘for a period of three years’ in clause 3 of section 1, conferred upon the original Act of 1932 a permanent lease of life, we would be unduly straining the law. Can it be argued that the original Act continues to subsist? By what stretch of imagination, Sir, can we concede that the 1932 Act has become permanent

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on the statute book in spite of the amending Act having been repealed? Sir, this is at least a debatable point.

“ Apart from this, there is the notification. Section 4 of the Criminal Law Amendment Act which deals with picketing of public servants has been deleted by the Act of 1935. Under section 7 of the Criminal Law Amendment Act, clause (a) deals with intimidation, violence and obstruction; clause (b) deals with the offence of loitering. This clause has come handy to Government to put down anti-Hindi agitation. Sir, seeing that this sub-clause involves very serious responsibility and relates to offences of considerable importance, the Government of India took care to provide in clause 4, section 1 of the Act of 1932 that section 7 will not apply as a matter of course to the provinces, but that a notification should be published by the provincial Government introducing that section specifically to any area that may be determined by the local Government. It was with reference to this direction in clause 4, that the local Government published a notification in December 1932 applying section 7 to this province. It is by virtue of that section and under that notification that prosecutions were launched during the Civil Disobedience Movement. When the Act of 1932 was scrapped from the Statute Book by the later Act of 1937 as I submitted just now, the notification which partakes of the same nature as that of the original Act; cannot have more force of law than the original Act itself and it *ipso facto* ceases. The notification, Sir, will be of no value after the Act on which it was based had been cancelled. It would therefore seem, Sir, that neither the Act nor the notification issued under section 7 of the Act will validly grant sanction to the local Government to proceed against persons taking part in the anti-Hindi movement. After all, Sir, no law was broken. The anti-Hindi agitators. . . .”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ Excuse me for a minute, Sir. I did not wish to interrupt the hon. Member, but he is urging a point when, as the Leader of the House, I must draw your attention to the fact that he has just trencched on what is not right. I think he was arguing all the time about the repressive character of the measure or about the objectionable character of the measure. I think he ought not to proceed beyond that into a pleading with regard to the cases that are pending.”

MR. SPEAKER:—“ He is not dealing with matters that are *sub judice*.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ I thought I heard him say, or I should be corrected, that the notification is not now applicable and has no effect. After hearing that I thought I should rise.”

MR. SPEAKER:—“ I think he will not be impinging upon matters that are *sub judice*.”

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* **DIWAN BAHADUR A. APPADURAI PILLAI** :—“ I have carefully avoided mentioning it. I am not going to dwell upon it. I shall take the advice of the Hon. the Premier. I shall not trench upon any matter that is *sub judice*.

“ Would the Government, Sir, elect to base a policy of repression on an Act which found no equal in the matter of its universal condemnation? I leave it at that, Sir.

“ Then with reference to the repressive character of the measures taken by Government to put a stop to this agitation I may refer to none else than Pandit Hrydayanath Kunzru who recently presided over a conference of the Hindi Pracharak Sabha and complimented the organisers of the conference on the success they have attained in the matter of the spread of Hindi education. He said: ‘ 69,715 candidates appeared for the examinations in Hindi. Judging the popularity of Hindi in South India from the progress of the work of the Hindi Pracharak Sabha, I feel that more progress has been made than might have been expected.’ That is the testimony of an outsider and an unbiassed gentleman to the spread of Hindi in our province. But with reference to the repressive measures he stated that if Hindi is not merely to be learnt, but has to be loved and remembered and its study has to be properly developed in South India, compulsion in regard to its study is out of place. Persuasion is the best way of achieving the desired result. The ‘ Madras Mail ’ quoted with approval Pandit Kunzru’s observations in these words:—

‘ Pandit Kunzru, whose disinterestedness is patent, told the Hindi Pracharak Sabha meeting at which he presided yesterday that compulsion was out of place. He shared this opinion with Mr. Giri who told a Chingleput audience that what is done by coercion will not last long.’

“ It was not my intention, Sir, to rope in the Minister; but the ‘ Madras Mail ’ had roped him in. I have with me several opinions from other illustrious persons supporting my view. But I do not wish to take up the time of the House by quoting from them all. Sir, various journals have also criticized the action of this Government. ‘ The Pioneer ’ and ‘ the Bombay Chronicle ’ have done so.

“ Then, Sir, what is more painful with reference to these repressive measures is the punishment awarded for loitering. Loitering, Sir, is a very vague term. It has not been defined in any code. Anything can be considered as loitering. Walking in front of any Member’s house can be deemed an offence and charged. And what is worse? People have been charged for abetment of loitering. In order to help the authorities to do so, they have had recourse to the unwholesome principle of combining section 117 of the Indian Penal Code with section 7 of the Criminal Law Amendment Act, loitering and abetment of loitering. Recourse has thus been had to a combination of the Penal Code and the Criminal Law Amendment Act to punish innocent and

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peaceful picketers who have done all this for love of their language. But what is the result of all this repression? Three months of incessant repression has only succeeded in filling the jails as rapidly as Government emptied them of criminals, political or otherwise. What has been done with one hand has been replaced by another.

"Sir, it is often said that this agitation is political in its aspect. What political aspect can a peaceful agitation have, Sir? I have already submitted that if the picketers have transgressed the law, they ought to be proceeded against under the ordinary provisions of Criminal Law.

"Sir P. T. Rajan, a descendant of a patron of Tamil literature, a direct descendant, whose ancestor has been immortalized in the famous epic which we Tamilians revere as *Kamba Ramayanam*, has distinctly stated that it is only the love of language that has induced him to take part in this agitation. It is not communal either, because Brahmans, non-Brahmans, Muslims and Christians have joined in the agitation."

MR. SPEAKER:—"I suppose that the hon. Member has taken more than an hour."

* DIWAN BAHADUR A. APPADURAI PILLAI:—"I will finish, Sir."

MR. SPEAKER:—"I think that is better."

* DIWAN BAHADUR A. APPADURAI PILLAI:—"Sanyasins have taken part in this, people who have renounced the world and have taken to *Kashayam*. What benefit can they have expected. Sir, in the matter of politics? They have given up everything. They have given up home; they have given up the luxuries of the world; they have renounced this life and why should they take part in this agitation on political or communal grounds? It is nothing but love of language. It is not that we are unaware of the fact that the Tamilians have a great tradition and it is not necessary for me to read the opinion of an English writer with reference to this point. That would probably be carrying coals to Newcastle. But it deals with the very point that I am trying to labour at the present moment. Mr. F. W. Thomas has stated, Sir, in the famous book called 'the Legacy of India' thus: 'The Tamil is undoubtedly next to the Sanskrit the greatest Indian literature. The note of this Tamil hymnology is all-renouncing, enthusiastic devotion to the chosen divinity, Siva or Vishnu; the poetic style is more elaborate even than that of Sanskrit. The Tamils are conscious of the value of their literary inheritance, and they maintain a tradition of its regulation from very remote periods by successive 'Academies' sitting in judgment at Madurai, which is still the great centre of Tamil studies.' It is this consciousness which is at the root of all this trouble. I leave it there. Is it any wonder, Sir, that the Tamils.

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the people of South India, without any distinction of caste or creed have joined in this agitation? The solution is in the hollow of the Prime Minister's hands. It is possible, Sir, at a moment's notice to put an end to the whole trouble by declaring the teaching of Hindi as optional. Would anything be lost by that method? We find the text-books are not ready; Sir, though 125 schools were selected for the introduction of Hindi, it was found possible to introduce it only in 65 schools because pandits were not forthcoming; it was necessary to reduce the qualification of the Pandits in order to enable them to be posted as teachers in these 65 schools. That being the case, as the arrangements are not perfect, and the people are not satisfied and ready at the present moment, would it be too much to ask this popular Government to consider the case from a sympathetic point of view and make this teaching of Hindi optional? Sir, the same object will be attained in course of time. As my hon. Friend, Mr. Hameed Khan, has stated, people will go in voluntarily for the learning of Hindi, if a certain amount of preferential treatment is shown to the persons who are literate in Hindi. It is just possible to encourage the study of Hindi by means of scholarships, stipends and by giving preferential treatment in the matter of appointments. But to try to force it upon a people who are legitimately or otherwise alarmed at the probable harm that it might do, would it be feasible, Sir? Would it be desirable to persist in a measure of this kind? Will it be too much, Sir, to appeal to the Hon. Premier to see that peace is restored and to see that those who have been incarcerated for no fault of theirs except probably for love of language released and restored to the parental roofs?

"I must mention in this connexion, Sir,—otherwise I would be failing in my duty—one word about the punishments that are being awarded to the so-called agitators. Sanyasins have been punished with rigorous imprisonment for a period of one year. The Act provides for a sentence of imprisonment or fine. Fine could have been imposed or imprisonment for a small term; why go beyond the necessities of the case, the requirements of justice? If a month or two is awarded, it might be possible to bring about a settlement within that period but a year's rigorous imprisonment and nine months' rigorous imprisonment for that matter merely for the infringement of an executive order seems rather harsh. Sir, with these words, I commend the resolution for the acceptance of the House. I am sure that if freedom of vote is given, a large number of members would vote for the resolution." (Cries of 'no, no.')

MR. R. M. PALAT :—"I have no doubt, Sir, that several hon. Members of this House . . ."

MR. SPEAKER :—"The two hon. Members who have spoken already have taken between themselves much more than an hour

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and the time before the House is very limited; and there are a number of other resolutions also. And it may not be possible at all to reach the other resolutions. Even then in order to allow an opportunity for a substantially good number of people to speak on this resolution, I think hon. Members hereafter must be content to make short speeches, pointed and relevant to the subject-matter."

* MR. R. M. PALAT:—"Sir, I presume that nobody will deny that Mr. Gandhi is the best exponent of congress principles and his main test to see whether the Government in any of the congress provinces has been a success or not, is this: I believe it is in the Harijan of the 23rd April, that he stated: the success of any of these Governments should be measured by the extent—in inverse proportion—of the force used in these provinces. Sir, what do we see in this presidency? Do we see any reduction in the amount of force which is used by this the first popular government against peaceful agitators from what was used by the old bureaucratic or dyarchic systems of government? (Interruption.) Sir, I cannot hear an interruption which has been made but I go on with what I have to say. The Hon. Mr. Rajagopalachari said yesterday that we should credit him with honest motives. I am quite prepared to do so. But, Sir, let us look at what has happened. It is seen that the Congress Government is actually killing the national movement in India. Has he done anything to fight against the larger imperialistic interests in this country? Has he done anything in fulfilment of any of his pledges? In the last 50 years, this is the first time that there has been no national opposition to the British Government? I challenge Mr. Rajagopalachari to deny that. According to what Mr. Gandhi has laid down, I should have thought that those who believe in Congress principles should offer non-violent satyagraha towards these anti-Hindi agitators instead of trying to arrest them and put them into jail. I do not want to take more time, after what has been so fully dealt with by my predecessor, Mr. Appadurai Pillai."

MR. M. AHMED BADSHA:—"Mr. Speaker, Sir, I take your advice and I shall be very brief in supporting the resolution of my friend Mr. Abdul Hameed Khan. Sir, at the time when the Government contemplated the introduction of compulsory Hindustani in this Province, they, I imagine, could never have dreamt that any opposition could have been raised on this issue. They introduced it hoping that it would have smooth sailing but if they had thought that there would have been such an opposition, the usual care shown in the promulgation of the Prohibition Act and the Act that they have said they have been contemplating to introduce for the freedom of temple-entry to the depressed classes in Malabar, would have been shown in the introduction of Hindustani compulsorily. Sir, in speaking on this resolution

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I respectfully draw the attention of the Hon. the Prime Minister that a difference should be made between compulsion and necessity. I have yet to understand, Sir, in the history of languages that I have had opportunities of studying that at any time any language had been introduced on the basis of compulsion."

AN HON. MEMBER:—"English?"

MR. M. AHMED BADSHA:—"English is a necessity again, Sir."

AN HON. MEMBER:—"Hindi also."

MR. M. AHMED BADSHA:—"Sir, we admit* that India is a vast continent, that India is peopled by diverse classes and communities and that we should have a language for the general unification of this vast continent. (Hear, hear.) All that is admitted, Sir, but is such a necessity being felt to-day or was it at any time felt before? So far as I am aware and I have got history to support me, this necessity was felt so long ago as when the Bijapur and the Golconda Empires were built in South India. It must have been several hundreds of years ago that Hindustani was introduced first as the necessary language of the fighting units of their kingdoms. The armies of Bijapur and Golconda consisted of innumerable units of various classes of persons drawn from various parts of this country and in their movements for conquering purposes throughout the country, they had to come across hundreds of languages and necessity compelled these forces to evolve a common language in those circumstances. (Hear, hear.) Sir, the evolution of that language has given us the Hindustani that is being spoken commonly to-day.

"Sir, there is an allied word also used in reference to that language, viz., Urdu. The word Urdu, I may say for the information of the House, if I am not considered impertinent, signifies a military camp. It was necessity which laid the foundations of that language and led to its development to such an extent that we have got nearly 20 crores of people talking Hindustani all over India. (Applause) I now appeal to the Government to say whether this development of 20 crores of people speaking this language in India has been reached out of compulsion or necessity. The very fact that the Government is introducing Hindustani to-day on a compulsory basis is an admission of the fact that there is no necessity for it. If there was the necessity the element of compulsion had no reason to come in. It is just like a man who has been hungry and has been fed, who has been thirsty and whose thirst has been quenched and therefore cannot be expected to relish any more food or drink however delicious it might be. What we oppose not the introduction of Hindi or Hindustani but the compulsory aspect of the measure. I would welcome any propaganda being

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made or any encouragement being given for the study of Hindustani for nationalizing the language of this continent. But I should fall back and hesitate not once but a hundred times before I could ever think of introducing anything like compulsion.

“ Sir, I am a Mussalman and there is no doubt about it although I may be laughed at by some hon. Members for my views. According to the Koran it is God who is said to be the teaching source of all languages. It says ‘that he taught man to speak.’ Speech never came by artificial applications or devices. Speech is the development that comes out of social, political or economic necessity. If we are to study a language like German, text-books might be helpful to us, instructors might be helpful to us, but so long as there is no necessity to foster the language and develop it, the learning of it will become difficult. The time and energy that might be spent in the studying of a language under circumstances of necessity will be quite insignificant when compared to the time taken under compulsion. Should I not therefore be considered relevant if I ask that if the Government are anxious to introduce a national language why they should not take on hand a language that has been developed and evolved already after long experience and as a result of the cultural development of the two great people of this country—Hindus and Mussalmans—a language which has come to be known as Urdu? Urdu has advanced to such an extent, as the Hon. the Premier himself has admitted at one time, that there are about 20 crores of people speaking that language all over India. If we are to complete that achievement of developing a national language it will be but a step further if Urdu is made to advance in the usual course instead of introducing a disturbing current in the shape of Hindi, and much more so in the shape of compulsory study of Hindi.

“ I am not going to dwell on the other aspects of the repression, but I would respectfully point out this. I have read the speech of the Hon. the Premier at the meeting held on the beach as was reported in the Madras Mail. The Hon. the Premier asked whether he should drop the application of the Criminal Law Amendment Act when such a dropping would be suicidal to his own policy. The illustration that he gave was: Are we to give up Fort St. George, because it was built by the British? Well, Sir, I do not want to dilate upon this illustration, but I fail to see how it answers the difficulty or applies to the present position. Both these things, the Criminal Law Amendment Act and Fort St. George, might have had their origin from a Government of the past whom we have supplanted. Sir, am I not right in asking whether the purpose was the same in both the cases? It is the application that has been objected to. I fail to understand how

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when Fort. St. George had been built for the good governance of the people it could be compared to the application of the Criminal Law Amendment Act for the purpose of repression. Therefore, Sir, I humbly request that the Government should not only drop this repression but also consider the question of abolishing the compulsory introduction of the study of Hindi." (Applause.)

MR. BASHEER AHMED SAYEED :—"Mr. Speaker, Sir."

MR. SPEAKER :—"A very brief speech of only five minutes."

* MR. BASHEER AHMED SAYEED :—"It is hard lot on me that I should confine my speech to five minutes. Sir, it is with a certain amount of trepidation that I rise to participate in this discussion. I submit, Sir, even at the outset that I am unable to agree with the resolution or even the language of it. The resolution reads :

'This Assembly recommends to the Government to stop its policy of repression against persons who take part in the anti-Hindi agitation.'

"Now so far as I have been able to watch the events that have been taking place for the past few months I do not think, Sir, it can be correctly described that a repressive policy is being adopted against those who are participating in the anti-Hindi agitation. True, there have been trials and convictions and it might also be said that in certain cases the sentences have been severe. But the convictions have not been merely because those persons have participated in the anti-Hindi agitation, but because the offences for which they have been tried and convicted are offences of the kind which no hon. Member of this House could tolerate. (Hear, hear.) Sir, I stand for individual liberty. I stand for agitation on constitutional lines. I stand for agitation on the same lines and principles which the Congress has taught the people of this country for the past fifty years. But, Sir, that agitation must have a righteous cause for its basis. It must be based on something which ordinary human reason can accept. It is indisputable that the repression so called has not been against the people who march in processions carrying placards and shouting slogans against the spread of Hindustani in the country. Nor has there been any repressive policy adopted against persons who have spoken at meetings or protested in writing in the Press. The convictions have been of persons who have caused annoyance, intimidation and unnecessary interference with individual liberty and made the life of people against whom they were directed miserable. (Hear, hear.) Now, Sir, that kind of agitation no person who respects law would be able to put up with. Sir, I submit in all humility that I beg to differ from my hon. Friends the mover and the supporters of this Resolution. The Resolution as it has been framed does not correspond to the actual facts. That is my humble submission.

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“ My hon. Friend the Muslim Member from North Arcot said that he was only concerned with the compulsory aspect of this question. There might be some semblance of justification for that. But, I earnestly ask: granting there is some element of compulsion in the step taken by the Government of the day, are the methods adopted by the people who agitate against that compulsion the right methods? Are they constitutional methods? Are they within the scope of the law? I concede that every one who feels aggrieved can protest against compulsion according to his lights. But the protest should stop within reasonable bounds. If there has been a constitutional protest, certainly it would have been justifiable. That amount of protest which a man of reason makes against compulsion will not bring him within the clutches of the law. The arm of the ordinary law is not so long as to extend against persons who in the name of protest against compulsion commit atrocious acts. In this connexion, Sir, I venture to submit that very few of the Muslim Members have thought over the issues involved in the question of the compulsory spread of Hindustani. I contend that very few indeed have devoted any attention to the real aspect, the vital nature of this question so far as it affects the Muslim community. Sir, it has been claimed and rightly too that Hindustani is a Muslim language. May I, by the way state that the Government in their orders and responsible Ministers in their speeches have abandoned the use of the word ‘Hindi’ and have become acclimatized to the use of the word ‘Hindustani’? Now, Sir, Hindustani is the language spoken in the cities of Lucknow, Delhi and Allahabad and that is the language spoken by several of us though in a broken fashion in the South of India. That is the language spoken by the Pathans and Deccanis. A very large proportion of the Mussalmans of South India—the Mappillas of Malabar, the Rowthers and the Maracairs—do not yet speak that language. Some smattering of that language is seen only in the Andhra Province. So, what is spoken is the Hindustani language that is sought to be propagated. Sir, so far as the script is concerned, in North India there had been a very keen agitation for long as to whether it should be the Nagari script or the Arabic script. It was stated that at one time even Mahatma Gandhi objected to the use of the Arabic script. But, Sir, that has become a thing of the past. Gandhiji, Pandit Jawaharlal Nehru and a host of other leaders some of whom were thinking that Nagari should be the popular script have given up the idea because they found it impossible or difficult to develop a new language in a script which has not had sufficient foundation. Now, Sir, by common consent, the language is to be the common language; the script is to be whatever the individual chooses for himself. Now, Sir, on the authority of the Anjumane-Tharaki-ye-Urdu which had its headquarters at Aurangabad and which has shifted it-

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has been settled once for all. There is no more controversy over this. The language is one, the scripts are two.

“ Now, Sir, this Government want to propagate this spoken ⁷⁻¹ language which is a Muslim language. It is up to the Mussal- ^{P.1} mans to say ‘ we welcome this movement ’. (Applause.) ‘ We shall avail ourselves of the opportunity and get facilities, as many facilities as possible, from the Government for the early and speedy learning of this language by the 11 or 12 lakhs of Moplahs in Malabar and the 11 and 12 lakhs of Mussalmans in Tamil Nadu, and an equal number in the Andhra and the Kanarese areas.’ Instead of saying that we should be provided with more and more teachers for the learning of this language in the Urdu script, that we should be given greater and greater facilities in the schools maintained by the Government, by the municipalities and district boards all over the country, it is most unfortunate that Mussalmans have been misled into joining hands with an agitation which ought not to be supported by any Muslim. My honest conviction is that and I warn my Muslim brethren and the Muslim community in general—I speak, Sir, with a full sense of my responsibility when I say that they will be committing another big mistake of their life if they are going to be misled by so-called leaders and if they are going to serve as spokes in the wheel of the spread of Hindustani in this province. Sir, when the English language has been made compulsory and also a pre-requisite for entry into service, entry into political and any kind of public life, are Mussalmans in this age under false leadership, not going to allow the members of their community to learn the language of the country and of the future? Sir, it was given to the late Sir Sayed Ahmed Khan—honoured be his memory—to point out to the Mussalman community ‘ that they were going to lose all if they were not going to take to English education and the English language.’ Much precious time was lost and what was lost has not been made up yet by the Mussalman community in spite of strenuous efforts. To-day, Sir, the Mussalman community stands as a backward community in every respect. Time and again we have to jump up in this House in order to ask for more and more privileges and facilities for the spread of modern education among the Muslim community. Sir, it is not a very happy thing for us to do. This day, I have had to ask the Hon. the Minister for Education as to why Muslim schools are being abolished, why Arabic Munsifs are being sent away and so on and so forth. That is not always a very pleasant thing to do. All the same, owing to the mistake committed by our forefathers and our predecessors, we have perforce to do all these things. Now is the time to wake up and put forth all endeavour in the hope that with the co-operation of this Government, we would make all progress and ere long the Muslim community would be on the same level as the other

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communities in the matter of education. I am afraid, Sir, that a similar mistake which will enure for their lives will be committed by the Muslim community to-day, if they are not going to take this opportunity by the forelock and say to the municipalities, the local boards and to the Government, 'Give us more Hindustani teachers, and we want to learn the language in the Urdu script.' Why not say it? Some Muslims know Hindustani already; my friend from Kistna says 'only a microscopic minority.' Sir, it may be a microscopic minority; but I ask my Friend in all humility whether, if the 12 lakhs of Muslims in Malabar do not know Hindustani and if the several lakhs of Muslims in the Tamil Nadu and other areas do not know it, this is not a splendid opportunity to make up the lee-way and whether this opportunity should be lost under false leadership and wrong advice. I submit, Sir, there being no compulsion whatsoever in the matter of the script, there can be no justification for Mussalmans for participating in this unwarranted agitation. There has been a mistaken impression going round that the books will be written in the Hindi language, as opposed to the Urdu language. This is merely a confusion born of ignorance and prejudice. The language is one and there is no difference in the spoken language. Sir, a start has been made with the first reader that is to be introduced in the schools in furtherance of the programme of the Government; it will be a common text written in two different scripts, perhaps under the supervision of no greater a person than Abdul Kalam Azad against whom there may be several allegations made now by his mean opponents. I have already had the Nagari text read to me; but I see the Urdu text now for the first time, given to me by Dr. Subbarayan. I had my friend Mr. Sastri to read to me the Nagari text, and I found in it no Sanskrit words. This is only the initial stage. This book which is written in the Nagari script and the one which I hold in my hand written in the Arabic script are both the same, so far as the matter goes, and I have no reason to believe, so far as things stand at present, that the authority that has been constituted. . .'

MR. MAHBOOB ALI BAIG:—"On a point of order, Sir. Is this all relevant to the question before us—this lecture on the merits of Hindustani and otherwise?"

MR. SPEAKER:—"It is not a point of order."

MR. BASHEER AHMED SAYEED:—"I was saying, Sir, that there is no indication, and there is no justification either, to suspect that in the future, the authority that has been constituted to write books, common text-books for the spread of Hindustani in this province, is going to take a different turn and put in a large number of Sanskrit words in the common text-books in such a way as to make Hindustani or Arabic suffer. This is a very

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mistaken impression. On the other hand, if the language that is spoken now in Delhi, Lucknow and Allahabad, is the language that is to be propagated in this presidency, there is absolutely no room for the suspicion, that Sanskrit words are going to be introduced. And who are the authors of this book, leave alone Maulana Abdul Kalam Azad who has been calumniated as having been purchased by the Congress for all his life? All stalwart Muslims who represent the height of Muslim culture, Muslim language and Muslim literature in this country, have supported this movement, as being well-conceived. One of them is the Secretary of the Anjumani-Taraki-Ye-Urdu, a revered friend of mine and some others too in this part of the country. He has agreed with me that there is no more room for agitation on the ground of either Sanskrit script or Arabic script. On the other hand, as I said, if Mussalmans are wise, they will catch hold of this opportunity, lose no time and put the Government in the wrong as often as possible by their making demands for the grant of greater and greater facilities for learning this language in all the schools of our province. I admit, at the same time, that there are practical difficulties in the matter of the spread of Hindustani, but it is up to the Mussalmans to see that these difficulties are surmounted; as Mussalmans are few, the Government may not be able to make adequate arrangements for the teaching of Hindustani in the Arabic script. In a school administered, say by a district board or a municipality, on account of want of adequate funds and financial stringency, such a facility may not be possible, and that is why a person knowing both the scripts may be required to be employed; but I am sure nothing prevents the majority in a school from learning it in the Arabic script or the Nagari script or in whatever script they please. It is therefore up to the Mussalmans to say if they choose to, that they do not want the Nagari script, that they want to learn the language only in the Urdu script; and that therefore they should be given facilities for the purpose. And if the municipality or the local body does not rise to the occasion, the Government may be approached for help. In such a case, let the Government come to our help. It will not be an item that could be objected to by the Accountant-General; no audit objection could be raised on that score. The Public Accounts Committee also will not take objection to any such expenditure for the spread of Urdu which is sanctioned by the Government and by this House. On the other hand, as I said, it will be to our detriment, to the detriment of the progress of the Muslim language and the Muslim community in this province, if we should participate in the anti-Hindi agitation. It is sheer folly to say that agitators who cross the bounds of decency and indulge in intimidation and vulgar abuse should not be booked.

