The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 24th day of March 1921, the Hon'ble Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E., President, presiding.

I

QUESTIONS AND ANSWERS.

[(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

(2) The questions shall be put and answered in the following manner :—

The Secretary shall call the name of each interpellator in alphabetical order, specify the serial numbers of his questions, and make a sufficient pause to allow him or any other member a reasonable opportunity of rising in his place if he is desirous of asking a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.]

Criminal settlements at Kavali.

496 Q.—Diwan Bahadur P. KESAVA PILLAI Avargal: To ask the Hon'ble the Law Member—

(*a*) to give the names of the "missions" to which contributions of Rs. 33,000 are given every year for maintaining the criminal settlements at Kavali;

(*b*) to state the number of men and women that ran away from the Kavali settlement who were subsequently arrested, prosecuted and sentenced to rigorous imprisonment for the offence of running away under the Criminal Tribes Act, and the number of people sentenced for repetition of such offences during the last three years; and

(*c*) to state if it is a fact that men and women who had run away on the ground of ill-treatment and insufficient wage, were sent back after their imprisonment was served to the same agents at Kavali.

A.—(*a*) The Kavali settlement is under the sole management of the American Baptist Telugu Mission.

(*b*) The following is the information available with the Government:—

Year.	Number absconding.		Number sent to jail.	
	Men.	Women.	Men.	Women.
1917	49	16	32	11
1918–19	217	69	123	41
1919–20	164	70	178	74

Out of those sentenced to imprisonment, there is no information as to the number of people sentenced to rigorous imprisonment or for repetition of the offences referred to.

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

Collapse of two bridges in South Kanara.

497 Q.—Rai Sahib E. C. M. MASCARENHAS Avargal: To ask the Hon'ble the Minister for Local Self-Government if it is a fact that two bridges on the Padubidri-Karkal and Mani-Uppinangudi roads in the district of South Kanara collapsed long ago and that the fact that they have not yet been rebuilt causes inconvenience to the public; what the cause of delay is and when they will be rebuilt.

A.—The Government have no information.

Disafforestation of Hospet reserve.

498 Q.—Rai Sahib E. C. M. MASCARENHAS Avargal: To ask the Hon'ble the Home Member if it is proposed to disafforest small isolated forest reserves; if so, whether he would take early steps to disafforest the Hospet reserve in the South Kanara district.

A.—Small isolated reserves are sometimes disafforested, sometimes handed over to panchayats, sometimes retained under the Forest Department. The disposal depends upon the nature of the reserve.

The Government will consult the Chief Conservator.

Provincial Forest Service.

499 Q.—Rai Sahib E. C. M. MASCARENHAS Avargal: To ask the Hon'ble the Home Member to state the number of officers, including probationers, belonging to each of the communities of Anglo-Indians, Indian Christians, Muhammadans, Brahmans and Hindus other than Brahmans at present employed in the Provincial Forest Service.

A.—All Extra Deputy Conservators of Forests have been transferred to the Imperial Forest Service. Excluding them, the number of officers belonging to each community is as follows:—

Anglo-Indians	11
Indian Christians	3
Muhammadans	7
Non-Brahman Hindus	9
Brahmans	12
Total	42

Provincial Forest Service.

500 Q.—Rai Sahib E. C. M. MASCARENHAS Avargal: To ask the Hon'ble the Home Member the number of candidates that will be selected during the current year for direct employment in the Provincial Forest Service.

A.—The question is under consideration.

Agency tracts.

501 Q.—Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—To ask the Hon'ble the Home Member to lay on the table the correspondence relating to the constitution of the Agency tracts under one Commission and also a statement showing the annual recurring expenditure on this scheme and the capital expenditure incurred hitherto and likely to be incurred in the near future.

A.—The Government have already placed on the 'Editors' Table' a copy of the G.O. No. 2680, Revenue, dated 6th November 1920, constituting the Agency division. Under existing rules, they are precluded from publishing the correspondence with the Government of India on the subject.

The details of the reorganization are still under correspondence and it is impossible, at present, to furnish an exact statement of the annual recurring expenditure involved.

No capital expenditure has, so far, been incurred. The capital expenditure to be incurred in the future cannot be readily estimated till a definite programme for the development of the Agency has been formulated.

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II

DEMAND FOR GRANTS.

DEMAND X—ADMINISTRATION OF JUSTICE—CIVIL AND SESSIONS COURTS.

The discussion on motions under Demand X was resumed.

Diwan Bahadur M. Ramachandra Rao Pantulu did not make the following motion which stood in his name :—

'9. *That in* 24-*C. Administration of Justice—Administrator-General—Duty allowance to typists, Rs.* 120, *be omitted* (*Budget page* 79).'

The motion was therefore deemed to have been withdrawn.

The following motions Nos. 10, 11 and 12 standing respectively in the names of Mr. O. Tanikachala Chettiyar, Mr. W. Vijayaraghava Mudaliyar and Khan Bahadur Muhammad Usman Sahib were not moved by them and were therefore deemed to have been withdrawn :—

10. *That under* 24-*E. Administration of Justice, the lump provision for the opening of an additional District Court in the Tanjore district of Rs.* 20,000 *be omitted* (*Budget page* 81).

11. *That under* 24-*E. Administration of Justice—Civil and Sessions Court, the provision of Rs.* 20,000 *for lump provision for the opening of an additional District Court in the Tanjore district be omitted* (*Budget page* 81).

12. *That under* 24-*E. Administration of Justice, the lump provision for the opening of an additional District Court in the Tanjore district of Rs.* 20,000 *be omitted* (*Budget page* 81).

Mr. C. V. Venkataramana Ayyangar being absent, the following motion No. 13 standing in his name was deemed to have been withdrawn :—

13. *Omit charge on account of the Temporary District Court at Vellore Rs.* 20,000 (*Budget page* 81).

Mr. B. MUNISWAMI NAYUDU :—" Mr. President, the motion standing in my name is—

'14. *That under* 24-*E., the provision of Rs.* 8,71,320 *for salaries of* 144 *Munsifs be reduced by Rs.* 3,76,320 (*Budget page* 81).'

" Sir, in bringing this motion I have got two objects, first to direct the attention of the Government to the extremely unsatisfactory manner in which the patronage is sought to be exercised by the High Court in regard to the filling up of vacancies in munsifs' posts. Sir, it is known that the High Court has got the power to appoint munsifs and taking the Quarterly Civil list for the year, we find that out of 230 munsifs, permanent, temporary and acting, only about 35 are non-Brahmans, Christians or Muhammadans; the rest are Brahmans. One is naturally tempted to ask how it is that more than 85 per cent are Brahmans, while only about 15 per cent represent the other communities. Sir, the only answer to this is to be found in the way of recruitment, because the recruitment is in the hands of High Court Judges. It cannot for one moment be said that there are no non-Brahman vakils, or non-Brahman aspirants for the munsif's post and that, therefore, it is that only a small percentage of these posts are given to non-Brahmans. Nor can it be said that there are not, among the non-Brahmans, efficient vakils who are capable of holding these posts. If efficiency, Sir, means that the candidate has passed the tests prescribed for the Law Examination, that he has undergone the apprenticeship examination and that he has also

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practised in a court of law for two or three years to the satisfaction of the presiding Judge, I say, there are many non-Brahmans who are efficient and can aspire for the post. But, if efficiency is to be understood as meaning in addition that there should be recommendation or influence exercised from high quarters, I submit, Sir, that the non-Brahmans are lacking in those respects, and therefore we find only a small percentage of posts are held by them. Sir, having regard to the present constitution of the High Court and to the way in which this patronage is sought to be exercised by it, it is no wonder that the appointments are what they are. Sir, there have been great protests both in the press and elsewhere that the interests of non-Brahmans, Muhammadans and Christians are not being properly looked after and that in the name of efficiency—what kind of efficiency I have already described—it has been possible to disregard the protests. In these circumstances, Sir, I submit that the patronage is not now being properly exercised. Now, whatever may be the feelings of Government with regard to public opinion, we in this House have to enter our emphatic protest against the way in which things have so far been going on, and we also see further that there is no tendency for a change for the better; on the other hand, the tendency is for a change for the worse. Hitherto an age limit of 35 was fixed for appointments to munsifs' posts but recently it has been fixed at 32 by the High Court and applications for munsifs' posts were returned on the ground of age bar. I do not see why this is done. I may also say that the fixing of the age limit at 32 and not at 35 is likely to seriously injure the non-Brahman applicants. It has been recognized by the Public Services Commission that in a country like this we have to provide for communal representation not only in this Council but the services also. I find, Sir, that so far, only in regard to the appointments of probationary deputy tahsildars and in the Revenue Department, effect has been given in a small degree by the Government to communal representation. And I fail to see why such a provision for communal representation should not be made in the Judicial branch also. If it be said that the law does not make any provision for that, it is better that the law is amended in a suitable way. In these circumstances, Sir, I have to express the feelings of the non-Brahman community on account of the indifferent way in which they are being treated; and as there does not seem to be any immediate opportunity of bettering their prospects, I ask the non-Brahmans and also Muhammadans and others to vote in favour of this motion.

"My second object is one which I have already mentioned on another occasion. When moving a proposition regarding the pay of the Forest Department, I brought to the notice of this Council, prominently enough, the case of the non-gazetted officers. Sir, on the first day we met, there was a motion in the name of Mr. Narasimha Raju to keep in abeyance any scheme for the increase of salaries of deputy collectors. It was then said as an argument that when other people are receiving it, why not they also. I do not see the force of that argument. We know that in courts of law, questions regarding the rights of parties come to be decided upon, and subsequently when the same question comes to be adjudicated upon, we follow the previous decree; but when the previous decree itself comes to be vacated either in appeal or otherwise, then the subsequent decisions will have also to be vacated. Similarly if the non-gazetted officers are not going to be given any increase, then I submit, Sir, that the increase of pay of these superior officers also should have to be given up. I do not mean for one moment to say that all these officers do not deserve increase of pay. But I am not for increasing the pay of superior officers only in the Judicial line. So far as this scheme is concerned, it involves three principles, first, enhancement of the minimum pay and also the maximum pay, secondly, the giving effect to it on a time-scale with reference to their previous

service, and thirdly, the payment of arrears of salary. We find, Sir, that in the case of the reorganization of the non-gazetted officers' pay, only the minimum is raised and none of the other principles are to be given effect to. Now, Sir, we are told that there are no funds. The non-gazetted officers will find fault with us, if, in pursuance of economy and because of the difficulty in finding funds, we say that we are not going to treat all alike until the financial stringency is passed, on the ground that, it is only a few lakhs that we have to find in the case of superior officers but that a much larger amount will be required to meet the demands of non-gazetted officers. That will mean that we are not treating the non-gazetted officers properly and fairly. Sir, among the non-gazetted officers there is already a large volume of discontent which is unparallelled and which even in its starting was not any the less. In the Judicial Department they find that their masters' salary is now double of what it was previously and that they are drawing large sums as arrears of salary. What wonder then that the non-gazetted officers are dissatisfied when they are not similarly treated ?

"In these circumstances, Sir, I appeal to this House both in the interest of the non-Brahman community and also in the interests of the non-gazetted officers that this resolution should be accepted."

Mr. R. SRINIVASA AYYANGAR :—"Mr. President, I rise to oppose the motion before the House. In the discussion of this question by the honourable mover a side issue has been raised bearing upon the Brahman and non-Brahman controversy which is extremely and deeply regrettable. I take it, Sir, on going through this motion that the ground taken is not so much because that the gentlemen now drawing the pay do not deserve it, but because the matter was put upon the ground by way of a charge against the High Court as regards the way in which this patronage is being exercised by it. I am not here to defend the High Court, for I do not think it is a case requiring an answer from me so far as the reputation of the High Court is concerned. There is the Law Member sitting before me who will be in a position to refute the charge which has been so freely and light-heartedly levelled against the High Court. Therefore the objection is not so much to this, but it seems to rest upon this simple ground that there is a large preponderance of the Brahman element in the cadre of district munsifs. Therefore I think it, Sir, that the Honourable Member should not have thought it necessary to raise this question before the House if from his point of view there was a larger number of non-Brahman element in the Provincial Judicial Service.

"I do not know if questions of this character can be considered from that narrow and communal point of view and therefore the ground put forward by the honourable mover will, I hope and trust, not appeal to the common sense of the House. Another point that was urged was that we have been trying hard to better the condition and prospects of the non-gazetted officers, and there is no reason why these district munsifs should have a sudden jump. My only answer is this. We have been told in this House not once but many a time that having regard to the economic stress or unrest, claims have been made by officers of various departments for an incremental salary. The claims of various other departments for an incremental salary, including the claims of the deputy collectors have been recognized and are about to be given effect to. There is absolutely no reason why these unfortunate men alone should be singled out for being victimised. Then one word more. So far as the civil administration of justice is concerned, I venture to submit to the House that the Judicial Department is a self-contained department—a self-supporting department. Above all, it yields a sufficient surplus to the State. Therefore whatever may be the amount of remuneration that may be given to these district munsifs, it does not

11-15 a.m.

affect the general revenue at all. It does not, in the smallest degree, jeopardise the ordinary interest of the tax-payer. It is a department financed mainly and solely by itself, and it is a department which is one of the valuable assets of the State and which, besides meeting all its expenditure, leaves a sufficient margin by way of surplus. I would, therefore, ask the House to reject the motion."

Mr. R. K. SHANMUKHAM CHETTIYAR :—" I have very great pleasure in supporting this motion. The High Court for aught I know might be administering law to the litigant public, but whether it has administered justice in the matter of recruitment to the public service has to be considered. The appointment of district munsifs at present shows the great injustice done to one community regarding recruitment. Between the 1st October 1914 and the 1st of January 1916, 26 appointments of district munsifs were made of whom 24 were Brahmans and 2 were non-Brahmans. Between the 1st October 1917 and the 1st October 1918, 25 appointments were made of whom 20 were Brahmans and 5 were non-Brahmans. Out of the district munsifs appointed from 1st July 1919 up to date, there are 149 Brahmans and 51 non-Brahmans. That is the position that we find in the matter of the appointment of district munsifs. Sir, even if the soundness of the principle of communal representation may be questioned in the constitution of legislative assemblies, in public services I say this principle ought to be recognized perfectly and given effect to completely. The position that prevails in this presidency to-day is exactly the same as that of Ireland in the nineties of the last century. I have got the authority of no less a person than Lord Morley to say that the principle of communal representation in the department of the administration of justice must be fully recognized. Speaking about the state of Ireland when he became the Irish Secretary, he says:—

> 'Administration of the law is a great deal more important for the contentment and well being of a community than most purely political questions. Our six years of vigilant attention while in opposition to this side of Irish affairs had shown the paradox of a magistracy mainly Protestant in a country predominantly Catholic. We were bound to attempt redress of the balance. That was not so easy as it might seem. I scorned delights and lived laborious days in going with the Lord Chancellor through lists of magistrates proposed to him.'

" Having this principle in view, this is the very drastic measure which Lord Morley carried out in his regime—

> 'And in the end we made a panel of new men, not much behind the old in real respectability, and not at all behind them in true judicial quality of mind. No scandal in the new was comparable with the scandal of the old, and no ill came of it. We appointed 637 county justices over the heads of the lieutenants of counties—554 of them Catholics, 83 Protestants.'

" That was the drastic measure which Lord Morley resorted to in redressing the balance, and he placed the administration of the country on a basis which infused confidence in the people. I hope, Sir, that a similar drastic measure will be applied in the High Court by some Lord Morley there. Sir, it is not enough that the High Court administers justice. We hope, Sir, that it will also act according to the principles of justice, equity and good conscience in the matter of the distribution of the munsifs' appointments."

Rao Bahadur K. S. VENKATARAMA AYYAR :—" Mr. President, Sir, I have to oppose this motion. I cannot really understand how the principle of communal representation can have anything to do with the pay that has been fixed after

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consideration by Government and after the scale of salary fixed had been given effect to last year and when the provision is made in consonance with the procedure that has been hitherto observed. The salary of the district munsifs had been fixed several years ago, and they had not undergone any change, though in several other departments the scales have been raised. After giving due consideration to the subject and after considering the fact whether Government would be a loser in the department of Administration of Justice, they found that they had been making plenty of money—more than they could spend. Therefore, in considering this branch of Government service noted for its honesty, integrity and efficiency of work, Government decided that the scale of pay should be reasonably fixed so that there would be inducement for people of intelligence, industry, honesty and hard work to enter the Judicial branch of the Government. Government had also been very careful to fix a certain efficiency bar so that promotions should be made after a certain time. Till then, they can work up by time-scale. I cannot understand the principle of communal representation coming into this matter. If, really, the principle of communal representation—which, of course, I do not dispute—should be given effect to, the proper way will be to bring in a separate resolution and commend it to the Government. The question of salaries that had already been fixed cannot be gone into now on the basis of the arguments that have been put forward by the previous speakers. I also know that gentlemen who take up the judicial branch of service have not lived long enough to earn their pensions. Several of them die of diabetes. Compared with other departments, I can safely say that members of this department do not live long. I do not know if the mover would have brought in this motion if a large number of gentlemen holding the appointments of district munsifs had been non-Brahmans. He attacks this subject in order to show his displeasure with the High Court which has been acting more upon the recommendations of the District Judges most of them are European gentlemen—who consider the merits of the applicants. In fact, the selections have been made by the High Court and one Judge of the High Court—generally a civilian officer—has been entrusted with the selection. I do not see why there should be this question of lowering the salaries on the ground of communal representation. Even according to communal representation, I will justify the appointments. The question is whether any applicant can be exempted from all Government examinations as was being done formerly in the case of the Salt department. For people to be appointed as district munsifs certain qualifications are fixed. They must be High Court vakils, they must be Bachelors of Law, they should have put in some practice on the original side of the courts as vakils and so on, and merit also is taken into consideration. If the number of men qualified to hold the appointments of munsifs independent of caste or creed is taken into consideration, I can safely say that the total number of Bachelors of Law and practising lawyers will be far more than the proportion that is now being adopted in the matter of selection. Ninety per cent of them are Brahmans, and I do not think there can be any ground of attack. If certainly that principle is to be adopted by the High Court, it has got the power to do so. But that consideration cannot have anything to do with the pay that had already been fixed. With these words, Sir, I oppose the motion."

Mr. C. Natesa Mudaliyar :—"Sir, Mr. President, I understand from the motion that we are to stop with the expenditure of 1920–21, and that we should not make any increased grant for 1921–22. I strongly support the amendment. For I cannot understand how this increased demand has come to be made. Certainly it is not on account of want of candidates, for there are a number of young, able, energetic non-Brahman High Court vakils waiting to accept the appointments on the former grade.

"Only the generous hand of the authorities concerned is not extended to them. In the beginning they are told that their case will be looked into, rather, as a matter of fact, their cases are overlooked and then they are told that they are over-aged. Let the authorities concerned understand that the fundamental idea of good government is that the public money ought to be utilized for the public benefit and to the satisfaction of the public feelings. There has been a cry, not for a year or two but for over a decade, that communal representation ought to be strictly respected in the appointment of district munsifs. I think it has been endorsed by the Public Services Commission. Year after year, the cry has been repeated. But that cry has been a cry in the wilderness. It has been ignored. People were forced on the public, against their will, to sit in judgment over them. Unless and until this Judicial Department is judicious in the appointment of district munsifs and other judicial officers, I am not for voting for any grant as a mark of disapproval."

Diwan Bahadur T. Desika Acharivar:—"Mr. President, Sir, I cannot follow the discussion that has been going on so far on the motion for reduction of this grant from Rs. 8,71,320 to Rs. 3,76,320. I do not understand how the question of communal representation or the treatment meted out to non-gazetted officers can be taken into consideration in arriving at a decision upon this point. Speaking upon the matter that arises for consideration under this motion, it has to be seen why this provision is made. The sum of Rs. 8,71,320 apparently includes the amount required in order to carry out certain orders increasing the pay and emoluments of district munsifs.

"When the pay and emoluments of district munsifs, who were appointed long ago and whose salaries have to be increased along with the pay of deputy collectors and other officers, with reference to the increase of whose salaries there has been a considerable amount of debate and discussion, are being discussed the point for consideration is not whether these munsifs are Brahmans, non-Brahmans, Muhammadans or members of the depressed classes. The question is whether their salary must be increased. If the salary of other officers similarly situated is to be increased, there seems to be no logical ground for not increasing the salary of district munsifs. If 85 per cent of the munsifs are Brahmans, is it fair that Brahmans alone of all classes should work for a low salary and not be entitled to any increments of salary, particularly when such increments have been sanctioned for economic reasons? I do beg of the House not to allow the Brahman and non-Brahman question to enter into the discussion of this grant. It is a matter of finding money to increase the salary of a large body of officers who have been doing their work ably, honourably and industriously. It is no fault of theirs if the High Court has done wrong to other communities; it is no fault of theirs if other communities have not entered largely into the judicial service. They are there, in the service, and they are entitled to the increase. I think it is not at all in order to raise communal questions in the guise of motions for reduction of every demand. Neither the distressed condition of the non-gazetted services nor the necessity of communal representation, nor the necessity of abolishing one class of persons from the public service should enter into the discussion of a question which relates to the same treatment being accorded to subordinate judicial officers as that meted out to officers in other departments of the Public Service."

11-30 a.m.

Khan Bahadur Muhammad Usman Sahib Bahadur:—"Mr. President, Sir, now that the question of adequate representation of various communities on the cadre of district munsifs has been raised, I do not think I shall be doing my duty if I do not examine this question from the view of the representation of the Muhammadan community among the district munsifs. Sir, I hold in my hand a Quarterly

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Civil List revised up to date and I find in it that out of 135 district munsifs there are only two Muhammadans appointed, perhaps by some mistake. If Muhammadans are to be adequately represented in any service at all, it is in the Judicial Service since they have a law of their own, a jurisprudence of their own and their social customs are quite different from those of the other communities. Though we are inferior in number, still, it is a recognized fact that we have a considerable political importance. In spite of all this, to have only two Muhammadans in the Provincial Judicial Service is not creditable. The budget discussion is the time when we can point out such defects so that they may be remedied in the coming year. I therefore appeal to Government to see that some more Muhammadans are appointed as district munsifs in the approaching year. I have great pleasure in supporting the resolution."

Mr. T. Sivasankaram Pillai:—"Sir, I am inclined to support the motion brought by Mr. B. Muniswami Nayudu. The system of recruitment of munsifs requires looking into, whether by the High Court or by some other authority. If we accept the statistics furnished by the mover and also by Mr. Shanmukham Chettiyar, they give rise to various reflections. The first reflection is whether the High Court is showing favouritism in this work of distribution of offices. That I find is hard to believe. The second reflection that comes to my mind is whether really there are not competent people among the non-Brahman community who deserve to be included in this branch of service. The present constitution of the Council is an irrefutable indication that it is not true. What I suspect the reason to be is, that there is not much seeking of this department by the non-Brahman graduates. In this connexion, I would like to know how many applications there have been by non-Brahman graduates and out of these, how many have been granted. If possible, I should like to have information whether there has been any instance where a Brahman has been preferred to a non-Brahman with equal qualifications. All these questions will give us a sufficient answer from which we can reconcile this incongruity in the patronage of the offices. I may confess I am one of those who would avoid accentuating communal differences as far as possible. But if things are as shown by Mr. Shanmukham Chettiyar, i.e., that there are a number of responsible officials from one community it is accentuating directly or indirectly this communal split. I should like that this should be obviated as soon as possible."

Mr. K. Gopalakrishnayya:—"Sir, I beg to support the motion. The relevancy of this matter of communal representation has been questioned by some members on the other side. I am a bit of a lawyer myself I may at once confess that this matter may not be directly to the point, but the House would be pleased to know that it is indirectly to the point. I contend that this is a question which arises indirectly when we consider the question of grants of this nature. Now this house consists of representatives of the real tax-payers of this presidency. Whatever shape things might have taken in the past, in the present and in the future the order of things will be quite different and the non-Brahman tax-payers' voice must prevail, whatever may be said in the higher Councils by some Brahman representatives who are no tax-payers that the deliberations of the non-Brahman Councillors of this House are above the interests of this country. The plain truth must be spoken; it may be that when the truth is spoken, it is unpalatable to some members of this House. When grants are allotted by the representatives of the people, the very first consideration that should prevail is whether it is to their real interest or not. Here, Sir, we are to grant not less than eight lakhs seventeen

thousand and odd. We will have to see, as the representatives of the tax-payers whether this eight lakhs and odd is an amount which this House would be justified in granting. No doubt, as one of the members in the opposite benches observed, the District Judges are disinterested people, and they are responsible for the recommendation of the increase of the salaries of these district munsifs. No doubt it is true. But we would not in the least take it that those District Officers are not sinners. I may at once tell you, Sir, that even the Madras Government is not above such a fault. When the representation of the real people of the land was in defect, these District Officers were misled. I am surprised to find that though salaries have been raised to an abnormal extent, it is really curious that these officers should be paid lump sums under the new scale calculated from the beginning of their service. I wonder why the Secretary of State did not take into consideration the emoluments of those officers who are now drawing pensions and were not paid to as much as others who are in service. And of course, there is also an argument on behalf of the widows of the deceased officers, not only in the Judicial Department, but also in the Revenue and other departments. Well may not these widows claim the increased pay which their husbands would have drawn had they lived, to enjoy the fruits of the newly sanctioned gradation scale?"

