The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday, the 15th day of February 1921, the Hon'ble Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E., President, presiding.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Mr. President, may I have your permission to make a statement with regard to the agenda, because considerable inconvenience is being felt by the members. At present none of the members are in a position to know which questions are coming on each day for being answered in the Council. I would suggest that the questions which may be tabled for any particular day may be printed and circulated as part of the agenda as under the old rules. Otherwise, considerable inconvenience will be felt by members from their not being able to know which question is coming on each day. I also submit that the Standing Orders require that members should have notice of the questions taken up on any day."

The Hon'ble the PRESIDENT :—" Would it meet the wishes of the honourable members if the questions that are coming on for to-morrow are given to the members before this evening ? "

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" I should think so. "

Mr. M. D. DEVADOSS :—" Yes. It will be very convenient if they are sent to us the previous evening."

The Hon'ble the PRESIDENT :—" The number of questions is much larger than in previous meetings under the old system, and there has been considerable difficulty in getting them sorted, but I quite see the inconvenience to the honourable members. So no questions have been tabled for to-day. They are not ready. But the questions which will be taken to-morrow will be placed in the hands of honourable members this evening. That, I assume, will meet the wishes of honourable members.

" The Council will now resume consideration of the resolution of the Hon'ble Mr. Subbarayalu Reddiyar, order of the day No. VIII. The Honourable Member is requested to move it."

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The pay of Council Secretaries.

The Hon'ble Diwan Bahadur A. SUBBARAYUDU REDDIYAR :—" Mr. President, I beg to renew the motion of yesterday regarding Council Secretaries. The Council Secretaries appointed by His Excellency the Governor are named in the previous resolution. They were appointed under the discretionary powers vested in His Excellency the Governor as Council Secretaries to discharge such duties as may be assigned to them and to assist the Members of the Executive Council and the Ministers. That is how they were appointed. Now, it is left to the House to fix their pay. They are to be paid such salaries as may be provided by the vote of the Legislative Council. So the duty falls upon you now to determine the salaries payable to Council Secretaries. My proposal regarding salaries is that they be paid Rs. 500 a month each. It is for the House to vote on this motion and determine the salary."

The Hon'ble Mr. P. RAMARAYANINGAR :—" I second the motion."

Mr. T. A. RAMALINGAM CHETTIYAR :—" Mr. President, I am sorry I have to remark in the beginning about what I consider to be not a proper treatment accorded to this Council in regard to these appointments. I sent notice of a resolution

requesting His Excellency not to make these appointments until such time as the pressure and volume of work necessitated such appointments. Of course the implication was that at the present moment there was not sufficient work for the appointment of these Secretaries. The resolution was disallowed by the Hon'ble the President, and the appointments are made, no doubt, not by the Hon'ble the President but by His Excellency the Governor. But even so, I feel that when a question like that has been raised, the merest courtesy would have required . . ."

The Hon'ble the PRESIDENT :—" Order, order. I must ask the Honourable Member to confine himself to the issue before the Council, viz., whether the Council Secretaries are to be paid a salary of Rs. 500 per mensem. It would not be relevant to that issue to discuss whether His Excellency the Governor should have or should not have made the appointments, or whether the President was or was not right in disallowing certain resolutions brought by the Honourable Member."

Mr. T. A. RAMALINGAM CHETTIYAR (*continuing*) :—" If, as I contend, there was no necessity for the appointment of Secretaries, it would be a relevant question in fixing the pay to consider whether the appointments are necessary or not. It is in that way the matter is relevant. So, I say the Council might have been given an opportunity to consider whether there was any necessity for the making of these appointments. I beg to submit, Sir, that I do not consider that these appointments ought to have been made without affording the Council such an opportunity. The appointments having been made, I think it will also be necessary for this Council to know what functions are going to be assigned to these Secretaries. Yesterday, for instance, we were led mainly by the work that was assigned to the Deputy President of the Council in fixing the salary that was to be given to him. In the case of the Secretaries also, I feel that the pay we will have to fix will depend to a very large extent on the work they will have to do. If they are going to be full-time Secretaries working throughout the year from day to day, probably Rs. 500 will not be enough. I should personally think that it would be very low. But if they are to be only the Council Secretaries and help the Ministers in their Council work and there are no restraints on their liberty otherwise to follow their own vocations, I do not know whether the Council will be prepared to fix Rs. 500 a month. I think the Hon'ble the Minister should have furnished information on these points when he proposed the resolution as regards the pay of these Secretaries. It is only after he furnishes all the information that we will be in a position to proceed further with the question of fixing the pay."