“ There is also an argument advanced that the local language, the mother-tongue—probably Tamil, Telugu, Malayalam or

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Kanarese—will be affected. But no Muslim has spoken that Malayalam is going to be affected, or that Tamil is going to be affected or Telugu or Kanarese. Not at all. It is futile to argue on these lines. There is no warrant for this. On the other hand, as I understand the Government's programme, the counterpart of the spread of Hindustani in this province will be that instruction will be given in all the subjects in our schools through the medium of the mother-tongue. If both these parts are kept together, and if the students and pupils are going to be given instruction in their own mother-tongue, whatever language it may be, then the spread of the Hindustani language in any script cannot kill or interfere in any manner whatever with the spread and development of the mother-tongue. If this is true then the agitation is sheer perversity and must be put down. Sir, we in the University, have had occasion to impress upon the institutions amenable to our control that there should be persuasion as much as possible exercised through the respective administrations, in order to make students take to answering questions at examinations in the vernacular itself; and as a result of that persuasion, there are now nearly 150 to 180 institutions where students have taken to answering their examinations in their own mother-tongue. But this indeed is very slow progress. Compulsion must accelerate this. Similarly, if the Muslims had taken up that kind of agitation and stated that every Muslim child, wherever he might be, must learn the Hindustani language, certainly things would have been much easier and progress would have been tremendous. That was not done, and we have failed in our duty, and the Government have now come forward to our rescue and given us this opportunity. Why not avail of it and why not make the best use of it? That is my simple question to my Muslim brethren. What is it that they lose that they should think of supporting a movement directed against the spread of their own language?

“Again, Sir, the Tamil language has no reason to fear. It is already making headway in the institutions and it will not cease to exercise the healthy influence that it does now, to attract the fascination and the imagination of those people who are acquainted with it and who are intent upon developing it. It may be true that some of the Ministers themselves have not so far acquainted themselves with the Hindustani language, and it may be that Ministers have failed in their duty. It may be that some Ministers have merely supported, but done substantially nothing for the spread of Tamil; but all that is not germane to the issue now before us. The Ministers will very soon learn the Hindustani language. They will speak it very soon, and I hope so. But I know there are Ministers here, if I may be permitted to say so, who are actively encouraging in their individual capacity, I mean in their personal capacity and also in their official capacity, the spread of the mother-tongue. I know instances, but I do not

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want to quote them here. All this fear that Tamil or any other language of the province will be seriously affected by the propagation of the Urdu or the Hindustani language is certainly groundless, and merely a cloak for agitation. It is a poor pretext.

“ Sir, already the Hon. the Premier has undertaken and assured us in unmistakable terms that he would very soon try to repeal the Criminal Law Amendment Act and bring in measures which would have the consent or sanction of this very House, for being applied to cases which demand the application of such measures. So, the real point is only a question of time. I do not think it is proper to say that there has been a repressive policy at all. The repression is not against persons who express honest views, not against those who want honest views to spread or who want to mould public opinion in that direction, but only against those who do things which ought not to be allowed to be done, which endanger personal security and personal liberty and excite feelings of hatred and who want to get a name eventually. I want to tell the hon. Member from North Arcot who said that compulsion is different from necessity, that I cannot appreciate the difference. What is compulsion to-day may be necessity to-morrow. If it is necessary to-morrow, I say, why not have it to-day by means of compulsion. Sir, I warn the Muslim community and other communities also, that within the next five or ten years, if not this Government, some other Government which may be then in power, will make this language a pre-requisite for entry into service—that is, a knowledge of Hindustani in the Nagari script or the Urdu script. Then, who will be the losers? Those friends of mine who have already learnt the language would naturally stand to gain, while my Muslim friends who support this unrighteous agitation and their dependants would be completely left behind. I warn them, therefore, that the time has come when every one of us must learn it either in the Urdu script or in the Nagari script and not support the agitation against Hindustani. There is no mincing matters here. I am sure that if I am in the Government, if I take up the reins of Government at any time, I would certainly prescribe such a qualification. And what will be the position of my friends then who are now opposing it, and who are not prepared to avail themselves of this opportunity? I suggest, therefore, that it is very necessary that we should evolve a common tie—and, one of the biggest and the most important ties is a common language. And if this tie of a common language is absent or lacking, then it will take us years and years to come together, and to be called and respected as a nation. Sir, it is said that there is no need for a common language, that the need was there many years ago, but that it is not present to-day. I submit, in all humility, that the need has become all the greater to-day than at any time before in order that we should understand

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each other and come closer together. If I am to address an audience, I have to speak in a foreign language"

MR. SPEAKER:—"I suppose the hon. Member is only elaborating the point. He should deal with the matter of repression. After all, this is incidental, though relevant enough."

MR. BASHEER AHMED SAYEED:—"I submit, Sir, that the development of the Urdu language either is not going to be affected."

MR. SPEAKER:—"Urdu or Hindi, that is no doubt relevant. But you cannot take up so much time upon harping on the matter."

MR. BASHEER AHMED SAYEED:—"It is said that the Urdu language is not to-day well developed and that it is likely to be affected by the present movement of the Government"

MR. SPEAKER:—"Urdu or Hindi will take care of itself."

MR. BASHEER AHMED SAYEED:—"I agree with you, Sir. I submit that such notions are due to misapprehension. It is not possible at this late stage to develop altogether a new language and a new vocabulary, a new grammar and a new *diction*. It is impossible in modern days to do it. If any section of the Congress organization is trying to do it, it will be an utter failure. I therefore submit that this agitation is not based on righteousness nor on any just cause. This agitation against the spread of Hindustani is not on a sound basis. It is not warranted. It is stated that the only thing that is objected to is compulsion. That compulsion has been minimised to such an extent, that it means no compulsion really. In so far as it is not going to be made a test for the purpose of promotion where is the compulsion? The methods to ward off compulsion are different from what have been now adopted by the agitators. Let them not send their sons to schools if they choose. Let them take to other means of expressing their dissent from that compulsion. But so long as it is not going to be a test for promotion, where is the wrong in it, and where is the compulsion. Compulsion is completely done away with in a way. I am for compulsion. In this country where Hindus and Mussalmans have lived all along in conservation no reform will be possible without a certain amount of compulsion and from that point of view compulsion is necessary and that compulsion must be by slow stages and the Government is doing but the right thing in having introduced Hindustani only for the first three forms. The said compulsion only amounts to this that it shall be studied, but it shall not be a *sine qua non*, for promotion.

"Sir, I submit that this resolution is not well conceived. It is not in the interests of the Muslim community and of any community whatsoever for the matter of that; and it is misconceived." (Loud laughter.)

[8th August 1938]

* KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—
“ Mr. Speaker, Sir, coming as I do after the long speech of my hon. Friend, Mr. Basheer Ahmed Sayeed, who is the representative of the Mussalmans of South Arcot district, I really feel that the warning that he has given to the community is meant not only to his constituency of South Arcot, not only to the Muslim community of Madras, but to the entire Muslim community of the whole of India. He is a great warner and I am sure this warning is not all required by the community to which I have the honour to belong. As the Hon. Speaker very rightly pointed out he was keeping this House for nearly an hour by irrelevant talk not touching the point which is the subject-matter of the resolution which reads ‘ This Assembly recommends to the Government to stop its policy of repression against persons who take part in the anti-Hindi agitation.’ It was very rightly pointed out that the question before the House was not the question of compulsory introduction of Hindi or non-compulsory introduction of Hindi, but the question was the policy of repression against the persons who took part in the anti-Hindi agitation. If I rise to speak on this occasion, Sir, I do so in order to support the proposition that is before the House, and I do so with all the weight that I can command. First of all, Sir, I beg to point out that even in the interests of the compulsory introduction of Hindi, if I may say so, Sir, this repressive policy is cutting the ground under the feet of the compulsory introduction of Hindi. In the interests of the policy and the principle which is at the bottom of the present day Government, Sir, I submit, this repressive policy must be given up. If I may say so, the country has been agitated not by the anti-Hindi agitation, but it has been agitated most by this repressive policy, by the clapping in jails of hundreds of innocent youths in the name of the Criminal Law Amendment Act. My hon. Friend called this as no repression. This nomenclature is not given by me or my hon. Friend, but one given by the Congress Party to which the Government of the day has the honour to belong. Therefore, Sir, if I call this Criminal Law Amendment Act as a piece of repressive legislation, I am only following the lead given by my Hon. friends on the other side. (Interruption.) I said, I am giving the name which the Congress Party gave; I am not calling it by any new names whatsoever.

“ So far as this policy of repression is concerned, Sir, it has been already stated by my friend who came before me that it is really repressive, because, innocent youths who are doing merely Satyagraha are (An hon. Member: ‘ Satyagraha or Duragraha? ’) I am not here to answer my hon. Friend. I shall go on.”

MR. SPEAKER:—“ The hon. Member may be allowed to go on without interruption.”

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KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—
“Innocent youths are clapped in jails in the name of this law for six months’ rigorous imprisonment and even magistrates are making fun at them by saying that people who come to perform Satyagraha must be prepared to undergo every suffering. This is exactly the very thing which the Congress condemned in unmistakable terms when they were prosecuted by the previous Government. There is not one occasion which they missed when they did not condemn this repressive policy of the previous Government. I cannot refrain from saying ‘What a fall was there my countrymen!’ . . . (Loud cheers and laughter.) The Congress, the very Congress organization condemned this law as the most repressive and called it a Satanic piece of legislation passed under the direct orders of the Viceroy even without going through the formality of the Legislature; the very same Satanic law is being used as a weapon to safeguard the person of no less a person than the Hon. the Premier of this Presidency of Madras. I wonder what a pass the Government has come to. (Interruption.) Surely, Sir, interruptions are being made I do not know for what purpose. What was I doing, I am being asked I was never using these repressive laws during the very short time that I was in charge of Government. (Laughter.) Surely, there was no need for it and even if there was an agitation, if there was Satyagraha, if there was anything worse than that, I would never have resorted to this Satanic piece of so-called legislation.” (Interruption.)

MR. SPEAKER:—“I think the House must keep perfectly silent.”

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—
“Coming to the question regarding this repressive policy, I have pointed out that the punishments given are unduly severe and really unthinkable, I would call them. They bear absolutely no proportion to the offence that is alleged against them.

“Lastly, Sir, I have to point out one very important matter in this connexion, namely, whether legally this section 7 of the Criminal Law Amendment Act is applicable to the case of people performing Satyagraha before the house of the Hon. the Premier; because that section reads that ‘no person who loiters about the house, etc., of a Government officer’. I submit, Sir, it is my own humble view, and I think, it is correct, that the Hon. the Premier and the other Ministers are not officers of Government; they are Government themselves. Even that Satanic Government which promulgated this piece of legislation, never thought it necessary to extend the provisions of this Satanic Legislation to the Members of the Government themselves. They thought that they could save themselves. But now, Sir, we see the miserable plight of the Hon. the Premier trying to guard his house under section 7 of the Criminal Law Amendment Act. (Some hon. Members: ‘Ho!’)

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"My hon. Friend, Mr. Palat, has already referred to a statement of Mahatma Gandhi to the effect that there can be no compulsion in any scheme of Ahimsa. The Congress stands for Ahimsa. The Congress Government of Madras stands for Ahimsa and where is the place for compulsion. Where is the scope for compulsion in this regime of Ahimsa, I ask Sir. If only, Sir, my hon. Friend said that every Muslim ought to welcome this compulsory introduction of Hindi or Hindustani or whatever it may be called, I certainly shall welcome the Hon. Premier to introduce compulsory Urdu in every Muslim school in the province. I ask him here and in this House, if he is prepared to introduce compulsory Urdu as it obtains to-day in all the Muslim schools in this Presidency. If it is so, Sir, I welcome warmly the measure. Sir, I refuse to be compelled to read a language, the so-called Hindustani, that is sought to be introduced in the schools. The Mussalman, Sir, sets a very great value upon his culture, not merely upon his language. Now take the text book that is specified for these schools. Not one Muslim boy, not one Muslim child can start education unless it be in the name of Allah. Is that word printed in that book; how dare you compel a Muslim to take this book and start his education when this word does not find a place in the book which is known as compulsory Hindi or Hindustani text book. (Interruption.) I advise very sincerely and earnestly my Muslim brethren not to take up such a book at all. I think, Sir, I can claim that the entire Muslim population stands by me (hon. Members: 'No.') as is clearly shown by the fact that I made a challenge even several months ago, that on this question alone I am willing to fight any hon. Member sitting in this House in his own constituency or any hon. Muslim Member in his own Muslim constituency. I throw out the same challenge in this House (interruption) that if any hon. Member is prepared to resign his seat, I am prepared to resign mine and challenge him to stand in his own constituency." (Interruption.)

MR. SPEAKER:—"The hon. Member may resign, but he cannot call upon other hon. Members to resign."

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—7.4
"It is perfectly legitimate on my part to make that challenge. I can safely say that I can beat my hon. Friend by a majority of 99 per cent, if not 100 per cent. (Cries of 'Oh!') There is no use of crying Oh! I have thrown out a challenge. If you are strong and if you are convinced that the people will support you, it is up to you to accept that challenge, resign your seat, and I shall resign my seat this moment, go to your constituency and stand for election on this very issue, and defeat you. I feel confident that the country stands by me. It is only in this view that I am opposed to the compulsory introduction of Hindi in schools. My hon. Friend has completely lost sight of that fact altogether. It is

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not compulsory introduction of Urdu in Muslim schools, or compulsory introduction of Hindustani either in Urdu characters or Nagari characters. That is a different matter. These two things are different. If my hon. Friend does not understand it, I am really sorry for him. (Laughter.) It is true that he wanted to hint that twelve lakhs of Mappillas in Malabar, sixteen lakhs of Rowthers in Tamil Nadu and several lakhs in Andhra desa do not know Urdu. I may at once say that I am a Rowther myself; my mother-tongue is Tamil and not Urdu. I am not ashamed of it; I am proud of it. (Rao Bahadur Sir A. T. Pannir Selvam: one does not know Urdu, that one does not wish to know Urdu? if my mother-tongue is Tamil. And does it follow, simply because one does not know Urdu, that one does not wish to know Urdu? And this same thing applies to the twelve lakhs of Mappillas in Malabar, the sixteen lakhs of Rowthers in Tamil Nadu and the several lakhs in Andhra desa. I challenge my hon. Friend representing South Arcot Muhammadan Rural constituency, whether he has gone to that place and ascertained the views of the Rowthers about this subject. I challenge him, is he bold enough to go to South Arcot and show his head before his constituency on this issue? ”

MR. BASHEER AHMED SAYEED :—“ On a point of personal explanation, Sir, there is a limit for challenging. (Laughter.) I have addressed meetings; I have gone round the whole place, and I understand every Muslim is willing to learn the language of India in the Urdu script, if only opportunity is offered.”

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR :—“ Sir, this is the first time I hear my friend saying that he has taken the views of his constituency. I have been reading the newspapers regularly and I have not seen anything in the papers about it at all. My only inference on his not accepting the challenge is that he has lost the confidence of his constituency, and therefore he dare not resign his seat and seek re-election on this issue. I am prepared to resign even to-morrow; I do not want to wait a single moment.

“ Coming to Criminal Law Amendment Act, the Congress Government, wherever it may function whether in the North-West Frontier Province or in the Madras Province, I thought, would pursue the same policy. I see the same law has been repealed by the Congress Ministry in the North-West Frontier province, and I have seen Dr. Khare telling on more than one occasion that he has repealed this repressive and oppressive piece of legislation. And still, Sir, what do we see in Madras, in our province? Not only that piece of legislation is not repealed, but is being resorted to for defending, as I said before, the Hon. Premier himself from the loiterers in front of his house on the road. Not only that; the use of this Satanic legislation is being defended on the floor of this

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House! My own wonder is how he expects his defence of the use of this law will carry any conviction to the masses, before whom thousands of times the Hon. Premier has said and reiterated that the repeal of this repressive legislation will be the first business of the Ministry, should the Congress Party take charge of the affairs of Government? It is now nearly fourteen or fifteen months since the Congress Party assumed office; and so far, they have done nothing to repeal that Act. They have been waiting; and not only that, they have taken stock of it and have been using it against the very Satyagrahis, against whom, they declared once that this should not be used.

"Sir, since you have ruled that it is irrelevant to speak on Hindi or Urdu or Hindustani, I desist from speaking on that. I say the policy of repression is highly reprehensible, and the earlier that policy is given up, the better for the fair name of Congress, to which Hon. Ministers belong and the hon. Members of the Government Party belong."

* THE HON. MR. YAKUB HASAN:—"Mr. Speaker, Sir, I did not intend to intervene in this debate; but now it has taken such a turn that if I keep quiet, my silence is likely to be misunderstood. Therefore, Sir, I wish to say very few words on this subject. Sir, the question before this House in the form of this resolution, which of all the people, the Leader of the Muslim League has chosen to bring forward, and that in this House, is to condemn the alleged repression of the Congress Government. Sir, one would have thought that that resolution would have been discussed on its own merits. The speakers who spoke on this resolution, I thought, would try to expose us, would try to show us that we have been doing something, which as Congress members we ought not to have done. I was eager to hear what they had to say in the matter. Everyone of us cannot see his own fault. For that, we must turn to our opponents to tell us what our faults are we must turn to them to learn our faults, acknowledge our mistakes, if any, convince ourselves whether we are pursuing a right or wrong course, and if found to be wrong, not persist in it thereafter. The Hon. Premier will in his reply deal with this aspect of the question, and deal with it very ably, Sir, and therefore I do not wish to say anything about that.

"Sir, it must be remembered that our fight before the first of April 1937 was against the British Government; it was a fight against a foreign Government; it was a fight of nationalists against a foreign Government; and in that fight we used all that was available to fight the foreign Government and to attain our object of driving it away from this country. The foreign Government brought forward laws, which we called repressive, because they wanted to repress us from carrying on our agitation against

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the foreign Government. The same laws cannot be called repressive, if they are used by a popular Government against people who are out to prevent that popular Government from carrying on a legitimate act of spreading Hindustani. Whether a law is repressive or not has to be judged only from the purpose it is used for. When the foreign Government tries to repress the people of a country, and enacts laws to repress them, those laws are called repressive; but when that law is used against a people who are out to annoy the head of the Government, whose sole object is nothing but to annoy him, to make his work at home impossible when he sits at in his house and tries to carry on work there, when those people bawl out, call names and use abusive language against him, you cannot call it repressive. Give me, Sir, some law to prevent that kind of annoyance and nuisance. We find no such law at present in the statute book; and you shall see before long that we will bring such a law; and till we bring that law—till then—we are entitled to use every law that is available in the statute book to prevent such nuisance. (Mr. Basheer Ahmed: 'Hear, hear.') Sir, I do not wish to go into the details of the subject. All I wish to say is that there are a number of people at present who are not very happy on the fact that the Congress Party has come into power. I can understand those people who were a party; or rather I should say I can understand some members of the party who were in power in the dyarchy, who had some power under British supervision, and had a subordinate position in the British Government of the Madras province; if that party, or some leading members of that party did something in order to make Congress Government unpopular, of course it would be a legitimate thing.

“ Unfortunately among Mussalmans the anti-Congress mentality has spread of late with the result that Mussalmans are now mostly condemning everything that the Congress wishes to do for them. Even when the Congress does some good to them, they will have some suspicion about it, and they say that there must be something behind it, and that the Congress is doing it with some ulterior motive. That is the kind of mentality that has unfortunately developed among Mussalmans. I say to the Muslim League members and other Muslim members who do not see eye to eye with the Congress Mussalmans that they may be within their rights to carry on their agitation against the Congress and even against the Congress Government, but I would plead at the same time that they should not lose their sense of proportion and that they should not lose their balance—if I may be excused to say so.

“ Now the question is distinct. We the Mussalmans of Madras have been working for the last 40 years to make Hindustani the language of all the Mussalmans of the Madras Presidency. In

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1901 when the All India Muslim Educational Conference was held here, in Madras, under the guidance of Nawab Mohsinul Mulk who was a great supporter of Hindustani . . .”

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—
“It was Urdu, not Hindustani.”

THE HON. MR. YAKUB HASAN:—“Yes, it was Hindustani.”

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—
“Not Hindustani but Urdu.”

THE HON. MR. YAKUB HASAN:—“Yes, Hindustani.”

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—
“Not Hindustani.”

THE HON. MR. YAKUB HASAN:—“Hindustani language, Hindustani culture. So, Sir, I was going to say that one of the resolutions that were passed at the Conference was that Hindustani should be taught throughout the Presidency. Since that time, we have been working for that end. But unfortunately we made very little headway because the Mussalman, on account of their laziness, talked much about Urdu but did nothing to spread it. We have been urging upon the Government that if there were twenty Muslim boys in a school, whether their mother tongue was Hindustani or not, there should be a teacher in that school to teach Urdu to those boys. That resolution was also put forward by the Committee which was appointed by the Government to look into the question of Muslim education. That Committee made several other recommendations and some of them were accepted by the Government. One of the recommendations of the Committee was that facilities should be given to Muslims throughout Malabar, Tamil Nad, Andhra Desa and everywhere, to learn Hindustani. However we are a small minority community, and the then Government, I mean the past Government which was British in character, said ‘Why should we spend so much money on Urdu education? Why should we make special provision for giving Urdu education to Muslim boys? Why can’t they learn Tamil, inasmuch as most of them are Tamilians? Why should they learn Hindustani, and why should district boards and municipalities be asked to have teachers for this purpose?’ In this way there was a resistance to the Muslim proposal. We were in a minority, and notwithstanding our agitation, we did not succeed in it. Still we, Mussalman and Muslim National Organizations, who wanted for the last 40 years that Hindustani should become the language of all the Muslims throughout India, that it should be the language of the Muslims in Bengal, in Gujarat, in Maharashtra and elsewhere, have been doing what we could in our own way, and we have succeeded to

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a very great extent. If to-day in this Southern India Hindustani is being spoken far and wide, it is because of our efforts. The Conference of 1901 adopted a resolution to the effect that Hindustani should be included among the languages that were recognized as being essential to a Government servant. Government servants were required to know two languages, and in that list of languages for Government servants, Hindustani was included, all because of our efforts. We did not give up our original ambition that Hindustani should be the language for the whole of India, but our progress in this direction was limited, because the majority community, the Hindus, were indifferent and would not learn that language. But now, thanks to the efforts of the Hindi Prachar Sabah, thousands and thousands of people are taking diplomas every year in that language. More and more people are taking to the study of that language, and now there are many Hindus who are very proficient in that language. Such being the case, is it not now the time for the Mussalmans who had all along wished that Hindustani should become the language of India, to support and welcome a measure that seeks to bring about this end? It is easy for them now to do, and I am sure all Mussalmans throughout the Presidency welcome the proposal. Messrs. Abdul Hameed Khan and Ahmed Badsha have in their speeches dragged in irrelevant things. They have not stopped with discussing about repression, but they have brought in Hindustani and Urdu and spoke vehemently about them unnecessarily, and that is the reason why it necessitated Mr. Basheer Ahmed to say something about it. I am also forced to speak on this matter.

"Sir, Mr. Khalif-ul-lah Sahib said that if Government were to bring in a measure to make the learning of Urdu compulsory in all Muslim schools, he would welcome it. There he is caught! (Laughter.) If the Government make the study of Urdu compulsory in all Muslim schools, Mr. Khalif-ul-lah will welcome it! Why does he not welcome it, Sir, when the same language is made compulsory for Hindus also?"

(Interruption by Mr. Khalif-ul-lah Sahib, Mr. Laljan and Rao Bahadur Sir Pannir Selvam.)

HON. MEMBERS:—"Order, order."

KHAN BAHADUR P. KHALIF-UL-LAH SAHIB BAHADUR:—
"On a point of personal explanation. My hon. Friend, Mr. Basheer Ahmed said that Mussalmans cannot have any objection and that they ought to welcome this proposal for compulsory Hindi or Hindustani. In reply to that I said that so far as Mussalmans are concerned, if the Hindi or Hindustani that is now sought to be introduced in schools is such as was being taught for ages past, we would all welcome it. Surely, the insinuation made by my Hon. Friend . . ."

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* MR. SPEAKER:—" I think this is not a personal explanation. It is an endless speech which the hon. Member is not entitled to carry on."

THE HON. MR. YAKUB HASAN:—" Sir Pannir Selvam said that Hindustani is not the language of the Hindus, and he thinks, Hindus are justified in opposing it. But what I said was that if Mr. Kalif-ul-lah would welcome its being taught to Muslims compulsorily, he should also welcome the same being taught to Hindus also. With regard to Hindus of Tamil Nad, the case is somewhat different. They say that this is not their language, and the Tamilians take objection to it, on the ground that it will harm their language. I can understand that, and the question can be discussed on its own merits. I have no quarrel with them. But I have got a quarrel with that Mussalman, whether he is a Tamil Mussalman or whether he is an Andhra Mussalman or a Malayalee Mussalman or even a Karnataka Mussalman, who says that he wants that his children should learn Hindustani and at the same time wants to deny that privilege to his Hindu brethren. It is an admitted fact—and even Mr. Khalif-ul-lah Sahib, the arch-agitator in this case, admits that he will welcome it if all the Muslim children are made to learn Hindustani—that Mussalmans will welcome the proposal whereby all Muslim boys will be compelled to learn Hindustani. When once that is admitted, why do you not welcome a proposal whereby all boys, including Hindus, will be enabled to learn Hindustani. In fact the Mussalmans ought to welcome such a proposal, and I know that it has been welcomed for it is the triumph of the cause which Mussalmans were upholding so long.

" Now as regards the books and other things, we have taken the precaution to see that only pure Hindustani is taught. So, it does not matter in what script it is taught, whether in Nagari script or in the Urdu script. It makes no difference. Teachers are required to know both the scripts. There would have been valid ground for objection if Government had insisted that Muslim boys should learn Hindustani in Nagari script only. Had such been the case, the Mussalmans would have been justified in agitating against Hindustani or even carrying on satyagraha against it, if they like. In that case I would have certainly resigned my seat in the Cabinet and joined them." (Applause.)

* RAO BAHADUR SIR A. T. PANNIR SELVAM:—" Mr. Speaker, Sir, I do not propose to deal with the propriety of the arbitrary order of the Government in the matter of compulsory introduction of Hindi in the schools; nor do I propose to deal with the question of agitation against this order of the Government; nor do I intend to question the extravagant assertion made by some Members of the Government that this agitation is only the work of a few disgruntled persons; nor do I wish to say anything about

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that this agitation was started by their political opponents; nor am I worried with the Government's seeking to minimize the volume of opinion in the country regarding this question. If they are not aware of the volume of opinion that is gathering against them, or if they will be willingly blind to that, I am not at all concerned with that. In fact as a political opponent, I would welcome such an attitude on their part.