Khan Bahadur Qadir Nawaz Khan Sahib Bahadur:—"I support this resolution, not that I grudge the increased pay that is proposed to be given to a hard-working and intellectual class of public servants but because it gives an opportunity to open up a question of a standing grievance to all concerned. India is peculiarly a country of communities. For the proper conduct of the administration, communal representation is necessary. This has been recognized again and again and I think it has been recognized even in the Reforms scheme. Unfortunately the Judicial Department—I don't mean any offence when I say that the whole department—is manned by one class only to the exclusion of all other classes. The stock excuse is that the High Court as a judicial body is guided by one principle, namely, the selection of men who are the fittest. But other departments of services, such as the Revenue, Salt, etc., are under the charge of Government. In making selections for these services Government do not act on principles of justice only. Their ideas of justice are tempered with mercy. They say 'when we give a certain number of appointments to one class it is but fair that other classes should also be represented.' But the High Court says 'we will give only to the best and not to those who are not the very best.' What we want is that mercy should also be extended in the Judicial Department. It cannot be said that there are men wanting in other communities. It is only a question of relative efficiency. One may be more able and more distinguished than the other. Given the opportunity, the other may prove equally successful. I understand that there are a number of non-Brahman graduates and Muhammadan graduates practising here and there. I admit that our number in this line is deplorably small. Even to this small number justice is not done.

"This has been going on for the last thirty years. There are a very large number of munsifs and other judicial posts. If only the fittest are to be appointed, communal representation will have to be dropped altogether. The Salt Department, the Revenue Department and so many other departments under the direct management of Government have a fair sprinkling of all classes, the principle governing their action being that we must serve fairly all people. But the High Court will not adopt this principle and will act on one principle, only the principle of efficiency which is not high in other communities. It is a painful confession to have to make."

11-45 a.m.

24th March 1921] [Mr. D. Seshagiri Rao Pantulu]

Diwan Bahadur D. SESHAGIRI RAO PANTULU :—" Mr. President, I am very much pained to hear the controversy with regard to the Brahmans and non-Brahmans. The matter of these appointments is in the hands of the High Court and it is the highest Court of Justice. We trust the High Court with our life and properties. Can we not trust the High Court of Justice with an impartial distribution of patronage ? In every walk of life, the main reason that leads to the selection of people is efficiency. Simply because a Brahman is a candidate, that is no reason why he should be shut out. Choose the best man possible for the post, no matter whether he is a Brahman or non-Brahman. Courts are not the places where we have to try experiments regarding efficiency. In the selection of our Judges we only look to the efficiency of the man that is selected ; and if we cannot trust the highest Court of Justice with these appointments, I do not know whom else we can trust. Besides the portfolio is in the hands of a Civilian Judge who is not a Brahman. I can assure the Honourable Members of this House that the more we hear of this controversy, the further we are removed from that final goal of self-government for which we are trying (Hear, hear). I do not really understand how the objection can be given effect to.

" We had 144 district munsifs in 1920–21 and we have the same number provided for 1921–22 ; and if this amount, which is sought to be reduced, is sanctioned, I can assure my non-Brahman friends that perhaps they will suffer most, because in the early stages of this recruitment I believe it is the Brahmans that occupy the foremost places, and among the latest recruits there are comparatively more non-Brahmans than Brahmans. Under these circumstances if we reduce the allotment, I am afraid we shall be reducing the number of non-Brahman candidates who have already entered service. These are the arguments that I have to advance on this matter."

Mr. A. T. PALMER :—" Mr. President, I am in favour of the resolution, because I want to make the post of the district munsif as unattractive as possible to the Brahmans. Sir, the Brahman pleader has a great advantage over the non-Brahman pleader, not so much because he has better intellect, but because the non-Brahman pleader has a lesser following. When a non-Brahman pleader starts on his work he has not enough clientele to begin with. It is the heritage of the Brahman pleader to have a number of clients all ready to follow him. As a rule, it so happens that the merits of the non-Brahman pleader do not come up as quickly as those of the Brahman pleader, and in this profession I believe the Brahman pleader can get on without these posts. I think that it is good that a greater inducement should be given to non-Brahman pleaders to accept these appointments."

Mr. S. SOMASUNDARAM PILLAI :—" This non-Brahman movement is purely based upon the question of appointments. But I am sorry I am obliged to oppose this proposition for this reason. The increase is given to district munsifs on account of the recommendations of the Public Services Commission. The High Court has nothing to do with it. Of course it is on the principle ' if I lose one eye my neighbour loses two ' that this proposition has been brought. That is, even if some of the non-Brahman munsifs should lose their chances in the distribution of the increase, let all the Brahman district munsifs lose their chances also. I do not wish to support a motion based on such a principle. But as regards the preference for Brahmans over non-Brahman vakils, I have got a word to say. The munsif's appointment is in the hands of the Civilian High Court Judge and before he became a Judge he had been a Sub-Collector, Collector and District Judge. The sons of those who have served under him become High Court vakils,

When there is occasion, naturally his sympathies are towards the sons of those who have already served under him. Secondly, many of the non-Brahmans have moved heaven and earth to get these appointments but have failed. Although I tried my best to get an appointment for a friend of mine, I could not get it. A non-Brahman High Court Judge is indifferent. He does not care to raise his hand to recommend any of his class. The Brahman High Court Judge on the other hand is very obliging. It is natural."

The Hon'ble Sir LIONEL DAVIDSON :—" May I ask if the Honourable Member is in order in discussing the methods of selection adopted by the High Court, and particularly whether their selections happen to be Brahmans or non-Brahmans, for the purpose of elucidating a motion the effect of which, as I understand, will merely be to reduce the pay of 144 district munsifs, of whom possibly one-third are non-Brahmans and two-thirds are Brahmans? My inquiry is whether this is in order, whether it is really relevant to the issue,—the issue, as I understand, being whether there is to be a reduction in the pay of the existing district munsifs."

The Hon'ble the PRESIDENT :—" Any member of the Council may discuss any matter connected with the administration of the department. It is open to the Honourable Member to say: I am not satisfied with the way in which the department is administered: therefore I object to the allotment. Two distinct issues are involved in this discussion. There is the issue as to whether a reorganization of the cadre is necessary. We had a similar discussion as regards deputy collectors in this Council. The next issue is whether the High Court's patronage has been exercised on lines that have the approval of this House. If these issues had been kept separate, the discussion would have been very much more satisfactory. I expect some Honourable Members are inclined to object to such a large allotment on the ground that it is not necessary and others possibly are inclined to object to the way in which the department is administered in that a large number of posts have been filled with candidates of one community. If it is the wish of the Honourable Members to focus the discussion on the second issue, they can do so by reducing the grant by a sum of Rs. 100. But as it is, they have put forward a motion of a wide character, which of course I am bound to allow in the form in which it is put forward. It is not for me to regulate the discussion, so long as it is in order. As matters stand, it is open to the Honourable Members to object to the salary and number of munsifs or to the way in which they are recruited. Anything can be said within the four corners of that resolution. It is a pity that the resolution is put in that wide form. It would have been probably much more satisfactory, both for discussion now, as well as for taking the votes later on, if the motion has been restricted to a reduction of a sum of rupees one hundred or something like it to focus the discussion on the question of recruitment."

Mr. S. SRINIVASA AYYANGAR :—" May I rise to a point of order? Rule 28 says that a member while speaking must not reflect on the conduct of any Court of Justice. I merely rise to a point of order. I do not want to argue it out."

The Hon'ble the PRESIDENT :—" Here what is objected to is not the action of a judicial body, but only the administration."

Mr. S. SRINIVASA AYYANGAR :—" I merely wanted to make it clear."

Mr. S. SOMASUNDARAM PILLAI (*continuing*) :—" We cannot blame altogether the High Court. Our own people are indifferent. Great influence is brought to bear upon the High Court Judges. As Mr. Venkataramana Ayyangar has said, 90 per cent of the Brahmans have got no other course to follow than take up to law, because the income is uncertain. An uncertain income has got its own

attraction. Nobody knows the difference between a leader and a common pleader like myself. They try their best to get into a Government post. As it is called a High Court of Judicature they must see that justice is done to all communities —non-Brahmans, Muhammadans and all."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—"If in the criticisms levelled against the High Court it was meant to make any insinuation whatsoever against the manner in which patronage is exercised by the High Court, I shall not condescend to reply. I consider, Sir, it would be impertinent on my part, and I feel strongly I shall not be showing due respect to that august tribunal which, after all, embodies the highest traditions of British justice, if I undertake any defence of that body as against these lines of criticism. With regard to the other point whether there should be communal representation as a principle of recruitment by the High Court, I consider that position to be wholly irrelevant. All that I need say now is to remind the House of the dictum of the Home Member of the Government of India that Courts of Justice are not representative institutions. Only the most efficient men should be taken, so that in the long run the prestige of the courts may be as supreme as they are now. I deprecate any opposition which in any way lowers the prestige of the judiciary in this country.

"I have got the statistics for the last ten years as regards these appointments. I find that during the last ten years 157 munsifs have been appointed. Of this number, 41 were High Court vakils practising in Madras, 3 were advocates practising in Madras, 34 High Court vakils and 45 first-grade pleaders practising in the mufassal, most of whom, I believe almost all of them, are B.A., B.Ls. though not enrolled as High Court vakils; 31 were promoted from the subordinate service and one is a Prince of Cochin. Probably the House knows that hereafter no promotion from the services to the munsif's post is possible as I believe that has been prohibited by the Government of India. Out of this 157 the number of High Court vakils from Madras and mufassal was 75, of whom 59 were Brahmans, 15 were non-Brahmans and 1 was a Muhammadan. Now I want to read to the House the present number of High Court vakils. The present number on the rolls is 1,703, of whom 192 are not practising, 1,511 are actually practising of whom 1,129 are Brahmans, 348 are non-Brahmans, 8 are Muhammadans and 26 are Christians. The Home Member has been good enough to make out a proportion which I shall read to the House. The proportion is Christians 1 : 6, Muhammadans 1 : 2, Non-Brahmans 1 : 9 and Brahmans 1 : 10. That is the proportion in which the appointments have been made. I am not going to the question of patronage now especially because there is a resolution tabled by my friend Mr. O. Tanikachala Chettiyar in connexion with which and only then the principle of recruitment will be relevant.

12 noon.

"At present the High Court exercises this patronage not by any delegation from the Government but by virtue of an Act of the Legislature, and unless it is changed the High Court will be entitled to exercise that patronage without any control by the Government. I mention this for the purpose of getting out of the present question all irrelevant issues.

"The present matter is this and I am very much obliged to the Hon'ble the President for drawing the attention of the House to a matter to which I myself wanted to draw their attention. If any general principle relating to the administration has to be discussed, the proper method of doing it would be by proposing a small reduction of the figure, because the result of voting on it would not one way or other affect the existing incumbents in their offices. Now as was pointed out by my friend Mr. S. Somasundaram Pillai the revision of pay of these officers along

with other officers has been the subject of anxious consideration by the Public Services Commission. This recommendation again has been carefully considered. Nobody would say that we introduced this proposal hastily. If at all any complaint is made it is about the long delay which has elapsed from the time of the Public Services Commission report to the time when we were able to give effect to their recommendations. This proposal to increase the pay of the district munsifs was taken along with the other services and, in so far as the proposals affected the executive branch, this House has given its vote in favour of the increase of salaries of the deputy collectors. These do not stand on a better footing than the judicial service. I may say, Sir, with regard to this service, it is not a question of Brahmans or non-Brahmans. I have intimate acquaintance with the work which is done by the lower judiciary in this province and I may say with confidence that there have been no more abler, no more conscientious set of officers which this Government or any other Government possesses. In these circumstances, if this House adopts this motion for reduction, it would not solve the question of Brahman or non-Brahman as my friend put it. The effect would only be that these very hard-worked officers will not get the salary which has been sanctioned to them not because they are Brahmans or non-Brahmans. The increase was not sanctioned by a Brahman or non-Brahman ; but the whole Government considered this matter carefully as also the Government of India and it was sanctioned by the Secretary of State. They deserve it and their work requires to be remunerated in that manner. Because recruitment has not been made adequately from any particular community in the past or now, is this House prepared to say that they should diminish the salary of one of the most hard-worked services in our province ? The remedy, Sir, if there is a grievance, I am not going into that question because it is irrelevant, is by a motion of the sort which Mr. Tanikachala Chettiyar has tabled which in due course will be taken up. It may require legislation, and if the House adopts the motion, I dare say there will be legislation. That is the proper method of remedying any grievance if there is any. If, for instance, the motion had been for the reduction of the vote by Rs. 100, I would not have cared to rise up and make a speech either to defend the High Court or the Government. But when it involves serious reductions to the serious prejudice of the officers to whom we have given our promise, to whom we have already paid their salaries from December 1919, I submit it will be a great grievance if this House now passes this motion."

Mr. O. TANIKACHALA CHETTIYAR :—" Mr. President, Sir, I wish to support the motion not on the ground that district munsifs do not require higher salaries but on the ground that the subject has not been approached by the responsible authorities in the way it should have been. I say that the subjects of recruitment to the subordinate Judicial services, namely, that of district munsifs and their salaries, have both been considered by the Public Services Commission. While it is claimed on behalf of the Government by the Hon'ble the Law Member that the recommendations of the Public Services Commission have been engaging the anxious consideration of Government, I ask whether those recommendations with reference to the recruitment to the inferior judicial services have been considered equally by those responsible for sanctioning these increased salaries. The Public Services Commission at page 188 of their report say that in regard to recruitment the principle must be adopted, on the one hand of obtaining thoroughly honest and efficient men and on the other hand of securing the due representation on the public services of the different classes and communities. No doubt there are other recommendations contained in page 92, namely, that the salaries of these officers should be raised. Why then should that portion which will beneficially affect

their protégés should alone be given effect to and the other portion shelved or placed in the back ground? That is the complaint we make and that is the complaint with reference to which we want to say why should you give practical effect to one portion of the recommendations while the other portion remains unattended to. Therefore it is I say that this should be held in abeyance until the other is carried out. The Hon'ble the Law Member in a very superior style said 'I shall not condescend to answer the charges that have been made as to the manner in which recruitment has been made.' May I suggest, Sir, that this superior style is the style of an advocate who finds a charge unanswerable and therefore resorts to some tactical method to evade answering that question."

The Hon'ble Mr. K. Srinivasa Ayyangar:—"What I said was that if there was any personal reflection in the matter of the exercise of patronage by the High Court, I would not condescend to answer it, but if it was a question of general principle, I would deal with it."

Mr. O. Tanikachala Chettiyar:—"The fact remains that it is not answered or that he has not condescended to answer it. I think that the reason for his adopting a superior style is his inability to answer that argument. It has been suggested that the High Court will take care of itself as regards the charge made against it. No doubt, as regards the work of the High Court in its judicial capacity every one of us has got the highest respect. But I am speaking of the High Court in its administrative capacity in distributing its patronage. I do not complain of the way cases are heard by the High Court in which both parties are represented by lawyers, but as regards its work done in chambers unaided by the assistance of advocates in the matter of selecting candidates for the office of district munsifs it is then that I say it has gone wrong. Because I say that it has gone wrong in administrative work, it does not mean that I cast any reflection on the justice that is being meted out in the High Court. Therefore, I want it to be clearly understood that no cloud should be raised on the issue so as to misrepresent those who fight for the representation of the various communities in the services.

"The Hon'ble the Law Member has been good enough to give statistics as to the number of Brahmans and non-Brahmans who have been appointed as district munsifs and the proportion of Brahmans and non-Brahmans who are actively in practice; he attempted to point out that the proportion is 3 to 1 and that the numbers appointed as munsifs bore the same proportion. But is it not a fact that in the matter of judicial appointments as in all other appointments the proportion of the Brahman to the non-Brahman is very much more than their numbers warrant. What the Public Services Commission recommended when it said that communal representation must be kept in view is not one as to the number of men in both communities who are actually qualified but as to the number of each of these communities over whom justice is being administered. And when that principle is borne in mind, Sir, the proportion of non-Brahmans to the Brahman community comes to 97 to 3. If that is borne in mind, would my friend go and say that the representation which has been given to the non-Brahmans is fair or adequate? That is the point which I wish him to bear in mind. I say that one portion of the recommendation of the Public Services Commission shall not be given effect to until the other has received equally special and equally fair treatment at the hands of the authorities, and until the one is ready to receive acceptance at the hands of the authorities the other should be in abeyance."

Mr. S. Srinivasa Ayyangar:—"Mr. President, I find myself in an intermediate position on this question of principle, if it can be called a principle,

which has been raised in this debate. It is impossible for me to say that there is not a strong feeling among the non-Brahman community that they should get more adequate representation in the Judicial services. I certainly do sympathize with their claims to more adequate representation, and as the President of the Tinnevelly Conference I was a party to a resolution on the subject and even if I am inclined to go back upon it I cannot do so. The fact remains that the Brahman community is rapidly changing its angle of vision and it is adjusting itself to the new conditions. There is no longer that disposition to look at the claims of the non-Brahman community in anything like the spirit in which it was looked at years ago. I would appeal to my friends, the members of the non-Brahman community here, most strongly that on this matter they are entitled to get justice and they will get increasing justice. But may I say with all respect that they have been very backward and very much behind-hand in many matters and it is only just now they are coming up. There is great force in what the Hon'ble the Law Member said that non-Brahmans cannot have representation according to the population. They can have only representation according to the proportion of the community in the Bar and now it is more than that. Nor do I agree with the general position that there can be no such thing as representation in the services. If justice requires and if the unification of the community requires that there should be such representation and if there is a very general feeling in that direction, it is impossible for me to say nay to it. But I would very respectfully urge upon my friend, particularly appeal to Mr. B. Muniswami Nayudu, to withdraw his resolution because the very object he had in view has been served and he may rest assured that no member of the Brahman community is going to adopt hereafter the same superior attitude as he was supposed to do. On the contrary they are part of the same democracy and we must all look only to the common Indian nature. I may also tell them that, so far as this particular motion is concerned, it is hardly just to reduce the figure demanded by the figure which is proposed. The munsifs are the most hard-worked class of people in the Presidency.

"The emoluments which they are now getting have been long overdue and in that state of things to go and deny to them that which they should legitimately have got years ago is not justice. As the non-Brahmans claim to be fighting for justice, I ask them in the name of justice now that they have ventilated their grievances in this Council to withdraw this motion. I am not concerned, as it has been most eloquently defended by the Hon'ble the Law Member, to defending the High Court about the way in which its business is done on the administrative side. Of course the power of appointment should be vested in the Chief Justice of the High Court. It should be vested in a single member. In England the patronage is vested only in the Lord Chancellor, or in a high judicial officer. If it is vested in the whole Court of Justice it will not work satisfactorily. But that is a matter on which I shall not be justified in taking up the time of the Council. I would once again appeal to my Honourable friends to put aside this communal feeling, which, if I may say so with all gratitude, has been put aside by the speakers who spoke on this motion this morning. They have all spoken with considerable restraint. I therefore ask them to accept my suggestion and to withdraw this motion for the moment."

12-15 p.m.

The motion for closure moved by Mr. Appaswami Vandayar was declared carried, 48 voting *for* and 10 *against*.

The original motion was then put to the Council and declared lost.

24th March 1921]

On the motion of Mr. B. Muniswami Nayudu a poll was taken with the following result :—

Ayes.

1. Mr. K. Adinarayana Reddi.
2. ,, S. R. Y. Ankinedu Prasad.
3. ,, R. Appaswami Nayudu.
4. ,, V. Appaswami Vandayar.
5. ,, C. Arunachalam Mudaliyar
6. ,, T. Balaji Rao Nayudu.
7. ,, P. C Ethirajulu Nayudu.
8. ,, K. Gopalakrishnayya.
9. ,, K. P. Gopala Menon.
10. ,, B. Muniswami Nayudu.
11. ,, A. T. Muthukumaraswami Chettiyar.
12. ,, M. Narayanaswami Reddi.
13. ,, C. Natesa Mudaliyar.
14. ,, A. P. Patro.
15. ,, C. Ponnuswami Nayudu.
16. ,, W. P. A. Soundara Pandia Nadar.
17. Mr. R. K. Shunmukham Chettiyar.
18. ,, Subbarayudu.
19. ,, K. Suryanarayanamurti Nayudu.
20. ,, A. Tanjavelu Nayagar.
21. ,, O. Tanikachala Chettiyar.
22. ,, V. Vijayaraghava Mudaliyar.
23. ,, M. C. Raja.
24. ,, R. Kesavalu Pillai.
25. ,, C. Madurai Pillai.
26. ,, M. D. Devadas.
27. ,, E. C. M. Mascarenhas.
28. ,, A. T. Palmer.
29. Abdul Razzaq Sahib.
30. A. P. I. Saiyid Ibrahim Ravuttar.
31. Muhammad Usman Sahib.
32. Mr. P. Venkatarangayya.

Noes.

1. The Hon'ble Sir Lionel Davidson.
2. ,, Mr. C. G. Todhunter.
3. ,, Mr. Habib-ul-lah.
4. ,, Mr. K. Srinivasa Ayyangar.
5. ,, Mr. A. Subbarayalu Reddiyar.
6. ,, Mr P. Ramarayaningar.
7. ,, Mr. K. Venkata Reddi Nayudu.
8. Mr. F. J. Richards
9. ,, R. G. Grieve.
10. ,, A. Ramaswami Mudaliyar.
11. Dr. P. Subbarayan.
12. Mr. E. Periyanayagam.
13. ,, C. V. S. Narasimha Raju.
14. ,, N. A. V. Somasundaram Pillai.
15. ,, S. Somasundaram Pillai.
16. ,, M. Ramachandra Rao.
17. ,, S. Srinivasa Ayyangar.
18. ,, A. S. Krishna Rao.
19. Mr. P. Siva Rao.
20. Sriman Biswanath Das.
21. Mr. S. Muttumanikkachariyar.
22. Rai Bahadur T. M. Narasimha Achariu.
23. Mr. K. V. Ramachari.
24. ,, U. Rama Rao.
25. ,, Sadasiva Bhat.
26. Sriman Sasibhushan Rath.
27. Mr. D. Seshagiri Rao.
28. ,, M. R. Seturatnam Ayyar.
29. ,, R. Srinivasa Ayyangar.
30. ,, T. C. Srinivasa Ayyangar.
31. ,, M. Suryanayana.
32. ,, K. S. Venkatrama Ayyar.
33. ,, Desika Achariyar.
34. ,, T. Arumainatham Pillai.
35. Raja of Ramnad.
36. Mr. Govindoss Chathurbhujadoss.
37. ,, T. Namberumal Chetti.

Neutrals.

1. Mr. P. T. Rajan.
2. ,, T. A. Ramalinga Chettiyar.
3. ,, A. Ramayya Punja.
4. ,, A. Ranganadha Mudaliyar.
5. ,, K. Sarabha Reddiyar.
6. ,, S. T. Shunmukham Pillai.
7. ,, T. Sivasankaram Pillai.
8. ,, T. C. Tangavelu Pillai.
9. ,, V. C. Vellingiri Gounder.
10. ,, C. Venkata Ranga Reddi.
11. ,, R. Venkataratnam Nayudu.
12. Mr. L. C. Guruswami.
13. ,, P. Kesava Pillai.
14. ,, M. Krishnan Nayar.
15. ,, S. Arpudaswami Udaiyar.
16. ,, Prabhakara Thamban.
17. Muhammad Abdur Rahman Sahib.
18. Munshi Muhammad Abdur Rahman Sahib.
19. Ahmad Miran Sahib.
20. A. D. M. Bavotti Sahib.
21. Qadir Navas Khan Sahib.

32 voting *for* and 37 *against*, the motion was declared lost. 21 were neutral.

The following motion which stood in the name of Mr. C. V. Venkatramana Ayyangar was, owing to the absence of the Honourable Member, deemed to have been withdrawn.

15. *Abolition of four temporary District Munsifs' Courts at Rs.* 6,552 *each, Rs.* 26,208 (*Budget page* 81).

The following motion which stood in the name of Mr. T. A. Ramalinga Chettiyar was not moved by the Honourable Member and was therefore deemed to have been withdrawn.

16. *That the following alterations be made in* 24 (*e*) *Administration of Justice —Civil and Sessions Courts* :—

(*i*) *Delete Rs.* 9,704, *personal allowance to establishments of District Judges* (*Budget page* 82).

(*ii*) *Delete Rs.* 4,980, *personal allowance to sub-court establishments* (*Budget page* 82).

(*iii*) *Delete Rs.* 20,808, *personal allowance to Munsifs' Courts establishments* (*Budget page* 83).

The following motion which stood in the name of Mr. O. Tanikachala Chettiyar was not moved by the Honourable Member and was therefore deemed to have been withdrawn :—

17. *That under* 24 (*e*) *Administration of Justice the provision of Rs.* 9,000 *for duty allowance to District and Sessions Judges* (*Provincial Civil Service*) *be omitted* (*Budget page* 84).