Mr. R. SRINIVASA AYYANGAR :—" Mr. President, with your leave I beg to rise to a point of order. I do not think that the decision of the Hon'ble the President given yesterday can be viewed in the language of the lawyers to operate as *res judicata*. The motion is in the nature of a resolution to be passed by the Council fixing the salary of the council secretaries. On turning to the statute I find that this matter is entirely within the discretion of the Council because it is by means of a vote to be recorded by the Legislative Council that the salary of the Council Secretaries has to be fixed under section 52 of the Government of India Act. It may perhaps at first sight be contended that rule 53 of the Standing Orders may apply ; if that is so, my answer to that is furnished by rule 23 of the Legislative Council Rules which gives us an idea as to the form the resolution has to take.

" Every resolution shall be in the form of a specific recommendation addressed to the Government and then it is stated in rule 24 that a copy of every resolution which has been passed by the Council shall be forwarded to the Government, but any such resolution shall have effect only as a recommendation to the Government.

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So far as the present resolution is concerned, the effect of it is in the nature of a recommendation to the Government. The question of salary is entirely within the competency of the Council, whose decision, I submit, is binding on the Government. This cannot be viewed in the nature of a resolution. Properly speaking this must be viewed in the nature of a vote for grant, which can only be taken into consideration at the time of the budget."

The Hon'ble the PRESIDENT :—" I do not quite see what the point of order is. What is it that the Honourable Member has raised? I do not quite follow."

Mr. R. SRINIVASA AYYANGAR :—" I think every resolution can only be in the nature of a recommendation. It is impossible for me to conceive of any recommendation proceeding from the Government to itself; because on turning to page 161 we find the following : any such resolution shall have effect only as a recommendation to the Government."

The Hon'ble the PRESIDENT :—" Yes."

Mr. R. SRINIVASA AYYANGAR :—" In the very nature of things the Government cannot pass resolutions recommending to itself. Therefore rule 24 of the Legislative Council Rules does not apply, nor does rule 23 apply. On turning to matter No. 8 in the agenda I find it headed as a resolution and it was moved by the Hon'ble the First Minister as a resolution. Therefore in the absence of any rules, I rise to a point of order as to whether this matter is to be brought up at all in this Council and on this occasion."

The Hon'ble the PRESIDENT :—" Do I understand the Honourable Member to say that the resolution cannot be brought up now?"

Mr. R. SRINIVASA AYYANGAR :—" It cannot be brought up at all, because all resolutions can only be recommendatory in character and this cannot be characterized as a resolution. A resolution *per se* might or might not bind the Government."

The Hon'ble the PRESIDENT :—" Does the Honourable Member know that the resolution is brought forward with reference to paragraph 2 of clause 4 of section 52 of the Government of India Act?"

Mr. R. SRINIVASA AYYANGAR :—" I am aware of it. My difficulty in this matter is that this matter can only be considered at the time of the budget because the very idea of resolution denotes its non-binding character on the Government."

The Hon'ble the PRESIDENT :—" I have no hesitation in ruling that the resolution is in order."

Mr. P. SIVA RAO :—" I oppose this resolution. My first ground is that this matter can more appropriately be dealt with at the time of the budget when the Council will be in a position to note where it stands in the matter of resources and finances and to take a comprehensive view of the whole situation."

The Hon'ble Sir LIONEL DAVIDSON :—" It seems to me, Sir, that the Honourable Member is discussing the President's exercise of his discretion in allowing the resolution. On a point of order I agree that he cannot discuss whether the resolution is admissible at this meeting."

Mr. P. SIVA RAO :—" It is not my suggestion, Sir, that it should be discussed only at the time of the budget. I stated it as one of the grounds that this need not be taken up now and it will be more appropriate to discuss it later; and I do not

think I am raking up the old question now. It would be more appropriate to bring up this question and consider this matter in full at the time of the budget.