"If I raise to speak on this occasion, it is only because I find that there has been a considerable attempt on the part of the Hon. Minister for Public Works, and Mr. Basheer Ahmed to confound the issue. The question at issue now is not one of Muslim versus non-Muslim. Nor is it a question of Hindi against Hindustani or Urdu. The agitation is mainly that of the Tamilians who feel that they are being forced to learn—whether it is a Muslim language or a Hindu language or whether you take it in a middle way, namely Hindustani—a foreign language. To Tamilians it is a language which is foreign in script, in words, in culture and in tradition. It is a language with which we have absolutely nothing to do. Language as you know has much to do with civilization and culture, and the Tamilians believe that by the introduction of this foreign language their own language, their own civilization and their own culture will be seriously affected. This is the issue that has to be kept now in our view. It is that issue that has been kept in front."

THE HON. MR. YAKUB HASAN:—"This is going to be in a Swaraj of Tamilians; you will be happy to live in it."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"Quite so, when I think of Swaraj. I look forward to a Government of the Tamilians by the Tamils for the Tamils. I am not thinking of the Dravidian civilization being sacrificed for the Aryan civilization. I do not wish for the subordination of Dravidian culture to any other culture. If you are going to drive out the British, drive them out. But then it should be only for a real Swaraj for our own people. But this is just a diversion caused by an interjection of the Hon. Minister for Public Works."

"My main object is to congratulate the Government on the consistency with which they have been carrying on the administration ever since they took up office, i.e., consistency in completely throwing overboard every one of the election pledges. One of the main items of the election pledges was the separation of the judiciary and the executive. This very Criminal Law Amendment Act as was pointed out by previous speakers was to be fought against and removed from the Statute book. That was one of the election pledges. Then again you were going to relieve the burden on agriculturists by the reduction of land revenue. There

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in some form or other is imposed on them. Then, as for the separation of the judiciary from the executive, verily because the country is being governed by the elected representatives of the people, the necessity for the separation has evaporated. So at least says our Premier. As regards the Criminal Law Amendment Act much has been said against it, that law was an anathema, that law was an Act of the bureaucratic Government. But you say, 'we people are here to put you down,' or in the language used by the Minister for Public Works 'to crush you down with this Act.' Because again you are the representatives of the people, all that was evil before has now become good, because they are to be used by you.

"Again, on the very question of Hindustani or Hindi where are the election pledges? Does this find a place in your programme? You say: 'We have been elected by the people, we are the representatives of the people; we are the custodians of the lives and privileges of the people, and what we do is right; we have come into power and we think it is right.'

"There were dictators before in our country and they were ruling for the benefit of the people under them. But you, with this very odious Act, want to put down the Dravidian language and substitute it by Aryan culture. By introducing the Hindustani language you are attempting to impose a foreign language, foreign in culture, foreign in tradition. Again you are surprised that we should protest against Hindi when we have been submitting meekly to the study of English. I can only say that for the original introduction of English, I was not responsible. It was introduced 150 years ago, when the people were helpless. It was a foreign language. But to-day it has become one with us, and come to stay with us. If there is to be a choice between Hindi and English I should welcome English, because it is better than Hindi as a language of the public. But if you say that Hindi must be the language, the Andhras may ask why not Telugu. The Andhras have been agitating for a separate province. So they may press for it. Inevitably there will be a clash between Tamil and Hindi in our own province. Why should any Government have any common language, which must be imposed on all? Why should we anticipate what our future generations will want? Why should my friend Mr. Basheer Ahmed threaten us with the rule of the Tamil Nadu being the rule of Hindi-speaking people? Why should we anticipate these conflicts? Is it not calculated to injure the Dravidian culture which has been fighting for centuries against the domination of any foreign culture? This conflict has been going on for ages between Dravidian culture and Aryan culture. Take our Ramayana. Is it not merely symbolical of the clash of these cultures? Do you want to perpetuate it again? You want to make this

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a province to be ruled over by Aryan culture in which the people of the country are going to have no voice, no power. The real reason for the agitation is because we want to fight against this concealed danger. This agitation is not artificially brought about. It is not the work of merely a few disgruntled persons, nor even that of your political opponents. Your Education Minister has himself openly admitted the genuineness of the feeling of the people on this question. If you are going to ignore it, do so by all means. Have resort to the Criminal Law Amendment Act, adopt repressive measures, and try and stifle public opinion. Do all this, and do more, to keep yourself floating; but the day is not far off when you will also rue it."

* THE HON. MR. T. PRAKASAM:—"Sir, this debate has become rather very hot. We have been anxious on this side to win the sympathy and support of the Opposition in this House, not only in this House but outside this House as well. But what do we find? When discussing the resolution Mr. Khalif-ul-lah was challenging and Sir Pannir Selvam was thumping his table, and the foundations of the building were shaking as it were. I was reminded, Sir, of what I witnessed so long ago in the German Parliament, Reichstag. As I was sitting in the upper gallery I saw two gentlemen getting up and challenging each other for a duel and walking out of the House. I did not have the opportunity of seeing the duel and seeing the result of it.

"Why this heat? Why this excitement, I am not able to understand. Members of the Opposition as well as Members on this side have got certain privileges. They have got the privilege of free speech. The privilege of free criticism is given to everyone here. They are free to use that privilege and criticise us and we are here to receive those criticisms and examine them to see whether there is anything that could be accepted by us with a view to correct our position. But there is a limit to the use of this privilege. The privilege should not be abused in a manner to let the public believe that the attack is not a genuine attack against a certain measure, but that it is an attack made for a different purpose altogether. I am glad, and I congratulate Sir Pannir Selvam, a Minister at one time, a gentleman who had been educated in a foreign country and has been practising the legal profession as a barrister, for his talk about the Tamil language and for his desire to have the country for the Tamilians and none else. As I was listening to his speech I was wondering whether it is the same Sir Pannir Selvam who had his education in England, who has been practising here and who held high offices till now, who was talking. Should he forget the constitution of this country? Should he forget the condition of his people? Should he forget that the Government to-day or to-morrow will not be the Government of the Tamils only for the

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Tamil province, the Andhras only for the Andhra province and the Malabar people only for the Malabar province? He should know, as a gentleman who held so many offices that there is a Central Government, that there is Federation coming. Federation is coming upon him and upon his children. He will see before long that the Federal Government will come into operation and, when members are sent from this province to the Centre, he will probably be one and a Minister even and, at that time, his own children will not care for him or for his advice if that is going to be against the learning of Hindi or Hindustani."

RAO BAHADUR SIR A. T. PANNIR SELVAM:—"A word of personal explanation, Sir. I am not against the learning of Hindi or Hindustani or Urdu; but I am against compulsion being applied on any boy for learning a language against his will. There is a fundamental difference between that and what the Hon. Minister has been attributing to me."

THE HON. MR. T. PRAKASAM:—"There is no good confusing issues by attempting to offer explanations in the middle of my speech. I have not digressed from the point raised by the hon. Member. He said about the Tamils only governing the Tamil province forgetting everything else in India. That is why I had to point out to the hon. Member that there is another Government to which he himself would go and where he or his sons would be Ministers. There would be no English language in which they can address the Chamber. And he is against the learning of Hindustani which is spoken by about 20 crores of people in India as stated by the Hon. Muhammad Pasha Saheb, and which will be the language of the Federal Assembly at no distant date. Those who carry on this agitation against Hindustani or Urdu, whatever you may call it, are committing a sin against their children. I said that elsewhere and I repeat it today. Educating one's children is the primary duty of the parents. The parents will not be always permitted to prescribe the language that should be taught to their children. Next to them, or even before them, the State would come in in this matter. It is for the State to prescribe the language in which the children should be educated. (Sir A. T. Pannir Selvam: 'Question.') The hon. Member says: 'Question.' He can never question a fundamental doctrine applicable to the whole universe. (Loud laughter.) A doctrine of that kind can never be questioned so lightly. The State has taken up in this province this subject and has prescribed Hindustani as a compulsory subject for the children. Has this been sprung upon this country for the first time? The name 'Hindustani' might have been used on account of the objections taken with a view to satisfy those friends and to get Sir Pannir Selvam's support also. The subject of Hindi has been before this country ever since the political movement was

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started by that single man who has been quoted often by everybody. My Hon. Colleague, Mr. Yakub Hasan, says that I might use the name 'Hindustani' only and not 'Hindi.' I may in this connexion tell my Hon. Colleague and this House, Sir, that during a recent research work I was doing in another connexion, I came upon this word 'Hindi' in a book called 'Ain-i-Akbari' written in the days of Emperor Akbar about the revenue system prevailing in those days. And that system, Sir, has become the basis of the present revenue system of the Government to-day. I cannot go beyond that and I do not wish to enter into any controversy over that matter. I shall use the word 'Hindustani' only as advised by my Hon. Colleague. Sir, some 20 years ago when Gandiji started this movement, he did not dream of these elections and he never knew that the Provincial Governments would come into the hands of Congressmen. He started it with a vision and it has been before the public for 20 years. Sir Pannir Selvam speaks of the Tamil country for the Tamilians alone. Has he ever tried to know the extent to which Hindi has already spread in the Tamil districts? Has he tried to know to what extent little boys and girls and even elders have learnt Hindi during the last 20 years? Ignoring these things he should not attempt to clutch at anything that comes in his way and turn it against his political opponents. But I must congratulate Sir Pannir Selvam in that he has not concealed his mind. He said that, as a political opponent, he would take advantage of anything that comes in his way. In our anxiety to make friends with him and to take him with us, may I be permitted to tell him, Sir, that he should not adopt the policy of catching hold of anything that comes in the way and with it attack his political opponents? Anyhow, Sir, that is not a policy that should be adopted in a matter connected with education.

"Now, what is it that they have made out of this Hindi question? Sir, it is said that it was a wrong move to have made this compulsory. Sir Pannir Selvam himself and almost all the members of this House who have studied in schools have had to go through a compulsory course of English language. Can any one come forward and say that English was the language of those who were ruling us before the British came into this country? And yet, Sir, that language has been accepted by all of us and it has been forced on our children also. Did any one then say that the English language should not be forced on him? I am glad, Sir, that some of the hon. Members who were speaking with some authority have stated the previous history of Hindi. I am one of those who have the privilege to stand up before this House and say that 50 years ago I was learning Urdu in some little place here in the north of Madras. As the previous rulers were Muslims, their language was still there. It was taught in schools and I

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learnt Urdu in a school more than 50 years ago. That being the case, what can be the justification on the part of hon. Members of the Muslim community for their opposition to this question and for the spirit in which they have been opposing it? There is absolutely no justification. We are anxious to be with you, to work with you and carry on the administration with your help. Is this the way in which you should treat this Government because it is coming forward, because it is pressing forward to make friends with you, even with you repeatedly? That is not the spirit in which you should view it. You have joined issue on a wrong point altogether. We are here to face any criticism of yours; we are here to meet your challenge when it comes legitimately. Why do you come on a wrong issue and put yourselves in a hole like this? (Loud applause.)

“Sir, one hon. Member had had the courage to say here ‘Look at the pitiable and miserable condition of the Prime Minister.’ He should not have said that light-heartedly. He is one who occupied the position of a Minister for some little time before we came into office. He should have thought awhile before he used that expression. What is there in the condition of the Hon. the Prime Minister to-day which he has thought fit to call miserable? If the Prime Minister is in a miserable condition, everyone of the Ministers is in the same miserable condition; and not only the Ministers, but every one sitting on this side or that is in the same miserable condition. (Cheers.) We are not in a miserable condition. People should not come here and get up and make speeches in that way forgetting their responsibility to the outside world and saying that the Government are committing a crime in calling upon the young men of this country to learn a language which would help them in forming the Central Government and running the administration there. Is there anything of a crime in this? Can you not think awhile and judge for yourself? Supposing we are your opponents, is it right that you should get up and take advantage of a procession with black flags decrying the compulsory introduction of Hindustani? You are expected to exercise your judgment, examine the whole position and see whether your political opponents sitting here are really committing any crime. If they are committing any crime, certainly you are entitled to challenge them. (Rao Bahadur Sir A. T. Pannir Selvam: ‘We are charging you. You are committing a crime.’) Sir Pannir Selvam says so. I have told him and those who think with him that they are committing a sin against themselves and their children. (Loud cheers.) When you deny to your children the benefit of the education that the State offers and has a right to offer, you are committing a crime of the worst kind and worse even than that is the crime which these misguided men are committing today he

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standing in front of the Hon. the Premier's house and making a nuisance of themselves (applause) using filthy language against him.

45 m. "Now let us examine what is going on in front of the Premier's house. I am a man who has travelled much in the outside world. I am a man who came into this movement at an advanced stage and age also. What is it that is going on in front of the Premier's house? Any dispassionate gentleman who takes an impartial view, if he goes and sits in front of the Premier's house for a few minutes, would see for himself the hell of noise made and foul and filthy language used by the boys (Cries of 'Shame, shame'). And who are there in the house? Is it the Prime Minister? The Prime Minister goes on tour from one end of the Presidency to the other. These people go and sit in front of the Premier's house, day in and day out, and they go on using foul language and making hell of noise when only ladies and children are in the house. (An hon. Member: 'No, it is not so.') It is worse than a crime. I say it is a crime of the worst character. (Interruption by Rao Bahadur Sir A. T. Pannir Selvam.) I have not yielded yet, Sir. Do not make statements which are not supported by evidence. I appeal to Sir Pannir Selvam and his friend not to be carried away by excitement. This is not a matter for excitement. This is a simple proposition, a resolution on which we should not have to talk such things and you will be free in your turn to make speeches."

AN HON. MEMBER:—"We are not allowed."

THE HON. MR. T. PRAKASAM:—"No, no. You are allowed. You are only anxious to interrupt, that is all. I want to tell you one fact. Mr. Appadurai Pillai is a steady politician, who will not always speak his own opinions. (Laughter.) (Sir Pannir Selvam interrupted and suggested that Mr. Pillai was attacked.) He would try to fortify what he would like to express by quoting authorities. I don't mean anything else. You need not be in a hurry to set him up. (Laughter and applause.) Mr. Appadurai Pillai referred to Pandit Kunzru's speech and another speech and another speech. Speeches are made by Pandit Kunzru and others, but they have not witnessed what is going on in front of the Premier's house. From the speeches made by the Opposition members, it would appear to the outside world that there was really some question of civil liberty being interfered with. There is not any question of civil liberty here, Sir, allow me to tell all the hon. Members of the House, no civil liberty is being interfered with here. If there should be any provision under which these people could be removed or dealt with, we would have done so. Somebody said there was a provision in the Nuisance Act; why could they not be removed under it. But there is no provision in the Acts so far as we have been advised and so far as

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we have known under which this sort of thing, the new crime that has been now created could be removed or could be dealt with. That was the real situation that has arisen and what is to be done under those circumstances? We have no objection to an agitation of this sort with the marching of processions with black flags, from Cape Comorin to Madras and to the northern parts of the Presidency. But what is done in front of the Premier's house is not that. Should they sit down and see all these things being done? It was a nuisance for which there was no provision in the law. They sit in front of the Prime Minister's house and make it intolerable for the inmates of the house to live there. I will take the House into my confidence and tell the House a small incident. I advised the Prime Minister: 'This nuisance has become so serious. Can we not do something? We are the Government. Can we not do something by appointing our officers to prevent these people from coming in front of the Premier's house altogether?' I will tell you what answer the Premier gave. He did not give me an answer at once. It looked as if he was inclined to agree with me. But when I asked him after a day or two, whether he had given effect to it, he said: 'How can I give effect to it? If there is a nuisance in front of my house, can I remove it to the front of somebody else's house, and make them suffer? Let them be only here. I do not want to put a policeman there and a policeman here and remove them to make trouble in front of other people's houses.' That is the sort of Prime Minister you have got. He was characterized as a dictator (Hear, hear) on the application of the Criminal Law Amendment Act. We do not deny we attacked it; we do not deny that we suffered under it but our sufferings were under altogether a different set of conditions. Never was such a crime committed in front of the house of the head of the Government in the manner in which it has been done. The Criminal Law Amendment Act would not be on the statute book for a long time. We will take it away when we get from this House some other law which would prevent crimes of this character that have been newly invented with a view to embarrass the Government. Do not believe that this Government would run away by this sort of obstruction and by this sort of support given in an ill-advised manner. We will face it. The Government will face it. There is no difficulty about it. I may tell you what happened in Ireland and what happened here. What happened in Ireland may happen in India, under the same circumstances, only without bloodshed. Cosgrave was in office; De Valera was in opposition. Cosgrave framed laws with a view to suppress De Valera and his followers. The Act provided that there need not be direct evidence or even circumstantial evidence. If there was suspicion, they could be booked and they could be sentenced, even to capital punishment. Another thing I forgot to tell you. There was to be no appeal from that sentence. De Valera survived. (Rao Bahadur Sir A. T. Pannir Selvam: 'So will we.')

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Welcome, welcome to take this office in the legitimate course. Do not lend yourselves to support such things. (Hear, hear.) What happened? Shortly after this Act was attempted to be applied against De Valera, De Valera came into office. (Rao Bahadur Sir A. T. Pannir Selvam: 'Hear, hear.') He must wait a little longer and see. De Valera had the whole administration of the country in his hands and had full work to do. But Cosgrave started giving trouble. Cosgrave thought that because De Valera opposed the law which he had framed, he would not apply it against him. He was mistaken. De Valera had no time to think about anything. He applied against Cosgrave and his followers the laws he had framed. Allow me to tell the Members of this House, during the past one year, this Government has been endeavouring to do its best, with the support of you all, with your sympathy and support. You must wait for your opportunity to defeat this Government on issues which are legitimate and proper. (An hon. Member interrupted.) Sir Pannir Selvam admitted that he would take anything that came his way as a political opponent. Pray, don't do that. Here we have had hardly time to get through the programme that we chalked out during one year. Wonderfully in an unexpected way some gentleman who had not been satisfied with himself and with the whole world itself starts a movement and then leads it to the front of the Premier's house to make a hell of noise, to-morrow to my house and then to the house of every one who has given us the vote and put this Government in office. Will that be tolerated? You will find, Sir, that it is not out of love for this Criminal Law Amendment Act that it has been applied. It has been applied under strange circumstances, and you will find, that this is not the Government that tries to carry on by a repressive policy. There is no repression here at all. On the other hand, the tolerance was too much and it was misunderstood. The Prime Minister suspended arrests for some time. What happened? Some gentleman, Pandit Kunzru came and talked and some other gentleman and some other gentleman talked. They thought they had gathered strength on account of Pandit Kunzru's speech. Then what happened? Because arrests had been suspended for some days, a larger force came in and began to make a hell of trouble and distribute all sorts of literature in front of the Premier's house. I am telling all this to this hon. House with a view to impress upon their minds that there was no desire on the part of the Government with regard to the enforcement of repression in putting down this agitation. None could have shown greater tolerance than the Prime Minister and his Government in regard to this matter. The Act was applied only because there was no sufficient interval to frame another measure, another piece of legislation. We are loath to use it. We do not like the Criminal Law Amendment Act ourselves. But if you want to do such acts with a view to find anything as a

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we have defended ourselves. Never go under the impression, no one hon. Member should go under the impression that any intolerance has been shown in regard to this matter. Let the movement thrive; let it gather strength, if it can. If they can persuade the nation, the country, that what has been done by the Government is wrong, well then, the Government will have to pay for it. If you are having a perfectly legitimate and constitutional movement, I will even go the length of allowing these misguided young men to adopt even unconstitutional methods. But let it be through non-violence which was adopted by those who fought for the freedom of the country. With these words, I sit down."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:— OF
 " Mr. Speaker, Sir, the discussion on this resolution has taken a varied course. The resolution that has been moved and the resolution given notice of by a Member of our party, Diwan Bahadur Appadurai Pillai, are both fairly similar in character and relate to the repressive measures of the Government. The discussion that has followed has been to a very large extent on the question of the compulsory introduction of Hindi. At one stage during the debate there was a doubt whether it was proper to discuss more elaborately the question of the introduction of Hindi and whether it was not proper to confine the discussion to the measures adopted by the Government to put down the agitation against Hindi. But inasmuch as discussion has been allowed on both the points I hope I will be permitted to speak on both the points. I assure you, Sir, I will not take up the time of the House as it is already 9 o'clock and there must be some time for the Government to reply after I have finished.

" Sir, the object of the resolution is to bring to the notice of the House the very strong feeling in the Province that the Criminal Law Amendment Act should not have been invoked in the manner it has been done in the last few months. Many like me, feel very strongly that it was absolutely unnecessary to have introduced Hindi compulsorily. Myself and members of my party have made our views very plain on this question when the demand for grant in this connection came up in the House during the last Budget session. I do not want to repeat the arguments advanced by hon. Members on this side of the House on this point on that occasion. It should be clearly understood, however much the Government might be anxious to introduce Hindi compulsorily, that it has provoked serious opposition in the country. Though some hon. Members may think that the opposition to Hindi is directed by political opponents, I for one am not prepared to accept that statement *in toto*, for I believe strongly that this opposition is being carried on to-day not only by political opponents of the Congress Party but by many persons who had never been in politics all their life. I only wish to impress upon the Government

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the natural apprehensions created in the minds of many persons interested in the welfare of Tamil culture and literature. I do want the Government to appreciate the sincerity of quite a number of persons in the Tamil country in opposing Hindi and to understand that these persons have been actuated by very good motives for the future of Tamil literature and culture.

“ The agitation that has been carried on for the last few months is mainly with the object of impressing upon the Government that it is unnecessary to introduce Hindi compulsorily. The opposition would have died down if the Government had conceded their point. I know that they have conceded to a small extent, viz., that boys are not compelled to pass an examination in Hindi. Even that has not allayed the apprehensions, for they feel that though it is not compulsory to get a number of marks in Hindi and pass an examination in it now. . . ”

THE HON. MR. T. PRAKASAM:—“ That has been there from the very beginning.”

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—“ I stand corrected. I am much obliged to the Hon. Minister for giving me the information. I am happy to think that the Government have to that extent agreed with us. Still why should there be this apprehension on the part of the people? They think that after some time the passing of an examination will be made a qualification for appointments and other things. We should be glad to know from the Government about this. But how can the Government give a guarantee for what will happen in the distant future? Even if they give a guarantee now who can say who will be in power after five years or seven years? Even assuming that the Congress party is in power it will not be possible for the present members of the Congress Cabinet to envisage what the members of a future Congress Cabinet would do? If many lovers of Tamil in this country have come forward with this agitation it is due to their real apprehensions in this matter.

“ Sir, we are now primarily concerned in this resolution with the application of the Criminal Law Amendment Act. On the question of the necessity for a compulsory study of Hindi many hon. Members have spoken eloquently. My hon. Friend, the new addition to this House from North Arcot, the Muslim Member, has very intelligently put forward arguments to show that there is no necessity for compulsion and that if there is to be a language for all India it should evolve of its own accord and not by compulsion. I heartily agree with most of his arguments to the effect that there is no necessity for compulsion. If I remember rightly, Sir,—I would stand corrected if I am wrong—the Government have stated that the people are with them in regard to the

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compulsory introduction of Hindi. If people are with them why then do they resort to this compulsion? They could easily rely on the strength of their great organisation in the country. If they feel that the majority of the people are with them there should be absolutely no difficulty in introducing Hindi on an optional basis and at the same time seeing to it that most of the boys learnt Hindi. Suggestions have been made that indirect help and encouragement may be given to boys who take up Hindi by way of prizes, fee concessions and other things. The Government will realize the volume of objection if they meet some parents who have real apprehensions in the matter. There has been much genuine agitation in this respect however much the Government might think that there are only a few persons who carry on this agitation. However, if the persons are so few as the Government think them to be, there is no necessity for Government to worry.

"With regard to the application of the Criminal Law Amendment Act, I do not want to detail the history of that Act as my hon. Friend Diwan Bahadur Appadurai Pillai has already given a learned discourse on the history of the movement for the repeal of the Act and of how Congressmen have been ardently urging the repeal of the enactment. I do not want to repeat those arguments. Sir, it has been a surprise to many people in this province to find that the Congress Government are still trying to use this Act which they never intended to use. The bitterest critics of the measure have all been Congressmen, and one of their election pledges was that these repressive laws would cease to function as soon as Congressmen came into power. Perhaps they may say now, that circumstances have changed. But I do say that circumstances have not changed so as to warrant the use of such measures however provocative the Government may consider the methods of the anti-Hindi agitators. What will the public think, Sir, particularly after the advent of Provincial Autonomy? What will they feel, Sir, when they find that the Government is run with the aid of repressive laws? I would like the Prime Minister to realize the full implications of a popular Government being run with the aid of repressive laws. Apart from casting to the winds your election pledges, are you right in taking shelter behind an Act, the main object of which is the suppression of civil liberty? I may remind the House that the Executive Committee of the Civil Liberties Union recently passed a resolution to the effect that while they disapprove of the methods of the anti-Hindi agitators they were constrained to disapprove the action of the Government also in applying the Criminal Law Amendment Act. The whole position reduces itself to this: The present laws are quite enough to deal with the situation without resorting to the Criminal Law Amendment Act. There are many friendly critics of the Congress who think that the provisions of the ordinary law are quite enough. I am not a lawyer myself and I cannot offhand mention the laws.

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But if I am given time I will give the codes and the sections. For the moment I do not think I need take the time of the House any further than saying that the ordinary laws of the country are quite enough to deal with the situation. It has been admitted that the Criminal Law Amendment Act was promulgated and used in times of emergency by the then Government. I ask, Sir, whether that emergency has arisen to-day? I do not think the Government will go to the extent of saying that such an emergency has come as to make the laws of the country quite inadequate. It is the firm conviction of friends like me that the present laws are quite enough to deal with the situation, even if the Government want to put down this agitation.

“ Sir, the Government or the Members of the Government in their various speeches have said that it is necessary to implement the resolutions of this Legislature particularly in the matter of Hindi. If the Government should realize their allegiance to the Legislature, I ask them, should they not realize also that the ultimate body to which they owe their allegiance is the electorate to whom they have already given a pledge to the effect that the repressive laws will be repealed. Sir, my main argument is that the application of the Criminal Law Amendment Act is absolutely not necessary and is not warranted by the situation, and we expect the head of the Government to recognise that for a popular Government it is absolutely unnecessary to continue the application of the said Act and that repressive laws must cease to apply.”

MR. ABDUL HAMEED KHAN:—“ When will I have my turn to reply, Sir? ”

MR. SPEAKER:—“ After the Prime Minister's speech.”