Diwan Bahadur M. Ramachandra Rao Pantulu :—"Sir, I beg to move—

'18. *That the following item of duty allowance be omitted* :—

Duty allowance to District and Sessions Judges, Rs. 9,000 (*Provincial Civil Service*) (*Budget page* 84).'

"I do so more for the purpose of eliciting information as regards the circumstances under which these officers are to be paid duty allowances. It will be seen from page 84 of the budget estimate that all District Judges, either members of the Civil Service or Provincial Service officers, are to get these duty allowances. I do not know what explanation there is for this state of things. I would, therefore, ask the Hon'ble the Law Member as to why duty allowances are necessary for the District Judges. It is not my purpose to draw any distinction between one set of officers and another, but it seems to me that it is somewhat extraordinary that District Judges who live in healthy stations should be given these duty allowances whether they are Indian Civil Service officers or Provincial Service officers. Of course, I gave notice to delete both sets of allowances, but under the ruling which His Excellency has given, the duty allowance of Indian Civil Service officers is not to be voted upon."

1-30 P.M.

The Hon'ble Mr. K. Srinivasa Ayyangar :—"Mr. President, the duty allowance to District Judges—I am not making any distinction between the Indian Civil Service officers or any other persons who have been appointed as District Judges either by promotion or otherwise—is an allowance which is given to Judicial officers as contrasted with Collectors and others on the executive side of the same grade and that has been fixed by the Secretary of State in consideration of the nature of the work which District Judges as Judges have to do as contrasted with the work of the executive officers. That is the reason why this Rs. 150 as duty allowance is provided for both the Indian Civil Service officers as well as for other officers, whether Indians or others, who come in either by promotion or otherwise. That is the principle on which it has been based."

Diwan Bahadur M. Ramachandra Rao Pantulu :—"Sir, I do not see here any other principle than that which has been stated with reference to other duty allowances, and much less do I think is the case here ; only a statement is made that the Secretary of State has sanctioned it."

The Hon'ble Mr. K. Srinivasa Ayyangar :—"What I said, Sir, was 'in consideration of the nature of the duties which these officers have got to do'. All these officers are borne on the same cadre, both on the executive side as well as on

24th March 1921] [The Hon'ble Mr. K. Srinivasa Ayyangar]

the judicial side. I speak of the kind of work which this set of judicial officers have to do as contrasted with the more pleasant or less difficult work on the executive side. This is in addition to their salary."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"It comes to this; the executive officers are given duty allowances and therefore the judicial officers should also get them."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Executive officers are not given such allowances. I said 'as contrasted with the executive officers."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Then why does the Honourable Member contrast it with a service which does not get the allowance?"

The Hon'ble the PRESIDENT:—"To get the allowance!"

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"It is very amusing. What I wish to know is this. Here is a service in which every officer has been paid duty allowances. I do not see why we should take into consideration the nature of the work that these officers are doing. Well, as regards settlement officers it was said that some special qualifications were required such as pluck, courage and various other qualities. Now, what is the nature of the difference in the work here? All these 22 or 25 District Judges do exactly the same duties and it looks as though these duty allowances are being given for the first time this year. Am I right? (cries of 'Yes, yes'). Then am I to suppose that the nature of the work of the District Judges has been changed this year."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"No, except as regards the time-scale. There was a revision of the scale. The pay of District Collectors and District Judges was different under the previous scale. They have now been brought on the same scale. They are started on a time-scale till they come up to a particular place. After that there are special places."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I must confess, Sir, that I am not able to follow my Honourable friend as regards the exact nature of the allowances. He says that these duty allowances are given because the salaries are all brought on the same scale. Why should this duty allowance be given now when their pay has been increased this year. Is it a fact? I believe so, because I find that the pay of Provincial officers is Rs. 2,150–2,200 and Rs. 2,000."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"May I just make a little explanation? That figure is put in approximately. So far as the pay of the Provincial Civil Service officers promoted to the District Judges' grade is concerned—that is what I believe my Honourable friend wants to know—they will start, I am told, on a minimum pay as a District Judge at about Rs. 1,275, though I believe it is not yet quite settled."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I regret to say that I have not had any satisfactory reply about this, but when I find that one set of officers are being declared to be untouchables, I don't want to pursue my point against the Provincial officers, and I withdraw my motion."

The motion was, by leave, withdrawn.

The following motion standing in the name of Mr. T. A. Ramalinga Chettiyar was not moved and therefore deemed to have been withdrawn:—

19. *Delete Rs.* 9,000, *duty allowance to District and Sessions Judges* (*Provincial Civil Service*), (*Budget page* 84).

[The Hon'ble Sir Lionel Davidson] [24th March 1921

Mr. C. V. Venkataramana Ayyangar being absent, the following motion which stood in his name was deemed to have been withdrawn :—

20. *Omit provision on account of savings of previous years Rs.* 27,169 (*Budget page* 84).

Diwan Bahadur M. Ramachandra Rao did not move the following motion which stood in his name :—

'21. *That duty allowance to type-writing clerks. Rs.* 240, *be omitted* (*Budget page* 86).'

The motion was therefore deemed to have been withdrawn.

Demand X, for a sum not exceeding Rs. 42·1 lakhs for Civil Justice, was then put to the Council and was granted *nem con.*

DEMAND XI—ADMINISTRATION OF JUSTICE—PRESIDENCY MAGISTRATES' COURTS.

The Hon'ble Sir Lionel Davidson :—"Sir, I have the honour to move for a grant not exceeding Rs. 35·90 lakhs for Criminal Justice."

Mr. T. A. Ramalinga Chettiyar did not move the following resolution which stood in his name :—

1. *That the following alterations be made in* 24 (*d*) *Administration of Justice —Presidency Magistrates' Courts* :—

(*i*) *Delete Rs.* 558, *personal allowance for Georgetown Court* (*Budget page* 80).

(*ii*) *Delete Rs.* 3,600, *local allowance* (*Budget page* 80).

The motion was therefore deemed to have been withdrawn.

Rao Sahib U. Rama Rao :—"Mr. President, I move—

'2. *That under* 24 (*d*) *the provision of Rs.* 81,612 *be reduced by Rs.* 6,000 *the pay of one Presidency Magistrate* (*Budget page* 79).'

"Sir, in the City of Madras we have got four stipendiary Magistrates, one drawing Rs. 1,500, another Rs. 850, a third Rs. 700 and the fourth Rs. 500. In addition to these we have about 94 honorary Presidency Magistrates and these 94 honorary Magistrates are divided into four batches and four courts have been opened in different parts of the City, one at Washermanpet, one at Georgetown, one at Egmore, and one at Royapettah. They sit in courts six days in the week and dispose of on an average not less than 15 to 25 cases a day.

"In this way, a large number of summary cases are disposed of. Before the appointment of these honorary Presidency Magistrates, these were dealt with by stipendiary Magistrates. So the work of the stipendiary Magistrates has very much gone down and there is no sufficient work for four full-timed stipendiary Magistrates. I was told—I am subject to correction—that many of these stipendiary Magistrates leave the court at 2 or 3 o'clock finding no work to do. Further, the honorary Presidency Magistrates are very anxious to do some more work so much so they formed themselves into an association and sent an appeal to the Chief Presidency Magistrate to give them more work. In deference to their request he has sent them more cases and they have been doing their work remarkably well. Most of these honorary Presidency Magistrates in the City are men of education and some of them are also retired Government servants who were discharging the same duties before as Magistrates. Such being the case, I do not see any reason why the post of one Presidency Magistrate should not be reduced and only three sanctioned. With these few words, Mr. President, I beg to move that a sum of Rs. 6,000 be deleted from the budget."

24th March 1921] [The Hon'ble Sir Lionel Davidson]

The Hon'ble Sir LIONEL DAVIDSON :—"Sir, I am quite ready to inquire into the question whether there is need to continue the four Presidency Magistrates, but I should like to put in the caveat that it may be dangerous to reduce their number. The post of fourth Presidency Magistrate was created so long ago as 1858 and in connexion with a general retrenchment inquiry in 1886 the possibility of reducing the number of Presidency Magistrates was carefully examined, I think, by Sir Philip Hutchins, a very keen critic. One of the facts then taken into consideration was the amount of work done by honorary magistrates and the conclusion arrived at was that it was not practicable to reduce the strength of stipendiary Presidency Magistrates. Now a good deal of stress has been laid by the mover on the amount of work done by the honorary magistrates. As a matter of fact I examined that issue myself in dealing with the criminal justice administration report for the past year, and the figures picked out for me by the Secretariat showed that the honorary magistrates in 1919—that was the year under issue—dealt with only 20,317 cases, whereas during the four years ending 1916 their average disposal was something like 34,000. I mention this, Sir, as an indication that it does not seem to be the case that the honorary magistrates have, as a matter of fact, been taking over a larger portion of the stipendiary magistrates' work. I assume that, with the assurance which I now give that inquiries will be made into this matter, the Honourable Member will not wish to press his motion."

Rao Sahib U. RAMA RAO :—"With the assurance given, Sir, I beg to withdraw the motion."

The motion was, by leave, withdrawn.

DEMAND XI—ADMINISTRATION OF JUSTICE—OTHER CRIMINAL COURTS.

Diwan Bahadur M. Ramachandra Rao did not move the following motion standing in his name :—

3. *That in* 24 (*g*) *Administration of Justice—Criminal Courts—Duty allowance to general and subdivisional establishments, Rs.* 216, *be omitted* (*Budget page* 87).

The motion was therefore deemed to have been withdrawn.

Mr. C. V. Venkataramana Ayyangar being absent, the following motion which stood in his name was deemed to have been withdrawn :—

4. *That the provision under* 24 (*g*) *be reduced by Rs.* 26,000 *as shown below* :—

	Amount of reduction.
	Rs.
(*i*) *Provision of Rs.* 2,94,480 *for Stationary Sub-Magistrates* (*Budget page* 87).	10,000
(*ii*) *Provision of Rs.* 14,316 *for temporary establishment* (*Budget page* 87).	7,000
(*iii*) *Provision of Rs.* 29,750 *for travelling allowance* (*Budget page* 88).	5,000
(*iv*) *Provision of Rs.* 24,030 *for contingencies* (*Budget page* 88).	4,000
Total ...	26,000

[Mr. A. P. Patao] [24th March 1921

Rao Bahadur A. P. PATRO then moved the following motion :—

'5. *That under Detailed Account No.* 24 (*g*) *Administration of Justice—Agency, the allotment under Salaries be reduced from Rs.* 1,21,800 *to Rs.* 54,300 (*Budget page* 88).'

In doing so, he said :—" Sir, this motion relates to page 88 of the budget. In reply to a question put at the last meeting and again in reply to another question, Government replied that details for reorganization were still under correspondence and that it was not possible for the present to furnish an exact statement as to the annual recurring expenditure it would involve. From the budget statement it will be found that in the revised estimate it was Rs. 54,300, but what is provided for in 1921–22 is Rs. 1,21,800. Information is, therefore, necessary as to the increase in the allotment when the whole development still under consideration and reorganization have been given effect to. It was also replied that the only office created was that of the Commissioner whose salary is non-votable. We find also in the budget four Assistant Commissioners whose salaries are non-votable, two Assistant Commissioners, one Judicial Assistant and one Personal Assistant. If the whole of this scheme has been reorganized and given effect to, then the provision will be necessary. But if the proposals for the reorganization are still under correspondence I see no reason why this provision should now be made in the budget."

The Hon'ble Sir LIONEL DAVIDSON :—" Sir, I should like first to mention that this was an item newly introduced in the agenda paper, yesterday, at four o'clock and I am not therefore fully prepared with my answer.

" From a supplemental note furnished I infer that the main answer to this motion, is that its acceptance would involve a reduction in a non-votable amount. In these circumstances, Sir, it is not a resolution which Government could possibly accept or which this Council, I think, could properly pass. The total of Rs. 1,21,800 includes a sum of Rs. 95,400 relating to non-votable items. Consequently, if it were reduced to Rs. 54,000, the Council would in effect be reducing the non-votable provision. But I do not wish to rely merely on that technical ground. Though technical in one sense, it is still a matter of substantial importance, because we can hardly ask the Council to pass a resolution which is beyond its powers.

" In his memorandum introducing the budget, the Finance Member pointed out that the only increase in the recurring charges on the Agency division was a matter of about half a lakh

12-45 p.m

" There have in fact been corresponding reductions under the head of land revenue. Owing to the fact that most of the officers who formerly did work also in the plains will now do work solely in the Agency tracts the entire expenditure is debited to the head agency instead of partly to the head land revenue. In the published Government Order of the 6th November 1920, regarding the constitution of the Agency division, mention is made of the number of linguistic subdivisions into which the new division has been split up. There are six such subdivisions and it is proposed to place them in charge of four Indian Civilian officers and two Provincial Civilian officers. The pay of these six officers and the Commissioner himself together with the remuneration of his judicial assistant and his personal assistant make up the aggregate sum of Rs. 1,21,080 and it would be quite impossible to carry on the administration of the Agency division if that amount were reduced."

The motion was by leave withdrawn.

24th March 1921] [Mr. T M. Narasimhacharlu]

Rai Bahadur T. M. NARASIMHACHARLU :—" Mr. President, Sir, I beg to move—

'6. *That the provision of Rs.* 1,00,000 *made for supply of tents in the Agency division in Detailed Account No.* 24 (*g*) *Administration of Justice—Criminal Courts be reduced by Rs.* 50,000 (*Budget page* 88).'

" On turning to page 88, Sir, it will be found that among other allowances and provisions there is this supply of tents to the officers concerned. My contention is not that supply of tents should not be made but that there will be no necessity at all for the expenditure of that entire provision of a lakh of rupees for the budget year. I understand that the Agency divisions are very difficult to travel through. I also understand that the officers must be constantly travelling. I therefore appreciate the provision for supply of tents. But at the same time, I must state that in view of the answer given to-day to question No. 501 put by Diwan Bahadur M. Ramachandra Rao where it is stated that 'the details of the reorganization are still under correspondence, and it is impossible at present, to furnish an exact statement of the annual recurring expenditure involved, no capital expenditure has so far been incurred. The capital expenditure to be incurred in the future cannot be readily estimated till a definite programme for the development of the agency has been formulated,' I fail to see how the Government were able to actually formulate and estimate that in the case of tents one lakh of rupees would be required to be spent during the budget year. We find also by a reference to the G.O. No. 2680, Revenue, dated the 6th November 1920, that the process of the formation of the Agency division is yet in correspondence and much has yet to be done. Such being the case, I fail to see why there should be a necessity for the lakh of rupees for the budget year. I therefore propose that as a matter of caution, fifty thousand rupees alone may be provided, and the other fifty thousand may be deleted so that it may be diverted to more urgent needs."

The Hon'ble Sir LIONEL DAVIDSON :—" Am I to understand that the proposition now in issue is that this provision be reduced to Rs. 50,000 ? There are also other propositions advocating the omission of the whole sum."

The Hon'ble the PRESIDENT :—" They will be spoken to later on."

The Hon'ble Sir LIONEL DAVIDSON :—" My answer will necessarily depend very much on the nature of each proposition."

Rao Bahadur A. P. PATRO :—" I do not move my motion."

The following motion of Mr. A. P. Patro was deemed to have been withdrawn as the member did not move it :—

'7. *That under the same head the amount under supply of tents, viz., one lakh, be reduced to Rs.* 50,000 (*Budget page* 88).'

The following motion notice of which was given by Rao Sahib M. C. T. Muttayya Chettiyar was deemed to have been withdrawn as the member was not present :—

'8. *That under* 24 (*g*) *the provision of Rs.* 1,00,000 *of Civil Budget Estimates for* 1921-22 *be omitted* (*Budget page* 88).'

Mr. M. D. DEVADOSS moved :—

'9. *That under* 24 (*g*) *the provision of Rs.* 1,00,000 *under* '*supply of tents*' *be reduced by Rs.* 50,000 (*Budget page* 88).'

In doing so, he said :—" Mr. President, Sir, my reason for asking this grant to be reduced by fifty thousand rupees is that in the first place we want money for other urgent purposes. I wish to know whether it will not be possible to spread

the expenditure over two years, that is, the coming year and the year after. It has not yet been decided whether the Agency tracts, which have Oriya speaking population, are to go with Orissa or not. I mean, Sir, there is an agitation, and a very strong agitation too, by the Oriya speaking people to have all the Oriya speaking people under one province. If that is to come into effect I think it will not be right on our part to spend the money that we have on a portion of territory which we are likely to lose within a very short time. Unless the Government are assured that in the near future the Agency tracts are not going to become a part of the Orissa Province, I do not think we shall be justified in allowing this amount to be voted."

Sriman SASIBUSHANA RATH MAHASAYO :—" Mr. President, Sir, I move —

'10. *That under* 24 (*g*) *the provision for Rs.* 1,00,000 *for supply of tents to the Agency division be reduced to Rs.* 50,000 (*Budget page* 88).'

" During the general discussion over the budget, I raised the point about the constitution of the Agency tracts into a separate division under a Commissioner. Then I said that the question of division of areas on linguistic basis into provinces had to come sooner or later and that it would be better for the Government to defer the constitution of the Agency tracts into a separate division till then. It remains to be seen which portion will remain for Madras. The Oriyas claim and, I think, very rightly, that a greater portion of the Agency tracts must go to Orissa ".

The Hon'ble Sir LIONEL DAVIDSON :—" I have not quite caught one word, Sir. Do I understand the Honourable Member to say that the *greater* portion of the Agency tracts will go to Orissa ? "

Sriman SASIBUSHANA RATH MAHASAYO :—" The Oriyas claim a great portion of the Agency tracts for their province.

" If the Madras Government now invests a lot of money over these Agency tracts, they will naturally expect a return for the investment and will not be very ready to part with them and thus the Government will be doing a great injustice to the Oriya community. It was suggested to Mr. Harris, the Agency Commissioner, during the course of a deputation that this subject of forming an Agency division under a Commissioner might be postponed for some time and the Government of India addressed on the point whether it would not be possible for them to administer the division and keep it under their direct control for some time, at least till such time when the question of division of provinces on linguistic basis would be taken up. Of course, Mr. Harris, the Agency Commissioner could not give any reply to that ; but we hoped that he would communicate the matter to the Madras Government for further reference. Of course, I do not raise that point here. But a lot of money is now going to be invested for the reorganization of the Agency tracts and in the Government Order read out just now, we find that the development scheme that is proposed to be undertaken is a very large one. It includes the problem of immigration and education. The malaria problem and a variety of other problems are also there. The Khonds, the Souras and the other backward tribes have been there in the Agency tracts all along and the Madras Government have not been able to do much for them up to now. Now all at once that the Government should be roused to the consciousness of its duty and spend a lot of money is a surprise to me. This is the occasion that is afforded to us to discuss the matter in detail and know what is to be the constitution, the lines of development of these tracts. As I said at the time of general discussion, in the matter of finance, here under this head, this is something like introducing the thin end of the wedge. A lot of money is provided for this year and it may be that we will be asked to vote for a larger amount next year. Whether in view of the unsettled condition of

affairs and in view of the indefinite nature of proposals it will be wise to undertake this expenditure, is a matter that ought to be considered. Again, it is said that on account of malaria a special kind of tent is proposed to be given to the officers of the hill tracts. There are only seven officers, the Commissioner, four Assistant Commissioners and two Assistant Commissioners of the Provincial Civil Service. There is also one Judicial Assistant and one Personal Assistant. Each tent will cost about Rs. 12,000. I ask whether this is not a little too much? What has become of the equipment that the Collectors had? Cannot any use be made of that? The elephants and other equipment, I understand, have been handed over to the Commissioner. Cannot the old tents be utilised and Rs. 50,000 reduced this year? This tent affair is an experiment, after all. For the first time a new kind of tent is to be given. Should not half the number of officers be given them now and the experiment tried? After the experiment proves successful, if these tents are found to be malaria-proof, the other Rs. 50,000 may be spent next year. I therefore appeal to the Government and to the Home Member to see if Rs. 50,000 cannot be saved this year under this head."

1 p.m.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, I wish to know whether this one lakh of rupees represents the total cost of the tents to be purchased for the equipment of the Agency Commissioner and his Assistants or is it only a partial allotment for the coming year. I have tabled a question on the matter with a view to ascertaining as to whether the Government has a complete scheme in regard to the new Agency division both in regard to recurring and non-recurring expenditure. The Government have stated that no capital expenditure has so far been incurred and that it is not possible to estimate the cost of the Agency division. Is it that a definite programme of development of the Agency tracts has not been formulated? I should like to know whether the arrangements in connexion with the Commissionership were sanctioned without a definite idea of the financial commitment. We should like to have as much information as possible on this question. This is a new experiment and we should like to know the definite commitments of this Government in the development of the Agency tracts both recurring and non-recurring expenditure. Under the existing rules Government may be precluded from publishing their correspondence with the Government of India. The Council is entitled to know the amount spent year after year on the Agency tracts. I am anxious to show that with regard to many of these development schemes this House should be kept informed of the various stages. One commitment will lead to another commitment. With regard to the Provincial services we have seen that enhanced pay of one service has led to increased expenditure on other services as well, travelling allowances to one set of officers must naturally lead to their application to other officers. I think therefore this matter is one of extreme importance. I think that if any new scheme of expenditure is to be sanctioned by this Council its ultimate cost and its commitments should be before the Council. I am desirous of impressing this fact on the Government that the conditions under which the Government was carried on hitherto have changed. This House would like to have as much information as possible. In order to avoid all future complications I would suggest to the Government that with regard to all new schemes the ultimate cost of the scheme should be placed before the Council."

The Hon'ble Sir LIONEL DAVIDSON:—"Sir, this motion is in terms a proposal to withhold sanction for a sum of one lakh of rupees for the purchase of tents. I propose to devote myself first to that simple issue. The last speaker has asked whether this lakh represents the *whole* cost of the tents to be purchased for the

Agency Commissioner and his assistants or is merely an allotment on that account for the coming year. The answer is, it represents initial outlay not yet incurred and this sum is required because all the gazetted officers in the Agency must be supplied with tents. These tents are not malaria proof tents as another speaker has suggested; I know of no tent which is malaria proof, and should like to know if the honourable member has seen any such tents. The fact is that owing to the difficulty of transport in the Agency hill tracts it is necessary to supply these officers with specially light tents. The tents used in other parts are much more roomy and airy but they are also very heavy. That is the reason why those types of tent cannot be used in the Agency. The necessity of supplying tents to our Agency officers is based on reasonable consideration for their health and on the fact that if they do not take care of their health, their efficiency will be reduced and the administration will suffer. The original proposal came from Mr. Harris, the Agency Commissioner from whose note I may read the following extracts:—

> 'There are many camps where there are no bungalows and many of the existing bungalows are ill-situated. To be able to camp well away from an Agency village may make all the difference to the health of the officer and his establishment. If the tent equipment is suitable, it will be used much more freely than if it is not, and the use of tents is to be encouraged. . .
>
> 'Owing to the need for economising transport and on account of the difficulty of finding level space whereon to pitch a big tent, the tent equipment required in the Agency is different from that needed in the plains.'

"Mr. Harris then proceeds to state exactly what tents are suitable for the Commissioner, the Deputy or Assistant Commissioners, their clerks, peons and servants. It was not only for one class of officers that he wanted tents but for all officers employed in the Agency tracts including officers of the police, forest and other departments. As his estimate of one lakh in all was duly examined and sanctioned by the Financial Department, I think, Sir, we may take it that that sum is really required and the Council should realize, that if only half of it should be voted half of our officers will be exposed to the rigours of malaria. We ought not to let them suffer. The tents which many of these officers now possess would not be of use to them as they are heavy varieties wholly unsuitable for the Agency tracts. The extent of travelling in the Agency has hitherto not been so great as could be desired and one reason for this has been want of proper tents. My Honourable Colleague (*turning to the Hon'ble Mr. Todhunter*) reminds me of one more point. When an officer supplies his own tents, he draws a monthly tentage allowance Rs. 50 if a Collector and Rs. 35 if a Sub-Collector. Officers who are given tents by Government will not draw this allowance.

"We have been asked to postpone this measure in the expectation that the Agency division or at least the greater part of the Agency tracts is going over to the new Oriya Province. Except perhaps in the brains of some enthusiasts in the Oriya country, that prospect is far off. Again, of the six subdivisions making up the Agency only one is Oriya. There are five Agencies which are not Oriya, namely, the Khond, Savara, Ghato, Koya and Rampa Agencies, and I may add that by far the greater portion of the Oriya Agency consists of the estate of the Raja of Jeypore. I do not know if Mr. Sasibushana Rath Mahasayo is aware whether the Raja of Jeypore would be willing to transfer his estate to the new Oriya Province. I think this hardly likely.