"My next ground is that section 52 (4) of the Government of India Act says that the Governor of a Governor's province may at his discretion appoint from among the non-official members of the Local Legislature, Council Secretaries, who shall hold office during his pleasure and discharge such duties in assisting Members of the Executive Council and Ministers as he may assign to them. I expected the Honourable Member in charge would enlighten us as to what duties His Excellency the Governor had assigned to these Secretaries. Now, Sir, before we attempt to fix the salary of an officer, we are in fairness entitled to ask what duties he is expected to perform. It is only then and not until then that the Council will be in a position to fix the salary of the officer. Before knowing the duties, whether they are going to be more onerous or less onerous or whether they are going to be a sinecure, it is absolutely impossible for the members of the Council to exercise their discretion. That again is another additional ground for my opposing this resolution. I may say the third ground—I may mention that I am not raking up old matters which have been decided—is that the Council has not been given an opportunity of seeing whether these appointments should be made or not. Lastly, it seems desirable that the Council should have a voice in the matter and it is also very desirable that we should see for some time how these Councils are going to work and whether we feel really any need for these functionaries known as the Council Secretaries.

"The whole matter, Sir, was in a nebulous state; until a few days ago, the Government was not sure what these Council Secretaries were going to do. Now I respectfully ask the Hon'ble the First Minister what are the duties and functions of the Secretaries whose salary he wants us to fix. What is the nature of the duties they are to perform? Are they going to be full-time officers? Are they to be treated as officials or as non-officials? Will they be allowed to exercise any other profession or will they not be allowed to do so? Then the further question also arises, whether they are departmental Secretaries and whether there will be a conflict between them and the departmental Secretaries. Are they in the nature of Parliamentary Under Secretaries or are they in the nature of Private Secretaries to Ministers? All these and numerous other kindred matters have to be settled and we are taken aback at the last moment. We were led to believe that these Council appointments would be made only after some time had elapsed, after we had had a substantially good opportunity of judging what the work was.

"Now, Sir, I may say that the Hon'ble the Ministers have regular departmental Secretaries to assist them in their own work. For instance, the Development Minister has a Development Secretary. As the Council is well aware, we have had three Secretaries added to the departmental Secretaries. We have had a Financial Secretary to help the Finance Member. We have had the Development Secretary, otherwise known as the additional Revenue Secretary, and lastly we have had the Legislative Secretary. Thus we have had three Secretaries as the result of the reforms. As we have already appointed a Development Secretary, is it necessary for us to appoint one more Secretary to assist, for instance, the Development Minister? With these questions, Sir, we have also to consider that the Act provides that Secretaries may be appointed to assist the Members of the Executive Council. We have also to consider whether, on the suggestion of the Ministers, His Excellency the Governor should appoint a joint Financial Secretary. All these matters will come up appropriately at the time of the budget when we shall be in a position to know how far we can stretch our finances and how far we

shall be able to spend our money for all these additional appointments. For these reasons, Sir, I strongly oppose this resolution."

Mr. S. Srinivasa Ayyangar :—" Mr. President, I am afraid I am bound to oppose this resolution which has been moved by the Hon'ble the First Minister. He has not made out any case for the appointment of these Secretaries. I quite agree that it is within the discretion of His Excellency the Governor to make these appointments, but the power of the purse is vested in this Legislative Council and it is open to this Council to question the wisdom, the propriety and the necessity of the appointment and the only way in which it can constitutionally exercise its right when it differs from the executive that makes the appointments and holds they are uncalled for, is to refuse to vote the salaries asked for. Therefore I have got the greatest possible pleasure in opposing this resolution as it is the first occasion on which the power of the purse which has been conferred upon the local legislature has to be exercised, and I want to exercise it on purely proper grounds. I do not want my remarks upon the subject to be misunderstood by any Honourable Members in this House. I do not question the propriety of the selections that have been made nor am I concerned with the question as to the pay that is proposed by the Hon'ble the First Minister. I am dealing with the root of the question and that is whether necessity has been made out for the appointment of these three Members of Council as Council Secretaries.