• THE HON. MR. C. RAJAGOPALACHARIAR:—“ Sir, it is a matter of great regret that we have been the cause of so much inconvenience to hon. Members who have had to stay so long for this. I should have requested you, Sir, under ordinary circumstances, to have taken private members' resolutions to have lapsed last night. But I should have been the cause of justifiable misunderstanding if we did not give ample, and more than ample time for this, what may practically be called an attempt to censure the Government. There is no difference between a vote of censure and the resolution now proposed. It is in that spirit and in that view that we thought it our duty to give the whole of to-day for private members' resolutions. It is a pity that some part of it was taken up by certain other matters, and that members would have to wait probably till ten o'clock to-night. At the same time, let me thank you, Sir, for giving us this opportunity of defending ourselves. The question has been debated on from all points of view; some of the points were very interesting, but at this late hour, being irrelevant to the main issue, they would have to be put aside by me. The whole question of whether the particular ~~dilect~~ we seek to introduce in the schools is one that ought to be

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encouraged by the Mussalmans in their own interests or whether it is one that the Mussalmans according to their traditions accept as what they should love, as distinguished from a variant dialect, or whether it is the dialect spoken in Lucknow and Delhi alone or perhaps in Agra also, or whether it is a purer form of the language that Mussalmans in South India are speaking as their mother-tongue, and whether it is not really the standardized mother-tongue of some of the gentlemen who have spoken on this resolution here—all these are very interesting, and important also; but I submit for the vote of censure that is on the table to-day, they are irrelevant. Therefore it is that I do not go into all that, though I should have loved to discuss those questions rather than a question of this kind.

“What is the charge against the Government? There again, there are two currents of thought running, not perhaps plainly expressed, but still plainly running. There are some who feel ‘Oh, satyagraha, picketing, Criminal Law Amendment Act, repression! You are paid in your own coin. Great satisfaction to us!’ Embarrassing us by itself gives great satisfaction to some people, because these Congressmen have been paid in their own coin. But that current of thought I need not deal with to-day. The other current of thought is: ‘We thought that these people were opposed to repression by nature, by up-bringing and by their own suffering; they have condemned repressive laws; now we have discovered a situation and a method by which they have no alternative but to use these repressive laws; they cannot use these repressive laws, or they won’t use these repressive laws, and so we can successfully embarrass them’. And they tried. But lo! and behold! ‘This inconsistent Prime Minister says he will use this Act, this repression; he has broken his implicit promise; we will charge him with dishonesty and inconsistency.’ They are very bitter. They feel extraordinarily disappointed that when they had depended on the creed of the Congress, on the statements of the Congress that they will not hinder the course of opposition and defiance in this way, in parrot-like copy of the Congress methods—they are grievously disappointed with our resorting to the methods and to the very law under which we ourselves had suffered. This disappointment, I say, they deserve. I have no apology to make on that basis. Much reference was made to the creed of the Congress, to the creed of the non-co-operators and to the statements made by all and sundry. The Criminal Law Amendment Act was also dealt with. Let me summarize the position for the hon. Member who seconded the proposition—Mr. A. Appadurai Pillai—Innocent Soul!—I must deal with him first. He says this is a good movement. He says ‘If only you drop compulsion, the whole thing will go.’ Let me tell him, Sir, the whole thing will not go if I drop this, and if I drop anything else also. Because, the object is clear. The object is *not* to prevent Hindustani from being learnt by

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boys and girls; the object is to obstruct this Government, to defy this Government, if obstruction won't do; to do anything to stop this Government which anything else will not do. Gentlemen opposite refer to our creed. I do not think that I need go beyond the author of this creed, Mahatma Gandhi. I am not fond of quoting him; I have not consciously quoted him up till now in this House; but since those who wish to move this censure against the Government quote him, I want that he should be quoted properly. That is why I quote him. Sir, those who have started with the stream, or rather the fish which have started so to say at the source, at Hardwar, know the Ganges as it runs along. They need not make tests to find the quality of the water. When we have started with that stream of satyagraha and with these doctrines, I do not think I shall be presumptuous if I say that we instinctively understand it like fish understanding their own water. But, as I said yesterday in the same connexion, a compounder is different from a doctor. The compounder goes by labels, but the doctor goes by ultimate knowledge. I shall not presume to be the doctor; that is why I quote Mahatma Gandhi himself. Now, in the year 1925, when the boycott of law courts was in full swing, the law courts were under lock and key against all Congressmen; they were not allowed to go to courts and plead or take cases without losing their caste in the Congress, not like now; again, they were at that time in the same manner as now people do, beginning to what they call 'picket'—I do not call it picketing. I would call it by its true name, as my colleague called it a few minutes ago in his speech concerning picketing. In the same manner as these gentlemen in their activities thought that the Congress Ministry was not going to use any repressive measures as they call them, they thought 'well, we will be prosecuted for nuisance perhaps; we will be taken to honorary magistrates who will perhaps inflict a fine of Rs. 5. That is all, there is money available; Rs. 3,000 at the rate of Rs. 5 each for 600 boys does not matter.' 'Or well, even if it be a month's imprisonment,—that is very unlikely, but even if it is so much as that—we will certainly come back. It is a fairly good joke.' They thought like that and they were disappointed. The great, long and terrible punishment of six months' imprisonment is given. Sir, to those who have talked the language of Satyagraha, six months used to be a shame. Nothing less than two years would satisfy our hearts then. The six months' man would hang down his head as soon as the sentence was pronounced for the shame of having received a light sentence. Well, six months is referred to as very terrible. I do not want to go into that; but a disappointment such as I referred to, was shared by another set of people in 1925 in another case I am referring to. In those days, people borrowed money from our khadi boards, from our Congress Committees, and they would not pay; they wanted to deceive and said: 'You cannot go to law courts, you have promised us that you would not go to courts.' Just like

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some friends to-day, then too there were friends who thought that we could not go to law courts as we were boycotting them, that it would be a damn shame if we did and we would be losing our caste. Therefore we would let money go and we won't prosecute or do anything. Here is what Mahatmaji stated at that time:—

'An Andhra friend writes '—that is how he begins—' Many people are taking undue advantage and not paying the amounts due to Congress Committees and Khadder Boards, knowing it for certain—that they would not proceed against them in British Courts. This of course amounts to misappropriation and cheating, if not worse. In view of what you have written already regarding misappropriation of funds and now the removal of ban on courts, I am quite sure that the Congress Committees can proceed in courts under these circumstances.'

'That is the quotation from the letter, and Mahatmaji has replied thus:—

'I have already given my opinion in such a case. I have no doubt that even when the boycott of courts was on foot, it was the duty of Congress Committees to proceed against fraudulent and defaulting debtors. The boycott was not meant for the Congress to commit suicide. It presupposed honesty on the part of those who dealt with the Congress.'

'Sir, the principle is the same. If we had been robbed or cheated of our money, there was no boycott of courts or this or that. That is the compounder's label. But I want to tell you that this principle is not in one article of 'Young India'; I can quote a few more, but I do not want to take time, because it is a definite, well-established principle from the very beginning. If I have a rope and use it to draw water or give it to a child to draw water, the rope is to be used for drawing water only, not to entangle the child's legs and to put the child into the well to die there. These creeds, doctrines and principles are intended for honest application, for those who believed in them,—not as false defences, not as subterfuges for those who would escape and not for those who knew nothing of those doctrines and who want to take advantage of them for their own benefit or gain. Sir, suppose Japan to-day started telling China—not the Japanese soldiers but the camp followers—'You are Buddhists, you are against killing; you have sworn to that effect, how can you attack the Japanese soldiers; why are you using these weapons which Buddha did not allow'—would it not be ridiculous? It will be equally ridiculous for people who have done anything which Mr. Prakasam has just described, or people who have instigated them to do those things or people who have paid them to do those things, or for people who have tolerated them to do those things—I come to the last class, because it is not for them even to tolerate them, apart from actually giving encouragement to them—Is it for them to say that we should not use an Act which we wanted to be repealed in the year 1935 and which we then objected to? It is ridiculous.

'Sir, I do not claim to be a perfectly patient man. I do not claim to be a perfectly non-violent man, but I claim I have been

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patient, I have been non-violent. 'Repression' is the word used. I had intended, Sir, to describe what was done. I was intending to describe the offence first before describing what was done with the offenders; but I am very glad that I am saved that by my colleague.

'What is it that is done by the offenders? I do not mind—one of my hon. Friends who spoke referred to it—the noise. I have one ear which is working and another ear which is deaf. I can sleep in a railway train, in a market, if necessary, with the wrong ear up and the right ear down. (Laughter.) I do not mind the noise at all. But there is a noise which I mind very much—a noise which tells people to 'hate one another,' a noise which rouses hatred of the worst type, a noise which gives voice to ideas which are dangerous for the country—hatred between class and class. Do hon. Members know how this Government is described by those boys, who are made to describe without understanding it? They describe by caste, describe by their sacred thread, describe by the tuft of hair on their head. (Hon. Members: 'Shame!') Is that noise there? It would cut hon. Members to the quick if similar language were used which could be understood or felt by hon. Members who spoke here before on behalf of the resolution, even if it were whispered in the slightest tone in the ear. Well, it is not because I was annoyed that I am displeased with it, but because it is positively dangerous to the country; it would be suicidal to the progress of the country if such things were allowed. These communal hatreds, if they were developed for real communal hatred, I would tolerate them gladly, because the hatred is there and it is good to know it; but if the hatred is developed in boys who have no such hatred and developed for petty purposes of their own, I am angry. This communal hatred is nothing. We are bound to deal with this communal hatred and we can deal with it, Sir. The previous Government that was in possession—I am not referring to the temporary Ministry—the permanent Government that was before in power—they might have been indifferent to the permanent evil of communal hatred. They only cared for peace and order; communal hatred disturbed order and so they did not want it. But, surely we have a greater interest in preventing these communal hatreds and the development of communal hatreds. They could have been satisfied with just enough arrangement of law, police and order and machinery to meet communal hatred to the point of and not allowing its development into a communal disturbance. We cannot be satisfied with the minimum, because it will kill like itself, if we allow these things. That is the reason why, Sir, we want to stop it. It is not enough to give Rs. 2 fine or As. 4 fine for such things. It is an annoyance to the national heart and not merely annoyance to a gentleman who wants to sleep or carry on his work. What is being done with them?

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“ ‘Repression’—we used the word, Congressmen used the word ‘oppression,’ but they never used the word ‘repression’ for the trial of a man for any offence or any trial with all the paraphernalia of lawyers, appeals, witnesses and adjournments of courts, with rights of appeal, with rights of stay application, with right arguments to be carried on interminably and ending in three months, four months, five months, six months, or one year’s imprisonment. Did we ever call it repression? Never. When people are not prosecuted or tried or arrested, but were beaten, bones were broken and physical injuries mercilessly dealt, we used the word repression; but even then, not we, but others used the word ‘oppression.’ Sir, those who are now in Government here never complained about trials, perhaps, never complained even about repression, never complained certainly about trials. This resolution which is placed before this House to-day refers to repression. Not even the vilest abuse that I have read with these eyes, printed literature, multiplied by the tens of thousands and circulated among ignorant masses, not even the vilest abuse and falsest statements made therein, had been made the subject-matter of prosecution. Have I taken two lakhs of rupees from the Shermadevi rukula? Yet, I have read it with my own eyes in this connexion,—printed and published. Have I asked for a prosecution? No. Has a single procession been stopped? Has a single demonstration been ordered not to be conducted under section 144? Some men told me, ‘Why not you simplify matters? This Criminal Law Amendment Act is objected to. Get an order passed under section 144 and it will take its own course. Men are used to it. Nobody will call it repression.’ I said ‘No.’ I cannot ask a false statement to be made that there was going to be a breach of the peace in front of my house, because of this; there would be no such breach of the peace. I won’t allow such a statement to be made. I cannot ask for an order under section 144 or 107. I cannot say under section 504, that I was going to commit a breach of the peace or that any others were going to commit a breach of the peace, whatever may be the provocation. It would be wrong to say, therefore, that there is ground for applying those sections.

“ ‘Compounders’ tell me “why don’t you apply section 107? Section 107 cannot be applied unless I make a false statement that they are going to commit a breach of the peace. They are only going to insult. They would commit a breach of the peace only if I put them out of the picture. It would not be right to make that statement and apply either section 107 or 144. The only other thing that any legal compounder can tell me is 290, i.e., to take them to an honorary magistrate and ask the latter to fine for a small nuisance. Why, you have seen with your own eyes how a usual nuisance offender is treated with a light heart. A man

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with a naked knife goes up to the platform in an enormous crowd. He is sent home with a fine. No quarrel with that. But is this a casual offence? It is deliberately organized by people who remain behind. Boys who do not know to read or write a word of Tamil, come and say 'Let Hindi perish for ever' 'Let Aryan rule perish' and those boys do not even know how to pronounce properly the Tamil words they utter. They are made to suffer. Those who instigate them are prosecuted for abetment and that is called repression. I say an abettor is the principal offender in that case, not the boy who comes and shouts. The man who comes on a bicycle and fixes the boys is the principal offender, not the boys who stand there. Therefore, Sir, there is no repression about it. I say to the House with a clean conscience, there is no picketing about it. I say with a clean conscience, it is not picketing. What is picketing? If a man goes to drink and I want to ask him not to drink, if a man goes to work in a shop where we agree under the trade union not to work, I ask him not to go, that is picketing; but if I do more, it is not picketing. But here what is it that he is asked to do, the man there? What is it that he asks me not to do or any body else not to do? Nothing. The only thing, he does is to irritate, to provoke, to annoy and to insult. He does not ask anybody not to do anything or to do anything. That is not picketing in any definition. There is no picketing, there is no Satyagraha about it. That is the offence and this is the repression. Sir, therefore, it is idle to attempt to make out here that this is a case of breach of promise or breach of Congress doctrines. If, supposing Sir, there has been a failure on our part to be true to our principles, how is it a basis for this resolution? This Government can be removed by those who are responsible for those doctrines. It is not for the man who borrowed from the Khaddar Board to say that the courts should be boycotted; it is for Gandhiji to say that courts should be boycotted, not for the man who borrowed from the Khaddar Board and is trying to cheat the Khaddar Board. This resolution, therefore, Sir, has no legs to stand upon. It has no morality behind it. It has no principle of good government behind it.

"Mr. Appadurai Pillai gave us a constructive remedy worthy of consideration. 'Remove this compulsion. Let these Satyagrahis go. Let these anti-Hindi agitators go.' Agitation it is called. There is no agitation about it. All agitation is permitted. There is no repression against agitation whatsoever. These people ask persons to commit these ill-advised and deliberate vulgar offences before those who wish to do their public duty. 'What you have to do is to give preferential treatment to those who have learnt Hindi optionally' Bless the innocent soul of Mr. Appadurai Pillai! Without knowing it he has advised me to commit the gravest of crimes that could possibly have been committed by

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me in the eyes of those who are conducting this activity. Mr. Appadurai Pillai does not know what is being said, what is being argued by these people—leaders of those people. Sir A. T. Pannir Selvam gave away the show, or was it the Leader of the Opposition who gave away the show, as he has every right to do? He said, 'even if you do not give preferential treatment, what guarantee is there that your successor who will come later on will not give preferential treatment. Therefore, do not have Hindi at all.' He failed to see that he was contradicting his good friend, Mr. Appadurai Pillai's suggestion. Mr. Appadurai Pillai is entitled to lead me into danger and give me away to the wolves afterwards. If I accepted Mr. Appadurai Pillai's advice and said 'let Hindi be optional. We will appoint people who know Hindi,' surely I would have walked into the mouth of the wolves and the Leader of the Opposition and his friends would have devoured me altogether. We won't teach a few boys and give them preference.

"Sir, it is because I have no communal feeling in my heart, and because I can instinctively understand what is good for people of all communities that I said 'No, this shall not be optional.' Because, these few will take advantage of it and we will be opening ourselves before those who come behind to the charge that we began a thing which gave preference for certain boys and it did not give equal justice to all boys. And after all, how can children understand their own needs? You can best understand what is good for them. It is the duty of the Government to say what is bad and what is good to learn for them. Therefore, even at the risk of abuse, even at the risk of misunderstanding, even at the risk of being hauled up before Congress courts by persons who might have little to do with the Congress, I say that this must be done and we should give equal opportunities for people who will have their chance in future India. But what is the idea behind Mr. Appadurai Pillai's recommendation? Would it be right to allow boys to grow up without a knowledge of the essential thing which we know is good for them? Never mind other reasons. What is the duty of the Government with regard to Education? Much false emphasis has been laid on compulsion. Let me tell hon. Members, in the Government Order about which all this fuss is made, there is no use of the word 'compulsion' at all. The order simply says, 'this becomes an essential part of the daily curriculum of the schools.' It is no longer an after-class teaching; it is not teaching which a boy can run away from; it is just as essential as arithmetic; it is just as essential as his multiplication table, which he cannot run away from and which is prescribed as good and essential for him. There is no more compulsion in it. Not as a result of this opposition—it does not matter even if it is—if at any time it is found to be not good—agitation or no agitation—it will be given up. But I know it is good; I know the whole thing. I had

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opposed compulsory introduction of Hindustani for the elementary schools myself, for I knew it was not good for tender children. I have opposed compulsory khadi for peons; and I have opposed compulsion for many other things. But here, I said, boys *must* be taught; the compulsion is on the teacher. If the boy does not read and if he fails, still he will be promoted; there is no compulsion. That is the compulsion to which I am a party. There is much more compulsion for other subjects, but not for this. This is a concession, given even before the agitation—and even if it were on account of the agitation, I have no hesitation in giving credit to it. To give it up, not because it was not right, but simply to put out of the way some difficulty I am faced with—it would certainly be a wrong thing to do.

“What is it that I would be doing in giving it up? If I yield to it I am doing a wrong thing with regard to the education of our boys. If I yield to it I am going against all our plain common-sense with regard to the future of India; I am also killing self-government to that extent. Gentlemen opposite quoted parliamentary conventions, Sir, about your going to England or Europe for the study of the working of parliamentary institutions there. I said on the other day that the mere passing of the budget provision is not compulsion to incur the expenditure. You, Sir, explained yourself and said it was only permission, and therefore it does not bind you to do it. What is the budget provision about Hindustani? (Interruption.) There was a discussion over it; it was allowed. What is the consequence? Those who now raise objection, should not object, having allowed it before. This House, having permitted the estimates in respect of Hindustani, has no right to take it up again—members have no right to raise it again—because once it is accepted, in principle, it is finished. Therefore the only thing that can be taken up now is “repression” and not Hindustani. But there is a further and more substantial difference. As I said about the Speaker’s voyage, there are certain subjects where a grant means an expectation that the Government will carry it out; and there are other matters where it is left to the person to do or not to do a thing. Suppose a provision is made in the budget sanctioning the purchase of a motor car for the Premier. It is permitted to me to spend the amount or not. I may or may not buy. Suppose a provision is made in the budget for the opening of an Agricultural College. It would be absurd to say it is permissible. Therefore I say it is not a right analogy. But it was said, ‘you can give it up.’ What will be the meaning of it?

“To oppose foreign rule is one thing. But has a minority in parliamentary government the right continually to defy the decision of the majority? It was stated that we were offering passive resistance, and so, it should be good enough even now. It would be the denial of the whole parliamentary system of government if that

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were allowed. A nation which is subject to foreign domination—I say it here in the clearest terms on the floor of the House—is always at war with the dominating nation, and there is no question of parliamentary rules to be applied to the conflict between the people and the Government in that case. But if, under a system of parliamentary government we wish to carry on our own affairs, we must accept the limitations of parliamentary practice. A minority, however small, has a right to oppose, has a right to discuss, has a right to demonstrate, has a right to question, has a right to go on writing in the press and try to change the people's mind. Let there be no mistake about it. The other day a leading newspaper misunderstood me and commented. I do not deny the right of continual agitation, whatever the decision may be. But what I do deny in parliamentary government is the right of the minority to *defy* the Government of the majority and make Government impossible. Once a decision is arrived at, parliamentary system of government demands that the minority as well as the majority should combine, and there should be no defiance. There need be no end to parliamentary agitations, such as in elections, bye-elections or appeals to the electorate, or in the press or on platform without let or hindrance in any way. But certainly parliamentary government is impossible if the minority, can defy majority government for all time without break. This is against all conventions of parliamentary government. But I am not quoting Westminister now. I say that self-government in India would be impossible if we adopt it. Sir, suppose we retire now from Government; and to-morrow another Government comes into power. Are we to go and picket the houses of Members of Government, and then *contra*, and then *contra*, and so on. The whole thing would be an open invitation to the powers of the world to come to India if we carried on like that. Sir, I shall not detain the House any longer. If the Leader of the Opposition had spoken before Hon. Mr. Prakasam, I would not have spoken at all. I would have said, Mr. Prakasam's speech is mine, and the Government reply is there, and the debate would have closed. But it would not have been courtesy if I did not rise and offer a word of explanation of Government's position after the Leader of the Opposition spoke.

“I submit, Sir, that the House should, without hesitation, throw out this resolution.”

MR. ABDUL HAMEED KHAN:—“Sir, I am sorry some of the speakers have misunderstood the significance of the resolution and dealt with the question of language at length. I object to resorting to oppression against our own people. I have grown twenty years older in the hope and aspiration for achieving freedom for my motherland and 260 millions of my fellow countrymen. Freedom to me means civil liberty. But when a responsible Government employs repressive legislation against our own people who are

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opposing a Government measure in connexion with a language in exercise of their civil right my disappointment and sorrow are profound. The Government have shown to us that they can get through any legislation in the briefest possible time. They could have repealed the Criminal Law Amendment Act and had the criminal legislation that the Hon. the Premier has been speaking of passed in the Legislature instead of using the condemned lawless law. Poison is always poison. My conception of freedom has been shaken by the conduct of people's Government. My opposition is therefore to 'repression' and not to the language that is to be imposed on the people."

The resolution was put to vote and lost without a division.

The House adjourned to meet again at 3 p.m. the next day.

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APPENDIX.

[Vide answer to starred question No. 77 asked by Mr. R. B. Ramakrishna Raju at the meeting of the Legislative Assembly held on the 18th August 1938, page 262 supra.]

Statement showing the industries carried on in the various jails.

Name of the jail.	Names of industries.
(1) Central Jail, Rajahmundry	.. Carpentry, cumbly-weaving, cotton-weaving, and book-binding.
(2) Do. Vellore	.. Carpentry, leather goods, cotton-weaving, tailoring and book-binding.
(3) Do. Trichinopoly	.. Carpentry, cumbly-weaving, cotton-weaving, kora and also mat-weaving and book-binding.
(4) Do. Coimbatore	.. Cotton spinning and weaving, tailoring, tent-making and book-binding.
(5) The Penitentiary, Madras	.. Carpentry, stationery tags, sealing wax and wax cloth and printing.
(6) Central Jail, Cannanore	.. Carpentry, coir work, cumbly-weaving and book-binding.
(7) Do. Salem	.. Carpentry, cotton-weaving, smithy and aluminium work and book-binding.
(8) Do. Bellary	.. Carpentry, cotton-weaving, wool spinning and weaving and book-binding.
(9) Do. Vizagapatam	.. Carpentry, cotton-weaving, tailoring, jute work and book-binding.
(10) District Jail, Cuddalore	.. Cotton-weaving and book-binding.
(11) Do. Madura	.. Cotton-weaving, book-binding and brick-making.
(12) Presidency Jail for Women, Vellore.	Hand-spinning, handloom weaving, embroidery, tape-weaving, stitching and money bag making.

THE MADRAS LEGISLATIVE ASSEMBLY

Friday, the 19th August 1938

The House met in the Assembly Building, Chepauk, at three of the clock, Mr. Speaker (THE HON. MR. B. SAMBAMURTI) in the Chair.

I.—QUESTIONS AND ANSWERS

STARRED QUESTIONS

Reinstatement of or grant of some form of relief to the Police officers, who resigned their posts on account of the non-co-operation movement.

* 81 Q.—MR. V. VENKATASUBBAYYA: Will the Hon. the Prime Minister be pleased to state—

(a) the number of Inspectors and Sub-Inspectors of Police, who resigned their posts in the non-co-operation movement;

(b) how many of them have applied to the present Government to be reinstated or for proportionate pension or other relief; and

(c) how many of them have been restored and how many of them have been granted other relief?

THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) From the information at present available it is found that one acting Inspector and one Sub-Inspector of Police resigned their posts in the non-co-operation movement.

“(b) Both applied to the present Government for reinstatement or other relief.

“(c) The Government did not find the cases suitable for action on the lines requested, but the matter is still under consideration.”

MR. SPEAKER:—“Question No. 82. Mr. R. B. Ramakrishna Raju.”

MR. ABDUL HAMEED KHAN:—“I want to ask . . .”

MR. SPEAKER:—“You should have risen earlier. Hon. Members who intend to put supplementary questions must rise immediately after the question is answered.”

MR. ABDUL HAMEED KHAN:—“I am sorry. I have to state that I can stand up only after the Hon. the Premier has taken his seat . . .”

MR. SPEAKER:—“Yes; but after the Prime Minister resumed his seat nobody stood up.”

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MR. MAHBOOB ALI BAIG:—"It is very unfortunate that I could not catch your eye."

MR. SPEAKER:—"Yes, no one can help it." (Laughter.)

Procedure governing the disbursement of loans to agriculturists.

* 82 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Prime Minister be pleased to state—

(a) how the Government propose to distribute the budget allotment of 50 lakhs of rupees for loans to agriculturists, whether directly through the Government agency or through the Co-operative Land Mortgage Banks;

(b) whether any scheme for the same has been prepared showing the rate of interest to be charged and the method and duration of recovery, etc., and if so, whether the Government will be pleased to lay it on the table;

(c) whether any upper limit for the amount to be advanced is to be fixed and if so, what the limit is;

(d) whether the budget allotment is going to be distributed equally in both the Government and zamindari areas or whether any distinction is going to be made and if so, for what reasons; and

(e) whether any applications for loans have so far been received and how they have been disposed of?

THE HON. MR. C. RAJAGOPALACHARIAR:—" (a) to (d) The scheme for the distribution of the budget allotment of Rs. 50 lakhs for the grant of loans to agriculturists for the relief of indebtedness is under consideration.

" (e) The Government have no information at hand."

MR. R. B. RAMAKRISHNA RAJU:—"May I know, Sir, how long the Government will take to frame the scheme?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"This is a recurring matter. It is expected that we will have to deal with similar amounts every year, and we do not want to start with a half-cooked scheme in a hurry. Members may expect the scheme to be ready very shortly."