24th March 1921] [The Hon'ble Sir Lionel Davidson]

"Mr. Ramachandra Rao, whose absence I am sorry to note, has asked me to give him exact information as to the ultimate cost of all the new developments in the Agency tracts. Even an archangel from Heaven could not predict what the cost would be. I defy any one to do so. One of the chief reasons for the alteration in the organization in the Agency tracts is that we wish to have whole-time officers who can work out development schemes. It is quite impossible now to lay complete information on the table, or to say what the development will cost. Year after year new proposals for improving this fertile and productive country will be brought before the Council for sanction, and year after year the budget will provide allotments covering the expenditure anticipated. The position would in no way be elucidated by placing on the table correspondence with the Government of India, as Mr. Ramachandra Rao suggests, for that correspondence concerns especially the details of administration and the methods by which the control of the Agency division shall be brought into accordance with the Government of India Act.

"I hope that I have left no point unanswered. We have no desire to make any secret about this administrative measure of constituting the Agency tracts as a separate entity under a special staff. The broad outlines are shown in papers already laid on the table, namely, G.O. No. 2680, dated 6th November 1920. We are only too glad that we have at last been able to give effect to this rearrangement. New schemes of expenditure in the Agency tracts, comprising such items as road and bridges will necessarily be built upon schemes already in progress; and I cannot possibly say what the ultimate cost will be."

Mr. C. V. S. Narasimha Raju:—"The question of expenditure connected with the Agency tract requires special treatment at the hands of this House. This is a most undeveloped part of the country and I am sorry that this Government did not take up its development earlier or place the tract in a better condition than what it is in. Our sympathies must go to this undeveloped portion of this Presidency. It has many potentialities and therefore we must further the advancement of this part of our province.

"A question was put by Diwan Bahadur M. Ramachandra Rao as to what the ultimate cost of the agency development will be. The answer is, it cannot be predicted because no scheme has yet been put forward."

1-15 p.m.

The Hon'ble Sir Lionel Davidson:—"May I rise, Sir, to correct the honourable member on a point of fact? It is not the case that no schemes are in existence. There are a variety of schemes, many of them are in process of actual execution."

Mr. C. V. S. Narasimha Raju (*continuing*):—"What I meant was that the whole area has not been investigated. We have not got fully matured schemes and many schemes are yet to be investigated. Full opportunities must be given for investigation. This Council shall not at all grudge any extra amount for this particular tract of the country. (Hear, hear.) Sir, I have got one suggestion in this connexion. We have got two kinds of expenditure, one of a recurring nature and the other of capital nature. Regarding the recurring expenditure, it may be met from the ordinary revenues of the province. But regarding the capital expenditure, I think it is in the interests of the general tax-payer and the present generation that hereafter all that must be met from borrowed capital. It is only a suggestion for the consideration of the Government.

"By a side track, the question of separating the Agency tracts and adding them on to the Oriya province was referred to. This is a question which has to be examined carefully. We have got six divisions as was already mentioned by the

Hon'ble Sir Lionel Davidson, five of which are non-Oriya divisions. The languages spoken by the inhabitants, as I was told, are not dialects of the Oriya language, but they are dialects of the Dravidian languages and the Oriya division is one in the centre of the five divisions and it will not be to the advantage of the particular division to tack it on to the Oriya province. There is one more point to be considered in tacking on the Agency tracts to the Oriya province. These six divisions are in close touch with and are in juxtaposition of a well-developed portion of the Presidency along the coast line and lines of communication are already opened, and some are under consideration. Is it to the advantage of this country that this should be tacked on to this Presidency and it is not to the advantage of the people that it should be tacked on to the Oriya province? Because if we examine the other boundaries of the Agency tracts, we will see that the other portion of the Oriya province which is in juxtaposition to these tracts is yet undeveloped and lines of communication are yet to be put in working order. It may be said that the progress of work in the Agency tracts is very slow on account of want of labour and other conditions such as malaria, etc. Therefore, it is not at all advantageous to this country in my humble opinion if it is tacked on to this province, but in this connexion I only want to know why this must not be constituted into a separate backward area as contemplated under the Government of India Act."

Sriman BISVANATH DAS :—" Sir, I am very sorry to hear certain unfortunate remarks of the Hon'ble Sir Lionel Davidson, regarding the Oriya province. He speaks of the Oriya province in the brains of a certain enthusiast. I would refer him to the Coronation despatches of 1911 wherein Lord Crewe and Lord Hardinge speak and recognize the loss of identity that has been felt by the people of Orissa from Ganjām to Sambalpur."

The Hon'ble the PRESIDENT :—" The honourable member has to speak about the supply of tents. So he has to explain how this has a bearing on the supply of tents."

Sriman BISVANATH DAS :—" Because, Sir, the grant of money will depend much upon the question of the Agency going to Orissa or remaining in Madras. If it were to go to the Oriya province, this Council will have nothing to do with regard to the supply of tents or to voting for money for the supply of tents and that is why I speak of the Oriya province and that is I believe the reason why the Hon'ble Sir Lionel Davidson referred to it and it was also referred to by many speakers and I think therefore I am within my rights to speak.

" My friend Mr. Narasimha Raju referred to the tacking of the Agency of Jeypore to the Madras Presidency, on the ground of convenience. Sir, if the Government and the people of Madras would tack the various parts of the Oriya-speaking country for the purpose of convenience of the Presidency, I think they will be acting against the broad principles of linguistic division of the provinces that has been enunciated both by the Indian people and the Government and embodied in the Government of India Act of 1919. Then coming to the Jeypore Agency tracts, I should say that nothing has yet been settled, no programme of work has been set forth, and we are not in a position to know what would be the programme of work of the Government regarding the development or exploitation of this Agency and before we know anything regarding these tracts we are not in a position to vote for any grant on that. And so long as it is in a doubtful position, i.e., whether it would come to the Oriya province or to the Madras Presidency, I should like that the Agency tracts of the Madras Presidency should be taken up

and worked up by the Government of India more preferably and more advantageously than by the Government of Madras, because the Agency tracts might require more money and probably the Government of India will be in a better position to spend more money and utilize the resources of the Agency to the best possible advantage of the people of India. On these reasons, I would ask the House just to vote for the motion unless sufficient grounds are shown. The unfortunate and should I say, unnecessary, speech of the Hon'ble Sir Lionel Davidson speaks of the eternal apathy of the Government of Madras towards Oriya aspirations. I therefore deem it my duty to record my protest against his and certain other speeches made in this House regarding the Oriya province or tacking on of the Agency tracts to the Madras Presidency."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I also rise to support the motion for reduction of the grant from Rs. 1,00,000 to Rs. 50,000. As was rightly remarked in the beginning, that is the only issue with which we are concerned. No doubt other questions have been raised incidentally, e.g., the schemes of development regarding the Agency division, the formation of a Oriya province and the line of demarcation between these two. The House is no doubt benefited by the information placed at its disposal, but I think it requires fuller information before it can come to a conclusion with regard to these important questions. I think we are all in agreement with the Hon'ble Mr. Narasimha Raju who said that it is our duty to do all that we can to develop these undeveloped tracts of the country and make that part much better than it is at present. While we all accept that principle, it is not possible for the House, without any more definite information as to the lines on which it has to be developed, to vote for such a large sum of money as Rs. 1,00,000. I think the suggestion made by Mr. Devadas to spread this amount over two years, instead of spending Rs. 10,000 next year, is a very reasonable suggestion. I think the House may make a provision for Rs. 50,000 for the present for the supply of tents to officers and there will be time enough to increase it later."

The Hon'ble Sir LIONEL DAVIDSON:—"May I rise to ask the honourable member if he heard me say that all these Agency officers are in need of tents and that the estimate of 1 lakh is intended to provide tents for officers who are in immediate necessity? I explained with great care the pressing needs of all our officers."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I correctly understood the Hon'ble Sir Lionel Davidson. I know it is for gazetted officers."

The Hon'ble Sir LIONEL DAVIDSON:—"Also for clerks and peons."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"What I am stating is that with the information which has been placed at our disposal, we ought not to embark upon any large schemes of expenditure on tents without any definite idea as to the expenditure of the schemes of development of these backward tracts. I wish to impress upon this House that we must be cautious and must hesitate before we sanction the whole amount asked for by the Government. We are quite prepared to give credit to all the estimates that have been placed before this House, but we in this House are also at liberty to say that all the estimates have been placed before us for sanction all at once without full information as to the various details. One of the honourble members from Ganjam said that there are some difficulties as to the way in which this problem has to be solved. If it is not going to benefit a large section of people, is it necessary to spend large sums of money for the purpose? In view of these circumstances I would suggest, that we had better

accept the motion for the reduction of Rs. 50,000 and vote for Rs. 50,000 only for the next year, leaving the other half to be voted in the year to come."

Rao Bahadur T. NAMBERUMAL CHETTI :—"A lakh of rupees is provided for nine officers. Taking on an average of Rs. 1,000 or even Rs. 1,500 for a tent, the total will not come to so large a figure as Rs. 1,00,000 as provided in the budget. A word of explanation is necessary."

The Hon'ble Mr. C. G. TODHUNTER :—"There seems to be a good deal of misconception about this piece of business. First of all as regards the Oriya province. That may or may not come, but so long as these Agency tracts are under the administration of the Madras Presidency.....".

Sriman BISVANATH DAS :—"I rise to a point of order. The Oriya province should come if the Reforms Act and the despatches connected with it are to be followed. Linguistic division of provinces has been accepted as a matter of principle by the Government and the people and embodied in the Government of India Act of 1919."

1-30 p.m

The Hon'ble Mr. C. G. TODHUNTER :—"As I said, the Oriya province may or may not come. Meanwhile the Agency tracts have to be administered, and the charge of them having been committed to this Government, they are bound to administer these tracts. The Madras Government are following the principles of linguistic division urged by the Honourable Member. They have divided up these Agency tracts into language areas and as a result the provision for residences and so forth is much worse than it was before. I do not know if members of this Council are aware that in this province alone, among the provinces of India, officers of the majority of the services have to buy their own tents. The ordinary Collector, Assistant Collector or Sub-Collector buys his own tents out of his own pocket and the Government pay him a certain amount to maintain them. The tents which they have been maintaining are the ordinary large tents used in the plains and cannot be carried about in the Agency tracts. Most of them are of no use at all on tours in the Agency and as the officers cannot carry these heavy tents they have to leave them to rot until they go back to the plains. The Government want these officers to keep themselves in touch with the people of all parts of the Agency and do not want to put them to the loss involved in buying a second set of tents to be used in the Agency tracts. Therefore the Government have to supply tents to all these officers, who meanwhile will not get tentage allowances to maintain the tents. Therefore as a return for the capital expenditure we have a saving of the recurring expenditure in the shape of tentage allowances. As the Hon'ble Sir Lionel Davidson has explained, these tents are not for nine officers only, but for the officers of all the departments in the Agency and their subordinates as well who will have to camp in places away from the villages where mosquitoes abound which may result in their getting Agency fever. That is the reason why we want these tents.

"Now, as I have said, the Oriya province may or may not come. The life of a tent, according to our calculation, is about seven years. Is it going to cause ruinous expenditure, even if the Oriya province comes within five years, to have these tents on hand? It has been proposed that we should buy these tents out of loan money."

Mr. C. V. S. NARASIMHA RAJU :—"Is not the purchase of tents capital expenditure?"

The Hon'ble Mr. C. G. TODHUNTER :—"This is not capital expenditure. I hope my Honourable friend will agree with me that capital expenditure is

expenditure part of which we can impose on posterity and of which posterity gets the benefit and such expenditure should come out of loan money. That is what capital expenditure is. In seven years these tents will be worn out. We want them now to serve for the next seven years. We want our officers to get into touch with the people. The whole purpose of the new Commission is to get into touch with the people. They can be of no use if they stay at one place all the time, which they will have to do if they are denied these facilities. If you are going to cut down this provision, the whole scheme of improving the Agency tracts will suffer.

"I now turn to the complaint that we have not published details of what this scheme includes. My reply to this is that to effectuate the main purpose for which the whole of the Agency division has been brought about, the first thing to be done is to enable the officers to obtain a more thorough knowledge of the place and people and then propose schemes of improvement. When these schemes are ready, they must come before this House for a vote and members will have ample opportunity to criticize.

"Then again we are asked why we haven't made the Agency an excluded tract under the Act. That seems to me an extraordinary suggestion to make. If we had made the Agency an excluded tract, it would have been taken out of the control of this Council. As this was not done, the control of the Agency division remains subject to the vote of this House and no commitments can be made without this House voting for them. I do hope that, under these circumstances, honourable members will not be led away into side tracks. The real issue is whether they want these Agency officers to tour or not to tour."

Diwan Bahadur M. KRISHNAN NAYAR:—"I propose that the question be now put."

The Hon'ble the PRESIDENT:—"Before I accept the motion for closure, I have to ask the Hon'ble Members Messrs. T. M. Narasimhacharlu, M. D. Devadas and Sasibushana Rath Mahasayo if closure may be applied and whether they press their motions."

The three members above referred to pressed their motions.

The motion for closure was put and carried.

Sriman SASIBUSHANA RATH MAHASAYO:—"May I say a word?"

The Hon'ble the PRESIDENT:—"Unless it is a personal explanation, I cannot allow it."

Sriman SASIBUSHANA RATH MAHASAYO:—"But I am the mover of the resolution, Sir."

The Hon'ble the PRESIDENT:—"But the Honourable Member should have come in a little earlier. I am very sorry I cannot allow it."

Motions Nos. 6, 9 and 10 were put to the vote and declared lost, 20 having voted *for* and 34 *against*.

The following motion which stood in the name of Rao Bahadur A. P. Patro was not moved:—

11. *That under detailed account No.* 24 (*g*) *Administration of Justice—Agency the amount under 'Petty construction and repairs,' viz., Rs.* 1,65,193, *be reduced to Rs.* 1,00,000 (*Budget page* 88).

Rao Sahib U. RAMA RAO then moved:—

'12. *That under* 24 (*g*) *the provision of Rs.* 1,65,193 *for petty construction and repairs be reduced by Rs.* 1,00,000 (*Budget page* 88).'

In doing so, he said :—" Sir, I want only information as to the provision of Rs. 1,65,193 as to the details of petty construction and repairs."

The Hon'ble Sir LIONEL DAVIDSON :—" I am sorry I cannot lay my hands on the file at the moment, but I will ask the Honourable Member to take my word for it that this item is made up of details of which particulars have been supplied to us by the Agency Commissioner under the main heads of Communications and Buildings (Maintenance and repairs) and miscellaneous public improvements spread all over the different divisions of the Agency and amounting in the aggregate to a sum of over half a lakh of rupees less than what we actually expect to expend during the present year."

Rao Sahib U. RAMA RAO :—" Is not this amount provided for in the Civil Budget estimate ? "

The Hon'ble Sir LIONEL DAVIDSON :—" It represents items of public works carried out by the civil officers and consists for the most part of outlay on the ordinary maintenance of buildings, roads and so forth. It is quite distinct from the larger schemes to be dealt with by the Public Works officers."

Rao Sahib U. RAMA RAO :—" I do not press my motion."

The motion was by leave withdrawn.

Rao Sahib U. RAMA RAO then moved—

'13. *That under* 24 (*g*) *the provision of Rs.* 11,22,824 *be reduced by a sum of* Rs. 50,000 (*Budget page* 87).'

In doing so, he said :—" Sir, in this 24 (*g*) there are a number of items for which an explanation is given. Page 88 of the budget shows for instance under 'Other contingencies' Rs. 24,000 is provided. Then again under the same heading Rs. 24,030 has been provided."

The Hon'ble Sir LIONEL DAVIDSON :—" May I ask the Honourable Member, when indicating the several items, to allow me sufficient time to note them ? "

Rao Sahib U. RAMA RAO :—" Under other contract contingencies ... ... Rs. 16,830
Other contingencies 24,030
Temporary establishments 4,464
Other contract contingencies 8,210
Other contingencies 2,500

" There are a number of contingencies and we do not know what we are voting for."

The Hon'ble Sir LIONEL DAVIDSON :—" Sir, I should have been grateful if the Honourable Member had given me some indication beforehand as to the particular items to which he was going to direct our attention. But in regard to these proposals for reductions from the aggregate of grants, may I repeat that this is exactly the class of motions which I deprecated the other day ? We have no indication in advance showing what the items are with which we may be asked to deal. With all due deference to Mr. S. Srinivasa Ayyangar, I for one lay no claim to such a Herculean memory as to carry in my brain all the details of the budget. He told us the other day that it was the duty of the Members of the Government and the Ministers to be perfectly prepared to answer any question which might be sprung upon them at any moment. May I ask him in turn if it has not sometimes occurred to him to go into court not fully prepared with the

details of his brief and may I remind him that cases in which references sent to him for opinion as Advocate-General were not always returned within a reasonable period of time?"

Mr. S. Srinivasa Ayyangar:—"May I rise to a point of order? Is this in order? Is this a personal reflection against me?"

The Hon'ble the President:—"I think I must ask the Hon'ble the Home Member to confine himself to the provision under 24 (*g*)."

The Hon'ble Sir Lionel Davidson:—"I bow to your ruling, Sir. As regards these contingencies, the chief point is that they are made up of petty items the exact nature of which cannot be known beforehand. General allotments under contingencies are therefore made and if the Honourable Member will look into the previous expenditure under these different heads, he will find that the budget provision is not materially in excess of the amounts spent in 1919-20 or provided in the revised estimate. If he would like to know what is the difference between contract contingencies and other contingencies, 'my Hon'ble friend Mr. Todhunter, who is more familiar with their classification, will, I have no doubt, be able to tell him. Coming to the first item mentioned, namely, 'Other contract contingencies—Rs. 16,830,' on page 88 of the budget estimate, I notice that the amount of the revised estimate, i.e., what has actually been spent under this head this year and is expected to be spent before the end of March is Rs. 16,000. There is thus no substantial difference; moreover, the budget entry is practically a repetition of the provision made at the beginning of this year (Rs. 16,730), the bulk of which will be expended.

"Turning now to the second item, 'Other contingencies, Rs. 24,030,' I would ask the Honourable Member to compare it with the budget figure for the current year, Rs. 23,582. It is higher only by a little over Rs. 400. In other words, the budget provision for 1921-22 is practically a repetition of the allotment for the current year, the bulk of which will be expended.

1-45 p.m.

"Item 3 is 'Temporary establishment in the Agency division—Rs. 4,464.' What this consists of, I do not know; but apparently it corresponds to an account item of Rs. 3,567 in the year 1919-20. I imagine that the scale of pay of the temporary establishment in the intervening two years has somewhat advanced as in all other departments and that this item is again a repetition of the existing expenditure.

"Item 4, 'Other contract contingencies—Rs. 8,210' corresponds approximately with the actuals of 1919-20, viz., Rs. 8,551. We are now asking for Rs. 341 less.

"I think that brings me, Sir, to the last of the Honourable Member's items, namely, item 5 'other contingencies, Rs. 2,500.' I would request the Honourable Member to compare this with the budget estimate for 1920-21, which is Rs. 2,100. I am sorry that I cannot furnish further details. I must confine myself to informing the House that there will be no extravagance on the part of the Government and that the grants represent substantially the grants asked for for the current year and spent in the year before."

The Hon'ble Mr. C. G. Todhunter:—"As requested by my Honourable Colleague, may I supplement what he has stated by explaining what is meant by 'contract contingencies'? The system of contract contingencies, which was adopted by the Government of India years ago, is one whereby we contract with an officer for a round sum for a period of five years for the various small petty

charges in his office. Instances of these charges are postage and telegram charges, hot and cold weather charges, pay of menials, purchase of furniture, office expenses, lighting charges and telephone charges--there is a long list of others. It is the essence of the system that he contracts to carry on all these petty services for a fixed sum and is allowed to divide the money as he pleases between the different services and also to carry forward the saving of one year to the next, so that if, for instance, he wishes to buy a comparatively expensive piece of furniture which he cannot afford in the first year, he can save up under other heads and purchase it in the second or third. It follows from this description of the system that we cannot give details of what is spent under each of the minor heads.

"In the particular case, there is a fresh point to notice, namely, this; that owing to the increase in postage charges we have had to increase the provision for postage in the estimate for contingencies. It is for that reason that we have treated the charges for postage and telegrams separately from those for other contingencies. I hope that these remarks will set the minds of Honourable Members at rest on the subject of these contract contingencies. It is an economical system as I think will be seen by the fact that in the case of the High Court there is a sum of nearly Rs. 25,000 carried forward in the shape of savings in the estimates. This sum, unless exceptional reasons arise for its expenditure in the course of the five years, will lapse to Government at the end of that term. As for the item of temporary expenses, I must confirm what my Honourable Colleague has stated about the difficulty of carrying in one's head the details of every single officer who is temporarily employed. As an instance of the difficulty I may mention that after leaving the Council last night, when I went back to the papers in my table, I found among them a printed list of sanctions given for renewals of temporary employment, such as a clerk to sort records here and an additional jail warder there and so forth which covered two pages of print. It is not possible to bear in one's mind every one of a long list of items of this sort."

The motion was by leave withdrawn.

Mr. S. SRINIVASA AYYANGAR:—"I move the following motion:—

'14. *That the item of Rs.* 11,22,824 *under* 24 (*g*) *Administration of Justice—Criminal Courts be reduced by a sum of Rs.* 1,00,000 (*Budget page* 37).'

"Mr. President, I move this formally for two reasons. At page 88 the whole of the charges of the general administration of the Agency tracts is shown under the head of Criminal Administration of Justice—Criminal Courts. I find that in the ordinary tracts what is done is only 30 per cent of the charges is shown under the head of administration and the rest of it is shown in the revenue head. What is the reason for the revenue administration of these tracts being shown in the criminal administration? That is the first thing which I want to know.

"The other question is this. I find that recently the Agency tracts of Ganjām, Vizagapatam and Gōdāvari have been clubbed together so as to form a separate district. Now there is the Governor-General's Act XXIV of 1839 under which the civil and criminal justice as well as the superintendence of police and the superintendence of the revenues of the Agency tracts of Ganjām and Vizagapatam are vested in the respective Collectors of those districts. No doubt that particular section of the statute gave power to the Governor to alter the limits of the Agency tracts within those districts. With regard to Gōdāvari it came within the Scheduled Districts Act which enabled the Government to appoint officers for the purpose of administration of justice and collection of revenue. That was the state of things. Act XXIV of 1839 is not repealed and is still in force. Under that the Collectors of Ganjam and Vizagapatam are the Agents to the Governor to administer civil

and criminal and revenue administration. In a notification referred to in answer to a question by Mr. Ramachandra Rao, I find it stated that under the Madras District Limits Act, under section 6 of the Scheduled Districts Act and under Act XXIV of 1839, a new district consisting of the Agency tracts in the three districts of Ganjām, Vizagapatam and Gōdāvari has been created. I very much doubt whether that can be done under the Madras District Limits Act which only enables the Governor to alter the limits of the existing districts. It does not enable the Governor to alter the districts or alter the number of districts. It does not enable him to create new districts. It only enables him to vary the limits of the districts. I do not know how this was done. I want to know whether the Government was properly advised. I want to know whether the serious difficulties have been borne in mind and, if not, I should suggest to the Government to regularize and to make it perfectly clear as to where we are in regard to these Agency tracts. That is my suggestion. I move this motion also for the purpose of ascertaining as to why the whole of the charges of the administration not only criminal administration but also revenue administration is put under this account 24 (*g*) instead of partly in the revenue head and only 30 per cent under this head."

The Hon'ble Sir LIONEL DAVIDSON :—"I must again express my surprise at this motion because no indication whatever of its basis has been given to me in advance. If my Hon'ble friend Mr. S. Srinivasa Ayyangar had told me what he wished, I would have made it a point to try and give him the information. But he has not given me any warning at all."

The Hon'ble the PRESIDENT :—"In a case like that it would be well, I think, for the Government Member to say that he will promise to give the information which the Honourable Member wants."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I should suggest, Sir, that it must be a matter for reasonable arrangement on both sides. It should not be a one-sided arrangement at all."

Mr. S. SRINIVASA AYYANGAR :—"All Honourable Members will be willing for that. We certainly do not wish to surprise any Member of the Government with reference to any motions. I submit there is a mutuality on both sides."

The Hon'ble Sir LIONEL DAVIDSON :—"Sir, there are only one or two things I can say now. I became aware of the point raised by Mr. S. Srinivasa Ayyangar only when he rose to expound it. In regard to the question of the classification of these agency charges under the head 'Administration of Justice,' I may remind the Honourable Member—possibly he was not present—that during the general discussion of the budget I mentioned this very point myself and stated that I imagined it would be altered in the coming year, observing however that it was in accordance with the precedent. It is obvious that the duties discharged do not solely relate to criminal work but also to revenue business. I believe the present classification continues because the Local Government have no power without reference to higher authorities to alter the budget heads which are prescribed by the Government of India or the Secretary of State.

"As regards the legal points raised by my honourable friend, which I cannot exactly carry in my head, I may inform him at once that the Law officers of Government including, I believe, the Honourable Member himself at an earlier stage and later on his successors were freely consulted in regard to the legal aspect of the notifications issued. The Government have throughout acted in accordance with their advice."

Mr. S. SRINIVASA AYYANGAR :—"I was never consulted in this matter at all.