" Now under the Act under which we are functioning to-day, we have got four Executive Council Members and three Ministers. The two halves of the Government do the work to-day which till December last was done by three Executive Council Members. I consider therefore that there has not been shown within the space of one month any great volume of work which has got to be undertaken by adding to these seven persons—Ministers or Members who are in charge of the Government of the country. We know perfectly well no attempt has been made to appoint Council Secretaries to the four Executive Council Members who are here. Therefore, it is quite clear that their departments which are by no means less heavy than the departments which have been transferred to the Ministers do not require the assistance of Council Secretaries. Section 52 of the Act provides for Council Secretaries being appointed not only to assist Ministers but also to assist Executive Council Members, and it is plain therefore that it is the opinion of the Government that no necessity has been made out to appoint Secretaries for the purpose of assisting the four Executive Council Members to whose custody are committed such onerous departments as law, justice, land revenue, finance and various other things which it has not been thought even necessary to transfer to the people's representatives.

" In that state of things I cannot see why Council Secretaries should be appointed unless it is shown that the three Ministers who have been appointed have such a volume of work to cope with and it is really impossible for them to attend to their work and that their work is really going to be supplemented by that of council secretaries."

The Hon'ble Sir Lionel Davidson :—" May I rise to a preliminary point of order ? The Honourable Member, as I understand him, is drawing the attention of the Council to the question whether council secretaries should be appointed. The only question which can be discussed in this Council is whether any pay and, if so, what pay should be given to the secretaries. In further explanation, may I draw the attention of the Honourable Member to section 52 of the Act, which states that the appointment is within the discretion of the Governor, and that the pay is fixed by the Council ? "

Mr. S. Srinivasa Ayyangar :—"I anticipated the Hon'ble Mr. Davidson's objection. All I want to point out to the Council is that the Council has only the constitutional right of practically vetoing appointments by refusing supplies. If the Executive Government will go on making appointments and if the Council is to vote supplies, then there is no further question for council members to consider. My submission is that you can raise the question of the propriety of the appointments."

The Hon'ble Sir Lionel Davidson :—"The right question, the only issue which can be raised is not the case for the appointment but the question whether pay should be assigned to it."

Mr. S. Srinivasa Ayyangar :—"No pay is necessary. This Council ought not to vote the pay asked for. I was opposing the resolution. The resolution was for a vote of Rs. 500. I was opposing the resolution on the ground that there was no necessity for the appointment. I cannot vote for this Rs. 500. I cannot vote for any pay."

The Hon'ble the President :—"I understand the Honourable Member to say that the Council has not got the right under the law to question the appointment but that they have got the right to withhold the pay, and he trusts the Council to show its disapproval of the act of the executive by not giving the pay."

Mr. S. Srinivasa Ayyangar :—"I therefore submit that this is a great question which ought to be considered dispassionately, as no doubt it will be, by all members in this House, and I have ventured to speak these few words in the hope and in the full belief that I will not be misunderstood as having objected to any particular person or persons being appointed. I have already said this, but I think I should guard myself against being misunderstood and that is the only reason for my repetition. At the same time I would beg of the members of this House to consider very carefully before committing themselves to allowing this pay to be sanctioned. If they did that, then it means that the appointments are necessary. If they think that no case has been made out for such appointments of three council secretaries to assist the Ministers at the present stage and if they thought that they might well wait, the proper way in which the members of the Council will exercise that right is by refusing the vote which is now asked for. It is in that spirit and in that spirit only I confine myself to one aspect of the question. I do not propose to say anything further, nor do I wish on this occasion or in this place to go into the question of the relative distribution of work which it will not be proper for me to do so because I have not got the materials to enable me to judge whether the work is such as really requires any Secretaries at all. But assuming that Secretaries are required, then I should expect a statement made to that effect. Now we should like to know whether it is only for the purpose of training that Council Secretaries are appointed as was suggested in the Report of Lord Chelmsford and Mr. Montagu. If that is the object, if these three Council Secretaries are to be Members of the Cabinet, I have not the slightest objection. They would then be able to assist the Ministers and it is possible they might be useful. But if they are not to be in the Cabinet, I really cannot understand what training they could receive. Therefore I am not enamoured of the theory that they are going to benefit by their training nor do I want that training. I am now concerned with the simple question which in this province is of such supreme importance, namely, whether there is not a pressing need for retrenchment in all directions and in all matters. In such a state, that we should go in for such an experiment without any consideration of a case being made out for these appointments appears to me to be a question which the Council would have deeply to