MR. R. B. RAMAKRISHNA RAJU:—"May we have an idea of what is meant by 'very shortly'?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Not over-long." (Laughter.)

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know, Sir, whether it is intended to distribute this money through the Land Mortgage Banks?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"No, Sir."

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MR. MAHBOOB ALI BAIG :—“ May I know, Sir, whether the Government have received any memorials from the ryots of the South Kanara district and other districts, stating that their creditors are rushing to courts, and therefore that immediate help is necessary? ”

THE HON. MR. C. RAJAGOPALACHARIAR :—“ May I request the hon. Member to repeat his question? ”

MR. MAHBOOB ALI BAIG :—“ May I know whether the Government have received memorials from the ryots of South Kanara district and other districts stating that their creditors have been rushing to courts and that they are unable to pay the debts as scaled down and that relief must be granted very soon, immediately? ”

THE HON. MR. C. RAJAGOPALACHARIAR :—“ Not only in that district, but in many places, the Government know that the situation demands attention.”

MR. R. B. RAMAKRISHNA RAJU :—“ May we know whether the Government intend to have an upper limit? ”

THE HON. MR. C. RAJAGOPALACHARIAR :—“ The scheme is under consideration as I said, and I would like to have no anticipation on that question.”

Extension of the provisions of the Madras Agriculturists Relief Act to the partially excluded areas of the East Godavari district.

* 83 Q.—MR. K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(a) whether any representations were received from assemblies and individuals of the partially excluded areas of East Godavari requesting that the Madras Agriculturists' Relief Act, Act IV of 1938, be extended to that area; and

(b) whether the Government have taken any action in respect of this matter?

THE HON. MR. C. RAJAGOPALACHARIAR :—“ (a) & (b) Yes. Representations were received requesting Government to extend the Agriculturists Relief Act, 1938, to the partially excluded areas. Certain modifications to be made in the Act have had to be examined. The necessary notification will issue before long.”

Decision of Government on the question of taxing agricultural incomes.

* 84 Q.—MR. K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(a) whether the Government have arrived at any decision on the question of taxing agricultural incomes; and

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THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) The answer is in the negative.

“(b) Does not arise.”

Expenditure voted by the Assembly on account of the Speaker's visit to England and other foreign countries.

MR. MAHBOOB ALI BAIG:—“In view of your statement, I do not propose to ask question No. 85.”

MR. SPEAKER:—“Yes.”

* 85 Q.—The question was not put.

Closing up of the breach in the supply channel on the left flank of Velliyur tank, Tiruvallur taluk.

* 86 Q.—MR. D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the breach of the supply channel on the left flank of Velliyur tank (Imperial tank No. 478) that occurred near Ramarajukhandigai in December 1937, owing to heavy floods has been closed; and

(b) if not, whether the Government will consider the desirability of taking steps to close up the breach with permanent masonry construction before the monsoons set in this year and to remove the temporary cross bund that has now been raised to the south of the breach in the said supply channel?

THE HON. MR. T. PRAKASAM:—“(a) The answer is in the negative.

“(b) The desirability of constructing a permanent masonry outlet at the site of the breach is being examined. The removal of the cross-bund and the closure of the breach should be done by the ryots under kudimaramath.”

Levy of water-rate or irrigation-cess in South Kanara.

* 87 Q.—MR. H. S. HUSSAIN: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether any water-rate or irrigation-cess is being levied in South Kanara;

(b) if so—

(i) whether such rate or cess is collected separately or as part of the assessment;

(ii) whether such rate or cess is collected from the whole of the district or parts thereof and if from some parts only, what they are; and

(c) whether the Government have provided any irrigation facilities in the district of South Kanara and if so, what they

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THE HON. MR. T. PRAKASAM:—“(a) & (b) No water-rate or irrigation cess is levied in any part of the South Kanara district.

“(c) The Government have under consideration the question of the feasibility of undertaking irrigation works in the district similar to those in the Cochin and the Travancore States.”

Conversion of the land granted to some members of the depressed classes in Adavuladivi village, Repalle taluk, Guntur district, into wet ayacut.

* 88 Q.—MR. K. VENKATAPPAYYA PANTULU: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government are aware that in the village of Adavuladivi, Repalle taluk, Guntur district, there is a large extent of land granted about 20 years back to some members of the depressed classes after parcelling the same into small holdings;

(b) whether the said land is saline and unfit for dry cultivation and is therefore lying waste;

(c) whether dry assessment has been collected from the poor and ignorant pattadars all these long years; and

(d) whether the Government will consider the desirability of including the said lands into wet ayacut and supply water for their irrigation?

THE HON. MR. T. PRAKASAM:—“(a) to (c) The Government have no information.

“(d) The Government are prepared to consider the suggestion put forward.”

Details regarding the Andhras recruited directly as Deputy Collectors since 1937.

* 89 Q.—MR. D. R. ISAAC: Will the Hon. the Minister for Revenue be pleased to state—

(a) how many men have been recruited directly as Deputy Collectors since 1937 onwards till now;

(b) how many of them are Andhras; and

(c) how many of them are Adi-Andhras and Indian Christians?

THE HON. MR. T. PRAKASAM:—“(a) None.

“The question of making a direct recruitment from the scheduled classes is under the consideration of the Government.

“(b) & (c) Do not arise.”

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Powers of the subordinate authorities in the matter of assignment of lands.

* 90 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether subordinate authorities have now got authority to assign lands less than five acres;

(b) what the principles that guide these assignments are; and

(c) why this restriction on extent is placed?

THE HON. MR. T. PRAKASAM:—“(a) The answer is in the affirmative.

“(b) The attention of the hon. Member is invited to the provisions in Board's Standing Order No. 15.

“(c) A scheme designed to give effect to Government's policy of assigning all available land to the landless poor is being worked out. In the meantime Government desire to retain control of all substantial areas of assignable land.”

Defective flooring work in the new building of the office of the Director of Public Instruction.

* 91 Q.—MR. R. VENKATASUBBA REDDIYAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) the year in which the new building of the office of the Director of Public Instruction was built;

(b) the total cost of the building;

(c) the cost of the flooring;

(d) whether it is a fact that the flooring has sunk low; if so, the reasons therefor; and

(e) what action the Government propose to take against those who were in charge of the construction?

THE HON. MR. YAKUB HASAN:—“(a) The building was constructed during the years 1929–32 and occupied in 1932.

“(b) The total cost of the building is Rs. 4,37,946 of which the special pile foundation cost Rs. 1,52,000.

“(c) The cost of the flooring in the ground floor was Rupees 10,320.

“(d) The ground floor flooring has subsided in some of the rooms. The soil at the locality was found to be treacherous and piles had to be driven down to rock to support the walls at a cost of 1.52 lakhs. The flooring rests on sand and soil as usual. Reinforced concrete slabs were not put in under the flooring on account of its prohibitive cost. Repairs to the flooring can be easily effected at a small cost.

“(e) In view of the answer to clause (d) the question of taking any action does not arise.”

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Resumption of the Ramnatkara-Tirurangadi and the Tirurangadi-Edarikode roads and construction of a bridge over the Tirurangadi river at Parakkadavu.

* 92 Q.—**KHAN BAHADUR P. M. ATTA KOYA THANGAL SAHIB BAHADUR**: Will the Hon. the Minister for Public Works be pleased to state—

(a) the stage of the proposal of the Government to resume the Ramnatkara-Tirurangadi and the Tirurangadi-Edarikode roads and the construction of a bridge at Parakkadavu over the Tirurangadi river;

(b) the estimated amount for this work; and

(c) whether the Government will be pleased to expedite the construction of this bridge?

THE HON. MR. YAKUB HASAN:—“(a) & (c) In 1932 the Government classified the Ramnatkara-Klari road as a road of strategic importance and decided to improve it in the order of importance in relation to other such roads. This road runs from Ramnatkara to Tirurangadi and from Tirurangadi to Klari (Edarikode is about half a mile from Klari). Estimates for improvements to the road and the construction of the bridge at Parakkadavu were accordingly considered in connexion with the budget proposals for 1937-38 and 1938-39. But funds were not provided for the work in those years owing to financial stringency. The Chief Engineer has been asked however to bring forward the proposal again for consideration in connexion with the budget proposals for the next year.

“(b) The cost of improvements to the road and the construction of the bridge has been estimated at Rs. 3,55,000. The cost of the bridge alone is Rs. 2,60,000.”

Adi-Andhra contractors in the Nellore district.

* 93 Q.—**MR. K. SHANMUGAM**: Will the Hon. the Minister for Public Works be pleased to state—

(a) what the number is of Adi-Andhra contractors in Nellore district;

(b) what the respective numbers are of the contractors belonging to the other communities; and

(c) whether there is any Government Order to the effect that an advance of Rs. 50 should be given to Adi-Andhra contractors in respect of each contract; whether the above Government Order is in force now?

THE HON. MR. YAKUB HASAN:—“(a) & (b) The Government have not got the information but have called for it.

“(c) There is no such Government Order. Advances to contractors are as a rule prohibited but in exceptional cases where it is necessary in the interests of work to make a small

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advance to contractors, subordinates in charge of the works are authorized to make an advance up to Rs. 50 for each work."

MR. S. NAGAPPA:—"May I know whether any Depressed Class contractor applied for such advance and it was rejected?"

THE HON. MR. YAKUB HASAN:—"Notice."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know whether contractors are selected on communal basis?"

THE HON. MR. YAKUB HASAN:—"Contractors are selected on account of their ability to carry on their work, and no other consideration is brought to bear in this connexion."

Removal of the restrictions placed by the Government on the starting and maintaining of secondary schools by private agencies in the Presidency.

* 94 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether there are any restrictions placed by Government on the starting and maintaining of secondary schools by private agencies;

(b) if so, what these are; and

(c) whether the Government will consider the desirability of removing such restrictions to encourage the spread of secondary education?

THE HON. DR. P. SUBBARAYAN:—" (a) to (c) There are no restrictions other than those contained in the Madras Educational Rules, particularly those contained in Chapter III thereof. The Government do not consider that the removal of any of these restrictions is called for. The hon. Member is also referred to the answer to starred question No. 330 asked at the Assembly meeting held on the 17th March 1938."

Administration of the fund raised by the public for the benefit of the Government College at Mangalore.

* 95 Q.—MR. H. S. HUSSAIN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that the Government College at Mangalore has a fund raised by the public;

(b) if so, what the amount of the fund and the interest thereon are and how the fund is being administered and utilized now; and

(c) whether it is a fact that the donors of the fund made it a condition that the headmaster or the principal of the institution should be a European or a European educated man of first-class honours?

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THE HON. DR. P. SUBBARAYAN:—“(a) Yes.

“(b) The amount is Rs. 58,709. It is invested in 3 per cent Government securities and brings in an annual interest of Rs. 2,050. The Director of Public Instruction and the Principal of the College are the administrators of the fund. The interest is added annually as receipts of the College.

“(c) At the time of the establishment of the Provincial School, Mangalore, which was subsequently raised to the status of a second-grade college, the donors were desirous of having a graduate of an English University, placed at the head of the institution. Nearly all the Principals have been graduates of English Universities and the present Principal is a graduate of Oxford University.”

Support for the scheme of adult education.

* 96 Q.—MR. J. L. P. ROCHE VICTORIA: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether any scheme of adult education is receiving the consideration of Government; and

(b) whether Government have been approached for support from the adult education conference to be held in Madras in October 1938?

THE HON. DR. P. SUBBARAYAN:—“(a) Yes.

“(b) The answer is in the negative.”

MR. ABDUL HAMEED KHAN:—“Arising from the answer to (a), may I ask the Hon. Minister what he exactly meant by ‘Yes’?”

THE HON. DR. P. SUBBARAYAN:—“I think the hon. Member understands the import of the English word ‘Yes’.”

MR. ABDUL HAMEED KHAN:—“I thought the Hon. Minister for Education knew that; but may I know what exactly is the significance of the word ‘Yes’?”

THE HON. DR. P. SUBBARAYAN:—“The significance of the word ‘yes’ is ‘yes’.”

MR. SPEAKER:—“I think the answer is in the affirmative.”

MR. ABDUL HAMEED KHAN:—“May I know how far the Government have proceeded in that direction?”

THE HON. DR. P. SUBBARAYAN:—“The Government are considering the various schemes put forward by the Adult Education Society of India.”

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Enhancement of tuition fees in colleges.

* 97 Q.—MR. V. BHUVARAHAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether there has been an increase in the total income from college fees this year owing to the increase in the college fees;

(b) if so, how much; and

(c) whether there has been any fall in the number of students admitted in the colleges when compared to the previous year?

THE HON. DR. P. SUBBARAYAN:—“(a) to (c) Particulars have been called for.”

Abolition of the District Educational Councils and introduction of the Wardha Scheme of Education.

* 98 Q.—MR. P. MADHAVAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government have finally decided to abolish the District Educational Councils;

(b) whether the Government are going to effect a reorganization of education more or less on the lines contained in their Press Communiqué, dated Stonehouse Hill, the 26th June 1937, and if so, when; and

(c) whether the Government are going to introduce the Wardha Scheme of Education in this Presidency and if so, when?

THE HON. DR. P. SUBBARAYAN:—“(a) A decision has not yet been reached.

“(b) The Government await the views of the Universities before considering the question further.

“(c) The matter is engaging the attention of Government.”

MR. G. RANGAYYA NAYUDU:—“May I know how long it will take to arrive at a conclusion for abolishing the District Educational Councils?”

THE HON. DR. P. SUBBARAYAN:—“I cannot fix the exact date.”

MR. R. B. RAMAKRISHNA RAJU:—“May I know whether the proposal is there to abolish the District Educational Councils?”

THE HON. DR. P. SUBBARAYAN:—“Yes.”

MR. ABDUL HAMEED KHAN:—“Arising from the answer to (b), may I know, Sir, when the communication was sent to the the Universities and when they expect replies from them?”

THE HON. DR. P. SUBBARAYAN:—“I cannot give the exact date. It was about the beginning of April this year, I believe replies have been already received in the office, but I have not as yet seen them.”

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MR. V. S. RM. VALLIAPPA CHETTIYAR:—" May I know what the reasons are for abolishing these Educational Councils?"

THE HON. DR. P. SUBBARAYAN:—" Because the Government feel that they are a fifth wheel to the coach? "

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know, Sir, whether the proposal to abolish these Educational Councils came from the Director of Public Instruction and whether any reasons were given for the same? "

THE HON. DR. P. SUBBARAYAN:—" The communication from the Director of Public Instruction to the Minister is confidential."

Present stage of the question of recognition by the Medical Council of the degrees of the Medical College, Vizagapatam.

* 99 Q.—**MR. MAHBOOB ALI BAIG:** Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have executed the improvements necessary for obtaining recognition to the degrees of the Medical College, Vizagapatam, as required by the Medical Council;

(b) the disabilities suffered by the Vizagapatam Medical College degree-holders on account of the non-recognition of their degrees; and

(c) how long it would take for the Government to remove the disabilities the Vizagapatam Medical College students are suffering from?

THE HON. DR. T. S. S. RAJAN:—" (a) The Government have sanctioned the construction of an out-patient department including a Venereal Department and a Septic Ward in the King George Hospital at an approximate cost of Rs. 3.15 lakhs, as those buildings are necessary for providing adequate facilities for the teaching of students in the Medical College, Vizagapatam. These works are in progress. They do not consider it necessary to take up at this time the question of construction of a new maternity block or other buildings before the work of the out-patients departments is completed.

" (b) The Andhra Medical graduates do not suffer from any disability in India. They are eligible to be registered in the various Provincial Medical Registers in India just like other medical degree-holders whose qualifications have been recognized by the Indian Medical Council. But as regards higher studies in England, the medical degree-holders of the Andhra University must first obtain a preliminary qualification registerable in the United Kingdom before sitting for higher examinations like M.R.C.P., etc

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"(c) The disabilities will be removed when the medical degrees of the Andhara University are included in the schedule appended to the Indian Medical Council Act, 1933. The Medical Council of India have been addressed in the matter and in their reply they state the subject will be considered at a meeting of All-India Medical Council on 24th October."

MR. G. RANGAYYA NAYUDU:— "May I know, Sir, which of the requirements recommended by the Indian Medical Council is covered by this grant of Rs. 3½ lakhs? "

THE HON. DR. T. S. S. RAJAN:—"To the extent the demand was made by them in their report for the year 1937, we have met."

MR. MAHBOOB ALI BAIG:—"Is it a fact that these graduates are not eligible for recruitment to the I.M.S.?"

THE HON. DR. T. S. S. RAJAN:—"Recruitment to the Indian Medical Service is not got by Indian qualifications alone. It is a selection appointment; there is no competition at all. It is open to the Medical Board in England to choose whomsoever they like from any register either in England or in India. There is no specific disqualification against Andhra graduates as such."

MR. MAHBOOB ALI BAIG:—"Is it a fact that these graduates were refused training in the Madras Tuberculosis hospital because their degrees are not recognized by the Indian Medical Council?"

THE HON. DR. T. S. S. RAJAN:—"I am afraid, Sir, this is entirely wrong information."

MR. G. KRISHNA RAO:—"Is it a fact that these medical graduates could not be recruited to the All-India Railways?"

THE HON. DR. T. S. S. RAJAN:—"That is a matter on which I cannot give an answer unless I refer to the All-India Railway Board."

MR. MAHBOOB ALI BAIG:—"May I ask, Sir, apart from the question of recognition by the Indian Medical Council, whether it is not necessary for the efficiency of the graduates that maternity blocks also should be constructed and instruction given there instead of those graduates having to go over to Madras to have their training?"

THE HON. DR. T. S. S. RAJAN:—"The training at Madras is certainly far more efficient than at Vizagapatam and in the interests of efficiency, the hon. Member would admit that graduates have got to be trained at Madras, as on any day Madras is better than Vizagapatam."

MR. G. KRISHNA RAO:—"May I know, Sir, what is the particular difficulty of this Government, is it financial stringency or any other consideration, which makes it difficult for them to

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fulfil the conditions laid down by the Indian Medical Council with regard to the equipment and the buildings for the Vizagapatam Medical College?"

THE HON. DR. T. S. S. RAJAN:—"I may remind the hon. Member that the Vizagapatam College has been in existence for over 12 years and nobody ever raised his little finger for improving it till we came into power, and as soon as we came into office we have made every effort necessary to have this college recognized, and because we are so very anxious to have this college recognized by the All-India Medical Council we have to meet every one of the requirements, and have applied to the Medical Council for recognition."

MR. G. RANGAYYA NAYUDU:—"Will it be possible for the Government to make the training efficient at Vizagapatam alone, Sir?"

THE HON. DR. T. S. S. RAJAN:—"Sir, maternity training, if my hon. Friend would understand the subject, is a thing that concerns human beings and the students must be trained and there must be a certain number of patients in the hospital for the training of these boys, and if Vizagapatam can give only a certain number, it is not possible to train all our students there. But if at any time in future years, Vizagapatam will provide the necessary amount of clinical material for the training of these boys in the particular subject, Government will certainly provide all the necessary facilities for students to be trained in Vizagapatam itself. But to-day Vizagapatam is said to have a population of 65,000 and there are three hospitals for women and children, and the Government hospital gets for its share only about 700 labour cases which are not considered sufficient for the training of the pupils. But if in future years the Government hospital would have something like 2,000 or 3,000 every year certainly students will be trained at Vizagapatam and not at Madras. But even then Vizagapatam students will be well advised to go over to Madras, which is not far off to have an efficient training, for a large amount of clinical material is available here."

MR. ABDUL HAMEED KHAN:—"Is it not a fact, Sir, that on account of the want of a very efficient or equally efficient maternity hospital in Vizagapatam, most of the cases from the Andhra districts go away to Madras, and in the absence of that hospital the number of cases is not as many as are necessary for clinical purposes?"

THE HON. DR. T. S. S. RAJAN:—"I do not subscribe to the proposition of the hon. Member. Maternity cases are treated not only in big hospitals, but in small hospitals also and at every hospital in the district; and I also do not agree

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with the proposition that all maternity cases from Andhra districts come to Madras. Plenty of headquarters and smaller hospitals are distributed all over the province which are staffed by qualified medical men who are treating them year in and year out."

MR. G. KRISHNA RAO:—"Is it the idea of Government to make the Vizagapatam College popular; and if so will it be news to the Government to hear that out of 50 admissions that were made only 35 came into the college and two seats remain unfilled in the pre-registration class? If this state of things continues does the Government think that the Medical College will become popular?"

THE HON. DR. T. S. S. RAJAN:—"I may inform my hon. Friend that at the time the recruitment was made, Vizagapatam College got its full quota of 50, which is the required quota for that college. And that was given. Subsequently the number fell and it came to 35. Certainly, it does not mean that the Vizagapatam College is unpopular on that account. I am prepared to admit that because of the lack of recognition by the All-India Medical Council, there is a certain amount of unpopularity which we are making every effort to get over. Therefore, these thirty-five students do not represent a very small number, for, if the hon. Gentleman would take the trouble of going into the admissions of the previous 12 years, he would find this year's admission is certainly a creditable record."

MR. G. RANGAYYA NAYUDU:—"Is it a fact that people from all over the Telugu districts are going to Vizagapatam for efficient treatment?"

THE HON. DR. T. S. S. RAJAN:—"I do not know where the hon. Member got the information from. As far as I am able to understand headquarters hospitals attract patients from the districts and the Vizagapatam hospital to which there is an educational institution attached naturally attracts more than the other hospitals."

MR. MAHBOOB ALI BAIG:—"Is it a fact that the Government have decided to spend not more than this three and a quarter lakhs already allotted to this hospital?"

THE HON. DR. T. S. S. RAJAN:—"The mere grant of money does not mean the money is being spent. We have certain sums which we expect would be spent in the course of this year or the next and there will be plenty of opportunity then to find out whether what we have done is enough or not. Government have not made up their mind to the extent that they will give only three and a quarter lakhs and no

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more. They simply say that this amount meets the requirements demanded by the All-India Medical Council, and to that extent grants are being made, but it does not at all mean that in future years no more grant will be made."

MR. G. RANGAYYA NAYUDU:—"Is it not a fact that the Vizagapatam hospital is the only one in the Andhra desa between Madras and Calcutta?"

THE HON. DR. T. S. S. RAJAN:—"I should like my hon. Friend Mr. Rangayya Nayudu to travel all over the Andhra districts and then compile a census of the hospitals in that area. I can assure him that there are hundreds of hospitals between Madras and Vizagapatam."

MR. MAHBOOB ALI BAIG:—"May I know why the recognition of the degrees should be delayed indefinitely?"

THE HON. DR. T. S. S. RAJAN:—"I might again ask my hon. Friend to remember what I have already stated, viz., that the Medical Council is meeting on the 24th October to consider this question."

MR. G. KRISHNA RAO:—"May I know, Sir, whether the Government are fighting the Indian Medical Council or agreeing with them in these matters?"

THE HON. DR. T. S. S. RAJAN:—"I do not know what the hon. Gentleman means by asking the Government to fight the Council. If by 'fighting' he means carrying on energetic correspondence and making out a case for early recognition, we have done all that, and we have gone further and addressed the Government of India and the Medical Council on the urgency of this question. We are taking all possible measures to get this college recognized as early as possible. That will be evident from the amount of attention we are paying to this matter."

Proposals for the appointment of Honorary Factory Inspector.

* 100 Q.—MR. D. V. RAMASWAMI: Will the Hon. the Minister for Industries and Labour be pleased to state whether the Government have considered the advisability of appointing Honorary Factory Inspectors; and with what result?

MR. B. S. MURTI, Parliamentary Secretary, on behalf of the Hon. Mr. V. V. Giri:—"The matter is under consideration and it is hoped orders will be issued very early."

MR. D. V. RAMASWAMI:—"May I know, Sir, whether in view of the fact that a substantial number of the labourers are women, women officers also will be appointed?"

MR. B. S. MURTI:—"The question will be considered."

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Yanadi and Wodda prisoners in the province.

* 101 Q.—MR. V. VENKATASUBBAYYA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) the number of Yanadis and Woddars respectively in the prisons of the province;

(b) how many of them had previous convictions; and

(c) what the proportion of the Yanadi prisoners is to the total number of prisoners?

THE HON. MR. K. RAMAN MENON:—“(a) There are 174 Yanadis and 153 Woddars confined in the prisons in this Presidency.

“(b) the Government have no information.

“(c) The Yanadi prisoners represent 1.83 per cent of the total number of prisoners.”

AN HON. MEMBER:—“May I know, Sir with reference to the answer to clause (c) whether this small percentage justifies the inclusion of that class among the Criminal Tribes?”

THE HON. MR. K. RAMAN MENON:—“That is a matter on which the Government are bestowing considerable attention in these days.”

Supply of non-vegetarian food to Anglo-Indian convicts.

* 102 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state whether any non-vegetarian food is given to Anglo-Indian convicts?

THE HON. MR. K. RAMAN MENON:—“The hon. Member is referred to the diet scales in Chapter XXII of Part II of the Madras Jail Manual.”

Manufacture in and supply of Khaddar to prisons.

* 103 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether all the cloth required for the use of prisons is khaddar manufactured in prisons; and

(b) if not, why not?

THE HON. MR. K. RAMAN MENON:—“(a) The answer is in negative.

“(b) Hand spinning and handloom weaving with hand-spun yarn have been introduced as an experimental measure in the Presidency Jail for Women, Vellore, and the question of extending the industry to other jails will be considered after some experience has been gained of its working in the Presidency Jail for Women.”

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Number of prisoners released since 14th July 1937 before the expiry of their term of imprisonment.

* 104 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) the number of prisoners released since 14th July 1937 last for one reason or other before the expiration of the terms of imprisonment; and

(b) how many more are likely to be released before the end of this year?

THE HON. MR. K. RAMAN MENON:—“(a) Some hundreds of cases are examined annually on the recommendation of the Advisory Boards and of Medical officers. The recommendation is accepted unless there are strong reasons for rejecting it. It will take much time and labour to compile precise statistics for 13 months and the Government do not consider that any useful purpose will be served by doing so. Recently the Government have ordered the release of 2,080 prisoners under the scheme of premature releases.

“(b) It is not possible to give any forecast.”

Reform of the prison administration.

* 105 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state what the various reforms introduced into the prison administration are since the present Ministry accepted office other than those contained in the Report on the Administration of Jails for 1937?

THE HON. MR. K. RAMAN MENON:—“A statement* is placed on the table of the House.”

Progress of amalgamation of district boards.

* 106 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the amalgamation of any district boards other than those mentioned in the answer to starred question No. 487 answered on 26th March 1938 has been decided upon; and

(b) if so, which they are?