"In order to make this particular point clear, I only want the Government to give information at their convenience and I do not oblige them to give the information without reference to papers. I only want a promise for the moment that the information would be given later on."

The Hon'ble Sir LIONEL DAVIDSON :—"I am quite ready to give that undertaking."

The motion was then withdrawn by leave of the Council.

Demand XI for a sum not exceeding 35·90 lakhs for Criminal Justice was then put to the Council and granted *nem con.*

The Council then adjourned for lunch at 2 p.m.

DEMAND XII—JAILS AND CONVICT SETTLEMENTS

The Council re-assembled after lunch at 2-30 p.m.

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—"Mr. President, I move for the vote of the House for a grant not exceeding 29·02 lakhs under the head of Jails. The figure is made up at page 9 of the notice paper and in the margin you will find printed the reference to the pages of the details in the budget."

Mr. A. RANGANATHA MUDALIYAR :—"Mr. President, I have two objects in moving the resolution standing against my name which runs as follows :—

1. *That the grant of Rs.* 20,95,000 *under* 25-*A. Jails be reduced by Rs.* 12,000 (*Budget page* 89).

"Firstly, I want to raise a discussion on and to understand the principles which underlie the grant of allowances to surgeons and officers of that grade and, secondly, to draw the attention of the House to the costly nature of the administration.

"I should like to know the terms on which these surgeons are recruited. I believe they are all whole-time servants. Is it not their duty to do any work that is given to them by the Government, or are they right to do only hospital work, with a right to charge extra for any other work they may be asked to do? Again, Sir, I do not understand the nature of these allowances. Are they similar to the allowances granted in other departments? For example, there is the Survey and Settlement department where some allowances are granted; but I think those allowances are granted more as a matter of grace rather than as a right which might be claimed by the officials concerned. There are the district jails where surgeons are expected to do work similar to that which is performed in central jails, but I do not think there is any allowance granted to the officers connected with the district jails. If so, what is the reason for special treatment in the case of central jails? I believe that the surgeons concerned are all very highly paid and belong to a service which it is needless for me to describe. I do not see any particular reason why allowances should be given only to officers connected with central jails rather than to those connected with district jails.

"There is another aspect, viz., the costly character of the administration. I should like to see all these officers—from Superintendents right up to the Inspector-General Indianised. I make that suggestion, not because I prefer one particular class to another, but because it appears to me to be the only way by which we can reduce the enormous expenditure which we are incurring year after year under this head."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—"Mr. President, I do not propose to go into the general problem of Indianisation of all these services, so as to reduce the expenditure. I confine myself to this particular department.

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"I may say at once, Sir, that the allowances which are given to this department stand really on a very much higher footing than the duty allowances which have been so cheerfully passed by this Council (a voice: 'not cheerfully'). Cheerfully or woefully they have been passed. In a case, Sir, where an Indian Medical Service officer is the Superintendent of a jail, he does not get any allowance at all. In cases where the Superintendents are not medical officers—I am not saying Indian Medical Service officers but medical officers, provision has to be made for attendance of senior surgeons or senior officers on the jail population. For that they get what is called a medical allowance. Those are the two kinds of allowances, as will be noticed, which are given in these cases. With regard to Presidency jails, the Superintendent is an Indian Medical Service officer and there is no special allowance given to him either as a general charge allowance, or allowance for a medical charge. With regard to central jails, it will be noticed that some of the Superintendents are not either Indian Medical Service or medical officers. In those cases allowance is given to surgeons of the Indian Medical Service grade for the medical charge. Those are the two items, Sir, which I find here either in the shape of a general charge, or in the shape of medical charge, and I would appeal to the House to consider whether these officers do not deserve the allowance.

"There was something said, Sir, about the general costliness of the jails or its administration. I am afraid that when the Jails Committee's report is considered, we will have to incur much larger expenditure in the interest of the jail population and for their reformation. As a matter of fact, I had a note made with regard to the budget estimate for the next year as compared with the revised estimate for the past year, and the budget estimate for the next year is less by Rs. 47,000 as compared with the revised estimate in the current year."

Diwan Bahadur P. KESAVA PILLAI:—"I want to know, Sir, from the Honourable Member if in this budget any allowance has been made for reforming the jails in the light of the Jails Committee's report. I want that for information."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"The Jails Committee's report has been published only quite recently and, as Honourable Members know, it covers something like 480 pages, if I remember right. It would require some time for us to consider the manner in which we have to give effect to the proposals of the Jails Committee. I am not in a position to state what we shall be able to do in the direction of reformation about which we are quite as anxious as my friend Mr. Kesava Pillai."

Diwan Bahadur P. KESAVA PILLAI:—"I think the Honourable Member. . . ."

The Hon'ble the PRESIDENT:—"I beg the Honourable Member's pardon. The Honourable Member is not entitled to speak twice."

Diwan Bahadur P. KESAVA PILLAI (*interrupting*):—"I did not speak, Sir, I asked for information."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I should like to know whether at this stage any Honourable Member is entitled to speak more than once."

The Hon'ble the PRESIDENT:—"That is just the point that I raised."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I wish to submit, Sir, that at the committee stage, Honourable Members should be permitted to speak more than once. It would conduce to the convenience of the debate, more especially

when only five minutes are allotted, that they should be permitted to speak more than once. I know that the privilege will not be very largely availed of, but I think it will on the whole conduce to the convenience of the debate."

The Hon'ble the PRESIDENT :—"I quite agree there, provided when any Honourable Member wishes to speak again, he must not make another speech."

Diwan Bahadur P. KESAVA PILLAI :—"I was not going to make a speech, Sir."

The Hon'ble the PRESIDENT :—"If they only wish to ask for information, I wish Honourable Members to apply for leave to do so. I assume Mr. Kesava Pillai wants my permission."

Diwan Bahadur P. KESAVA PILLAI :—"Yes, Sir, I pray for permission.

"Now I am grateful for the information given by the Honourable Member. Only he was not able to give us a copy of the Jails Committee's report to consider what other alterations might be made in this budget to bring about some reformation. Whatever that may be, it is safe in the hands of the Honourable Member, and I am sure all of us would co-operate with him and also vote a very large amount for improving the condition of the jails. That will be a saving and not a waste of money as it will bring about reduction in the police and in other directions, and I am sure economically and morally, the people will be benefited by the reformation and reclamation of the inmates of our jails.

"Sir, now I want to draw your attention to the very poor pay that is given to the jail warders. So far as I am able to ascertain from the warders, some of them are made to work for 30½ hours at a stretch and some of them are paid only Rs. 18 a month. They are expected to be in the jail precincts at 5-30 a.m. A man going there at 5-30 a.m. has to remain the whole day in the jail, spend the night there and remain there till 12 o'clock the next day. I think the condition of these warders deserves very sympathetic consideration of Government. They are very poorly paid. I hope that in course of time the convict warders' system will be abolished and a number of free warders will be recruited. Whatever might be done in the future, I request the Honourable Member in charge of this department to pay a sympathetic attention to the very low pay that is given to these warders. Wherever I go, these jail warders and other similarly low paid servants of the department come to me and request me to represent their grievances to this august assembly, to the Government and to the Honourable Member in charge of the department. And I earnestly plead for the hard-worked warders."

2-45 p.m.

Rao Sahib U. RAMA RAO :—"May I know, Sir, from the Honourable Member in charge the terms of the service of these Indian Medical Service officers?"

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—"I think it is almost hopeless to answer questions of that sort. Indian Medical Service officers go into the army cadre. What their contract is, I do not know. Unless I examine the question, and perhaps consult law books I shall not be in a position to answer such questions."

Mr. A. RANGANATHA MUDALIYAR :—"May I have an assurance from the Hon'ble the Law Member that he will look into the matter?"

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—"There is no difficulty in looking into the matter. I do propose to look into the whole matter when the Jails Committee's report is examined."

The motion was by leave withdrawn.

24th March 1921] [Mr. R. Srinivasa Ayyangar]

The following motion standing in the name of Mr. C. V. Venkataramana Ayyangar was deemed to have been withdrawn as the member was absent:—

2. *That the provision of Rs.* 13,428 *under* 25 (*a*) *be reduced by Rupees* 1,560 *as shown below*:—

Omission of cost of two probationary deputy jailors at Rs. 65 *each* (*Budget page* 90) 1,560

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, Sir, I beg to move—

'3. *That in Public Works Budget, item* 87—*Acquisition of bungalow and land adjoining the District Jail, Madura—Rs.* 55,000 *be omitted.*'

"I wish to know from the Hon'ble the Law Member if the bungalow is proposed to be acquired with a view to house the District Jail Superintendent or the site is intended for the purpose of meeting the demand of the jail population. For my part, I am led to think that the acquisition is with a view to house the Superintendent. In view of the fact that he has got on very well without a bungalow all these years, there is no special urgency about its acquisition at this moment. I wish also to be enlightened by the Hon'ble the Law Member as to whether this item is of such a pressing character that it cannot be allowed to stand over for some years and to give place to more pressing and more necessitous demands and claims on the part of non-gazetted officers who form, if I may say so, the base of the pyramid of the administration. It seems to me that the claims of the non-gazetted officers are entitled to precedence."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Mr. President, Sir, the provision of Rupees 55,000 is not merely for the bungalow that is proposed to be acquired but also for about 4 acres and odd of land which is combined with it. This place adjoins the walls of the prison house. Till about the year 1918 there was not a full-time Superintendent, because the jail was supervised, I believe, by an Indian Medical Service officer. Owing to the large increase in the jail population we were obliged to have a full-time Superintendent and he must have a house to live in. From about the year 1919, this matter was pressed on the attention of the Government, not merely for the purpose of housing the Superintendent but because it was found that smuggling was going on between the occupants of the bungalow or the inferior servants there and the jail population. This extent of land is required also for out-door work for the prison population in the way of gardening and agriculture. Persons who belong to Madura know that the price of land there is going up by leaps and bounds. We were prepared to pay about Rs. 40,000 some time ago. Afterwards the demand was put up to about Rs. 70,000 and last year we were about to get it for about Rs. 50,000. But the Government were unable to find funds. At the same time they instructed the Collector to enter into a contract with the owner who agreed to receive the money on the 1st April 1921, when under the new budget we expected to provide funds. He has already entered into a bargain for Rs. 55,000 with the owner not merely for the bungalow but also for the land. We are informed that this price, judged by the standard of prices prevailing in that locality, is fair. If we had gone about for acquisition under the Land Acquisition Act, I have no doubt we would have been obliged to spend a much larger sum. Besides, Sir, there are a number of coconut trees in the land. They are likely to yield at present some income, which may not be 12 per cent interest on the amount of Rs. 55,000. But they may yield a moderate income. It is absolutely necessary to have this bungalow and the site because they adjoin the present jail and if we do not purchase them immediately, we will have to pay a much larger sum later on."

Khan Bahadur QADIR NAWAZ KHAN SAHIB Bahadur:—"I know the site personally. It adjoins the Madura District Jail and has very extensive compound. I agree with the Hon'ble the Law Member that it is worth Rs. 55,000. It is a good bargain considering the present prices in Madura. But the question is not whether it is a good bargain or not. We have to consider whether there is any necessity to purchase this bungalow. I know in or about the jail premises—I mean adjoining the jail—there is an extensive compound in which a number of buildings can be put up. I know there is at present a bungalow which with slight alterations may be converted into a quarters for the Jail Superintendent to live in. Now if an officer of the Revenue Department in the position of a Collector occupies the bungalow and is made to pay rent at the rate of 10 per cent on his salary, it will probably bring in about Rs. 250. But this bungalow is to be occupied by an officer whose pay is not likely to be Rupees 1,000 a month at the highest. Ordinarily it will be occupied by an officer getting only Rs. 300 to 600 a month. It is not a central jail but only a district jail and the officer likely to be appointed as the Superintendent will be of the junior grade. It is for the House to consider whether it is wise, in these days of retrenchment in all quarters, to acquire so expensive a place for the residence of a third or fourth rate officer, when we have in our own possession—I mean adjoining the jail—a large extent of land, and when there is already a building which with some alterations may be converted into the residence of the Superintendent of jails. The objection may be raised that some advance has already been made and that acquisition is in progress. Even if that were so, even if the acquisition is in progress, the bungalow may be sold away at a profit."

Mr. R. SRINIVASA AYYANGAR:—"In the light of the statement made by the Honourable Member I apply to the House for leave to withdraw my motion."

The motion was by leave withdrawn.

Demand XII was then put to the Council and was granted *nem. con.*

DEMAND XIII—POLICE.

The Hon'ble Sir LIONEL DAVIDSON:—"Sir, I have the honour to move for a grant not exceeding Rs. 152·17 lakhs for the Police Department. There are just one or two words which I wish to say by way of a general prologue to the discussion that will now ensue. I refer to the fact that the great majority of the thirty-three motions which are tabled in the Agenda paper as revised yesterday evening relate to allowances such as duty allowances, local allowances, personal allowances, etc. The general principles of regulating the grant of such allowances have been discussed in connexion with a number of resolutions here. But I do not think anybody has brought out one aspect of the case. In fact I was not fully aware of it myself until yesterday. I was not out here when the Salaries Committee made their report, of which my honourable friend Mr. Ramachandra Rao was a signatory. But from a study of the report in connexion with the motions relating to the Police budget, I observed that a special chapter is devoted to the subject of these allowances. It begins with a precise explanation of differences between duty allowances and the local allowances and so forth, and is supplemented by an appendix covering many many pages and giving details of all the allowances in existence according to the best information which the Salaries Committee could obtain. I mention this because I find that a large number of the allowances mentioned in motions to reduce the Police budget are shown in detail in that

24th March 1921] [The Hon'ble Sir Lionel Davidson]

Appendix, and because it will be necessary for me, Sir, if individual motions are pressed, constantly to refer to the appendix and to Chapter XII of the Salaries Committee's report. Exactly what happened after the receipt of their report, I do not know but I do know that it was before Mr. Knapp worked out the revised scales of pay proposed for the different departments of the public service. I know also that it was before those heads of departments were consulted in connexion with Mr. Knapp's proposals and I understand from my Hon'ble Colleague, the Finance Member, that this portion of the Salaries Committee's report was actually referred to heads of departments in order that they might express an opinion how far any individual duty or local or personal allowance could appropriately be abolished or merged in pay. To recapitulate, Sir, what I say is that nearly all the detailed propositions about to come before the Council will be found to be closely connected with the appendix to Chapter XII of the Salaries Committee's report."

3 p.m. The following motions were deemed to have been withdrawn as not having been moved :—

Mr. O. TANIKACHALA CHETTIYAR :—

'1. *That under* 26 (*a*). *Police the duty allowance of Rs.* 2,400 *for three officers* (*at Rs.* 106 *per mensem for one and Rs.* 50 *per mensem for two*) *be omitted* (*Budget page* 96).'

Mr. T. A. RAMALINGA CHETTIYAR :—

'2. *That the following alteration be made in* 26 (*a*). *Police—Presidency Police—*

Delete Rs. 2,400, *duty allowance* (*Budget page* 96).'

The following motion standing in the name of Mr. C. V. Venkataramana Ayyangar was deemed to have been withdrawn the member being absent.

'3. *That the provision under* 26 (*a*) *be reduced as shown below* :—

Omission of duty allowance (*Budget page* 96).'

Mr. C. V. S. NARASIMHA RAJU then moved :—

'5. *That the following duty allowances under the following heads be omitted* :—

26 (*a*). *Police—Presidency Police—*

(1) *To drill instructors, Rs.* 60 (*Budget page* 97).

(2) *To head constables, Rs.* 972 (*Budget page* 97).

In doing so, he said :—" I wish to know the circumstances under which these duty allowances are made to the head constables and the Drill Instructors."

The Hon'ble Sir LIONEL DAVIDSON :—" The allowance is granted to Drill Instructors for extra duties involved, sanctioned apparently in a Government Order of May 1893. The allowance Rs. 972 probably refers to remuneration allowed to the traffic controlling staff of the Madras City Police. The duty which these men do is particularly unpopular because it requires much standing about in the sun. Besides the head constables, there are also 74 constables who draw this allowance. I dare say most gentlemen in this House have a shrewd idea of the arduous nature of the work devolving on these men."

The motion was by leave withdrawn.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" I move this resolution—

'4. *That the following items of duty allowances be omitted* :—

Duty allowance to establishment, Rs. 2,400.

Duty allowance and staff allowance of drill instructors, Rs. 60.

Duty allowance to constables and head constables, Rs. 972.'

[Mr. M. Ramachandra Rao Pantulu] [24th March 1921

"I move this resolution merely for the purpose of drawing attention to a few facts. My Hon'ble friend Sir Lionel Davidson referred to the Salaries Committee's report. First of all I wish to state that one of the main points of reference to the Salaries Committee was to see what these allowances are and to carefully consider the whole question. This matter gave us considerable difficulty. In the first place it was extremely difficult to get at the orders by which these allowances were sanctioned and it took considerable time to get the Accountant-General to compile this information. The whole question of these allowances comes up at the last moment for consideration. We therefore arrived at some tentative conclusions and expressed the hope that all these allowances would be examined by the Government and heads of departments to see which of these allowances might be continued and which merged in the salaries of the officials concerned. All these must be reviewed more especially when some of these allowances were sanctioned 20 years ago. It is for that reason that I wish to bring this matter to the notice of the Government to see that a thorough examination is undertaken. The Hon'ble Sir Lionel Davidson said that the heads of departments were consulted and that they justified the allowances in the manner in which they were sanctioned. Therefore while I am of opinion that the conclusion to which we have come to are sound, there is yet considerable scope for examination of these allowances. Further all the allowances with which we had to deal related to subordinate services. But our discussions in this Council also relate to the allowances of the Indian Civil Service, a non-votable grant, and Provincial Civil Services. Therefore we did not deal with these. I do not press my motion."

The Hon'ble Mr. C. G. TODHUNTER :—"I will only say that the reference to the committee which was made at my instance was to ask them to tell us the circumstances which justified these special allowances. The committee referred the question back to us for enquiry by heads of departments, which has been made. The Council now apparently desire to commence the game of battledore and shuttlecock at the beginning again."

Mr. S. SRINIVASA AYYANGAR :—"There has been a discussion about these duty allowances and I was not able to make up my mind. There are two points upon which information is required. One is whether an official is according to the rules of service bound to discharge a particular duty or any other function which he might be asked to do without a duty allowance or in the ordinary course of employment he has a right to refuse to be put on that duty. That is a matter on which I should like to have some information. It ought to be made clear what are the departments and what are their duties with which a man can be charged ordinarily and what are the cases in which he is justly entitled to refuse to do other work and insist upon an additional payment. I want to know whether duty allowances have been held to be salaries within the meaning of the Government of India Act, and as such a non-votable item. Of course His Excellency's decision is final. I wish to know if His Excellency has decided on the question raised whether these duty allowances are salaries coming under section 72 (D) (3) (iv) of the Government of India Act. It cannot certainly be put under pensions because the recipients are in service. But I do want to know whether they are put under salaries."

The Hon'ble Sir LIONEL DAVIDSON :—"They have been put under the head of salaries. The other general questions raised are answered in the opening paragraphs of Chapter XII of the Salaries Committee's report."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I would again ask the Honourable Member to undertake the examination of these local allowances. I do not press my motion."

24th March 1921]

The motion was by leave withdrawn.

The following motion which stood against the name of Diwan Bahadur M. Ramachandra Rao was not moved and therefore was deemed to have been withdrawn :—

'6. *That the following items of duty allowances be omitted* :—

	Rs.
(i) *Duty allowance for reserve inspectors for charge of hackney carriage establishment* (*Budget page* 98).	300
(ii) *Duty allowance to officer in charge of the mounted police* (*Budget page* 98).	120
(iii) *Duty allowance to head constables* (*Budget page* 98).	96'

The following motion which stood against the name of Mr. C V. S. Narasimha Raju was not moved, and therefore was deemed to have been withdrawn :—

'7. *That the following items of duty allowances be omitted* :—

	Rs.
(i) *Duty allowance for reserve inspector for charge of hackney carriage establishment* (*Budget page* 98).	300
(ii) *Duty allowance to officer in charge of the mounted police* (*Budget page* 98).	120
(iii) *Duty allowance to head constables* (*Budget page* 98) ...	96'

The following motions were not moved and therefore they were deemed to have been withdrawn :—

Diwan Bahadur M. Ramachandra Rao Pantulu :—

'8. (i) *Duty allowance to inspectors* (*Budget page* 98).	*Intelligence Department.*	*Omit Rs.*	1,200
(ii) *Duty allowance to sub-inspectors* (*Budget page* 98).		,, ,,	1,800
(iii) *Duty allowance to head constables* (*Budget page* 98).		,, ,,	504
(iv) *Duty allowance to constables* (*Budget page* 98).		,, ,,	216'

Mr. C. V. S. Narasimha Raju :—

'9. (i) *Intelligence Department—To inspectors* (*Budget page* 98).		,, ,,	1,200
(ii) *Intelligence Department—To sub-inspectors* (*Budget page* 98).		,, ,,	1,800
(iii) *Intelligence Department—To head constables* (*Budget page* 98).		,, ,,	504
(iv) *Intelligence Department—To constables* (*Budget page* 98).		,, ,,	216'

Diwan Bahadur M. Ramachandra Rao Pantulu :—

'10. (i) *Duty allowance to sergeants* (*Budget page* 98).	*Harbour Police.*	,, ,,	3,000
(ii) *Duty allowance for reserve inspector for fire brigade* (*Budget page* 99).		,, ,,	300'

Mr. T. A. Ramalinga Chettiyar :—

'11. *That the following alteration be made in* 26 (*b*). *Police Superintendence*:—*Delete Rs.* 900, *duty allowance to Deputy Superintendents* (*Budget page* 100).'

[Mr. T. A. Ramalinga Chettiyar] [24th March 1921

Diwan Bahadur M. Ramachandra Rao Pantulu :—

'12. *That the following duty allowances be omitted* :— Rs.
26 (*b*). *Police—Superintendence—Duty allowance to Deputy Superintendents* (*Budget page* 100). 900

Mr. T. A. Ramalinga Chettiyar then moved :—

'13. *That the following alterations be made in* 26 (*e*). *Police* :—

(1) *Delete Rs* 3,762, *personal allowance to office establishment* (*Budget page* 102).

(2) *Delete Rs.* 11,880, *personal allowance to inspectors* (*Budget page* 102).

(3) *Delete Rs.* 19,176, *personal allowance to the sub-inspectors* (*Budget page* 103).

(4) *Delete Rs.* 12,900, *personal allowance to head constables* (*Budget page* 103).'

"With regard to this matter I should like to be sure whether personal allowance provided here is of the same nature as that given in other cases."

The Hon'ble Sir Lionel Davidson :—"I understand that is the case."

The motion was then by leave withdrawn.

The following motions were not moved and therefore they were deemed to have been withdrawn :—

Diwan Bahadur M. Ramachandra Rao Pantulu :—

'14. *Duty allowance to Police Force* (*Special*) (*Budget page* 103). *Omit Rs.* 5,628'

Mr. C. V. S. Narasimha Raju :—

'15. (i) *District Executive Force—District Police—Special Police* (*Budget page* 105). „ „ 300

(ii) *District Executive Force—District Police—Punitive Police.* .....

(iii) *District Executive Force—District Police—Inspector, sergeant, jamadar, head constables* (*Budget page* 104). *Omit Rs.* 1,617

(iv) *District Executive Force—District Police—To sub-assistant surgeon* (*Budget page* 104). „ „ 140'

Diwan Bahadur M. Ramachandra Rao Pantulu :—

'16. *That the following items of duty allowances be omitted* :—
26 (*c*). *Police—District Executive Force—Police Force—Special—*

	Rs.
(1) *Duty allowance* (*Budget page* 104)	300
(2) *Duty allowance to inspectors, etc.* (*Budget page* 104).	1,617
(3) *Duty allowance to sub-assistant surgeons* (*Budget page* 104).	140'

The following motion was not moved and therefore it was deemed to have been withdrawn :—

Mr. T. A. Ramalinga Chettiyar :—

'17. (i) *Delete Rs.* 1,920, *personal allowance to inspectors in Police Training Schools* (*Budget page* 105).

(ii) *Delete Rs.* 1,800 *duty allowance to sergeants, etc.* (*Budget page* 105).'

24th March 1921] [Mr. C. V. S. Narasimha Raju]

Mr. C. V. S. Narasimha Raju then moved :—

'18 (i) *Police Training Schools—Sergeant and shorthand instructor* (*Budget page* 105). *Omit Rs.* 1,800

(ii) *To sub-assistant surgeons for doing police hospital work* (*Budget page* 106). „ „ 840

(iii) *To compounder* (*Budget page* 106) ... „ „ 60'

In doing so, he said :—"I find in the case of the Police Training school the shorthand instructor's allowance of 1,800 rupees, the sub-assistant surgeon's allowance of Rs. 840, and compounder's allowance of Rs. 60 are allotted. I wish to know whether they are doing any extra work or they are being paid this allowance in addition to their salaries for doing their duties in the Police Training school and hospitals."