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consider. I myself propose to vote against this proposition and I beg of my honourable friends in this Council to see that their duty to the country requires equally that they should vote against this proposition. It is not possible for me to imagine that the three distinguished Ministers will not be able to cope with the work in the Legislative Council. I know perfectly all of them and I have not the slightest doubt that they will be able to take care of their duties in the new departments that have been transferred to them and it is impossible for them to say that they cannot do the work. It is not as if they cannot find assistance. They have got the permanent department, the Secretaries, Assistant Secretaries and Under Secretaries and after all most of the routine work is done by permanent officials. The information is collected by the office; any notes and other things are made in the office. That is the way in which the administration is carried on. In that state of things, unless the Ministers are called away to another place—and there are no two Houses in this Presidency—unless the Ministers have got various functions—political functions—to perform and the political side of the House is to be taken up by the Under Secretaries as in England, it is impossible for me to see the necessity for such appointments. Therefore neither the departments assigned to them are sufficient nor does the principle involved warrant this additional charge upon the revenues of this province, nor does the nature of the work which it may be proposed to be committed to them involve any real training because they are not going to be Members of the Cabinet and they are not going to be of very great assistance, and therefore there is no necessity for this charge which is proposed to be incurred out of the revenues of this province.

"If it is deemed necessary to make these appointments for party purposes, I should certainly object to it. I am perfectly certain that that argument will not be present in the mind of any one of the three Ministers. Therefore divesting ourselves of the party question, because I am glad there was yesterday a good deal of independent discussion and there was no particular desire to aggregate as parties, in that spirit I appeal to all sections of the House to reject this demand which is made by the Hon'ble the First Minister without any cogent reasoning to support his demand, without any facts and figures which make it necessary for us to approve of his demand. I should have expected that he would have taken us into his confidence. He confined himself merely to the technical ground that the Council Secretary has been appointed by His Excellency the Governor in the exercise of his discretion. I presume His Excellency acts only on the advice of the Ministers, if the constitutional precedent is taken. I am not questioning the exercise of the discretion of His Excellency. He simply acts at the request of his Ministers. In that state of things I am certainly entitled to question the wisdom of the Ministry in making these appointments. For all these reasons I think this question should be treated as non-party and it must be discussed only in a fair spirit and in the spirit of economy. I am also in full agreement with the other members of the House who said that the more appropriate time would be to discuss this alongside the budget."

The Hon'ble Rao Bahadur K. VENKATA REDDI NAYUDU:—"Mr. President, perhaps it will be convenient if I intervene at this stage of the debate. I say intervene, because I find my chief has been called upon to answer a certain challenge. Perhaps I had better take it up. Various objections have been raised and I shall presently deal with them. Before I do so I may be permitted to thank my honourable friend the Member for the University of Madras for having paid us the compliment that he deemed us perfectly competent, though in another part of his speech he doubted the wisdom of our present proposal. Coming now to the various objections raised, the first is that the appropriate place for dealing with this

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resolution is the budget. I may at once inform the House that this subject has engaged the attention of the Ministry, and the reason why it is placed before the House to-day is that perhaps at the time of the budget there might be difficulties arising if it was to be voted on as a grant. Honourable members of the House know that in the budget discussion, when a motion is made regarding any item of a vote, it is open to the House only to reduce such an item and not to increase it. In fixing Rs. 500, it was the opinion of the combined Government that the fixing of the salary of the Council Secretaries was a question entirely at the disposal of the House and an opportunity must necessarily be given to it to say whether it would reduce it to nothing or to something less than Rs. 500 or to raise it if the House be so inclined. In order to give that opportunity to this House, the Ministers thought that it was right that it should be placed here and now because if it was placed at the time of the budget, they would only have an opportunity of reducing it and not of increasing it. The next objection was that opportunity was not given to this Council to express its views and opinion as to whether there was any need for such Secretaries. In another place and a little later I shall discuss whether there is any need or not for Council Secretaries and how the necessity for them arose. So far as the ground of the objection is concerned I may be permitted to state that the Ministers, and for the matter of that I take it, my Honourable colleagues on the executive side have had no voice in the disallowance. It is you, Sir, Mr. President, that disallowed the question of my honourable friend from Coimbatore. I am sure honourable members are aware that the Honourable the President does not generally consult us or take our opinion in the matter—the opinion of the Ministers or of the Executive Councillors. How can the Minister or for the matter of that, the Government be responsible for the passing of an order the power of which lies in the hands of the President?