THE HON. MR. B. GOPALA REDDI:—“(a) The answer is in the affirmative.

“(b) The bifurcated district boards in the revenue districts of West Godavari, Guntur, South Arcot and Tinnevely have since been amalgamated with effect from 1st August 1938.”

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MR. G. RANGAYYA NAYUDU:—" May I know how much time will elapse before these are amalgamated? "

THE HON. MR. B. GOPALA REDDI:—" As stated in the answer, the four district boards have been amalgamated on 1st August 1938."

Measures, if any, for the rectification of the defects in the rules governing elections to local bodies.

* 107 Q.—MR. D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether any defects have been brought to the notice of the Government in the enforcement of the rules framed by the Government under the Madras Local Boards Act in the recent elections held for the district boards, municipalities and panchayats; and

(b) if so, what steps the Government are taking to remedy such defects?

THE HON. MR. B. GOPALA REDDI:—" (a) A few defects came to the notice of Government.

" (b) The Government are considering the question of amending the rules suitably."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know what the defects are that came to the notice of the Government? "

THE HON. MR. B. GOPALA REDDI:—" Quite a number of them."

MR. D. RAMALINGA REDDIYAR:—" When thy are considering this question, may I know, Sir, whether the Government will see that the election officers do not assume the powers of election commissioners? "

THE HON. MR. B. GOPALA REDDI:—" Even now the election officers do not assume the powers of election commissioners."

Details regarding the works included in the seven years' programme of road development pertaining to the South Kanara district.

* 108 Q.—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) the names of the works included in the Seven Years' Programme of road development for South Kanara;

(b) the names of the bridges and their estimated costs in the Seven Years' Programme for South Kanara:

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* (c) the works that are to be executed during the current year in this district; and

(d) whether the approach roads to the Trikarapur and Charvatur railway stations are included in the Seven Years' Programme and if so, whether they are to be executed during the current year?

THE HON. MR. B. GOPALA REDDI:—“(a) to (c) Two statements* are laid on the table.

“(d) The approach road to Charvatur railway station has been included in the Seven Years' Programme. It may be taken up for execution during the current year if the approval of the Government of India is received and plans and estimates are sanctioned by the competent authority. The road to Trikarapur railway station has not been included.”

Refusal of conveyance allowance sanctioned by the Municipal Council, Tirunelveli, to its Chairman.

* 109 Q.—MR. K. P. YEGNESWARA SARMA: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Inspector of Local Boards and Municipalities has disallowed the conveyance allowance for the municipal chairman sanctioned by the Municipal Council, Tirunelveli; and

(b) whether it is the policy of Government to disallow conveyance allowance to chairmen in all municipalities where there are commissioners?

THE HON. MR. B. GOPALA REDDI:—“(a) The answer is in the affirmative.

“(b) The matter is being examined.”

Tax on agricultural income.

* 110 Q.—MR. B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that the Government have called for information from the Collectors of the districts regarding the proposed levy of tax on agricultural income;

(b) what the opinion of the Collectors of the districts is in the matter; and

(c) what the probable revenue expected thereby by Government is?

THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) The answer is in the affirmative.

“(b) & (c) The Government are not prepared to disclose the recommendations at this stage. No final decision in regard to the levy of the tax has been yet arrived at.”

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Alleged beating of Palladam Ponnuswami by the police while under police custody.

* 111 Q.—MR. B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that Mr. Palladam Ponnuswami, who is in prison in connexion with the anti-Hindi demonstrations was beaten by the police while being escorted to the court from the prison;

(b) whether it is a fact that he filed a complaint before the Third Presidency Magistrate who referred it for departmental action; and

(c) what action the head of the department has taken in that matter so far?

THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) & (b) The man made a statement before the Magistrate that a police constable had pushed him and his head hit against the side of the police van. The prisoner stated to the Magistrate that he would be content with a departmental enquiry.

“(c) The Commissioner of Police caused an enquiry to be held in respect of the allegation. The enquiry elicited the fact that the allegation was unfounded and that the prisoner's head knocked against the side of the van as a result of jolting when the van-driver had to apply the brake suddenly.”

Re-introduction of the old settlement rates

* 112 Q.—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government have cancelled the re-settlements carried out after 1914 and have re-introduced the old settlement rates;

(b) which the districts are that were re-settled after 1914; and

(c) which the recommendations are of the Marjoribanks Committee that the Government have accepted and what the recommendations of the Committee are that the Government have rejected?

THE HON. MR. T. PRAKASAM:—“(a) The answer is in the negative

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*“(b) The districts in which re-settlement rates were introduced after 1914 are—

- (1) Vizagapatam;
- (2) East Godavari;
- (3) West Godavari;
- (4) Kistna;
- (5) Bellary;
- (6) Anantapur excluding Kadiri taluk;
- (7) Chittoor (three taluks);
- (8) North Arcot (portion);
- (9) South Arcot;
- (10) Salem (southern taluks);
- (11) Trichinopoly except Karur taluk;
- (12) Tanjore.
- (13) Madura except Kodaikanal taluk;
- (14) The Nilgiris (Gudalur taluk only);
- (15) Malabar; and
- (16) South Kanara.

“(c) The Government have not accepted or rejected any of the recommendations of the Committee.”

Withdrawal of the powers of notary public from Sub-Registrars.

* 113 Q.—MR. V. S. RM. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that the Sub-Registrars were previously authorized to do the functions of a notary public;

(b) whether the Government have recently withdrawn such powers restricting it within the Negotiable Instruments Act;

(c) whether the Government are aware of the inconvenience and difficulties experienced especially by ladies, to go over to Madras from mufassal stations for attesting documents of foreign countries; and

(d) whether the Government will consider the desirability of permitting Sub-Registrars to attest such documents as before?

THE HON. MR. T. PRAKASAM:—“(a) A number of sub-registrars have been appointed as notaries public within their respective sub-districts under section 138 of the Negotiable Instruments Act, 1881.

“(b) The Government are advised that a notification as notary public under the Negotiable Instruments Act conveys to the person notified legal authority to attest only such documents as fall under the said Act and that attestation by him of other documents carries no legal validity. The Government accordingly directed that notaries public notified under the said Act should restrict their attestations to documents which they are legally empowered to attest.

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“(c) & (d) The Government recognize that in the absence of notaries public with authority to attest all forms of documents inconvenience is likely to result. They are accordingly considering what arrangements can be made to provide greater facilities in this respect.”

Representations for the appointment of a notary public for Karaikudi.

* 114. Q.—MR. V. S. RM. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether representations were made to the Hon. the Minister for Courts and Prisons during his visit to Karaikudi, for the appointment of a notary public at Karaikudi; and

(b) if so, what action the Government have taken or propose to take in the matter?

THE HON. MR. T. PRAKASAM:—“(a) A memorandum on the subject was presented to the Hon. the Minister for Courts and Prisons during his visit to Karaikudi in April last.

“(b) The matter is under consideration.”

Payment of travelling allowance to village headmen for their attendance on summons issued by the Revenue authorities.

* 115. Q.—MR. B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Revenue be pleased to state—

(a) the number of village headmen, karnams and menials that were departmentally punished in Arkonam taluk in each of the years 1936, 1937 and 1938;

(b) the number of village munsifs that were fined or suspended for not showing a nil balance in their revenue collections in 1938;

(c) the total amount of fine realized in Arkonam taluk from the village headmen from 1st January 1938 to 30th June 1938;

(d) whether it is a fact that the Tahsildar and the Revenue Divisional Officer summon frequently the village headmen during the collection period and whether they are made to wait unnecessarily till late in the night;

(e) whether the village headmen are paid any travelling allowance for their attendance on summons issued by the Revenue authorities; and

(f) if the answer is in the negative, what the Government propose to do in the matter?

THE HON. MR. T. PRAKASAM:—“(a) to (d) The Government have no information but have called for a report.

“(e) The answer is in the negative.

“(f) There are no proposals in this respect before Government.”

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Views of the Collectors of districts on the question of abolition of hereditary rights of village officers.

* 116 Q.—MR. B. BHAKTHAVATHSALU NAYUDU: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government have received the opinions of the Collectors of the districts regarding the abolition of hereditary rights of village officers; and

(b) whether the Government will be pleased to place the same on the table of this House?

THE HON. MR. T. PRAKASAM:—“(a) The answer is in the negative.

“(b) It will be considered when the opinions are received.”

Restrictions on the opening of schools by district boards.

* 117 Q.—MR. V. S. RM. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government have issued any specific order to District Educational Officers not to give their approval for the opening of district board schools in villages, where there are already aided schools; and

(b) if so, the reasons for such an order?

THE HON. DR. P. SUBBARAYAN:—“(a) The answer is in the negative.

“(b) In view of the answer to clause (a), this clause does not require an answer.”

Government Order, if any, authorizing the use of the word ‘Hindustani’ in the place of the word ‘Urdu’ or ‘Hindi.’

* 118 Q.—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the Hon. the Minister for Education and Legal Departments be pleased to state whether the Government have issued any order to use the word ‘Hindustani’ instead of the word ‘Urdu’ or ‘Hindi’ in all Government records and correspondence?

THE HON. DR. P. SUBBARAYAN:—“This recommendation was anticipated and orders in the sense suggested were issued in connexion with the new scheme of teaching Hindustani in Secondary Schools.”

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*Closure of some board schools in the South Kanara
and Malabar districts.*

* 119 Q.—**KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR**: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) how many board schools in South Kanara and Malabar have been closed as uneconomic or inefficient and how many of them are Muslim or Moplah schools;

(b) whether it is a fact that some of these schools were once thriving schools under different teachers;

(c) whether the Government have decided not to restore those schools to their respective places; and

(d) if so, whether the Government will open these schools in other places where such schools are needed?

THE HON. DR. P. SUBBARAYAN:—“(a) So far as the Government are aware, 10 elementary schools and one middle school under the South Kanara District Board and one High School and two Middle Schools under the Malabar District Board have recently been closed as the District Board found themselves compelled to effect economies in their educational expenditure: one of the elementary schools closed by the South Kanara District Board was a school intended for Muslims.

“(b) The Government have no information.

“(c) & (d) The question of reviving the schools under reference at suitable centres is one primarily for the District Boards concerned to determine in consultation with the departmental officers.”

*Reasons for the transfer of the management of elementary
schools under the local boards to the Revenue department.*

* 120 Q.—**MR. B. BHAKTHAVATHSALU NAYUDU**: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether there is a proposal to transfer the management of elementary schools under the local boards to the Revenue department;

(b) if so, when; and

(c) if the answer to clause (a) is in the affirmative, what the reasons for such transfer are?

THE HON. DR. P. SUBBARAYAN:—“(a) The answer is in the negative.

“(b) & (c) In view of the answer to clause (a) these clauses

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Omission of the name of C. S. Swaminathan of Conjeeveram from the list of candidates declared eligible at the S.S.L.C. examination held in 1932.

* 121 Q.—MR. P. S. SRINIVASAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government have considered the hard case of C. S. Swaminathan of Conjeeveram, a candidate in the S.S.L.C. Examination in 1932, whose name was omitted in the eligible list when he had secured good marks in all subjects;

(b) why the Government have not issued orders till now;

(c) whether similar mistakes were subsequently corrected in various Government examinations by gazette notifications even after the lapse of several years; and

(d) whether the Government will be pleased to rectify this wrong very soon, so that the future prospects of the candidate in securing a job may not be spoiled?

THE HON. DR. P. SUBBARAYAN:—“(a) to (d) The Government do not subscribe to the assumptions in clause (a) of the question, viz., that the candidate's case was hard or that he obtained good marks in all the subjects at the examination in question. The fact was that the candidate's marks in the Elementary Mathematics paper were considerably below the required minimum and his name could not therefore be possibly included in the list of candidates eligible for university courses. Numerous representations on behalf of the candidate were considered and rejected by Government. The candidate's father took the matter successively to the District Munsif's Court, Conjeeveram, the District Court, Chingleput, and the High Court and in all these cases the suit was dismissed. The Government therefore see no grounds to re-open the case.”

Abolition of munsif's courts and sub-courts in Malabar.

* 122 Q.—KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether there is any proposal under consideration by the Government for the abolition of any of the Munsif's Courts or Sub-Courts in Malabar;

(b) if so, which are the courts proposed to be abolished;

(c) whether the District Judges of North and South Malabar recommended the abolition of any court on the ground of want of sufficient work; and

(d) if so, which those courts are?

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THE HON. MR. K. RAMAN MENON:—“(a) to (d) The general question of reduction of civil courts, in view of the fall in work, is under the consideration of Government. No decision has, as yet, been arrived at as to which Courts should be abolished.”

Communal representation in the matter of the appointment of Public Prosecutors.

* 123 Q.—MR. H. S. HUSSAIN: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether the Government have issued any communiqué giving discretion to the District Magistrates to recommend any one outside the panel of four elected by Bar Associations for appointment as Public Prosecutors and if so, why;

(b) whether any panel of four has been elected by the Bar Association of Mangalore in South Kanara and if so, what their names and the communities to which they belong are; and

(c) what steps, if any, the Government propose to take to give due representation to minority communities in the matter of appointment of public prosecutors, if a fit and qualified person is available among them?

THE HON. MR. K. RAMAN MENON:—“(a) Instructions have been issued to District Magistrates that if they consider that the panel does not include the name of a lawyer who in their opinion is the most suitable for the post, it is open to them to set out their reasons and to recommend such a person for appointment.

“(b) A panel was selected by the Bar Association, Mangalore on 4th July 1938. The names included in the panel are—

- (1) Sri K. Sadasiva Rao—Brahman.
- (2) Sri B. Narasimha Rao—Brahman.
- (3) Sri U. C. Subrahmanya Bhat—Brahman.
- (4) Sri S. Nagarajah—Non-Brahman.

“(c) In view of the orders and instructions so far issued the Government do not consider that any further steps are necessary.”

MR. ABDUL HAMEED KHAN:—“Is it not a fact that the Government passed orders cancelling the election of the panel before the report called for by the Government from the Mangalore Bar Association reached them?”

THE HON. MR. K. RAMAN MENON:—“The Government did not call for any report from the Bar Association, Mangalore.”

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MR. ABDUL HAMEED KHAN:—"Does the Government recognize that there was an election to the panel in that district?"

THE HON. MR. K. RAMAN MENON:—"The panel was elected."

MR. ABDUL HAMEED KHAN:—"Is it open to the Government to appoint an individual from outside the panel recommended by the bar?"

THE HON. MR. K. RAMAN MENON:—"It is open to the Government to do so."

Revenue from and expenditure on bus inspection in the Malabar district.

* 124 Q.—MR. P. MADHAVAN: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) the annual income in Malabar district derived from bus inspection fees in the years 1936-37 and 1937-38, respectively;

(b) the amount of expenditure incurred annually in connexion with bus inspection in Malabar; and

(c) what the items of that expenditure are?

THE HON. MR. K. RAMAN MENON:—" (a) The income derived from bus inspection in the Malabar district during 1936-37 and 1937-38 was Rs. 9,280 and Rs. 10,137 respectively.

" (b) & (c) It is not possible to estimate the expenditure in connexion with bus inspection in Malabar. The following items of expenditure are directly incurred annually in connexion with the said expenditure:—

	RS.
Pay of the Motor Vehicle Inspector ...	1,800
Conveyance allowance of the Motor Vehicle Inspector	240
Pay of a peon	114
Service postage charges	5 "

Supply of pounded rice and khadi for the food and dress of the prisoners in jails.

* 125 Q.—MR. K. VENKATAPPAYYA PANTULU: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether the Government are at present supplying for prisoners in jails, pounded rice for their food and khadi for their dress; and

(b) if not, whether the Government will consider the desirability of supplying the same?

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THE HON. MR. K. RAMAN MENON:—“(a) Handpounded rice is supplied to prisoners in the Central Jail, Trichinopoly. Khadi is not supplied to prisoners in any jail.

“(b) The question will be considered.”

MR. G. RANGAYYA NAYUDU:—“Is the rice pounded in the jail, Sir?”

THE HON. MR. K. RAMAN MENON:—“Yes, Sir.”

Protest against the appointment of Public Prosecutors and Assistant Public Prosecutors from the panel elected by the Bar Association.

* 126 Q.—MR. MAHBOOB ALI BAIG: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether the Government have received any protest against the Government Order in regard to the appointment of Public Prosecutors and Assistant Public Prosecutors which requires the election of a panel of four persons by the District Court Bar;

(b) how many Public Prosecutors and Assistant Public Prosecutors have been appointed since the issue of the said Government Order; to which communities the said Public Prosecutors and Assistant Public Prosecutors belong;

(c) whether it is a fact that this panel system has introduced factional spirit in the Bar Associations that were called upon to elect the panels; and

(d) whether there is any proposal to modify the said Government Order?

THE HON. MR. K. RAMAN MENON:—“(a) The answer is in the affirmative.

“(b) The following seven appointments have been made:—

- (1) Government Pleader, Ramnad. Sri K. V. Ranga Ayyangar (Brahman).
- (2) Additional Public Prosecutor, Sri K. Venkatasundara Rao (Brahman).
Guntur.
- (3) Government Pleader and Public Prosecutor, East Sri C. Suryanarayana (Brahman).
Godavari.
- (4) Public Prosecutor, Chingleput. Sri R. Subba Ayyar (Brahman).
- (5) Government Pleader and Public Prosecutor, South Sri M. Krishnan Nambiyar (Non-Brahman).
Kanara.
- (6) Government Pleader, Tinnevely. Sri A. S. Kuppuswami Ayyar (Brahman).
- (7) Public Prosecutor, Tinnevely. Sri P. A. Thangaswami (Indian Christian).

“I may also add the name of Bijili Sahib, who has been appointed as the Additional Public Prosecutor of Tinnevely.

“(c) Some representations to that effect have been received.

“(d) The answer is in the affirmative.”

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* *Scheme of minor irrigation works for Malabar.*

* 127 Q.—**KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR**: Will the Hon. the Minister for Revenue be pleased to state whether the Government have under contemplation or under investigation, any, and if so, what scheme or schemes for minor irrigation works for the improvement of agriculture in Malabar?

THE HON. MR. T. PRAKASAM:—“The Government have under their consideration the general question of the feasibility of undertaking irrigation works in the district similar to those in the Cochin and the Travancore States.”

Proposals for extending the operation of the Madras Gaming Act to Ootacamund.

* 128 Q.—**MR. K. V. R. SWAMI**: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government intend to extend the Madras Betting Tax Act to Ootacamund; and

(b) if not, why not?

THE HON. MR. T. PRAKASAM:—“(a) & (b) The matter is under the consideration of the Government.”

Consideration by the Government of the Marjoribanks Committee Report on land revenue remission.

* 129 Q.—**MR. K. R. KARANT**: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether any decision has been arrived at by Government on the recommendation of the Marjoribanks Committee report on land revenue remission; if so, what it is;

(b) whether before final orders are passed by Government a committee will be appointed to go into the whole question after receiving representations from the people of the ryotwari areas; and

(c) If not, what opportunities will be afforded to the people concerned before final orders are passed by Government?

THE HON. MR. T. PRAKASAM:—“(a) The answer is in the negative.

“(b) & (c) The matter will be considered at the proper time.”

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—“May I know, Sir, whether the Government will consider the question of consulting the Assembly before passing final orders?”

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THE HON. MR. T. PRAKASAM:—"The answer has already been given. Perhaps the hon. Member will like to know at what stage the matter is. The question is being examined in connexion with the general land revenue policy. The Marjoribanks Committee Report is being examined very closely. If the Marjoribanks Committee Report could be accepted without any other alternative position being taken into account it would have been done. Therefore the hon. Member and those who feel with him will wait until the matter is completed and placed before the House."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know, Sir, how long the Government will take to come to a conclusion?"

THE HON. MR. T. PRAKASAM:—"It is not a simple question confined to the acceptance or non-acceptance of the Marjoribanks Committee Report. The main recommendation of the Marjoribanks Committee Report is that all resettlement enhancements after 1914 should be cancelled and the matter should be settled. After that Report, representations came that resettlements that have preceded 1914 also should be taken into account and the districts that had been resettled before 1914 should also be brought under the recommendations of the Marjoribanks Committee Report. For that reason, the question is being examined. It is not merely this. We are examining other alternative positions with regard to the general land revenue policy as to how any method that is best suited to this Presidency could be found so that the cultivator will not be a victim to the vicissitudes and fluctuations of prices."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know, Sir, whether the Government found the report of the Marjoribanks Committee unsatisfactory and whether they are going to appoint another committee?"

MR. SPEAKER:—"That is a hypothetical question."

MR. K. R. KARANT:—"May I know, Sir, whether before the Government come to any final conclusions in the matter, an opportunity will be afforded to this House and to the public to express their views?"

THE HON. MR. T. PRAKASAM:—"After conclusions are reached, they are going to be placed before the House at the proper time in the proper form. Nothing can be done before conclusions are reached. If conclusions are to be reached after consultation with the whole House here or with every-one of the members, no conclusion would ever be reached. After the conclusions are reached we are bound to place the conclusions before the House."

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MR. ABDUL HAMEED KHAN:—" May I know what is the purpose of placing it before the House after the conclusions are reached? "

THE HON. MR. T. PRAKASAM:—" I should have expected the hon. Member to understand that it is not possible to place the matter before this House unless and until the Government arrive at certain conclusions. It is a very simple answer. I do not see the difficulty really."

MR. ABDUL HAMEED KHAN:—" May I know, Sir, whether these conclusions are modifiable, when the matter comes before the House? "

THE HON. MR. T. PRAKASAM:—" Modifications, if there should be any, would follow as a matter of course."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know whether till the matter is placed before the House, the Government have decided to stop all future resettlements? "

THE HON. MR. T. PRAKASAM:—" The policy had been stated already. So far as the Government are concerned, the same policy would be continued."

Alleged preferential treatment in the matter of promotion of clerks as Sub-Registrars.

* 130 Q.—MR. V. S. RM. VALLIAPPA CHETTIYAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that clerks working in the office of the Inspector-General of Registration are given a preference over those in the mufassal in the matter of promotion as Sub-Registrars;

(b) if so, the reasons for the same;

(c) whether it is a fact that not a single clerk has been promoted as Sub-Registrar for the past five years in the Ramnad district; and

(d) whether the Government will consider the desirability of fixing the seniority among the clerks for all the districts together including the office of the Inspector-General of Registration?

THE HON. MR. T. PRAKASAM:—" (a) & (b) The rules do not recognize any preferential claim to appointment as Sub-Registrar in the case of the clerks working in the office of the Inspector-General of Registration. A report as to whether the facts are as stated has been called for.

" (c) The Government have no information but have called for a report.

" (d) As the appointment of Sub-Registrars is made by selection on grounds of merit, the question of seniority does not arise in this connexion."

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Revision of the syllabus for elementary schools.

* 131 Q.—MRS. V. LAKSHMI AMMAL: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that Government have appointed a departmental committee to revise the elementary schools' syllabus;

(b) if so, whether the Committee has completed its labours and submitted a report to Government; and

(c) whether Government will consider the advisability of publishing the revised syllabus at an early date?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The answer is in the affirmative.

“(c) The revised syllabuses are under consideration and will be published in due course.”

MR. ABDUL HAMEED KHAN:—“May I know, Sir, whether the Hon. Minister will consider the advisability of consulting non-official opinion interested in the revision of the syllabus, before they come to any final decision on the matter?”

THE HON. DR. P. SUBBARAYAN:—“The hon. Muslim Member's suggestion will be considered.”

Scheme of mass education.

* 132 Q.—MRS. V. LAKSHMI AMMAL: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that Government are considering a scheme for mass education in the Province; and

(b) if so, when Government expect to put it in action?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The question of the measures to be adopted for the expansion of mass education in the Province is engaging the attention of the Government.”

Training of teachers under the Wardha Scheme.

* 133 Q.—MRS. V. LAKSHMI AMMAL: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether any teachers from this Province have been sent to Wardha for training and if so, how many; and

(b) whether any centres have been selected in the Province for starting training schools under the Wardha scheme and if so, what they are?

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THE HON. DR. P. SUBBARAYAN:—“(a) The Government have not yet deputed any teachers for training at Wardha.

“(b) The question is under consideration.”

Proposals for the abolition of the posts of Divisional Inspectors of Schools.

* 134 Q.—MRS. V. LAKSHMI AMMAL: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that Government are considering the advisability of abolishing the posts of Divisional Inspectors as a measure of retrenchment; and

(b) when Government propose to abolish these posts?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) There is no such proposal now under the consideration of the Government.”

Levy of tuition fees on secondary grade trained teachers admitted for the B.Ed. course.

* 135 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether any fees are collected from B.Ed. students in the Training College, Rajahmundry;

(b) if not, whether any fees are collected from those who were trained as secondary grade teachers and who after graduating themselves enter B.Ed. class; and

(c) if so, what the reasons are?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) Fees are collected from secondary grade trained teachers admitted for training in the B.Ed. class.

“(c) Because the secondary grade trained graduates have already received training at Government expense.”

Dietary arrangements for the anti-Hindi prisoners.

* 136 Q.—MR. S. M. LALJAN: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether it is a fact that the anti-Hindi political prisoners in the Madras Penitentiary are treated worse than the ordinary criminals with regards to their dietary arrangements; and

(b) whether any enquiry has been made of late in this connexion?

THE HON. MR. K. RAMAN MENON:—“(a) The answer is in the negative.

“(b) The answer is in the affirmative.”

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Appointment of Malayalee gentlemen as Public Prosecutors and Government Pleaders.

* 137 Q.—MR. S. M. LALJAN: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) how many Malayalees have been appointed as Public Prosecutors and Government Pleaders after the Congress Party took office in this Presidency and in what places they have been so appointed;

(b) what the strength is of the Malayalees in those bars where Malayalees have been so appointed;

(c) whether all of them were included in the panels selected by those bar associations; and

(d) what the names are of the gentlemen so appointed?

THE HON. MR. K. RAMAN MENON:—“(a) Two. One at Calicut and the other at Mangalore.

“(b) In Calicut all the members of the bar are Malayalees. About Mangalore the Government have no information.

“(c) & (d) Sri U. Gopala Menon was appointed as Government Pleader and Public Prosecutor, South Malabar, before the introduction of the panel system. Sri M. Krishnan Nambiyar who was appointed Government Pleader and Public Prosecutor in the South Kanara district was not included in the first panel. The Bar Association, Mangalore, refused to elect a panel after the Government set aside the election to the first panel.”

MR. ABDUL HAMEED KHAN:—“May I know, Sir, whether the gentleman who has been appointed is a permanent resident of Mangalore?”