The Hon'ble Sir Lionel Davidson :—"The duty allowance of Rs. 25 for sergeants was expressly created in order to attract ex-soldiers. This additional inducement was offered at a time when non-commissioned officers were under demobilization at the close of the war and it was specially desired to induce a number of them to join the department so as to ensure that the standard of drill and discipline in reserves and at the training schools should meet the requirements of efficiency. As for the duty allowance to the shorthand instructor, I am not quite sure what exactly was the reason. I think it is a special allowance given to him as officer in charge of the Shorthand Bureau at Vellore. I can assure the Honourable Member that it was not lightly sanctioned, and if he would like further particulars, I will look the facts up and let him know afterwards. As regards the duty allowance to sub-assistant surgeons, that depends upon the general principles in vogue in the Medical Department. There are seven special Police hospitals, I think, and in regard to them, a special note is to be found in the Salaries Committee's report. Sub-assistant surgeons in charge of such hospitals usually receive charge allowances which are treated as 'duty' allowance. Charge allowances are given for similar duty in connexion with other hospitals."

The motion was by leave withdrawn.

The following motion which stood against the name of Diwan Bahadur M. Ramachandra Rao was not moved and therefore it was deemed to have been withdrawn :—

'19. (i) *Omit duty allowance to sergeants and shorthand instructor, Rs.* 1,800 (*Budget page* 105).

(ii) *Omit duty allowance to sub-assistant surgeons and compounders in charge of Police hospitals, Rs.* 901 (*Budget page* 106).

(iii) *Omit sergeant and shorthand instructor, Rs.* 1,800 (*Budget page* 105).'

Mr. M. D. Davadoss :—"Sir, I beg to move—

'20. *That under* 20 (*c*), *the provision of Rs.* 14,10,000 *under 'Travelling Allowance' be reduced by Rs.* 4,00,000 (*Budget page* 107).'

3-15 p.m.

"Mr. President, Sir, on page 107 of the budget there is an item of travelling allowance of Rs. 14,10,000. In the previous year the estimate was Rs. 9,25,000 and the revised estimate was Rs. 10,70,000. Considering that we are in want of funds for paying the non-gazetted officers, I think it would be best to reduce it by four lakhs. Last year the budget estimate was nine lakhs and in the revised estimate it was raised by one lakh. I would ask the Government to reduce this item by four lakhs."

[The Hon'ble Sir Lionel Davidson] [24th March 1921

The Hon'ble Sir LIONEL DAVIDSON :—" I am afraid I cannot give the Honourable Member any assurance of our good intentions. This increase, like many other increases, is automatic and is a consequence of the increase in prices all round.

" The actuals of 1919-20 were 9·46 lakhs, the revised estimate was 10·70 lakhs. The budget is 14·10 lakhs. The Finance Department informed me that the increased provision is fully due to the increased cost of living, and to an order from the Government of India, dated 18th February 1921. I think it was mentioned a day or two ago; and the net effect of this increase was a substantial enhancement of something like 50 per cent. The additional allotment made is nothing like that. I think, Sir, it would be very detrimental to the efficiency of the Police Department if the Inspector-General of Police were to restrict himself to a few circles; the residents in out-of-the-way districts would not be benefited."

Mr. M. D. DEVADOSS :—" In the light of the remarks offered I wish to withdraw my motion."

The motion was by leave withdrawn.

Mr. C. V. S. NARASIMHA RAJU :—" Sir, I beg to move—

'21. *That the following items of duty allowances be omitted* :—

(i) *Hospital charges—To sub-inspectors, Rs.* 23,970.

(ii) *To sergeants, Rs.* 28,560.

(iii) *To constables, Rs.* 18,198.'

" I am not very certain what these items are. I am not able to understand them."

The Hon'ble Sir LIONEL DAVIDSON :—" These charges are not hospital charges. If the Honourable Member will look a little higher up on page 107 of the budget, he will find that the heading 'Hospital charges' refers to preceding items totalling Rs. 85,500. These duty and local allowances are explained in a note, which has been prepared for me by the Assistant Inspector-General, Mr. Filson. They are, broadly, either local allowances granted on account of unhealthy or expensive localities, or special duty allowances at Rs. 25 to non-commissioned officers of the army who were specially engaged on that inducement, or duty allowances to jemadar head constables serving in armed reserves, or special allowances called 'signalling allowances' given to constables who have signalling qualifications which are or may be of very great value, for example in the Agency tracts or in Malabar. I think that covers the whole field of the various allowances. They have nothing to do with hospital charges."

The motion was by leave withdrawn.

The following motions were not moved and were therefore deemed to have been withdrawn :—

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—

'22. *That the following items be omitted* :—

(i) *Duty allowance to sub-inspectors, Rs.* 23,970 (*Budget page* 107).

(ii) *Duty allowance to sergeants, Rs.* 28,560 (*Budget page* 107).

(iii) *Duty allowance to head constables, Rs.* 18,198 (*Budget page* 107).'

Mr. C. V. S. NARASIMHA RAJU :—

'23. *That the following items of duty allowances be omitted* :—

(i) *Hackney-carriage establishments to inspectors for supervision, Rs.* 2,400 (*Budget page* 107).

(ii) *To head constables, Rs.* 2,448 (*Budget page* 107).'

24th March 1921] [Mr. A. S. Krishna Rao Pantulu]

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—

'24. *That the following items be omitted* :—

(i) *Duty allowance to inspectors for supervision, Rs.* 2,400 (*Budget page* 107),

(ii) *Duty allowance to head constables, Rs.* 2,448 (*Budget page* 107).'

Mr. O. TANIKACHALA CHETTIYAR :—

'25. *That under* 26 (*c*) *Police, the duty allowance of inspectors of hackney carriage establishments of Rs.* 2,400 *be omitted* (*Budget page* 107).'

Rao Bahadur A. S. KRISHNA RAO PANTULU then moved :—

'26. *That in the demand under* 26 (*c*), *Police—Criminal Investigation Department, the grant of Rs.* 9,300 *proposed for a temporary officer on confidential special duty be omitted* (*Budget page* 109).'

In doing so, he said :—"Sir, this motion does not affect either the salaries or the allowances, travelling or duty allowances, of any of these officers. While examining the budget, I examined this item with reference to any additional establishments that may be sanctioned under this head. It is not my suggestion that there should be any reduction in the strength of the establishment. But my suggestion is that in sanctioning new establishments we must be very careful and we must proceed with great caution. It will be found on pages 109–110 that the new establishment provided under this head consists of one temporary officer on confidential special duty on a monthly pay of Rs. 775, involving a budget provision of Rs. 9,300. Again, we find at page 102 one temporary inspector on Rs. 175, and three sub-inspectors, two on Rs. 98 and one on Rs. 65. Some personal allowances also have been provided for. I do not think it necessary to effect any addition to the executive establishment. I am not satisfied as to the necessity for one temporary officer on special duty of which we have no specific information. It comes to Rs. 9,300. So far as the Criminal Investigation Department is concerned, I know they do confidential special duty. They have some special inspectors and sub-inspectors under the guidance and control of the Deputy Inspector-General of Police and a personal assistant, and another assistant to the Deputy Inspector-General and the necessary establishment. If, in addition to these, it is found necessary to appoint another officer, I think it is a provision which ought to be objected to. That is why I ask for the deletion of this provision."

The Hon'ble Sir LIONEL DAVIDSON :—"Sir, I am afraid I cannot go into the details of the exact work done by this officer. If there is any meaning in confidential work under the Criminal Investigation Department, surely it implies that particulars should not be laid down on the table of this House or published on the housetops. All I can tell the Honourable Member is that this temporary appointment is based on the exceptionally valuable experience of an officer of the Police Department whose services it was considered necessary to retain for special inquiries in connexion with political developments. I do not mean political in the sense in which it is commonly understood in this House, but as concerned with such matters as the extreme issues of the non-co-operation movement, the Khilafat agitation and Bolshevik propaganda.

"Mr. Krishna Rao has referred to a couple of other items not covered by this resolution, namely, Rs. 2,100 and 3,180. It so happens that these sums represent the pay of an inspector and sub-inspectors formerly employed under this very special officer whose own pay is Rs. 775 per mensem. The subordinate staff having recently been disbanded, I shall be quite ready to omit these two items

[The Hon'ble Sir Lionel Davidson] [24th March 1921

Rs. 2,100 and Rs. 3,180 while retaining the officer himself without subordinate staff. We are loth to propose unnecessary increases in the establishment and as a matter of fact, this officer is not a new item. The only difference, I think, is that he was previously borne on the permanent staff, and now enjoys an extension of service in order to hold this temporary appointment.

"My Hon'ble Friend Mr. Todhunter has placed in my hands a Reuter's telegram just received which contains some information relevant to the need for special staff. One of the Ministers in England in a letter to the Russian politician Krassin, emphasizes that recent manifestations of the Soviet policy include at least one direct act of hostility towards India. He says, 'one of the principal demands of Suritz, Russian Envoy to Kabul, has been for a guarantee of safe transport through Afghanistan without delay of a large number of rifles and a large quantity of ammunition for the frontier tribes on the British side of the border.' Again, 'Naider Khan, Commander-in-Chief, Jamal Pasha, and Mahendra Pratap have been similarly active and a number of notorious Indian seditionists have been employed by the Bolsheviks for disseminating disloyalty in India and for fomenting anti-British feelings in the country contiguous to India.

"Obviously, Sir, I cannot say exactly what an officer employed on special duty of a highly confidential nature is doing, and I must ask this House to extend to me the same indulgence as is customary in all countries of the world with regard to the employment of secret service staff."

The motion was then by leave withdrawn.

The following motion was deemed to have been withdrawn, the mover being absent:—

Mr. C. V. VENKATARAMANA AYYANGAR:—

'27. *That the provision under* 26 (*e*) *be reduced as shown below*:—

Omission of a temporary officer on confidential duty (*Budget page* 109). *Omit Rs.* 9,300.'

The following motions were not moved and were therefore deemed to have been withdrawn:—

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—

'28. *That the following items of duty allowances be omitted*:—

26. (*e*) *Police—Criminal Investigation Department*:—

Duty allowance to temporary staff (*Budget page* 110) *Rs.* 1,932.

Do. do. do. Rs. 28,476.'

Mr. C. V. S. NARASIMHA RAJU:—

'29. *That the following items of duty allowances be omitted*:—

26. (*c*) *Criminal Investigation Department*:—

Duty allowances of establishment (*Budget page* 110) *Rs.* 28,476.

To temporary staff (*Budget page* 110) *Rs.* 1,932.'

The following motion was deemed to have been withdrawn, the mover being absent:—

Mr. C. V. VENKATARAMANA AYYANGAR:—

'30. *That the provision under* 26 (*e*) *be reduced as shown below*:—

Omission of three temporary head constables (*Budget page* 110) *Rs.* 1,152.'

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I beg to move—

'31. *That in the demand under* 26 (*e*) *Police Criminal Investigation Department the grant of Rs.* 360 *proposed for a European typist for three months be omitted* (*Budget page* 110).'

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32. *That in the demand under* 26 (*e*) *Police—Criminal Investigation Department the grant of Rs.* 75 *house-rent allowance for European typist for three months be-omitted* (*Budget, page* 110.)

"In doing so, I am asking, Sir, for the deletion of a provision appearing on page 110 of the budget estimate relating to the Criminal Investigation Department. First, I ask for the deletion of the provision for a European typist for three months. It comes to Rs. 360. It will be found from the previous page that the provision for a typist is Rs. 30 to Rs. 80. My objection is not so much to the appointment of a European typist as to the appointment of a typist on Rs. 120 whereas the ordinary establishment provides only for a typist on Rs. 30 to Rs. 50. Then there is the additional house-rent allowance provided for him of Rs. 25 for three months and I do not know whether under duty allowance in the column below there is any further sum provided for him. It is for these reasons that I want to be satisfied about the necessity for the appointment."

The Hon'ble Sir LIONEL DAVIDSON :—"The appointment arises out of instructions from the Government of India to compile certain highly confidential publications—I should rather say documents for they are not published. It was therefore necessary to make certain that the typist employed on this work should be absolutely trustworthy and to pay him highly. I am ready however to inquire whether it is possible to dispense with his services, for it was work for a limited period and may possibly be finished this month. But in any case, whether or not it was advisable to employ this officer, I may say that the pay and allowances of the post were fixed, not so much with reference to the work to be done as with reference to the qualifications and the existing pay of the actual incumbent of the post; and it would be clearly inadvisable, once this highly confidential work has been dealt with by one officer, to pass it on into the hands of another officer."

The motions were then by leave withdrawn.

Mr. P. SIVA RAO :—"Sir, I beg to move—

'33. *That under the detailed account No.* 26 (*e*) *the allotment may be reduced by Rs.* 50,000.'

"I see from the account for 1919–20 that the amount actually spent on this department was about Rs. 2·07 lakhs and the budget allotment for 1920–21 was Rs. 2·12 lakhs and in the revised estimate for that year we find that this was raised to Rs. 2·49 lakhs. The present budget allotment is Rs. 2·57 lakhs. Before we pass the grant for this particular department, which is by no means popular, we want to be satisfied that the increase is justifiable and proper."

The Hon'ble Sir LIONEL DAVIDSON :—"Sir, I think if the Honourable Member will work out some little arithmetic he will get the answer. The budget estimate of 1920–21 was Rs 2·12 lakhs and the budget estimate for 1921–22 is Rs. 2·57 lakhs, that is a difference of Rs. 45,000 which comes to about 20 per cent increase. Most of these charges are made up of provision for increased pay. The Honourable Member is aware that there are very few departments which owing to the revision schemes being worked up and incorporated in the civil budget estimate have incurred additional expenditure of less than 20 per cent."

Mr. P. SIVA RAO :—"I do not press this motion, Sir."

The motion was by leave withdrawn.

The Hon'ble Sir LIONEL DAVIDSON :—"Before the grant is put to the vote may I say a word to the House? I must express my thanks to this House for the conciliatory way in which it has dealt with this grant and the treatment

accorded to the department which has not met with the same courtesy and consideration in other parts of India. I refer particularly to the wholesale reduction of Rs. 3 lakhs in Bengal. I think Madras has in this matter set a very good example to other parts of India."

Mr. S. SRINIVASA AYYANGAR :—" Mr. President, we are more or less satisfied with the general administration of the Public Services, but that does not mean that we have no criticisms to make. But this is not the occasion for it. The officers must get their pay."

Demand XIII for a sum not exceeding Rs. 152·17 lakhs was then put to the Council and granted *nem con.*

DEMAND XIV—SCIENTIFIC DEPARTMENTS

The Hon'ble Diwan Bahadur A. Subbarayulu Reddiyar then moved for a grant not exceeding Rs. ·49 lakh for scientific departments (other than hydro-electric surveys).

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I point out that it appears from the revised agenda that the grant is for Rs. 46,164, whereas I heard the Honourable Minister moving for a grant of Rs. 49,000. I think it is better to clear up that doubt and to know exactly what we are voting for."

The Hon'ble the PRESIDENT :—" The Hon'ble the Minister referred to two items making up a total of ·49 lakh of rupees."

Diwan Bahadur P. KESAVA PILLAI :—" Sir, I gave notice of the following motion :—

'That the provision of Rs. 1,740 made for the salary of the Personal Assistant to Superintendent, Museum, under Detailed Account No. 30-B be omitted.'

" If the Honourable Member explains the necessity for this appointment and the grounds on which he asks for the grant, I shall be satisfied."

The Hon'ble Diwan Bahadur A. SUBBARAYULU REDDIYAR :—" Sir, my ground is that the officer requires a Personal Assistant for carrying on his duties and therefore it is found necessary to have a Personal Assistant to the officer that is in charge of the Museum."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" May I know, Sir, whether the word of the Superintendent is the last word on the subject or whether the Hon'ble the Minister is in a position to assure the House that the appointment is absolutely necessary. Of course, every head of a department or the head of any institution would like to have a personal assistant ".

The Hon'ble Sir LIONEL DAVIDSON :— " May I explain, Sir, that when my Hon'ble Colleague said, the officer 'requires' he meant 'needs.' "

The Hon'ble the PRESIDENT :— " I am sure the Hon'ble Mr. Subbarayulu Reddiyar will give the assurance that he is satisfied as to the necessity for the appointment."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR :—" I am satisfied, Sir."

Diwan Bahadur P. KESAVA PILLAI :— " Well, Sir, in the face of such an assurance from the first Minister to His Excellency the Governor, I must withdraw my motion."

The motion was by leave withdrawn.

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Diwan Bahadur M. Ramachandra Rao Pantulu :— " Sir, I beg to move—

'2. *That the demand of Rs.* 2,500 *under* 30-*C. Scientific departments—to Donation to scientific societies be reduced by Rs.* 100.'

" If Honourable Members will turn to page 120 of the budget, they will find that the Fine Arts Society gets Rs. 1,000 and the Madras Literary Society gets Rs. 1,500. I know from my own personal experience of the previous budgets that these two items have been on the budget estimates for a good long time. I believe it was during last year or before the last that the question of rendering some aid to village libraries came up for consideration before the Legislative Council and a resolution was brought forward. An amount of Rs. 20,000 was allotted for distribution to all these village libraries. Subsequently I made enquiries as to how the distribution was made and Mr Gwynn, the Publicity Officer, who was entrusted with the scheme of distribution of it told me that it was under consideration and sent me the tentative scheme. My object in bringing up this matter is to know why this grant of Rs. 20,000, which was made last year, has been omitted this year. If the Government believe in popular education, as I believe the new Minister does believe, I should like to know the reason why this contribution should be cut out and why the libraries should not receive it this year also. My own experience of village libraries is that they are doing very useful work in promoting popular education. They are spread all over the Presidency and they exist in all districts. I submit that this grant should have been continued and I trust that the Honourable the Minister would see his way to put that back in the budget. "

The Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar :—" I can assure my Honourable friend that I am prepared to examine the whole matter."

Diwan Bahadur M. Ramachandra Rao Pantulu :— " Does the examination merely mean the ordinary examination ? I wish he would go further and that he would find the necessary money the need for which has already been established."

The Hon'ble the President :— " What is the amount that is required ? "

Diwan Bahadur M. Ramachandra Rao Pantulu :— " It is Rs. 20,000, Sir. It was put in the budget last year for distribution to all these libraries. I wish my friend would make up his mind a little more definitely and say that if funds are available he will give it. Certainly I have no objection to put it in that way. (A voice—is it for the whole sum ?). I am not going to enter into a bargain whether it should be Rs. 5,000 or Rs. 10,000. The grant made last year was Rs. 20,000, and I would ask that this amount be restored. "

The Hon'ble Mr. C. G. Todhunter :— " Sir, I thought that I was to be ready for a viva voce examination at short notice on the grants to the Fine Arts Society and the Madras Literary Society. I find that the point really is that the Honourable Member wishes for grants for village libraries. I cannot tell him exactly the reason why there has been no provision this year. I think some difficulty was found in devising a scheme for using the Rs. 20,000 already allotted and we have not been able to use it in consequence. But I can promise him that his proposition will be placed before the Cabinet and that, if we can find the money, we will make the provision he wishes."

Diwan Bahadur M. Ramachandra Rao Pantulu :— " I am satisfied with this assurance, Sir."

Mr. T. C. Srinivasa Ayyangar :—Sir, it is not merely village libraries but there are towns like Madura and elsewhere in which popular efforts have built up

libraries more or less for the purpose of helping enquirers and students of oriental research and of historical research and for the study of various subjects which will interest the public. Every one of these libraries, though largely supported by endowments and donations by wealthy and even middle class people, still require to be helped. It is surprising to hear from the Hon'ble Finance Member that though a sum of Rs. 20,000 was allotted last year they were unable to find a scheme of distribution. I hope the assurance now given will bear fruit and that Government will allot a decent sum and call for information from people who will be able to suggest the names of libraries which require help which, if rendered, will produce very good results."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :— "Sir, I trust that Government will make up their mind to adopt a scheme of distribution. I am surprised at the difficulties of the Government in framing a scheme. I hope they will overcome this difficulty and find out a way of distributing the amount. I wish to suggest that the amount may be placed at the disposal of local bodies. The Government are trusting district boards in so many other matters. It is certain that district boards will find a way of passing on the funds to libraries. I think it is a very simple matter; but if the Government are going to lay down elaborate principles in the distribution of this amount and impose restrictions of a very irksome nature, it might be somewhat difficult to distribute this amount.

"I beg to withdraw the motion."

The motion was by leave withdrawn.

The Hon'ble the PRESIDENT :— "Before I go to the next subject may I say just a word? It is a well understood principle laid down in the Standing Orders that honourable members at this stage have the right to bring in motions for omission or reduction of grants, but proposals for expenditure are not really supposed to be put forward. The Honourable Member, I do not blame him for it, has in moving a motion for the reduction of a grant, proposed an increase of expenditure. I am not quite certain on the point, and I do not want to commit myself to any definite view. I would have this question examined, and I do not want this to be taken as a precedent. Otherwise we shall have a large number of proposals which may be brought forward for new expenditure not provided for in the budget."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I am perfecty satisfied, Sir, that this is the only way in which we can draw the attention of the House to the necessity for increased expenditure in the budget. I am confident that I can satisfy you that it is the only way."

The Hon'ble the PRESIDENT: — "I will wait till the Honourable Member satisfies me by furnishing me with authorities later on, and I shall examine the question. Pending such examination I want to reserve my opinion as to the appropriateness of this procedure. With that I may pass on to the next subject."

Demand No. XIV under "Scientific departments (other than hydro-electric) for an amount not exceeding Rs. 49 lakhs" was put to the Council and was granted *nem. con.*

DEMAND XV—EDUCATION (EUROPEAN).

The Hon'ble Sir LIONEL DAVIDSON :— "I have the honour to move for a grant not exceeding Rs. 10·29 lakhs for European education. I hope, Sir, that I shall not have to apologise for not being properly prepared to answer the motions made under this head, but I may mention that the revised agenda contains four motions

whereas the old agenda only contained two. I have not had even the same slight period of notice as in the case of the Police budget."

The Hon'ble the PRESIDENT :—"I may point out that under the head of European education there are four motions"

Rao Bahadur A. S. KRISHNA RAO PANTULU : — "I move—

'1. *That in the demand under* 31-*B* (*a*) *Education, the lump provision* (*Rs.* 70,000) *for revising the rate of boarding grants in European schools be reduced by Rs.* 35,000 (*Budget, page* 126).'

3-45p.m.

"Sir, we have provided in the budget estimate for a sum of 5·40 lakhs against the provision last year of 5·20 lakhs and the expenditure according to the revised estimate of 4·90 lakhs. That means a provision of 50 thousand has been made in excess of that of last year. Under the head of scholarships we have provisioned for nine thousand against eight thousand in the last year's budget estimate. Owing to various causes the increase might have been necessary under this head. I take exception to a lump provision in addition to these provisions for revising the rates of boarding grants for European schools of a sum of Rs. 70,000. I think it necessary to place before the Council this aspect of the question. Generally and under ordinary circumstances, grants are made for the construction, establishment and equipment of hostels and grants for the purpose of boarding are rather unusual. In this particular case we are not asked merely to confirm the old scale of grants but we are asked to vote for an additional sum of Rs. 70,000 for the purpose. It will be found from the detailed statement appearing in the same budget that under the head boarding grants a sum of Rs. 1,22,500 has already been provided for. Both in the budget estimates and in the revised estimates of this year and the budget estimates of the next year a sum of Rs. 1,22,500 has been provided for. I am not satisfied as to the necessity of making a lump provision of Rs. 70,000 for this purpose. But in my anxiety to be as considerate as possible, I have not suggested the entire omission of that provision. I suggest that we should proceed with greater caution in this respect. I suggest that it should be reduced by half. My motion before the Council is that while this is by itself a policy which is not of ordinary occurrence, the question of making grants for boarding should not go further. A lump provision of seventy thousand is not necessary and it should be reduced by half."

The Hon'ble the PRESIDENT :—"It will be well, I think, if Mr. Siva Rao also speaks upon this, because he makes a proposal to omit the whole."

Mr. P. SIVA RAO :—"I move the following motions—

'2. (*a*) *That under the detailed account* 31-*B* (*a*) (1) *the lump provision of Rs.* 70,000 *for revising the rate of boarding grants in European schools may be omitted* (*Budget, page* 126).

(*b*) *That under the head* 31 (*b*) *secondary* (*reserved*) *lump provision of Rs.* 2,92,000 *for the provincilization of Lawrence Memorial school may be omitted* (*Budget, page* 126).'

'In doing so, I would ask, Sir, whether this is the proper time or an opportune time for voting for such grants at the present rates for European schools, especially when we have landed ourselves in deficit. We require money all round for so many useful purposes.

"My second objection to this grant is that it is very unusual to provide for boarding expenses. They should be self-paying and self-supporting. I find a sum of Rs. 1,22,500 under boarding grants. This is made for the revision of the rates. I wish to know, Sir, before we sanction this expenditure definitely what

the present rates are and what the revised rates will be, how they are going to be revised and how we shall be justified in granting anything towards the maintenance of boarding houses. We are perfectly familiar with grants for equipment, for furniture, etc., but I do not know whether grants should be made to boarding expenses also. It is a well-known fact that European education is costing us a good deal. As was pointed out by the Honourable Member for Ganjām, the rate per head for European education is something tremendous."