"Then, Sir, perhaps the most important objection was that the Honourable Mover of the resolution did not in his speech make mention of the duties that are to be assigned to these Secretaries. The Act says that they shall discharge such duties as His Excellency the Governor may think fit to assign to them. It will be remembered that the question of creating these Parliamentary Under-Secretaries, as they are called in England, or Council Secretaries here, was first raised in the joint report, the Montford Report, as it is popularly called. In the famous Despatch of the 5th of March, the Government of India also referred to these Council Secretaries. The matter came up finally before the Joint Committee at which some of our friends were present, when the Committee decided that these Council Secretaries should be something akin to the Parliamentary Under Secretaries in England. Later correspondence between the Government of India and this Government showed that the object in appointing these Under Secretaries was threefold. Firstly, to serve as a piece of education, to train the younger members of the House in the art of Government, without which training we can never hope to bring these reforms to a success. Secondly, it was believed that the much-needed relief—whether it is much needed or not I shall presently place before my honourable friends—the relief needed by the Ministers and the Executive Councillors would have to be given. And there is a third object, namely, to bring the Government Members into closer touch with the non-official members of this House. All these objects were expected to be fulfilled by the creation of the posts on the analogy of Parliamentary Under Secretaries. I admit that the duties of these Parliamentary Under Secretaries are not themselves very clear. Curiosity impelled me this morning to look into the reports of the debates in the House of Commons and I found that these Under Secretaries of Parliament were employed in three departments. In the Foreign office they have got a Parliamentary Under Secretary of

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State and also an Assistant Parliamentary Under Secretary. In the department for Colonies also a Parliamentary Under Secretary is employed. In the War Office and the Air Ministry there was a Parliamentary Under Secretary. As regards other departments, I found a Secretary of State, an Under Secretary of State, a Parliamentary Secretary, Parliamentary Joint Secretary, a Parliamentary Under Secretary and a combined office of Parliamentary and Financial Under Secretary. When we tried our best to find out the duties of these Secretaries I must confess we found them to be rather vague and indefinite, but certainly it is not impossible to find out what these duties generally are. They may be divided into three classes.

"The first is these under secretaries are ranked not as Members of the Cabinet, as the Honourable Member for the University thought, but as Members of the Ministry, because the Ministry is understood in England in a different sense from the Cabinet. There are Ministers who have a place in the Cabinet and there are Ministers who have no place in the Cabinet. And these Parliamentary under secretaries have a place in the Ministry but not in the Cabinet. Now in that capacity they dispose of certain cases and it is said that some under secretaries dispose of more important work than the Secretaries of State themselves. Another way in which these under secretaries are profitably used in England is to reserve a certain portion of the work of the Minister to be disposed of by them. In both these cases the permanent Secretary will work under him, of course, no doubt, having the privilege of going to the Minister whenever he thinks fit or when he feels aggrieved. There is a more important—and it is in fact the most important—object with which a Parliamentary under secretary is appointed. That is his Parliamentary assistance to his Chief. That, I think, is the object with which this system is sought to be introduced in this country, whether in the joint report or in the report of the Joint Committee. In that capacity a Parliamentary under secretary, or taking our nomenclature, a council secretary, will have to prepare notes and will have to be ready to do the work in the Council whether in the presence or in the absence of the Minister. For instance, he may have to answer such questions as may be referred to him by the Minister. He may have to defend a certain position of the Government on certain motions. He may have to reply to certain resolutions which his Chief may think fit to hand over to him. In order that he may be able efficiently to discharge such duties, it will be necessary for him to have access to the records in the departments.

"Now, honourable members are questioning whether we have found these appointments necessary within so short a time. I must confess that perhaps if a gentleman of the capacity of the Member for the University of Madras were in that position, probably he might not have found it necessary to ask for them. But I claim with great respect to the House that the best person who can say whether under secretaries are needed or not is the person who feels the burden of the office. I do not for a moment say that this House has no power at all over these matters, but certainly this House will show due regard to the difficulties of the Minister when he is prepared to tell them what they are. Now, I am prepared to tell them what they are. The Honourable Member for the University was telling us that the work of a Government hitherto consisting of three Members of the Executive Council is now distributed among seven gentlemen, four Executive Councillors and three Ministers, and that naturally the work must be less. It overlooks two points. One point is that the new Ministers come under a different system, that of dyarchy, which has not yet been tried anywhere in the world and that it is being tried in this country for the first time.