THE HON. MR. K. RAMAN MENON:—“He is.”

MR. K. R. KARANT:—“May I know whether the Government gave any reasons before setting aside the election?”

THE HON. MR. K. RAMAN MENON:—“No.”

MR. K. R. KARANT:—“May I know why they did not give any reason?”

THE HON. MR. K. RAMAN MENON:—“The reason is well-known to the Bar Association, namely, that they did not observe the regulations framed by the Government in that regard, for the election to the panel.”

MR. K. R. KARANT:—“May I ask whether, in the matter of choosing the Public Prosecutor at Calicut, the person appointed was recommended by the District Magistrate?”

THE HON. MR. K. RAMAN MENON:—“I cannot give the information. It is confidential.”

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MR. G. KRISHNA RAO:—" May I know the standing of the members elected by the Mangalore bar? "

MR. SPEAKER:—" That relates to the next question."

Rejection by the Government of the panel elected by the Mangalore Bar Association for appointment as Public Prosecutor.

* 138 Q.—MR. S. M. LALJAN: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether the Mangalore Bar Association was asked to select a panel for Public Prosecutors and whether the said panel was set aside by the Government; if so, what the reasons were for which the panel was set aside;

(b) whether the Government communicated the reasons for which the panel was set aside to the Mangalore Bar Association;

(c) whether the Government heard the Bar Association or the candidates selected before setting aside the said election;

(d) whether the Collector heard the Bar Association of Mangalore before recommending the panel to be set aside; and

(e) what the reasons urged by Mr. Vellodi, the Collector, were for setting aside the said election of the panel?

THE HON. MR. K. RAMAN MENON:—" (a) The Mangalore Bar Association was asked to select a panel. The panel was set aside because the election was not conducted in accordance with the following instructions of the Government on the subject:—

(1) that the election should be by open voting and the process of successive elimination; and

(2) that gentlemen who would attain the age of 55 within three years of the date of the vacancy should not be included in the panel.

" (b) & (c) The answer is in the negative. There has not been any dispute about facts.

" (d) The Government have no information whether the Collector heard the Bar Association before sending his report to the Government.

" (e) The Collector's report is confidential."

Scheme for increasing the number of girls in elementary schools.

* 139 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state whether the Government have got any scheme to increase the number of girls in elementary schools and what it is?

THE HON. DR. P. SUBBARAYAN:—" There is no such scheme ' at present under consideration."

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Measures for the introduction of the Wardha Scheme of Education.

* 140 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether any steps have been taken by the Government to introduce the Wardha Scheme of Education; and

(b) if so, what they are?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The question is under consideration.”

Scheme for eradication of illiteracy.

* 141 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that the Government have formulated a scheme for removing illiteracy in a very short time; and

(b) if so, what it is?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The question of the measures to be adopted for removing illiteracy is engaging the attention of the Government.”

Policy in regard to purchase of materials by Government.

* 142 Q.—MR. K. R. KARANT: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) what the practice or policy of this Government has been with regard to the purchase of materials required for the different departments of Government; and

(b) whether any changes have been made in that policy and what they are?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The hon. Member is referred to the Press Communiques, dated the 6th November and the 23rd December 1937.”

MR. K. R. KARANT:—“May I know whether there has been any change of policy in this regard between this Government and its predecessor?”

THE HON. DR. P. SUBBARAYAN:—“Yes, Sir. If the hon. Gentleman had taken the trouble to read the communiques he would have found that there is considerable difference.”

Proposals for the publication of text-books by Government.

* 143 Q.—MR. K. R. KARANT: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether it is a fact that under the present system private agencies print and publish text-books and sell them at whatever rates they please and with constant changes; and

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(b) if so, whether Government have any proposals to print and publish the text-books for the elementary and high schools themselves and sell them as cheaply as possible?

THE HON. DR. P. SUBBARAYAN:—“(a) It is a fact that the printing and sale of text books is now done by private agencies.

“(b) The suggestion of the hon. Member is under consideration.”

Memorandum from Mr. K. R. Karant on the reorganization of the Engineering College, Guindy.

* 144 Q.—MR. K. R. KARANT: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether Government have received a memorandum from the questioner on the abolition of the Upper Subordinate Course of Engineering and on the reorganization of the Guindy Engineering College; and

(b) whether any and what orders have been passed thereon?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) No such memorandum has been as yet received. The Association of Passed Engineers, Madras Public Works Department, has suggested that the Upper Subordinate Course in the College of Engineering, Guindy, may be abolished. The suggestion is at present engaging the attention of the Government.”

Distinction between police sergeants and sub-inspectors in the matter of status and dress.

* 145 Q.—MR. A. SUBRAMANIAN: Will the Hon. the Prime Minister be pleased to state—

(a) whether the grades of police sergeants and sub-inspectors of Police are the same;

(b) whether uniforms are supplied to police sergeants and sub-inspectors of Police by the Government free of cost; and

(c) whether cross-belts as those of police sergeants are supplied to sub-inspectors of police?

THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) Sergeants fall within one set of grades and sub-inspectors within another. The departmental status is the same.

“(b) Sergeants are provided with uniform at the cost of the Government, but not sub-inspectors, though persons appointed as sub-inspectors of police by direct recruitment are paid at the time of appointment Rs. 50 in the mufassal and Rs. 100 in Madras city to provide themselves with uniforms for the first time.

“(c) The answer is in the negative.”

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MR. V. S. RM. VALLIAPPA CHETTIYAR:—"Will not the supply of dress by the Government to Sub-Inspectors also help to remove this racial distinction and inferiority complex among these officers?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I believe, Sir, to some extent it will."

MR. V. S. RM. VALLIAPPA CHETTIYAR:—"May I ask why the distinction is made in the supply of dress between sergeants and sub-inspectors?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Because it is not the only consideration."

MR. V. S. RM. VALLIAPPA CHETTIYAR:—"Are there any Indian sergeants, Sir?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"The name 'sergeant' is applied to a particular grade which is different from that of sub-inspectors. Sub-inspectors are not inferior to sergeants at all. Indians are all taken as sub-inspectors or inspectors."

MR. ABDUL HAMEED KHAN:—"Are Indians taken as sergeants also?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"I just now said, 'No,' Sir."

MR. ABDUL HAMEED KHAN:—"May I know why Indians, particularly those military men who have retired, cannot be taken as sergeants?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Military men who have retired and who are fit for service can probably be taken, but that is not the existing rule. The matter will receive consideration."

Restoration of the 'Hissa tank' supply channel, North Arcot district.

* 146 Q.—MR. B. T. SESHADRIACHARIAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether he is aware of the fact that the 'Hissa tank' of Pakkam village of Gudiyattam taluk, North Arcot district, which is a major irrigation source with a large wet ayacut has not been receiving any supply for the past 20 years or so in its supply channel and that in consequence, the ayacut lands remain unirrigated, causing loss of income and revenue to the ryots and the Government, respectively;

(b) if so, whether the Government have taken any steps till now to rectify the defects in the supply channel; and

(c) if not, whether the Government will be pleased to consider the advisability of taking steps to restore the supply channel and thereby redress the longstanding grievances of the ryots concerned?

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THE HON. MR. YAKUB HASAN:—“(a) The Government are aware that the supply channel to the Pakkam Hissa tank is being silted up by the silt brought down by Nattam Kanar and that remissions are being granted for the ayacut under the tank.

“(b) & (c) Proposals for constructing an aqueduct or syphon at the site of the outlet to convey the supply channel above the Kanar are under consideration of the local officers. If this is done it is hoped that the silt trouble will be minimized.”

Acceptance of tenders for the transport of Government consignments from the ports in this province.

* 147 Q.—**MR. T. T. KRISHNAMACHARIAR:** Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that Government calls for tenders for the transport of Government consignments from the ports of Madras Presidency;

(b) if so, whether it is a fact that the higher tender of an English firm was accepted in preference to a lower tender put up by an Indian firm during the current year; and

(c) what steps Government propose to take to prevent the recurrence of this?

THE HON. MR. YAKUB HASAN:—“(a) Such tenders are called for and disposed of by the Presidency Port Officer and not by Government.

“(b) As a rule Government are not bound to accept the lowest tender. There are other considerations that have to be borne in mind in regard to this matter. Tenders were received from five firms. Out of these three did not tender for all the items and were therefore not considered. Of the remaining two—one an English firm and the other an Indian—the former's tender was preferred by the Presidency Port Officer because they had considerable experience and a fleet of boats at their disposal to carry out the work satisfactorily, whereas the Indian tenderer was new. The difference between the rates of the two tenderers was also not appreciable.

“(c) The unsuccessful tenderer had petitioned the Government in the matter and the Government made enquiries and satisfied themselves that the Presidency Port Officer's discretion was well exercised in this case.”

MR. J. NUTTALL:—“May I ask the Hon. Minister on what basis he arrived at this decision to classify the firm which obtained this contract as English?”

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THE HON. MR. YAKUB HASAN:—"Perhaps Mr. Nuttall means that it being a limited company it cannot be classified as belonging to any particular nation. Is that what he means?"

MR. SPEAKER:—"A counter question?"

MR. J. NUTTALL:—"I merely wish to know how the classification came to be made."

THE HON. MR. YAKUB HASAN:—"I do not understand."

MR. SPEAKER:—"What are the reasons for the classification in that manner?"

THE HON. MR. YAKUB HASAN:—"Because the name of the firm is English. It may be Scotch for the matter of that."

MR. J. NUTTALL:—"Would it not be reasonable to describe the firm as an Indian firm?"

THE HON. MR. YAKUB HASAN:—"Indian firm? It may be a firm working in India and yet it may belong to English people. It may therefore be called an English firm."

Alteration of the period of five years into one of two years for changing text-books in schools.

* 148 Q.—MR. K. R. KARANT: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether Government have altered the period of five years fixed by the previous Government for the change of text-books, in elementary and high schools into two years, and if so, for what reasons; and

(b) whether he will place on the table of the House a copy of that order?

THE HON. DR. P. SUBBARAYAN:—" (a) Yes: representations were made to the Government to the effect that the orders of 1935, whereby text-books once introduced in a school should not normally be changed within five years of their introduction, tended in some cases to confer a monopoly of business on particular publishers, discouraged experiment and prevented new ideas and methods of teaching from reaching schools. These considerations appealed to the Government and they therefore, considered it desirable to reduce the normal period within which text-books should not be changed to two years.

" (b) A copy * of G.O. No. 862, Education, dated the 7th April 1938, is placed on the table."

* Printed as Appendix III on page 412 infra.

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MR. K. R. KARANT:—" May I ask whether it was not as a result of constant public agitation that text-books were costing too much that the previous Government Order was passed? "

THE HON. DR. P. SUBBARAYAN:—" I am not aware of the reasons that were responsible for the passing of the previous Government Order. The hon. Member may be correct in his presumption."

MR. K. R. KARANT:—" May I ask whether it was only the business interests that were consulted in changing this order or whether the public and the parents also were consulted in this matter? "

THE HON. DR. P. SUBBARAYAN:—" Not merely business interests but also the interests of education, as the hon. Member would have found if he had attended to the answer I gave, namely, that the Government considered it desirable that new ideas and methods of teaching must reach the schools."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know whether the Government are aware that by reduction of the period from five years to two years the school-going population is put to great hardship? "

THE HON. DR. P. SUBBARAYAN:—" I differ from the opinion given by the hon. Member."

MR. S. NAGAPPA:—" May I know whether the Government have considered the difficulty that is felt by poor students who go in for second-hand books when these books are changed once in two years? "

THE HON. DR. P. SUBBARAYAN:—" Yes, Sir. After all, people are aware how these books are used and two years are just enough in my opinion."

MR. ABDUL HAMEED KHAN:—" Apart from the modification of the order, may I ask the Hon. Minister whether it may not be advisable to instruct or advise local bodies not to change books very often? "

THE HON. DR. P. SUBBARAYAN:—" The local bodies will observe the instructions contained in the Government Order referred to."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know whether the Government consulted the District Educational Officers before they reduced the period and if they so consulted, how many of them were so consulted? "

THE HON. DR. P. SUBBARAYAN:—" I am not prepared to say who were consulted. Hon. Members are aware of the usual channels of communication between Government and

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the various administrative officers, Sir, and if I were to give the number of officers who were consulted, I should perhaps be spending the whole day here."

MR. MAHBOOB ALI BAIG:—"Are we to understand, Sir, that when the Hon. Minister signed this Government Order he had not looked into the previous Government Order and noted the grounds on which that had been passed?"

THE HON. DR. P. SUBBARAYAN:—"The hon. Member is entirely wrong in his presumption."

KRAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know whether the Government will consider the advisability of reconsidering the order?"

THE HON. DR. P. SUBBARAYAN:—"No Sir. Considering that the order was passed on the 7th April last, I think the hon. Member should give at least this credit to the Government that they cannot change their views in such a short time when they think that the order passed was correct."

Provision of electric fans in the Connemara Library.

* 149 Q.—MR. K. R. KARANT: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether he has received representations from the questioner regarding the fitting up of the Connemara Library with a few electric fans, and the great inconvenience now caused to the public for want of them; and

(b) what steps, if any, have been taken thereon?

THE HON. DR. P. SUBBARAYAN:—" (a) Yes, a representation was received in April last.

" (b) After going into the proposal and examining the difficulties connected with the erection of fans in the Connemara Library, the Government have found it not feasible to erect fans in the Library."

Measures for the introduction of bee-keeping industry in Chittoor district.

* 150 Q.—MR. R. B. RAMAKRISHNA RAJU: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) what arrangements have been made for introducing the bee-keeping industry in Chittoor district;

(b) whether any particular villages or taluks have been selected for this industry and, if so, which they are and what the reasons are for their selection; and

(c) whether the Government have prepared any scheme for this purpose and, if so, whether it will be laid on the table?

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THE HON. MR. V. I. MUNISWAMI PILLAI:—“(a) In pursuance of a scheme sanctioned in April 1938 for introducing bee-keeping industry in Chittoor district during the current year, a trained worker and an assistant were appointed with effect from 22nd July 1938 and placed under the Government Entomologist at Coimbatore, for a preliminary training. The staff has moved to Chittoor accompanied by the Assistant Entomologist in charge of bee-keeping and started work on 7th August 1938.

“(b) The selection of centres will be made after a preliminary study of the localities in the district has been completed.

“(c) The tentative programme^a of work prepared by the Director of Agriculture is placed on the table of the House.”

Measures for the improvement of the breed of cattle.

* 151 Q.—**MR. K. V. R. SWAMI:** Will the Hon. the Minister for Agriculture and Rural Development be pleased to state the steps proposed to be taken by the Government to improve the breed and the number of cattle?

THE HON. MR. V. I. MUNISWAMI PILLAI:—“I would refer the hon. Member to paragraphs 155-169 of the book ‘A Popular Account of the Progress of the work of the Madras Agricultural Department, 1922-35’ which describes the work done by the Livestock section in the past. A comprehensive scheme for the further improvement of livestock and animal husbandry work has been called for from the Director of Veterinary Services to whose control the Livestock section has been transferred from April last. The scheme is awaited.”

Installation of radio sets in all Central Jails in the Presidency.

* 152 Q.—**MR. D. V. RAMASWAMI:** Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether it is a fact that a radio set has been installed in Vizagapatam Central Jail; and

(b) whether the Government propose to take steps to instal such sets likewise in all other Central Jails?

THE HON. MR. K. RAMAN MENON:—“(a) The answer is in the affirmative.

“(b) Radio sets, presented by certain donors, have been installed in four other central jails, and two special jails. The Government will instal such sets in the remaining jails, if they are received from philanthropic persons.”

^a Printed as Appendix IV on page 418 infra.

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Proposals for the introduction of hand-spinning and hand-pounding of paddy as items of task in jails.

* 153 Q.—MR. D. V. RAMASWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether any representations about the introduction of hand-spinning and hand-pounding of paddy by means of 'denkhi' system as useful occupations for prisoners have been received by Government; and

(b) whether the Government propose to introduce hand-spinning and hand-pounding in jails at an early date?

THE HON. MR. K. RAMAN MENON:—“(a) The answer is in the affirmative.

“(b) Hand-spinning has been introduced in the Presidency Jail for Women, Vellore, and hand-pounding of rice in the Central Jail, Trichinopoly, as experimental measures. The question of introducing them in other jails will be considered after some experience is gained of their working in Vellore and Trichinopoly.”

Provision of separate jails for the mentally defective and the leper criminals.

* 154 Q.—MR. D. V. RAMASWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether there is any jail set apart specially for mentally defective criminals and for leper criminals who should be segregated from the healthy criminals; and

(b) if not, whether the Government will consider the desirability of converting one of the District Jails into a special jail for such convicts at an early date, just as there is a special Wellesley Sanatorium Jail in Bellary for tubercular criminals?

THE HON. MR. K. RAMAN MENON:—“(a) Male mentally defective convicts are concentrated in the District Jail at Cuddalore. Male convicts suffering from leprosy are removed to the leper annexes in the Salem and Trichinopoly Central Jails.

“(b) The Government are considering a proposal to convert the District Jail, Cuddalore, into a special institution for the detention of convicts, adolescent and child mental defectives and criminal lunatics.”

Measures for the education of prisoners.

* 155 Q.—MR. D. V. RAMASWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state whether this Government propose to take steps for a campaign against illiteracy among the prison population in order to render them fit for self-reliant occupations after their discharge?

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- THE HON. MR. K. RAMAN MENON:—“ Provision already exists in rule 284-E of the Madras Jail Manual to remove illiteracy among prisoners. The Government are also devising ways and means to reform the prisoners so as to render them fit for self-reliant occupations after their discharge.”

MR. D. V. RAMASWAMI:—“ May I ask, Sir, whether the Government will consider the question whether they should reduce the age from 35 to something lower, in order to facilitate the introduction of this scheme? ”

THE HON. MR. K. RAMAN MENON:—“ The matter will receive the consideration of the Government.”

Special Officer's report on the work of the Official Assignee and his staff.

* 156 Q.—MR. T. T. KRISHNAMACHARIAR: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether it is a fact that a Special Officer was appointed to inquire into the work of the Official Assignee, Madras, and the working of his office and to suggest means to improve the working of this machinery;

(b) if so, what the result of this inquiry is;

(c) whether the Hon. the Minister will be pleased to place the Special Officer's report on the table; and

(d) what action he proposes to take in the matter?

THE HON. MR. K. RAMAN MENON:—“ (a) The answer is in the affirmative.

“ (b) The High Court has forwarded the Special Officer's report to the Government with its recommendations.

“ (c) The report cannot be placed on the table of the House at present.

“ (d) The matter is under correspondence with the High Court.”

Scheme for the constitution of Panchayat Boards.

* 157 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have under consideration any scheme to complete the constitution of panchayat boards all over the province; and

• (b) if so, what the scheme is?

THE HON. MR. B. GOPALA REDDI:—“ (a) & (b) The Government have a scheme under examination for reconstruction of the village panchayat system with a view to enlarging the powers of panchayats.”

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KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know, Sir, if the Government propose to have panchayat boards all over the Presidency, in all the important villages? "

THE HON. MR. B. GOPALA REDDI:—" Yes, Sir."

KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—" May I know whether they have a scheme to introduce panchayat boards within a year or two? "

THE HON. MR. B. GOPALA REDDI:—" I cannot fix any date at present."

Introduction of an autonomous panchayat system in the Province.

* 158 Q.—MR. P. MADHAVAN: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government are preparing a scheme for self-autonomous panchayat system; and

(b) if so, when that scheme is going to be brought into effect?

THE HON. MR. B. GOPALA REDDI:—" (a) Yes. The Government have a Bill under examination for reconstruction of village panchayat system with enlarged powers which may develop into autonomous units.

" (b) As early as possible."

Proscription of ' Prabhutwa Dhanamu Mana Beedha Thanamu.'

* 159 Q.—MR. K. V. R. SWAMI: Will the Hon. the Prime Minister be pleased to state—

(a) whether the ban on ' Prabhutwa Dhanamu Mana Beedha Thanamu ' by Sjt. Sanivarapu Subba Rao of Kovvur is still continued; and

(b) whether the passages asked to be omitted in the book were contained in the original book in English ' Public Finance and our Poverty ' by Sjt. J. C. Kumarappan?

THE HON. MR. C. RAJAGOPALACHARIAR:—" (a) & (b) The ban on the book was removed in G.O. No. 654, Public (General), dated the 9th April 1938."

Publication of the letter of resignation of Mr. K. R. Karant of his office as Parliamentary Secretary.

* 160 Q.—MR. S. M. LALJAN: Will the Hon. the Prime Minister be pleased—

(a) to place on the table of the House a copy of the letter of resignation by Mr. K. R. Karant of his Parliamentary Secretaryship; and

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(b) to state—

(1) the duties entrusted to Parliamentary Secretaries; and

(2) why the vacancy caused by the resignation of Mr. Karant was not filled up so far?

THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) The Government is of opinion that this would be a very bad precedent.

“(b) (1) Parliamentary Secretaries assist the Ministers in the discharge of their political and parliamentary duties and generally keep the Ministers informed of the opinions and feelings of members of the Legislature. They also study such files as Ministers may give to them and prepare routine notes for the use of the Ministers.

(2) The attention of the Hon. Member is invited to the answer to clause (b) of question No. 2 (starred) answered on the 15th of August 1938.”

MR. G. KRISHNA RAO:—“May I know if there is any consideration on the part of the Government to prescribe definitely the powers and the status of these Parliamentary Secretaries with a view to place them on a statutory basis?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“The Government do not imagine that the Parliamentary Secretaries will allow such a thing to be done.”

UNSTARRED QUESTIONS

Proposal to abolish the Diploma examination of the College of Engineering, Guindy.

17 Q.—MR. P. SYAMASUNDARA RAO: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government are aware that there are two examinations for the Engineering course in the Guindy Engineering College, one conducted by the College every year and the other conducted by the Madras University for the same course in Engineering;

(b) whether it is a fact that University degree in Engineering is preferred to the college diploma in Engineering; and

(c) if so, why this invidious distinction is made and whether any representations were received by this Government in this matter?

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- A.—(a) There are two examinations which engineer students of the College of Engineering may take, one the college examination and the other the University examination. It is not compulsory that they should take both.
- (b) Generally speaking, the University degree in Engineering is prescribed as a qualification for direct recruitment to gazetted posts while the college diploma is sufficient for posts in the Subordinate Service and for appointment by transfer therefrom to gazetted posts.
- (c) There is no invidious distinction; there is a difference in the standards of the examinations. The standard of the University degree examination is higher.
- A representation was received from a former student of the college, who is a diploma-holder.

Paddy cultivation in the Agricultural Farm at Anakapalle during 1937.

18 Q.—SRIMAN Y. V. A. BHASKARA RAO PATNAIK MAHASAYO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

- (a) the extent of paddy cultivation in the agricultural farm at Anakapalle, Vizagapatam district, during the year 1937;
- (b) the average yield per acre; and
- (c) the average expenditure thereon?

- A.—(a) The area was 31.7 acres in 1936–37 and 28.8 acres in 1937–38.
- (b) The average yield per acre was 3,055 lb. in 1936–37 and 1,920 lb. in 1937–38.
- (c) The average expenditure incurred per acre (excluding rental value or kist) was Rs. 51-5-11 in 1936–37 and Rs. 32-9-8 in 1937–38

Cost and utility of the Agricultural department in Palkonda taluk, Vizagapatam district.

19 Q.—SRIMAN Y. V. A. BHASKARA RAO PATNAIK MAHASAYO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

- (a) the amount of expenditure incurred by Government on account of the Agricultural department in Palkonda taluk, Vizagapatam district;
- (b) the nature of the improvements derived therefrom; and
- (c) the villages that have been thereby benefited?

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A.—(a) An expenditure of Rs. 3,581-13-4 was incurred by the Agricultural Department in that area in 1937-38 and Rs. 3,041-14-6 in 1936-37.

(b) The general object of the expenditure was propaganda of agricultural improvements. It was incurred on establishment, their travelling allowance, supply of green manure seeds, ploughs and implements, exhibitions and fairs and in 1937-38 also for payment of premia for the maintenance of breeding bulls.

(c) Special attention was paid by the department to the following eight central villages: Palakonda, Veeraghatham, Rajam, Navagam, Sankili, Thotavada, Guttavilli and Burja. Thirty-two other villages round about these villages also received attention.

Duration of appointment of a medical officer in the same station or position.

20 Q.—MR. T. T. KRISHNAMACHARIAR: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether there is any departmental or other rule, regulation or other direction in the Medical department of the Government which determines the duration for which an officer may remain in the same station or position to which he is appointed;

(b) if the answer to the above is in the affirmative;

(i) whether the Hon. Minister will lay the rule or rules on the table of the House for the information of the Members; and

(ii) whether there are any cases in which the rules are not being strictly enforced, and if so, in which cases and why they are not being conformed to?

A.—(a) The answer is in the negative.

(b) The question does not arise.

Policy of Government regarding the tenure and transfer of gazetted medical officers.

21 Q.—MR. T. T. KRISHNAMACHARIAR: Will the Hon. the Minister for Public Health be pleased to state the policy of Government generally regarding the tenure and transfer of gazetted medical officers?

A.—No definite policy has yet been laid down in the matter. The question of fixing the tenure of appointments is under consideration.

A—7.

[19th August 1938]

Proposals for the introduction of the teaching of Hindi in schools in prisons.

22 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether there is any proposal to introduce the teaching of Hindi in schools in prisons; and

(b) if not, why not?

A.—(a) The answer is in the negative.

(b) Because it is not feasible.

Proposals for the levy of a fee on marriages.

23 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether there are any proposals for introducing a Bill to levy fees on marriages; and

(b) if so, what the reasons are?

A.—(a) & (b) There is no such proposal now under the consideration of the Government.

Legislative proposals for conferring permanent occupancy rights on lessees of jirayati lands.

24 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state whether there are any proposals for introducing legislation giving permanent rights of occupancy to lessees of jirayati lands?

A.—There are no proposals at present under the consideration of the Government.

Admission of students into Government colleges on communal basis.

25 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) the number of students admitted into each of the Government colleges last year and the present year according to the communities to which they belong; and

(b) the number of applications received last year and this year?

A.—(a) & (b) The particulars have been called for.

Situation of the depots in the East Godavari district for the sale of seeds and improved agricultural implements.

26 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) the places where the depots for selling seeds and improved agricultural implements in East Godavari district are located; and

(b) the business done in each of those depots last year?