The Hon'ble Sir LIONEL DAVIDSON :—"May I remind the Honourable Member that I drew the attention of the Council to the doubtfulness of his figures? These boarding grants are not a novel form of assisting Anglo-Indian education. I cannot find out exactly when they were started but the Director of Public Instruction has placed in my hands papers showing that the system has been in force for many years and is specifically recognized in the Code of 1885. These grants are not given indiscriminately to the occupants of the boarding houses at European or Anglo-Indian schools but only to destitute orphans who have to obtain a certificate of destitution from the magistrate of the district in the mufassal and from the Chief Presidency Magistrate in the case of the City of Madras. It is a rule that no boy over sixteen and no girl over the age of 18 be eligible; and no scholar reading beyond standard VII can receive any grant, unless in very exceptional cases sanctioned by the department. There are one or two other conditions with which I need not trouble the House. Boarding grants are thus given merely to destitute orphans.

"I have been asked about the old rates. The old rates were Rs. 10 in Madras and Rs. 8 in the mufassal. These rates date from at least as early as 1906 in the one case and 1913 in the other. It is little more than a year ago since the correspondents of a number of financially embarrassed European orphanages wrote a special letter to the Director of Public Instruction on the subject. They state :— 'We have the honour severally and jointly to bring to your notice the stern fact that the managers of these institutions are put to heavy pecuniary difficulties owing to the prevailing high prices of food-stuffs, clothing and boarding expenses, etc., and with our slender resources we cannot get on any longer without sufficient aid from the Government. There is a consensus of opinion among us that the needs would be fairly met for all cases if grants were made to the extent of Rs. 20 for each.'

"That is what the correspondent of these orphanages asked for. The Government found it impossible to give so great an enhancement but they were satisfied that an enhancement of 50 per cent was fully justifiable. Orders were accordingly passed to the effect that the scale of allowances should be raised from Rs. 8 to Rs. 12 in the mufassal and from Rs. 10 to Rs. 15 in the City of Madras. I presume it is not necessary for me to labour the proposition that the items debitable to the head 'boarding' have gone up in cost since 1906 by far more than 50 per cent. An estimate was then worked out by the Director of Public Instruction and the figure Rs. 70,000 appearing in the budget is based on the footing that the rates for boarding will in future be Rs. 15 and Rs. 12, instead of Rs. 10 and Rs. 8."

Diwan Bahadur M. KRISHNAN NAYAR :—"I think, Sir, there is no objection in making free grants to destitute orphans in the orphanages in the case of European boys and girls. I wish to know whether these boys and girls to whom these monies are given are kept in what are known as orphanages or whether they are kept in boarding houses in which boarders, who pay for their own expenses, are also lodged. I wish also further to know whether such grants are granted to Indian destitute orphans. As I said before, there is certainly not the slightest objection to give these grants to European and Eurasian destitute orphans. All deserve

help. What I want particularly to know is whether similar help is given to Indian destitute orphans. If similar amounts are also granted to Indian destitute orphans, I think there is no objection to voting for these grants, subject to the consideration whether this increase of 50 per cent is necessary. If on the other hand, we find that such grants are not allowed to Indian destitute orphans, I believe there is very strong objection to grant these allowances and the only way in which such objection can now be raised is by voting against this increase of grants."

The Hon'ble Mr. C. G. TODHUNTER :—"May I answer the last speaker, Sir, out of my experience for several years as President of the Friend-in-Need Society that the grants are not really for Europeans nor are they for Indians? They are for the unfortunate class of Eurasians or, as they are called Anglo-Indians. The Friend-in-Need Society which is dealing with a large number of these unfortunate destitute people, made itself into an organization on the one side for examining cases of destitutes and on the other side for finding institutions at which those cases of destitutes can be aided and having found a suitable orphanage they send the child to the Chief Presidency Magistrate, get a certificate of destitution and board the child. The Friend-in-Need Society is a voluntary society subscribed for by a very large number of persons, of whom a large majority are Europeans. I am only describing one aspect of the case. I do so with the object of pointing out to the House that the children in question are not really Indians nor are they Europeans in the true sense of the word."

Diwan Bahadur M. KRISHNAN NAYAR :—"My question has not been answered. My honourable friend referred to money grants made by the Friend-in-Need Society. In the first place as I understand it, this is not a gift to the Friend-in-Need Society and we have nothing to do with the gift to that society. This is a grant made by a specific vote of this Council for a particular purpose, namely, for revising the boarding grants in European schools not even Anglo-Indian schools. My question was whether similar grants for boarding are granted to Indian destitute orphans. I am sorry that no answer was forthcoming and if no affirmative answer is forthcoming, I think the Council must vote in favour of this reduction."

Mr. R. G. GRIEVE :—"Mr. President, I should like just to make one remark, first, that for the purpose of the Code 'European' includes 'Anglo-Indian'. These grants are made on applications from individual orphanages. They are sent to the Inspector of European Schools who is conversant with the conditions prevailing in European schools. He consclidates the applications, scrutinizes them, and sanctions grants up to the limit of the budget provision. In orphanages there are cases of pupils with parents who can afford to contribute something and in those cases they are expected to contribute a small amount. But for the most part these children are absolutely destitute. Mr. President, I was also asked whether similar grants in the case of Indian children are given. Well, I do not quite know what Indian orphanages there are, but I believe that grants are given to the society for the protection of children in connexion with hostels. So far as I know, there are few institutions of that character in connexion with Indian education. So, I think that there is really no answer to a previous speaker's question except that there are a few particular cases, such as the Salvation Army Hostels in Nellore for poor Indian children, and other hostels where the charity of Indian gentlemen allows children to go on on favourable terms or free."

4 p.m.

Mr. S. SRINIVASA AYYANGAR :—"Mr. President, I am most reluctant to say that the children of any race should not get any educational grant or a boarding

grant, if they are destitute. But it is necessary that there should be no distinction whatever between one section of the community and another section of the community. I don't regard Eurasian children in this province, whatever Anglo-Indians may think, as other than part of the people of this country. Therefore, taking that view, I certainly don't say that they will not be entitled to a grant from the State, if they are destitute. But I do think that we cannot make any distinction between one section of the community and another. If we cannot, owing to the large number of Indian orphans, make any provision for them, the best thing we can do is to leave provision for Anglo-Indian and European orphans to voluntary effort and to private exertion. That is the only way in which you can do it. Otherwise, I am afraid it is liable to misconstruction and in such a matter, I should venture to suggest that there should be no distinction observed between one section of the community and another. That is the only position that I can take up. I am not at all saying anything as to the duty of the State to provide for destitute orphans. That raises a very, very large question whether there will be money enough in the country to provide for them. That is too large a problem. But if you do so on principle, and if one section of orphans are entitled to a provision of this character at the cost of the State, it seems to me on principle impossible to resist the pressure which will be necessarily brought to bear on the State that it should make equal provision for other sections of the community. It is only from that standpoint of view that I suggest that various persons who are managers of Eurasian orphanages, just like those of Indian schools, must be content to make their own provision, and as far as possible, these boarding grants to European schools should be brought into a line with the building grants which are made to Indian institutions like hostels or Indian orphanages. I quite understand that Eurasian children will have to be dressed differently and they will have to be fed differently. I don't grudge any slight difference in the scale. But I do deprecate any distinction being made between one set of institutions and another set of institutions."

Mr. S. ARPUDASWAMI UDAIYAR:—" Sir, the House is agreed on this one point, namely, that it is unnecessary for us to cut down the grants allowed to destitute Anglo-Indian children, and I can understand very well the reason why these grants have been enhanced, viz , the increased cost of living and the circumstances which make these poor destitute children cling to a mode of living and a mode of dressing which certainly are costly. What my friends in the House would like to know is whether similar provision is made for destitute children, for orphans who happen to be Indian. I may assure them, Sir, that almost in every city, in every important centre of a diocese we have one or two orphanages conducted by missionaries and placed under the mangement of nuns in the case of Indian girls, and of brothers or fathers in the case of boys as at St. Joseph's Industrial School, Trichinopoly, and I believe if the Government are approached and asked to contribute grants to these orphanages, they would be most willing to do so and also it is left for us to bring forward resolutions asking Government to set apart a sum to be distributed as grants to destitute Indian children who happen to be in institutions which require pecuniary help to be made to take proper care of those children. Again, I believe there are institutions which are not exactly orphanages, but which partake of the character of charitable institutions. I believe in this very city you have a home for widows and some special contribution is made for the upkeep of that home. Well, I for one have not the slightest objection to any contribution being made to homes, whether they are run by one agency or another, or whether they are for one purpose or another. My object, Sir, here is only to refer to one instance

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within my recollection of the help rendered by Government to an institution which has a claim upon their charity and sympathy, and after all, Sir, what is the position of the Government? It is the position, as it were, of a protector. If we tell the Government that there is a real need for help, if we ask them to set apart a certain sum to be spent in the shape of stipends or scholarships or in the shape of grants to destitute Indian children, I believe not only those who are at present running those orphanages under extraordinary pecuniary hardships and at very great sacrifice but many others also will be thankful to us and thankful to the Government who, I believe, will have no hesitation whatever in responding to their call."

Mr. K. GOPALAKRISHNAYYA:—"Sir, I think I shall be failing in my duty if I don't support one of these motions bracketted and that is of Mr. Siva Rao. The motion moved by Mr. A. S. Krishna Rao is, I think, too modest and the House at this juncture after going through its deliberations for the last three days would, I think, be inclined to reduce the larger amount upon this capital expenditure. I am not objecting to the grant of money that might be allotted for the education of the destitute among the European or Anglo-Indian community. But I should certainly object, Sir, to the exorbitant manner in which the tax-payers' money is being spent rather disproportionately towards this expenditure. It may be, Sir, that the expenditure will be necessary for the upkeep of these destitute children in those institutions; it may be a little higher than what may be spent in rather a poor manner in some of the institutions provided for the Indians, but may I ask this House whether the tax-payer may not put a question in this manner, 'Well, Sir, I am paying for the education of my children; I am paying for the education of your children; am I not entitled, Sir, to say that in addition to my paying for the education of our children that I cannot any more pay for the clothing or for the luxurious manner in which these our children have to be brought up?' I do not quarrel, Sir, with the necessity of educating these destitute children. It is very unfortunate that we should have such destitutes among our communities. But we shall have to compare, Sir, the status, rather the deplorable state of the other children among the other communities. When we take into consideration statistics of population, that is the number of the destitutes among other communities and the destitutes in this community, we will have to draw a line of demarcation and say that only in a certain proportion the Indian tax-payer will be prepared to meet those charges but not in the manner in which it is proposed to be met; of course, whether rightly or wrongly, the expenditure was being met hitherto to a certain extent towards the comforts of those children. But I certainly should object, Sir, that any more than what has been spent hitherto should be provided for, in order to meet the charges of these children. I know, Sir, with what amount of care and attention destitute certificates are granted in the mufassal. I don't know how the Presidency Magistrates are disposing of matters in this case. We have heard from the Director of Public Instruction that the parents themselves who are not able to maintain their children and meet their charges at school would thrust in their boys for a certificate before a Magistrate and these boys are readily granted the certificates. I was going to say, that there is a tendency or rather an inducement for these parents, although they are able to maintain their children, to thrust these boys into the orphanages or in these institutions, where help is forthcoming. Apart from all these questions, Sir, we don't take this as a racial question, but we want to realize a saving as it has been my hobby, and we are purely dependent on the principle of economy which was disputed by the Home Member on a previous occasion. I suggest at least on that ground that this House should be prepared to deny anything more than what has been already provided for towards the maintenance of these orphanages."

[Mr. C. V. S. Narasimha Raju] [24th March 1921

Mr. C. V. S. Narasimha Raju :—"I am sorry the discussion is centred on racial questions. Numerous speakers have pointed out that Indian institutions have also to be supported by the State. Are there instances in which applications from managers of institutions for Indian destitutes have been refused by Government? I do not see any reason why we may not ask the Government to spread out a liberal policy in regard to the Indian destitutes as well."

4-15 p.m.

Diwan Bahadur L. A. Govindaraghava Ayyar :—"I feel my position difficult whenever I find myself compelled to object to any grant for purposes of education, whatever may be the class or community who will be benefited by the grant. I hope the House will take it from me that considerations of colour, caste, or creed ought to be the last that ought to actuate any individual when questions of imparting education are to be considered and that it is not to be expected from persons who are in the position of members of this House to be guided by such considerations, when questions of education are to be considered. But it has also to be recognized that the item of Rs. 70,000 to which objection has been taken is in the class of reserved expenditure in connexion with the European schools. The House is familiar with the advantages which the reserved head possesses over the transferred head and we find that a sum of Rs. 19,000 provided by the Government of India is reserved, inclusive of this sum of Rs. 70,000 for expenditure on European schools—expenditure of one kind or another. As against that we find that a sum of Rs. 18,36,792 can be voted and a total sum of Rs. 18,46,700 is to be spent on the transferred item of secondary schools. The House is aware of the attitude of the Government and I take it that the present ministry takes its cue from the Government in these matters, because they had no time to formulate policies of their own. The attitude of the Government has been not very helpful to secondary education, because the funds at their disposal are small, and what funds they can spare are intended for primary education. Therefore the position is this. Out of the total sum of about 24 to 25 lakhs of rupees you find a sum of Rs. 6,12,000 according to the present estimate devoted for the purpose of European education. When you take the relative numbers and the relative importance of the two classes who are to be served by these two grants, I believe the House will agree with me in thinking that the proportion that there is between the transferred amount and the reserved amount cannot be considered to satisfy the legitimate requirements of the case. In these circumstances the House will be well advised in not voting for the additional sum of Rs. 70,000, especially when you find that for the same purpose there is another sum of Rs. 1,22,500 and odd which has already been taken into consideration in arriving at the estimate of Rs. 5,40,000 which you find as one of the items which go to make up the grant for European schools. Sir, you will also notice in the revised estimate of this year that that sum was found enough. I am prepared to admit that so far as education is concerned, any amount can be usefully spent whatever may be the class to which that amount has to be devoted. But when you take into consideration that there is a regular orgauized attempt for the purpose of providing boarding grants in the case of Europeans and no such thing exists in the case of other classes and when the proportion of expenditure which has to be incurred even excluding this sum of Rs 70,000 will be larger than justifiable, either in view of the importance of the case or in view of the number of persons to be benefited, I submit, Sir, that the House will be justified in refusing to vote for this additional estimate of Rs. 70,000. I will submit, Sir, one other consideration It was stated that there were not adequate Indian institutions which would apply for this help and it was therefore premature to put forward that consideration for being taken into account

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by this House. Now, Sir, there is absolutely no doubt that in the case of many of the secondary schools, there are orphans who are being educated and persons who will be benefited by boarding grants. There are also boarding institutions attached to some of these schools and if therefore, the Government makes it a declared policy of theirs to provide sufficient funds for the purpose of boarding grants in the case of all orphans, I have not the slightest doubt that there will be a number of institutions which will avail themselves of such advantages as are being given, provided of course the money is to be found. In these circumstances, Sir, although I am very reluctant to vote against any provision made for purposes of education, I am compelled to vote against this additional grant of Rs. 70,000."

Mr. K. P. GOPALA MENON :—"I must at the very outset confess that I am going to tackle this question purely from the standpoint of an Indian. It is always stated that the question of race and creed should not come into our discussions. I heartily support this motion from the standpoint of an Indian, out and out. After all, where is this sum of Rs. 70,000 to come from? The money is not to come from any money given by any European. We have mostly the Indian tax-payer who pays the money and it is only right and proper that the Indian tax-payer ought to see that the Government who gets the money from him looks equally to the condition in which his own children are. It was said that Indians have not come to that stage when orphanages have to be established and that therefore there is no such demand. We have not got all these new-fangled ideas. But, is it not the duty of the Government to say, 'Look here, there are some of you who are helpless and who are orphans. Start orphanages. We are prepared to give you money?' If in that way the British Government are not prepared to give an incentive for Indians to come up to the lines taken by the Europeans in the case of their own children and neglect the Indian children, I think the Government is doing absolute injustice. It is stated that this Rs. 70,000 extra is required on account of the additional cost of living now. I think that after the war the European or the Eurasian boy wears full trousers instead of the khaki over the knee. All this is good enough. It is all useless now to say that we want Rs. 70,000 more for boarding grants to the European schools because the living has gone high, when you are not giving a pie to Indian children. Is it not surprising, is it not too much, to come to us and say, 'we want more money. We have already Rs. 1,22,000 and we want Rs. 70,000 more'? They may want more next year. It is not a question of supporting the Government or the public. If we really feel that we are the true sons of India, that a number of poor Indian children are roaming in the streets without a bit of clothing—they do not want pleasures or luxuries—then the only question which the House should put is, 'if you make such lavish expenses for this sort of boarding houses for European and Anglo-Indian children, why not do the same in the case of the Indians also? Do not all of us know of an excellent institution in Madras, the Ramakrishna Students' Home? Why not the Government give Rs. 50,000 to this institution and say, 'Look here. You feed the destitute children, educate them and give them clothing. We are giving you this money.' Are there not poor students in the Ramakrishna Students' Home who will avail themselves of such a grant? When such institutions are in existence, it is too much to say that there are no Indian institutions which come forward for help. I therefore feel that I should certainly support the motion of Mr. Siva Rao which asks for the deletion of the whole item rather than that of Mr. Krishna Rao."

Mr. R. G. GRIEVE :—"The Ramakrishna Students' Home has been given about a lakh of rupees for building grants."

VOICES :—"Not for boarding grants."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Mr. President, Sir, the question that has been raised is one of principle as to whether the Government should commit themselves to giving boarding grants. I submit, Sir, that the great necessity now is to provide hostels, before Government commit themselves for finding funds for the cost of food. There are a large number of institutions without hostels—elementary schools, secondary schools, etc., more especially secondary schools. The need for hostel accommodation is felt very acutely. Even in the case of depressed classes, considerable difficulty is being felt for want of hostels and boarding houses. I know in Masulipatam some very enthusiastic gentlemen have been trying to provide a boarding house for the Panchama students pursuing secondary education. Great difficulties are being experienced by these students for want of a boarding house there. Therefore I think, the sound policy of the Government should be, first of all, to see that boarding houses and hostels are provided wherever the need is felt. Then we can think of paying boarding grants to destitute children. Therefore, Sir, if this policy is followed in the coming year, it will induce persons who are now running charitable institutions to come forward with applications and it will be impossible to meet their demands. I regret I have to oppose this provision, not with a view to oppose any grants being given to Anglo-Indian students but on the principle that the State should not commit itself to finding funds for the destitute children at the present juncture until hostels and boarding houses are first constructed."

4-30 p.m.

The Rev. E. M. MACPHAIL :—"Mr. President, Sir, I wish to say only two things. First, I wish to protest against the statement of Mr. Gopala Menon that the European community does not pay taxes. I regret to say that I know from my own case it does, for I am a tax-payer myself."

Mr. K. P. GOPALA MENON :—"What I meant was that most of the tax-payers are Indians."

The Rev. E. M. MACPHAIL :—"It is perfectly true. I am sorry I misunderstood the Honourable Member. I want to say one thing with regard to the European tax-payer and that is, that as a rule, he gets no benefit whatever from the whole system of education in this country which he also supports by paying taxes. He is paying for the children of vakils and others, who are being educated very largely at Government expense. It is therefore natural that the poorer Europeans or Eurasians should receive a larger share of the benefits, in view of the fact that Europeans as a rule do not get a single penny by way of education in this country, though they pay a large amount of tax.

"Secondly there is no use in attempting to blink the fact that this is a racial question and that these children are being treated exceptionally because of their race. But such exceptional treatment is not unknown in India. I need only cite the case of the Brahman Widows' Home. I shall look forward with interest to see what attitude some members who have attacked this grant will adopt when the question of grants to Brahman Widows' Home comes up for consideration."

Mr. T. A. RAMALINGA CHETTIYAR :—"In answer to Mr. Macphail I would say that the cost on European education is something very much higher in proportion than the tax paid by them, as compared with the tax paid by others. I find on page 199 of the budget that some provision is made for some Indian orphanages

also. So it is not right to say that nothing is given to the Indian orphanages at all. I know as a matter of fact that whenever any grant is asked for the purpose of meeting deficits in the cost of boarding in hostels attached to schools and colleges, they are vetoed by the inspecting authorities. That policy ought to be deprecated. Applications from hostels which cannot afford to defray the full expenditure must be favourably viewed by the Government. I think it is as much the duty of the Government to protect European destitutes as Indian destitutes. The Indian destitutes have not received the attention they are entitled to. Government should hereafter at least treat favourably the applications from the hostels wherever the hostel authorities are not able to meet the boarding charges. Even though I do not object to this grant on the ground that it is intended for a particular race, I vote for the proposition of Mr. Krishna Rao on the ground, that even though these are destitute and poor they are treated in a way which does not show that they are destitutes. They are maintained on a high scale—I have seen the boarding houses both at Kodaikanal and in the Lawrence Asylum at Ootacamund—and these destitutes therefore consider themselves as a superior set of people. The scale on which they are maintained does not show that they are destitute poor children and that they are educated at the expense of the Government. So the expenditure on them should be very economical. The protection of them, is of course necessary, but the expenditure is out of all proportion to their status. It is on that ground that I vote for the reduction of the grant."

Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I deprecate the racial question being brought into the Council, either Brahman Widows' Home or European education, one party attacking the one and the other the other."

The Rev. E. M. MACPHAIL:—"I did not say that I object to the Brahman Widows' Home."

Mr. P. SIVA RAO:—"Nor did I say that I objected to European education."

Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur (*continuing*):—"If we are going to raise such racial questions the Brahmans will object to European education and *vice versa*; the best thing would be to vote against this resolution."

Mr. T. ARUMAINATHA PILLAI:—"I do not want to raise any racial question, nor am I here to cut down the grant of Rs. 70,000. In the course of the discussion I heard Mr. Govindaraghava Ayyar and Mr. Gopala Menon say that the attitude of the Government was to help the institutions wherein Indian orphans or poor Indians were taken care of."

Mr. K. P. GOPALA MENON:—"A personal explanation, Sir; I was only repeating a Government statement."

Mr. T. ARUMAINATHA PILLAI:—"If that is so, I submit, Sir, it is not correct. Personally I know, as a matter of fact that in one institution where Eurasian and Indian orphans are taken care of, the Eurasian orphans are given grant while the Indians are not. If necessary, I will give the name. In page 199 of last year's budget the Holy Angels' Convent Orphanage at Kumbakonam was given a grant of Rs. 3,500. This year nothing is granted, and this is an institution which is run for the Indian orphans and maintained by the labour of the poor nuns who devote their lives for this work. May I know, Sir, why the Rs. 3,500 is cut down to nothing. I can multiply instances because I belong to a mission by which many institutions are run. These are maintained by charity. If it is the duty of the Government to pay money for the orphans of one class, it is the duty of the Government to maintain the orphans of the other classes as well, when there are

institutions which maintain the orphans at great self-sacrifice. As regards the Indian orphans, it will not be doing equal justice by them if they are not helped as well. It is no racial feeling but a question which demands the barest justice to us. As I have told you, Sir, I am not for reducing the grant of Rs. 70,000."

Mr. A. T. PALMER :—"President, Sir, Mr. Macphail is my *Guru*, and I do not want to quarrel with him; but is he quite sure that the European is not receiving the benefit of education here? As regards the question at issue, Sir, I am against this proposal for three reasons. The first reason is, we are starting on a new Government and let us show to the world that we are not against the Europeans. The second reason is, we are reputed to be a people of a very charitable temperament and let us be indulgent with regard to this matter. The third reason is, if we have this passed, it will be a precedent for asking help from the Government in regard to similar institutions for the Indians."

Mr. S. SOMASUNDARAM PILLAI:—"There has been some confusion of ideas here. Although they are called European schools, most of them are Indians. Except some of the domiciled Europeans, others are Indian children."

Sriman BISVANATH DAS (*interrupting*) :—"Out of 9,106 children in the year 1920, 615 only were Indians and the rest were Europeans."

Mr. S. SOMASUNDARAM PILLAI (*continuing*) :—"Even though they are Anglo-Indians, they are born in India and hence they are Indians. All born in India and are destitute should be supported by the Indians. There is absolutely no difference between them and us, not even in colour but only in dress. The late Mr. D. S. White, the President and founder of the Anglo-Indian Association, advised them to adopt Indian dress and customs and manners. I hope in the long run they will join with us and become all Indians. They have not got their home in England, and there is no objection for them to remain here. We must not grudge helping these Anglo-Indian destitutes. As for the Indian destitutes we give them alms liberally, and it is our fault if we have not organized our charity schools. We must also feel that there is a certain community which is the most useful community, the flesh and blood, the bone and marrow of the country. To these people we must turn our attention. It is thus only that our country will improve. We must care for all that live in India. So long as the Anglo-Indians live in this country they are Indians. So we cannot grudge them this grant."