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"Another difficulty is that whereas the Executive Councillors including, Sir, your respected and honourable self, had to deal with 50 or 60 members only, this present Ministry and the Executive Councillors have to deal with double or more than double that number. That was a Council when perhaps the Government could have got through the resolutions and other business with their official block majority and with so little power on the other side of the House. But now, my honourable friend, the Member for the University himself, has claimed that we are in a democratic constitution and that the power of the purse is in his hands. Well, is it not our responsibility on this side of the House at least to meet that power? By all means let them bombard us with all their guns, but give us powder and shot enough to prepare ourselves and time so that we may keep our powder dry. (A voice :—'Are we at war?') Yes. It is a friendly war, a war of words to which we have been long accustomed. I presume, Sir, these two points will answer my honourable friend's objections.

"Now, my honourable friend from Bellary referred to me personally and spoke of the Development Department. Perhaps I must confess I cannot claim that superior intelligence and capacity which might have made it possible for another Minister to discharge his duties without help. Honourable members will take it from me when I say that I have gone to bed at 12 o'clock at night for the last 15 days. File after file arrives. One file refers to another and one reference leads on to another reference and that reference again may lead on to a third, until at last it may be found necessary to go over a number of files in order to come to a decision on any particular matter. We have to go into each file, as we do not know what information the members on the other side of the House may themselves have. Some of them have ten years' experience to their credit, and they are more experienced than myself. I have to go through all the files and I find it difficult, absolutely impossible, to get on with the work without assistance. I hope that honourable members on the other side of the House will admit that on the success of the Ministry will depend the success of the reforms in which they are as much interested as we are.

"The Honourable Member for the University has told you, Sir, that he hoped that these appointments were not made for any party purposes. I can assure him at once that there was no such purpose contemplated in making these appointments. But would it be wrong if it were so? What is the party system if one of its incidents be not to make use of those in the following of a party who are found fit and capable and to train them to take the places of their chiefs when the need comes? I hope honourable members on the other side will admit that they will have similar opportunities in their turn. I suppose honourable members will also allow that those on this side of the House are not endowed with immortality. They may have to vacate office at any time. They may have to resign, and if something else calls them away, they may have to make room for others; are there not to be persons fit to take their places? And what, after all, is the purpose of these reforms if the younger generation is not trained, not merely in the art of government but also in the art of legislation? If that is not developed and if that is not done, I fail to see, Sir, what the making of the reforms a success means. The whole country must be prepared. I know objections were raised when the reforms were being considered that India was not fit to enjoy the full benefit of these reforms and that no such catastrophic changes were needed at that time. I think that some honourable members on the other side of the House themselves said, that the country would prepare itself for the coming changes. Now what we are asking for is only such a preparation, and I hope the honourable members will see their way to support the resolution."

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Mr. O. TANIKACHALA CHETTIYAR :—" Mr. President, before the discussion proceeds further, it will probably enable all the honourable members here to come to a certain decision if they are told what will be the nature of the duties of the Secretaries. By, nature, I mean whether they are to be full-time officers who will wholly give their attention to Council work or whether they are free to carry on their professional avocations. An answer to that will enable us to determine what salaries are to be assigned to them, whether it is to be Rs. 500 or more or less. So I would request that information may be furnished to me whether they are full-time servants or whether they are free to carry on other avocations."

The Hon'ble Mr. P. RAMARAYANINGAR :—" Sir, I rise only to inform the House that the Secretaries will be full-time officers. They will not be allowed to have other professional avocations."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, I want to make a motion at this stage, namely, that the consideration of this subject be adjourned to the 17th March or such later date as will be determined by the President. My reasons for doing so are--"

The Hon'ble the PRESIDENT :—" Under what Standing Order ? "

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Standing Order No. 34. We have heard with very great interest the speech made by the Hon'ble the Minister for Development in defence of the appointment of Secretaries. After hearing his remarks I do not think that we can refuse to give them Council Secretaries. So far as that position is concerned, it is plain enough. If as has been suggested by the Hon'ble the Minister for Local Self-Government they are to be full-time Secretaries, I will not at present state that the pay proposed is anything but moderate. I do not wish to question the pay that has been assigned to the Secretaries, especially in view of this information that they are to be full-time servants. But still I make this motion because I think that in considering the financial proposals it is better to have before us all these proposals instead of having our attention drawn to one point here and one point there. We are all aware that in addition . . . ."