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A.—(a) & (b) The information is given below :—

Location of the depots.	Value of sales effected in 1937-38.		
	RS.	A.	P.
Cocanada	208	8	6
Pithapur	146	10	11
Peddapur	173	13	3
Ramachandrapur	262	9	10
Amalapur	152	11	6
Tuni	247	4	4
Rajahmundry	373	15	0
Bhadrachalam	203	15	7
Kothapeta	519	7	8

Villages bordering on reserve forests.

27 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) the villages in this Presidency which are inconvenienced by reason of their being very near the borders of reserve forests; and

(b) if the Government have no information, whether the Government will call for the same?

A.—(a) & (b) The Government have not got the information and do not propose to call for it as it will entail a very large amount of time on Forest officers and expense.

Investigation of a pumping project for irrigation of high-level fields in the Godavari Central delta.

28 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Public Works be pleased to state whether the Chief Engineer, Public Works Department, has investigated the proposal to have a pumping project for the supply of water to high-level fields in the beginning of the Godavari Central delta?

A.—The Chief Engineer has examined the preliminary report of the Superintending Engineer, Dowlaiswaram Circle, on the scheme. He is awaiting the Collector's opinion on the scheme.

Percentage of literacy among convicts undergoing simple imprisonment.

29 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Courts and Prisons be pleased to call for information regarding the percentage of literates among convicts sentenced to simple imprisonment who are still in jail?

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- 4.—The Government consider that no useful purpose will be served by getting the information.

Principles governing grants to aided elementary schools.

30 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state the principles on which grants are made to elementary aided schools in the province?

- A.—The attention of the Honourable Member is invited to the rules framed under section 42 (2) of the Madras Elementary Education Act, 1920.

Number of primary schools for Koya boys in the partially excluded area of East Godavari.

31 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state with reference to the answer to question No. 226 answered on 24th March 1938—

- (a) whether the information called for in respect of the number of primary schools for Koya boys in partially excluded area in East Godavari has been received;
- (b) if so, what that number is; and
- (c) whether the Government have got any scheme to further extend the number of these schools?

A.—(a) & (b) The number of schools intended for Koya boys is 65.

- (c) There is no scheme now before Government.

Teaching of subject lessons in high schools in the language of the district.

32 Q.—MR. N. M. R. SUBBARAMAN: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

- (a) whether teaching of all subjects in high schools in the language of the district has been brought into force this year in all the single language districts;
- (b) whether any schools have been given exemption;
- (c) if so, how many;
- (d) the names of those schools and the district to which they belong; and
- (e) what the reasons are for giving them exemption?

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- A.—(a) Orders have been issued that the mother tongue should be used as the medium of instruction in all non-language subjects beginning with Form IV, from June 1938 in the high schools in areas which are not bilingual or multilingual.
- (b) Yes, generally for one year.
- (c) 118.
- (d) A list^a of such schools is appended.
- (e) Lack of suitable staff for teaching all, or some, of the subjects in the local language and the fact that districts are bilingual or multilingual are the main reasons for giving them temporary exemption.

Total yield of food-grains in the Province.

33 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state the total yield of food-grains in this Province?

A.—The hon. Member is referred to the answer to question No. 41.

Value of food and commercial crops raised in 1936-37.

34 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

- (a) the value of food crops raised in this province in 1936-37; and
- (b) the value of commercial crops raised during the same period?

A.—(a) & (b) The hon. Member is referred to the answer to question No. 41.

Details regarding fees paid by girl students in college classes during each of the last five years.

35 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

- (a) the number of girl students in college classes that paid half fees last year (vide answer to starred question No. 240, dated 28th March 1938);
- (b) how many paid full fees; and
- (c) the total amount collected during each of the last five years?

• A.—(a) to (c) The number of girl students in college classes who paid half-fees during 1936-37 was 471.

Information in regard to the other points has been called for.

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Proposals for the abolition of Bench Courts.

36 Q.—MR. J. L. P. ROCHE VICTORIA: Will the Hon. the Minister for Courts and Prisons be pleased to state whether there is any proposal before the Government for the abolition of bench courts?

A.—The answer is in the negative.

Proposals for the abolition of panchayat courts in urban areas.

37 Q.—MR. J. L. P. ROCHE VICTORIA: Will the Hon. the Minister for Courts and Prisons be pleased to state whether the Government propose to abolish the panchayat courts in urban areas?

A.—There is no such proposal under the consideration of the Government.

Expenditure on and functions of the Town-Planning Department.

38 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

- (a) when the Town-Planning Department was started;
- (b) what the annual expenditure on account of this department has been till now; and
- (c) the nature of work accomplished by this department?

A.—(a) 1921.

(b) The total expenditure incurred on the department in 1936-37 was Rs. 19,800.

(c) The attention of the hon. Member is invited to the administration report of the department for 1936-37 reviewed in G.O. No. 3488, P.H., dated 13th December 1937, placed at the disposal of the press.

Number of cattle used for tilling the land.

39 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

- (a) the number of cattle in each district; and
- (b) the number used for tilling the land?

A.—(a) The hon. Member is referred to Appendix XIII to the Season and Crop Report of fasli 1346.

(b) The information is not available.

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Teaching of spinning in schools.

40 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state in how many schools spinning is taught at present?

A.—The Government have no information.

The acreage and nature of the crops raised in each district.

41 Q.—MR. K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

- (a) the chief crops for each district;
- (b) the quantity of those crops raised in each of the last five years;
- (c) the acreage under each such crop in each of those years; and
- (d) the value of each such crop during the same period?

A.—(a) to (d) The hon. Member is referred to the figures in the Season and Crop Report published every year. Copies are available in the Secretariat Library.

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

II.—DEMANDS FOR GRANTS FOR FURTHER EXPENDITURE
FOR 1938-39.

* MR. SPEAKER :—“ Before the supplementary demands are moved, I should like to know from the Hon. the Finance Minister whether this is really a supplementary statement of expenditure within the Government of India Act, 1935. Under section 81 of that Act, supplementary statements of expenditure are limited to further expenditure from the revenues of the province, when it becomes necessary, over and above the expenditure theretofore authorized for the year. The items in respect of which these supplementary demands are made were not at all in the original Budget. Supplementary estimates, under section 81, come in only when in respect of any financial year, further expenditure from the revenues of the province becomes necessary over and above the expenditure authorized theretofore for that year. It is only when further expenditure becomes necessary within the meaning of section 81 that Government should come forward with a supplementary estimate.”

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* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, the Government, after an examination of this matter, came to the conclusion that they ought to put before the House new items of service. The section referred to, section 81, reads thus:—

'If in respect of any financial year further expenditure from the revenues of the Province becomes necessary over and above the expenditure theretofore authorized for that year, the Governor shall cause to be laid before the Chamber

"This should not be interpreted to mean 'in each particular item,' as the word 'expenditure' is used in a consolidated sense."

* MR. SPEAKER:—"Limited to the total amount."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I submit that the treatment in the administrative side would be different between a new service which was not at all contemplated in the original demand and a mere extra expenditure for a service which was contemplated. That is why we place before the House a new service quite definitely, so that the attention of the House may be brought to it."

* MR. SPEAKER:—"But that involves re-appropriation. As the Government in their explanatory note state at the end, in two or three places it involves re-appropriation, which is not authorized by the Statute. The Statute nowhere authorizes the Government to make re-appropriations."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I do not quite follow, Sir."

* MR. SPEAKER:—"Under the Government of India Act, at present there is no provision by which re-appropriation is authorized; whereas previously the Devolution Rules had definitely authorized re-appropriation by the Government."

THE HON. MR. C. RAJAGOPALACHARIAR:—"The question of grant by the House is the question on a demand made as is done now. But whether the appropriation should be from fresh amounts allotted for the purpose or from out of the amounts already allotted is merely a matter for decision on the suggestion and the placing of facts before the House by the administration. The House can either grant a fresh sum of money or allow it to be re-appropriated from amounts already made. I only wish to point out this, that under the Government of India Act, the grant is applied for, the demand is made for expenditure which had not been granted before. The question as to the resource or the money, for it is a different question. If money is not there available for re-appropriation, the Government would have to ask the House to provide that money, otherwise, by a new source of revenue or change. But if the particular head is found sufficient to cover this new expenditure, the Government inform the House that they do not want fresh money for it, but will re-appropriate the amount."

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* MR. SPEAKER:—"There are two things to be observed; we must go either by convention or by rules. The attention of the Government is drawn to the fact that as the Statute stands at present, there is no specific authority for the Government to re-appropriate."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I take it, Sir, that your point is this: Under section 81 of the Act, if new expenditure is wanted to be sanctioned, if there is money already sanctioned, there is no need to ask the House for it again; or again, it should be interpreted that it should be asked under each separate head like that. But I submit the intention of section 81 is that if any new expenditure, though money is available by lapses or by amounts remaining over under each particular head,—or in other words, any new service—is sought to be incurred, the general principles applicable under the system now obtaining would demand that it should be placed before the House, as it is a new service. And though, as you have observed, the rules are not explicit here, nor is the section, the old practice has been retained in order that the House may have the advantage of examining and sanctioning or refusing sanction for that new service. It is a helpful convention which this Government do not wish to take away from the House."

* MR. SPEAKER:—"It is not a question of taking away anything. I want to say that this House has got full rights over finance, and the executive must submit every item of expenditure fully to the House; and unless specific re-appropriation is authorized, the Government cannot make any re-appropriation. There must be specific authorization by this Legislature."

THE HON. MR. C. RAJAGOPALACHARIAR:—"In consultation with the Audit department of all-India also, a convention has been arrived at which this Government are respecting. It is that every form of new service, unless it is merely a minor variation, will be placed before the House; and that is the convention which we propose to adopt."

* MR. SPEAKER:—"And not merely by asking for a token grant and the Government availing itself of re-appropriation. This time it is only for Rs. 800 or so; but it may so happen that this re-appropriation may take place with regard to even some lakhs of rupees. It is not desirable that re-appropriation should be freely indulged in by any Government, when complete autonomy is in vogue. The Legislature should have a voice in the matter."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I may inform the House, Sir, that in any matter of a new service which can possibly be postponed, the express arrangement of the present Government is to stick to the old practice of bringing it as

[Mr. C. Rajagopalachariar] [19th August 1938]

a new demand. It is only in cases of the kind now before the House which practically demand no discussion at all, that we seek to come in the middle of the year."

(1) GRANT X—DISTRICT ADMINISTRATION AND MISCELLANEOUS.

* THE HON. MR. T. PRAKASAM:—"Sir, I move—

'that the Government be granted a further sum not exceeding Rs. 100 under Grant X—District Administration and Miscellaneous.'"

* MR. SPEAKER:—"If any hon. Member has given notice of a cut motion he may get up. Mr. Basheer Ahmed Sayeed not being here, his cut motion is considered to have been withdrawn."

The Demand was put and carried and the Grant was made.

(2) GRANT XXI—INDUSTRIES.

* THE HON. MR. V. V. GJRI:—"I beg to move—

'that the Government be granted a sum of Rs. 1,300 under Grant XXI—Industries.'"

The Demand was put and carried and the Grant was made.

(3) GRANT XXIII—MISCELLANEOUS DEPARTMENTS.

* THE HON. MR. C. RAJAGOPALACHARIAR:—"I move, Sir—

'that the Government be granted a further sum not exceeding Rs. 200 under Grant XXIII—Miscellaneous Departments.'

"The explanation for the Demand is before the House."

The Demand was put and carried and Grant was made.

(4) GRANT XXIV—CIVIL WORKS—WORKS.

* THE HON. MR. YAKUB HASAN:—"I beg to move, Sir—

'that the Government be granted a sum not exceeding Rupees 100 under Grant XXIV—Civil Works—Works.'"

The Demand was put and carried and the Grant was made.

(5) GRANT XXV—CIVIL WORKS—ESTABLISHMENT AND
TOOLS AND PLANT.

* THE HON. MR. YAKUB HASAN:—"I beg to move, Sir—

'that the Government be granted a sum not exceeding Rs. 28,000 under Grant XXV—Civil Works—Establishment and Tools and Plant.'"

The Demand was put and carried and the Grant was made.

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(6) GRANT XXXIII—CAPITAL OUTLAY ON ELECTRIC SCHEMES.

* THE HON. MR. YAKUB HASAN:—"I move, Sir—
'that the Government be granted a sum not exceeding
Rs. 100 under Grant XXXIII—Capital Outlay on Elec-
tric Schemes.'"

The Demand was put and carried and the Grant was made.

GOVERNMENT MOTION.

III.—MOTION *RE* THE STRENGTH OF THE BOARD OF
COMMISSIONERS FOR HINDU RELIGIOUS ENDOWMENTS.

THE HON. DR. T. S. S. RAJAN:—"Mr. Speaker, Sir, I
move—

*'that the following draft of a notification varying the
strength of the Board of Commissioners for Hindu Reli-
gious Endowments which the Government of Madras pro-
pose to issue in exercise of the powers conferred by clause
(b) of sub-section (1) of section 10 of the Madras Hindu
Religious Endowments Act, 1926 (Madras Act II of
1927), be approved as required by the second proviso to
the said sub-section.*

Variation.

*'In Local Self-Government Department Notification No. 174,
dated the 5th February 1925, published at page 74 of
Part I-A of Fort St. George Gazette, dated the 10th
February 1925, for the words "four Commissioners"
the words "three Commissioners" shall be substituted.'*

"This motion relates to the appointment of Commissioners in the Hindu Religious Endowments Board. Till now there have been one President and four Commissioners and the Board is constituted with five members. The Government now want to reduce the strength from five to four and according to the rules they have to issue a notification and get it passed through both the Houses of the Legislature so that we may take power under the rules to appoint one less. Therefore, that is the cause of the notification.

"The reason for reducing the number is due to the fact that there is a Bill under examination in the Legal Department for revising the Endowment Act. In view of that, we do not think it necessary to have four Commissioners and think three are enough, until such time as the Act is brought before the Houses of Legislature. There is nothing controversial about it. I hope the House will permit this motion to be taken immediately and passed."

The motion was put and carried.

* MR. SPEAKER:—"I now adjourn the House to meet again on Monday, the 28th day of November 1938."

The House then adjourned.

[19th August 1938]

APPENDIX I.

[Vide answer to starred question No. 105 asked by Mr. K. V. R. Swami at the meeting of the Legislative Assembly held on the 19th August 1938, page 367 supra.]

Statement.

- (1) Two thousand and eighty prisoners have been ordered to be released before the expiry of their sentences subject to certain conditions.
- (2) Hand-spinning and hand-weaving have been introduced as the main industry for prisoners in the Presidency Jail for Women, Vellore, as an experimental measure.
- (3) The quantity of salt allowed for each prisoner has been increased.
- (4) The supply of Fuller's earth for washing the clothes of prisoners has been ordered.
- (5) The Government have directed that the transfer of prisoners on disciplinary grounds or otherwise from one jail to another should be done sparingly and only in cases of necessity.
- (6) Radio sets presented by certain donors have been installed in the Central Jails at Coimbatore, Bellary, Vizagapatam and Trichinopoly, the Penitentiary Madras, the Presidency Jail for Women, Vellore, and the Wellesley sanatorium Jail, Bellary.
- (7) The supply of copies of humorous journals to jails has been ordered.
- (8) In the Central Jail, Coimbatore, the appointment of a technically qualified person as the Manager of the Spinning and Weaving Factory in the place of the Deputy Superintendent has been sanctioned with a view to improving the industry.
- (9) Oil pressing by human labour as a prison task has been stopped.
- (10) The District Magistrates concerned have been directed to appoint two members of the Provincial Legislature as non-official visitors to each Central and District Jail.

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APPENDIX II.

[Vide answer to starred question No. 108 asked by Khan Bahadur Mahmud Schammad Sahib Bahadur at the meeting of the Legislative Assembly held on the 19th August 1938, page 369 supra.]

Statement I.

List of works included in the Seven Years' Programme in South Kanara district.

Serial number and name of work.	Estimated cost.
	RS.
<i>Bridges.</i>	
1 Bridge at mile 10/3 of Hosdrug to Panathady road	15,000
2 Culvert at mile 12/8 of Hosdrug to Panathady road	8,000
3 Culvert at mile 13/5 of Hosdrug to Panathady road	6,000
4 Culvert at mile 15/3 of Hosdrug to Panathady road	6,000
5 Culvert at mile 16/1 of Hosdrug to Panathady road	15,000
<i>Roads.</i>	
6 Feed r road to Charvatur railway station	22,000

Statement II.

List of works in South Kanara district financed from the Road Fund, under execution in 1938-39.

Serial number and name of work.	Estimated cost.
	RS.
1 Bridge across the Katil river at mile 16/2 of Mangalore-Kinnigole road	66,000
2 Bridge over the Halady at mile 17/5 of Someshwar-Koteswar road	17,000
3 Bridge over the Shivapura river at mile 16/7 of Hariadka-Hebri road	65,000
4 Bridge over Madavu at mile 6/1 of Ariadka-Netbikalcutta road ..	19,400
5 Reconstructing the bridge at Nidgal at mile 42/3 and 4 of road No. A-22 (Mangalore-Mysore Trunk road)	59,000
6 Reconstructing the bridge at Baddakatta at mile 15/5-6 of road No. A-22	25,000
7 Reconstructing the bridge at Bambilla at mile 22/8 of road No. A-22.	21,000
8 Reconstructing the bridge at Manihalla at mile 18/2 of road No. A-22	63,200

The works included in Statement No. I can also be taken up for execution in 1938-39 after the approval of Government of India is received and plans and estimates are sanctioned by competent authority. The orders of the Government of India are expected by about October 1938.

[19th August 1938]

APPENDIX III.

[Vide answer to starred question No. 148 asked by Mr. K. R. Karant at the meeting of the Legislative Assembly held on the 19th August 1938, page 390 supra.]

G.O. No. 882, Education, dated 7th April 1938.

In G.O. No. 471, Education, dated 11th March 1935, the Government ordered that text-books should not be changed within five years of their introduction in any school, whether under public or under private management, except with the previous approval of the District Educational Officer in the case of boys' schools and the Inspectress of Schools in the case of girls' schools. The Government have now reconsidered the question and are pleased to direct that the period of five years be reduced to two years.

2. The Director of Public Instruction is requested to submit drafts of the necessary amendments to the Madras Educational Rules and the rules under the Madras Elementary Education Act.

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

19th August 1938]

APPENDIX IV.

[Vide answer to starred question No. 150 asked by Mr. R. B. Ramakrishna Raju at the meeting of the Legislative Assembly held on the 19th August 1938, page 393 supra.]

Tentative programme of work on bee-keeping in the Chittoor district.

The selection of the centres of work will be the first item in the programme and the main criterion would be the availability of sufficient bee pasturage in the localities. To begin with it is proposed to make a rapid survey of all the centres of work under the Agricultural Demonstrators stationed in the district and select such of those villages as are suitable for the industry.

The preliminary survey of the district and the selection of sites may take about two or three weeks. Immediately after this, the staff will start work in the selected centres by having colonies for the interested ryots and advising them in the care and management of bees in order to train them to look after their hives by themselves.

As time and opportunities permit, it is proposed to interview the honorary rural workers in the district, the District Superintendent of Police, Officers of the Forest Department, etc., and, with their co-operation introduce the industry among some of the Yenadhi colonies.

Requisitions from interested parties even from outside the centres of work of the Agricultural Demonstrators will be attended to.

Along with the propaganda work a central apiary with about 10 hives will be started, if possible, near Chittoor, for demonstration purposes and also to meet the requirements of ryots by way of supplying queens, appliances, etc.

[19th August 1938]

APPENDIX V.

[Vide answer to unstarred question No. 32 put by Mr. N. M. R. Subbaraman at the meeting of the Legislative Assembly held on the 19th August 1938, page 403 *supra*.]

Name of schools that have been exempted from the introduction of the mother-tongue as the medium of instruction in non-language subjects.

Serial number and name of district.	Name of school.
1 Vizagapatam ..	Board High School, Tokkali.
2 Do. ..	S.R. High School, Ichchapur.
3 Do. ..	Rajah's High School, Mandasa.
4 Do. ..	Queen Mary's School for Girls, Vizagapatam.
5 East Godavari ..	McLaurin High School, Cocanada.
6 Do. ..	Secondary and Training School, Rajahmundry.
7 West Godavari ..	Municipal High School, Ellore.
8 Kistna ..	Lady Amphil Secondary School, Masulipatam.
9 Do. ..	Dornakal Diocesan School, Bezwada.
10 Guntur ..	Stall's Girls' High School, Guntur.
11 Do. ..	St. Joseph's Girls School, Guntur.
12 Kurnool ..	Municipal High School, Nandyal.
13 Do. ..	Board High School, Cumbum.
14 Bellary ..	Municipal High School, Bellary.
15 Do. ..	Wardlaw High School, Bellary.
16 Do. ..	St. John's High School, Bellary.
17 Do. ..	Government Secondary School for Girls, Bellary.
18 Anantapur ..	Municipal High School, Anantapur.
19 Do. ..	Do. Hindupur.
20 Do. ..	Board High School, Dharmavaram.
21 Do. ..	Government Secondary and Training School, Anantapur.
22 Cuddapah ..	Municipal High School, Cuddapah.
23 Nellore ..	C.A.M. High School, Nellore.
24 Do. ..	A.B.M. School, Nellore.
25 Chittoor ..	Board High School, Chittoor.
26 Do. ..	Theosophical High School, Madanapalle.
27 Do. ..	Sherman Memorial Girls' High School, Chittoor.
28 Do. ..	The School, Rishi Valley.
29 Do. ..	Board High School, Tiruttani.
30 Do. ..	Sree Mahant's Devasthanam High School, Tirupati.
31 North Arcot ..	Voorhee's College School, Vellore.
32 Do. ..	Municipal High School, Tirupattur.
33 Do. ..	Municipal High School, Gudiyattam.
34 Do. ..	Do. Walajapet.
35 Do. ..	C.S.M. High School, Arkonam.
36 Do. ..	Hindu High School, Ambur.
37 Do. ..	Conlaridia High School, Ambur.
38 Do. ..	Islamiah High School, Melvisheram.
39 Do. ..	Sree Mahant's High School, Vellore.
40 Do. ..	Mazharul-ulum High School, Ambur.
41 Do. ..	Islamiah High School, Vaniyambadi.
42 Do. ..	Government Muhammadan High School, Vellore.
43 Do. ..	Government Secondary and Training School, Vellore.
44 Madras ..	R. M. High School, Thyagarayanagar.
45 Do. ..	St. Paul's High School, Vepery.
46 Do. ..	Kellett High School, Triplicane.
47 Do. ..	Wesley High School, Royapetta.
48 Do. ..	Christian College School, Madras.
49 Do. ..	P. S. High School, Mylapore.
50 Do. ..	T. T. V. High School, Madras.
51 Do. ..	Hindu High School, Triplicane.
52 Do. ..	Pachaiappa's College High School, Madras.
53 Do. ..	Chintadripet High School, Madras.
54 Do. ..	Muthialpet High School, Madras.
55 Do. ..	E.L.M. Fabricius High School, Purasawalkam.

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Serial number and name of district.		Name of school.
56	Do. ..	San Thome High School, Mylapore.
57	Do. ..	St. Gabriel's High School, Madras.
58	Do. ..	C.C.C. High School, Perambur.
59	Do. ..	Presidency Training School, Egmore.
60	Do. ..	London Mission Bentinck School, Vepery.
61	Do. ..	Wesleyan Mission School, Royapetta.
62	Do. ..	C.S.M. School, Georgetown.
63	Do. ..	C.S.M. School, Rayapuram.
64	Do. ..	St. Ebba's School, Royapetta.
65	Do. ..	St. Raphael's School, Mylapore.
66	Do. ..	St. Anne's Convent, Rayapuram.
67	Do. ..	Seva Sadan High School, Chetput.
68	Do. ..	National Girls' School, Mylapore.
69	Do. ..	Vidyodaya Residential Girls' High School, Nungambakkam.
70	Do. ..	Government Hobart Training School, Royapetta.
71	South Arcot	Government Training School, Cuddalore.
72	Tanjore ..	St. Joseph's Girls' High School, Kumbakonam.
73	Trichinopoly	Government Islamiah High School, Trichinopoly.
74	Do. ..	National College School, Trichinopoly.
75	Do. ..	St. Joseph's College School, Trichinopoly.
76	Do. ..	Holy Cross School, Trichinopoly.
77	Salem ..	Board High School, Hosur.
78	Do. ..	Government Girls' High School, Salem.
79	Madura ..	St. Mary's High School, Madura.
80	Do. ..	Sourashtra High School, Madura.
81	Do. ..	Orlando Chilla Pierce Memorial Girls' High School, Madura.
82	Do. ..	St. Joseph's Girls' High School, Madura.
83	Tinnevely ..	Sarah Tucker Girls' School, Palamcottah.
84	Do. ..	St. John's School, Nazareth.
85	Do. ..	St. Ignatius' School, Palamcottah.
86	Coimbatore ..	Board High School, Kollegal.
87	Do. ..	Government Secondary and Training School, Coimbatore.
88	The Nilgiris	Municipal High School, Ootacamund.
89	Do. ..	Bethlehem Girls' School, Ootacamund.
90	Do. ..	C.E.Z.M. Gill Memorial School, Fernhill.
91	Malabar ..	St. Joseph's High School, Calicut.
92	Do. ..	Christian College High School, Calicut.
93	Do. ..	Santa Cruz High School, Cochin.
94	Do. ..	Government Secondary Training School, Cannanore.
95	Do. ..	B.E.M. School, Calicut.
96	Do. ..	Providence Girls' School, Calicut.
97	Do. ..	Sacred Heart School, Tellicherry.
98	South Kanara	Board High School, Coondapur.
99	Do. ..	Board High School, Udupi.
100	Do. ..	Board High School, Karkala.
101	Do. ..	Board High School, Puthur.
102	Do. ..	Board High School, Moolky.
103	Do. ..	Board High School, Kasaragod.
104	Do. ..	Christian High School, Udupi.
105	Do. ..	Milagres High School, Kallianpara.
106	Do. ..	B. V. High School, Buntwal.
107	Do. ..	St. Aloysius' College School, Mangalore.
108	Do. ..	B.E.M. School, Mangalore.
109	Do. ..	Ganpethy High School, Mangalore.
110	Do. ..	Kanara High School, Mangalore.
111	Do. ..	Rajah's High School, Nileshwar.
112	Do. ..	St. Agnes' School, Mangalore.
113	Do. ..	Do.
114	Do. ..	St. Cecilia's Udupi.
115	Do. ..	Government Secondary Training School for Girls, Mangalore.
116	Chingleput	Teachers' College (Model School).
117	Do. ..	Eschasyappa's High School, Conjeeveram.
118	Do. ..	Anderson High School, Conjeeveram.