Rao Bahadur T. BALAJI RAO NAYUDU :—"Just one word, Sir. In the course of the discussion, it is true that we found that one member had spoken about the reduction in one case and that another member did in another case. But on that ground, we cannot chuck out the proposals brought before the House. As suggested by Mr. Muhammad Usman Sahib, what we have to see is what is being spent on the education of the European children and of the Indian children. It is therefore quite reasonable, that the increased expenditure on European children should be taken into consideration before we can make any further additional grants hereafter. So we should not adopt the policy suggested by Mr. Muhammad Usman Sahib and accept the motion."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, Mr. Gopalakrishnayya levelled a charge against me, and I plead guilty to that charge, that I have been unnecessarily cautious, whereas I could have asked for the reduction of the whole grant. I have deliberately asked only for a reduction; because I found from the estimate that year after year a sum of Rs. 1,29,500 had been provided

and owing to natural causes, some increase might be necessary. That is what induced me to ask for a reduction instead of a deletion altogether. I am sorry for the turn the discussion has taken, because I feel that even without any consideration as to whether they are European or non-European schools, it is our duty to vote for the reduction. It is very unfortunate that in questions like this, other considerations have come in the course of the discussion. I will now draw the attention of the Council to some of the budget figures. The item from which I am asking for some reduction is that relating to *Secondary* education and that in the case of European schools. I wish the House to understand that we are not dealing with these items of expenditure provided for in 47. Miscellaneous, page 199 of the budget relating to orphanages.

4-45 p. m. "There is no one in this House or outside who will not support grants for orphanages of whatever community requiring help and this Council will be well advised in going much further than before in making grants. I wish the House to consider that while helping these educational institutions, we must develop a proper system according to which we can work upon impartially. I believe that the Hon'ble the Minister for Education will find that in the case of non-European schools secondary education there is no provision made for boarding grants. We have none. We find about Rs. 37,000 has been granted for hostels for buildings or for other purposes; and then when we come to the head of primary education we find a provision for boarding grants of Rs. 7,500. The only head under which provision has been made for boarding is in the case of some children of the criminal tribes.

"Sir, let us examine the provisions of the Madras Educational Rules. Our attention has been drawn to the provision made for the European schools. Do we find a similar provision made for boarding grants for non-European high schools and secondary schools? If we evolve a system which is equally applicable to all institutions, we shall not think of European or non-European racial distinction. So far as I remember, I am speaking from my memory, there is no provision made for boarding grants in such secondary schools. I know, as a matter of fact, that even in cases where applications had been made from secondary schools for provision of scholarships to the really poor and destitute, they were refused by the Government, without application for additional funds. That is where we stand. Therefore if I think it necessary to bring forward this resolution, it is not so much that I feel that we will effect wonderful economy, for other purposes to utilize the funds so saved but it is because that I feel it necessary to place before this Council all the facts tending to improve the present system. If it is found necessary to help the destitute orphans in secondary schools with boarding grants, let us evolve a definite policy like that. Till that policy is evolved, I would ask the Council—I have not asked for the deletion of the grant—to follow the old course which has been followed for the last 20 or 30 years and reduce the grant. It is for these reasons I have placed this motion before the House."

Mr. P. Siva Rao :—"I do not want to move. . . . . ."

The Hon'ble Sir Lionel Davidson :—"May I ask what motion is before the House? Is it for reduction or for deletion?"

The Hon'ble the President :—"I intend putting both before the House. Firstly, I shall put the motion to omit the grant. If that motion is carried, there is no necessity for putting the other. If it is lost, I will put the other motion, i.e., to reduce the grant."

The Hon'ble Sir LIONEL DAVIDSON :—" I am afraid that there is little doubt that the discussion of this resolution has, for the most part, followed on racial lines. I am very sorry that it should have been so, because the issue is far more a question of charity than of race.

" If the course of debate had suggested that there was a disposition to pass this Rs. 70,000 if an assurance were given that an examination would be made of the case for giving similar assistance to destitute orphans of the Indian community actually housed in boarding institutions, then I should certainly have been willing to promise a consideration of that aspect of the case and to hold that out as an olive-branch. The main difference of course is that boarding institutions for Indians are comparatively rare. Boarding institutions for Anglo-Indians, on the contrary, are common. One reason of this is that Anglo-Indian parents are few and far between and they wish to concentrate the education of their children in central places. Thus, very often they have to send their boys to boarding houses, a necessity which does not arise nearly so frequently in the case of Indian parents. That is one reason why in Anglo-Indian schools the boarding house is a commoner feature than it is in the case of Indian schools. I mentioned that these allowances are admissible only to those who are certified to be destitute. I should like, Sir, to repudiate, as forcibly as I can, the insinuation which has come from one quarter of this House that the magistrates who give such certificates are dishonest and do not look fairly into the merits of the case. That was distinctly stated by one speaker. I should like also to repudiate entirely Mr. Gopala Menon's assumption that there has been no increase in the cost of living in the past few years, his suggestion is that the increased cost of boarding Eurasian boys is due to the advance in their standard of living. I would ask him to go to St. Patrick's orphanage just outside the limits of this City and learn for himself to what a terribly meagre limit the boarding of Eurasian boys is brought down by the limitation of funds. I say nothing about the Lawrence Memorial School. That stands on an entirely different footing, for it enjoys large endowments and was under the management of the Government of India until quite recently. The standard of living and the standard of education of that institution are quite a different matter.

" Now it has been said that Government do nothing in the way of meeting the boarding charges of Indian orphans. There is at least one case in which the obligations to provide boarding charges for destitute orphans is recognized. I refer to the Industrial settlements, formerly called criminal settlements, which are scattered about the country. If you turn to pages 183 et seq. of the budget you will find a variety of items for the maintenance of these destitute children."

Diwan Bahadur M. KRISHNAN NAYAR :—" Criminal settlements, they are even now called so in the budget."

The Hon'ble Sir LIONEL DAVIDSON :—" If the old title finds place there, it is due to a regrettable mistake on the part of the Finance Department, because it was many months since the Government formally abolished the title of criminal settlements.

" I do not want this discussion or the voting to turn on the racial issue. My wish is to emphasize that the very object of these boarding grants, which have been in existence for many many years, the purpose of the budget provision will be frustrated if we are not permitted to raise the amount of existing grants in accordance with the rise in the cost of living, I should not say in accordance with that rise but some little distance behind it. The practical effect of the elimination of the Rs. 70,000 which has been put down in the budget proposals for next year will, I have no hesitation in saying, be the cutting down of the strength of very

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deserving orphans of St. Patrick's Orphanage and other deserving institutions which have hitherto only just been able to carry on and in future may be unable to make both ends meet. Without further assistance the management will have no alternative but to throw indiscriminately on to the streets numbers of destitute orphans. I should like the House to bear this in mind.

"I am indebted to Mr. Arumainatha Pillai for inviting my attention to the Holy Angels' Convent at Kumbakonam and to the fact that the grant to that institution has not been continued. Why it has not been given this year I do not know. It is possibly the funds at the disposal of the institution are able to meet its present demands. The case was brought to my notice as Chief Secretary some years ago, and my recollection is to the effect that the management of the institution complained that they would be absolutely obliged to close down their operations owing to the high cost of living during the war and the fact that their income received in the shape of contributions from France and other European countries had been cut down to a minimum. It was ascertained that the Convent was a very deserving institution and the Government accordingly came to its rescue; but for the assistance supplied by Government from year to year this orphanage should have had to close."

Mr. T. Arumainatha Pillai:—"I know that missionary funds from Europe are not coming in for some time past."

The Hon'ble Sir Lionel Davidson:—"I am quite aware of that. That makes the needs of the management all the more pressing."

The Hon'ble the President:—"I shall now put the motion to the House."

5 p.m. The motion of Mr. P. Siva Rao—

'2. *That under the detailed account 31-B (a) the lump provision of Rs.* 70,000 *for revising the rate of boarding grants in European schools may be omitted*'

was put to the vote.

A poll was taken with the following result:—

Ayes.

1. Mr. K. Adinarayana Reddi.
2. ,, T. Balaji Rao Nayudu.
3. ,, K. Gopalakrishnayya.
4. ,, K. P. Gopala Menon.
5. ,, B. Muniswami Nayudu.
6. Mr. N. A. V. Somasundaram Pillai.
7. ,, T. Sivasankaram Pillai.
8. ,, L. A. Govindaraghava Ayyar.
9. ,, P. Siva Rao.

Noes.

1. The Hon'ble Sir Lionel Davidson.
2. ,, Mr. C. G. Todhunter.
3. ,, Khan Bahadur Muhammad Habib-ul-lah Sahib.
4. ,, Mr. K. Srinivasa Ayyangar.
5. ,, Mr. A. Subbarayulu Reddiyar.
6. ,, Mr. P. Ramarayaningar.
7. ,, Mr. K. Venkata Reddi Nayudu.
8. Mr. F. J. Richards.
9. ,, R. G. Grieve.
10. ,, A. Ramaswami Mudaliyar.
11. Dr. P. Subbarayan.
12. Mr. E Periyanayagam.
13. ,, S. R. Y. Ankinedu Prasad.
14. ,, R. Appaswami Nayudu.
15. ,, C. Arunachala Mudaliyar.
16. ,, S. Ellappa Chettiyar.
17. ,, P. C. Ethirajulu Nayudu.
18. Mr. S. Muttukumaraswami Chettiyar.
19. ,, C. V. S. Narasimha Raju.
20. ,, M. Narayanaswami Reddi.
21. ,, C. Natesa Mudaliyar.
22. ,, A. P. Patro.
23. ,, T. Ramalingam Chettiyar.
24. ,, A. Ramayya Punja.
25. ,, A. Ranganatha Mudaliyar.
26. ,, K. Sarabha Reddi.
27. ,, W. P. A. Soundara Pandia Nadar.
28. ,, R. K. Shanmukham Chettiyar.
29. ,, S. T. Shanmukham Pillai.
30. ,, S. Somasundaram Pillai.
31. ,, K. Suryanarayanamurthi Nayudu.
32. ,, T. C. Tangavelu Pillai.
33. ,, O. Tanikachala Chettiyar.
34. ,, R. Venkatratnam Nayudu.
35. ,, W. Vijayaraghava Mudaliyar.
36. ,, L. C. Guruswami.
37. ,, R. T. Kesavulu Pillai.
38. ,, K. Prabhakaran Tampan.

Noes.

59. Md. Abdul-Razzaq Sahib.
40. ,, Abdur Rahman Sahib.
41. ,, Munshi Md. Abdur Rahman Sahib.
42. Ahmad Miram Sahib.
43. Mr. Bavotti Sahib.
44. ,, Saiyid Ibrahim Ravuttar.
45. ,, Muhammad Usman Sahib.
46. Mr. T. Namberumal Chettiyar,
47. ,, P. Venkatrangayya.
48. Rev. Mr. Macphail.
49. Mr. P. Kesava Pillai.
50. ,, M. Ramachandra Rao.
51. Mr. T. M. Narasimhacharlu.
52. Dr. C. B. Rama Rao.
53. Mr. K. Sadasiva Bhat.
54. Sriman Sasi Bhushan Rath.
55. Mr. D. Seshagiri Rao.
56. ,, M. Suryanarayana.
57. ,, T. Desika Achariyar.
58. ,, T. Arumainatha Pillai.
59. ,, S. Arpudaswami Udaiyar.
60. ,, M. D. Devadas.
61. ,, E. C. M. Mascarenhas.
62. ,, A. T. Palmer.

The motion was declared lost, 9 voting *for* it and 62 *against*.

The motion of Mr. A. S. KRISHNA RAO—

2. *That in the demand under* 31-*B* (*a*) *Education—the lump provision Rs.* 70,000 *for revising the rate of boarding grants in European schools be reduced by Rs.* 35,000

was then put to the vote.

A poll was taken with the following result :—

Ayes.

1. Mr. K. Adinarayana Reddi.
2. ,, T. Balaji Rao Nayudu.
3. ,, K. Gopalakrishnayya.
4. ,, K. P. Gopala Menon.
5. ,, B. Muniswami Nayudu.
6. ,, T. A. Ramalingam Chettiyar.
7. ,, N. A. V. Somasundaram Pillai.
8. ,, T. Sivasankaram Pillai.
9. ,, P. Venkatasubba Rao.
10. ,, A. Tangavelu Nayakar.
11. ,, R. Venkataratnam Nayudu.
12. ,, P. Kesava Pillai
13. ,, M. Ramachandra Rao.
14. ,, S. Srinivasa Ayyangar.
15. ,, M. Krishnan Nayar.
16. ,, L. A. Govindaraghava Ayyar.
17. ,, A. S. Krishna Rao.
18. Mr. P. Siva Rao.
19. ,, S. Bisvanath Das.
20. ,, T. M. Narasimhacharlu.
21. Dr. C. B. Rama Rao.
22. ,, U. Rama Rao.
23. Mr. K. Sadasiva Bhat.
24. Sriman Sasi Bhushan Rath.
25. Mr. D. Seshagiri Rao.
26. ,, M. K. Seturatnam Ayyar.
27. ,, R. Srinivasa Ayyangar.
28. ,, T. C. Srinivasa Ayyangar.
29. ,, M. Suryanarayana.
30. ,, K. S. Venkataramа Ayyar.
31. ,, Govindoss Chathurbujadoss.
32. ,, Ahmad Miran Sahib.
33. ,, K. Prabhakara Tampan.

Noes.

1. The Hon'ble Sir Lionel Davidson.
2. ,, Mr. C. G. Todhunter.
3. ,, Khan Bahadur Muhammad Habib-ul-lah Sahib.
4. ,, Mr. K. Srinivasa Ayyangar.
5. ,, Mr. A. Subbarayulu Reddiyar.
6. ,, Mr. P. Ramarayaningar.
7. ,, Mr. K. Venkata Reddi Nayudu.
8. Mr. F. J. Richards.
9. ,, R. G. Grieve.
10. ,, A. Ramaswami Mudaliyar.
11. Dr. P. Subbarayan.
12. Mr. E. Periyanayagam.
13. ,, S. R. G. Ankinedu Prasad.
14. ,, R. Appaswami Nayudu.
15. ,, C. Arunachala Mudaliyar.
16. ,, S. Ellappa Chettiyar.
17. ,, P. Ethirajulu Nayudu.
18. ,, S. Muttukumaraswami Chettiyar.
19. ,, C. V. S. Narasimha Raju.
20. ,, M. Narayanaswami Reddi.
21. ,, C. Natesa Mudaliyar.
22. ,, A. P. Patro.
23. ,, R. K. Shanmukham Chettiyar.
24. Mr. W. P. A. Soundara Pandia Nadar.
25. ,, K. Sarabha Reddi.
26. ,, A. Ranganatha Mudaliyar.
27. ,, A. Ramayya Punja.
28. ,, K. Suryanarayanamurti Nayudu.
29. ,, S. Somasundaram Pillai.
30. ,, S. T. Shanmukham Pillai.
31. ,, O. Tanikachala Chettiyar.
32. ,, A. Tangavelu Pillai.
33. ,, W. Vijayaraghava Mudaliyar.
34. ,, L. C. Guruswami.
35. ,, R. T. Kesavulu Pillai.
36. ,, T. Desika Achariyar.
37. ,, T. Arumainatha Pillai.
38. ,, S. Arpudaswami Udaiyar.
39. ,, M. D. Devadas.
40. ,, E. C. M. Mascarenhas.
41. ,, A. T. Palmer.
42. Rev. Macphail.
43. Mr. P. Venkatrangayya.
44. ,, T. Namberumal Chettiyar.
45. Muhammad Usman Sahib.
46. Munshi Md. Abdur Rahman Sahib.
47. Md. Abdur Rahman Sahib.
48. Abdul Razzaq Sahib.

24th March 1921] [Mr. S. T. Shanmukham Pillai]

The motion was declared lost, 33 having voted *for* and 48 *against*.

Mr. S. T. SHANMUKHAM PILLAI:—I am very glad that the world-wide reputation, which India has earned for charity to the poor, has been saved."

The Hon'ble the PRESIDENT:—"The Honourable Member is quite out of order."

The following motion which stood in the name of Mr. P. Siva Rao was not moved:—

3. *That under the head* 31 (*b*)—*Secondary* (*Reserved*) *the lump provision of Rs.* 2,92,000 *for the provincialization of the Lawrence Memorial School may be omitted.*

The motion was therefore deemed to have been withdrawn.

Sriman BISVANATH DAS then moved the following motion:—

4. *That this Council recommends to the Government to reduce the demand of Rs.* 1,30,000 *for building grants in detailed account No.* 31-*B* (*a*) (1) *Education—Secondary, by Rs.* 80,000 (*Budget page* 126).

In doing so, he said:—"Sir, I am very sorry that during the discussion of the last motion much was spoken of the racial prejudice. It is natural, Sir, when Anglo-Indians and Indians move together as brothers in a family and one brother, specially with the weapon of reservation at his back, is rolling on the laps of luxury—it is natural that there should be some grumbling from the other side. Sir, we are gathered here Anglo-Indians, Indians, Brahmans, and non-Brahmans, and when the discussion of questions from a communal standpoint are allowed to be discussed, I do not think there would be much trouble or much to be complained of in the name of race prejudice when questions relating to the curtailment of luxurious grants are discussed. Well, Sir, we are by this time convinced of the fact that Anglo-Indian education has unfortunately been very costly. As my friend Mr. Somasundaram Pillai said, Anglo-Indian students should learn to adjust themselves to circumstances and I am sorry they have not. Reference has also been made to my figures given out on my observations on the budget on the last occasion and I must say here that from a close working out of the figures I have found out that while Rs. 13 is spent per head of Indian students, Rs. 183 is spent per head of Anglo-Indian or European students. Certainly, Sir, these ways do not speak well of the community, especially when they are destined to live with us and to be educated along with us. I should say that in the interests of the Anglo-Indian community themselves it would be better for them to come a bit to our level or at least just try to meet us half way in the cost of education. When these are the circumstances, it is for this House to decide if they would allow again another luxury of heavy grant for costly buildings.

"I quite repudiate the unwarranted saying of the Rev. Macphail that European students do not receive any help in the matter of education. I find from the educational reports of 1919–20 that Anglo-Indian and European students as also Indian students read together in the same institutions and I believe that money spent in those institutions is also spent on the education of the European students. Therefore I do not know how the Rev. Macphail believes that not a pie is spent in the education of European students."

5-15 p.m.

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU:—"I think, Sir, there is some mistake there. The Hon'ble Member Mr. Macphail stated that since all rich Europeans are educated in England, nothing goes towards their education."

[Sriman Bisvanath Das] [24th March 1921

Sriman BISVANATH DAS :—" I must say that money is also spent on the education of poorer European students. So, I believe that the statement of Mr. Macphail is not correct. Secondly, while realizing that the education of the European and Anglo-Indian students is becoming more and more costly, we must not allow them more grants for more luxurious buildings as we find in Demand under 31-B (*a*) (i) in which 1·30 lakhs has been demanded for building grants. Sir, I find from the reports that for the last three years much money has been allowed for building grants. For instance in 1919–20 I find in the educational reports that a good amount was allotted and that the whole amount could not be utilized as payment was not mature during that year. Again, I find from the budget estimate for 1920–21 that a sum of Rs. 77,100 was allowed. This year a further provision of about 1·30 lakhs has been made.

" I submit, Sir, that the cost on this head is growing more rapidly than it ought to have been and for myself I believe that more money spent on buildings is money mis-spent. I therefore submit that it is not proper for us to vote such a huge amount as Rs. 1·3 lakhs and I therefore appeal to the House that in view of the financial stringency and in view of the difficulties in the different branches of education felt that a sum of Rs. 80,000 should be deducted from the demand of 1·30 lakhs."

Mr. R. G. GRIEVE :—" Mr. President, I should like to say that if the grant is reduced we shall not be in a position to meet our obligations in the coming year. It is also worth while mentioning that part of 1·30 lakhs is transferred from the Imperial to Provincial funds. It is not all coming out of the Provincial budget. We have also a liability of 1·40 lakhs and apart from this we have three schemes on hand in connexion with the Lawrence Memorial School which is provided from Imperial funds, with the Civil Orphan Asylum and with the St. George's Homes. In all these schemes applications for building grants have been sanctioned already. In other words, you cannot cut down so as to meet your liability."

Rao Bahadur T. NAMBERUMAL CHETTIYAR —" This is not the time for starting new buildings, as the prices of materials and labour have advanced considerably. Another reason is that in the Revised estimate for 1920–21 only Rs. 77,100 was allotted and there seems to be no justification for the increased demand now made. I therefore support its reduction by Rs. 30,000."

Rao Bahadur K. S. VENKATARAMA AYYAR:—" With regard to building grants, the Hon'ble Member Mr. Namberumal Chetti stated that it was a bad time but the time is becoming already worse. Every year the Public Works Department has to revise the schedule of rates and the Local Fund department has also to revise the schedule of rates. If the building is postponed it will cost us 1·50 lakhs next year. There can be absolutely no objection to provide buildings for the schools and I believe building grants are the grants with which nobody should interfere."

The motion for closure moved by Mr. T. A. Ramalingam Chettiyar was carried with two dissentients.

The original motion was then put to the Council and declared lost.

Rao Bahadur A. S. KRISHNA RAO PANTULU then moved—

'5. *That in the demand under* 31-*B* (*a*) (1) *Education—Secondary—Direct Grants to non-Government Secondary Schools, the provision* (*Rs.* 20,000) *for additional fixed grants* (*Rs.* 5·40 *lakhs less Rs.* 5·20 *lakhs*) *to European schools be reduced by Rs.* 10,000 (*Budget page* 126).'

24th March 1921] [Mr. A. S. Krishna Rao Pantulu]

In doing so, he said:—"It will be found that under the head of "Direct Grants to non-Government secondary schools" a sum of 5·40 lakhs is demanded as against a provision of 5·20 lakhs in the budget estimates for the current year and 4·90 lakhs in the revised estimates. Without going into further details, I can say that the provision is in excess of that for the previous year. Also there is a lump provision under the head of additional fixed grants. I am not satisfied with the information placed before the House in regard to this item nor as to the necessity for this provision of Rs. 20,000."

The Hon'ble Sir LIONEL DAVIDSON:—"I think I can satisfy the Hon'ble Member with regard to the difficulty raised by him. We find in the budget under 'Fixed Grants' two amounts—

	RS.
For boys	1,32,000
For girls	1,13,000
Making a total of ...	2,45,000

"If we add to this the proposed additional fixed grant of Rs. 20,000, the result is Rs. 2,65,000.

"Again, if the Honourable Member will turn to the revised estimates for 1920-21 he will see two figures, namely—

	RS.
For boys	1,39,800
For girls	1,26,100
Making a total of ...	2,65,900

"In other words, the provision we are making for 1921-22, including the additional fixed grants, is less than the probable actuals of this year. I may tell Honourable Members that Rs. 20,000 does not represent what I asked for or what the Director proposed as the addition requisite under this head. What we both asked for was Rs. 53,000, but owing to the strain on the finances the State reluctantly agreed to a reduction to Rs. 20,000. This additional fixed grant will not meet the additional expenditure really necessary to improve the conditions of the staff in some of these European schools. It will merely go some way towards that end."

The motion was by leave of Council withdrawn.

Demand XV for a sum not exceeding 10·29 lakhs of rupees for European education was then put to the Council and was granted *nem con.*

The Hon'ble the PRESIDENT:—"Before we disperse for the evening I would mention to Honourable Members that the last day for the budget motions has passed and any motion received after this day cannot come up because the last day allowed by His Excellency the Governor for the budget is the 31st March. Also, it is open to the Honourable Members to table interpellations and motions, but I would appeal to the Honourable Members to consider, as it is clear that this session is nearing its close, whether any useful purpose would be served by putting in any more interpellations or any more resolutions. A large number of them have come in and I think it will be our endeavour to finish the work on hand and not increase the volume of work. I therefore appeal—I have no right to interfere with

the discretion of the Honourable Members—that in view of the fact that the chances are that motions, or resolutions or interpellations coming hereafter cannot possibly be dealt with in this session, I appeal to Honourable Members to stop sending in notices if they feel that they can conscientiously adopt that course."

Mr. S. SRINIVASA AYYANGAR :—" If the copies of the budget had been put into our hands some time earlier we would have given notice of the resolutions long before the last day fixed for it and there would not have been any the slightest inconvenience to the Government. But as it was, we were given copies of the budget only the day immediately preceding the discussion and it was very difficult for us to send the resolutions earlier."

The Hon'ble the PRESIDENT :—" I am not aware that anybody has found fault with us for that. The Honourable Members are not bound to give more than six days' notice. If motions or resolutions are sent out of time, I am here to deal with them ; so that we are all working within the rules and therefore no apology is needed. I only made that suggestion in view of future contingencies and in view of the desirability, which I am sure is shared by all sections of the House, to clear the work on hand."

The House then adjourned to 11 a.m. on Saturday, the 26th day of March 1921.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

TRUTH ALONE TRIUMPHS