The Hon'ble the PRESIDENT :—" I must ask the Honourable Member to address the Chair."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" We are all aware that in addition to the three Members of the Executive Council hitherto working we have three Ministers appointed and we are also aware that there has been an addition to the permanent strength of the Secretariat."

Rao Bahadur A. P. PATRO :—" Sir, may I rise to a point of order ? We want only t e reasons for the adjournment proposed but not a discussion before the House. The Honourable Member is indulging in a discussion on the resolution before the House."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" It is that that I am attempting to do. I am trying to give reasons for the adjournment of this motion. If we have all the financial proposals before us, we can consider whether we can effect any retrenchment to do away with some of the permanent secretaries or under secretaries, if not Council Secretaries. I am trying to satisfy the House that this question can be considered at the time of the budget. The Hon'ble Member for Law yesterday threatened us with a suggestion that if we look into the budget we shall not take a cheerful view of the situation. The Hon'ble the Minister for Local Self-Government said that the local boards are already in a precarious condition and the Government are not likely to give substantial grants. With these two warnings from two

Honourable Members of Government I think this Council will be justified in pausing before embarking on a further expenditure. I quite realize that when the Ministers want us to help them in their work, we should co-operate with them to a reasonable extent. But it will be open to this Council to find out whether the Council Secretaries are necessary and whether it is also necessary to have the full strength of the Secretariat. Let us also remember that there are proposals now before us for the abolition of the Board of Revenue. The decision of the question is likely to affect the establishments. I do not wish to anticipate the result."

The Hon'ble the PRESIDENT :—"Order, order. We are now dealing with the question of adjournment."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I do not wish to discuss that question. I wish to point out that this question is likely to affect the strength of the Secretariat and to indicate what it should consist of. We are unable to come to any decision regarding this point till we have a whole view of the budget. It is for these reasons that we are to adjourn this motion till the time of the budget. The Hon'ble the Minister for Development has told us that they considered this a more suitable opportunity for bringing in this question. His only suggestion was that at the time of the budget it may not be possible to increase the allotment and that it will only be possible to reduce the allotment. We have no proposals to increase the salary. The Council might then accept it as it is or might reduce it though the Council will not be in a position to increase it at the time of the budget."

Rao Sahib U. RAMA RAO :—"I beg to second the motion brought forward by the Honourable Member for Nellore, because a few days ago I sent notice of a resolution fixing the pay of the Ministers at Rs. 2,000 a month and I was asked to bring in that resolution during the time of the consideration of the budget. So on that ground I think this also may be taken up at that time."

The Hon'ble the PRESIDENT :—"The motion before the Council is that this matter be adjourned till the 17th of March or to such later date as the President may fix."

Mr. S. SOMASUNDARAM PILLAI :—"Mr. President, it was a mystery for a long time to me how a lot of time is wasted in the Council. Now I understand how it is."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I rise to a point of order. I should like to know whether it is open for any member to cast reflections upon this House."

Mr. S. SOMASUNDARAM PILLAI :—"I beg the honourable member's pardon. First of all instead of taking into consideration the plain matter of fact we are twisting it into legal quibbles and advancing all sorts of spurious objections. One of the honourable members said 'is there any duty for the Secretary?' I thought he was also going to ask 'is there any duty for the Ministers?' It is a plain fact that every man who is in a position requires some assistance."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I rise to a point of order. Is the Honourable Member dealing with the motion for adjournment or with the original motion?"

The Hon'ble the PRESIDENT :—"I should like to know if the Honourable Member is speaking on the question of adjournment. His turn will come later on the main motion."

Mr. S. SOMASUNDARAM PILLAI :—"I do not know how it will be till the 17th of March. What will the Ministers do till then? Who will be their assistants

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till then? How will they live till then? There are certainly responsibilities. There are necessities for assistance and there must be Secretaries. It is His Excellency the Governor that appointed the Secretaries and I do not think we expect the Secretaries to live on the natural elements of air and water. They must be paid and I cannot understand the motion for adjournment. That means that they do not believe in the extent of the work."

Rao Bahadur K. S. VENKATARAMA AYYAR:—"I should submit for the consideration of this House that section 52 leaves no room in this matter. There it is said 'there shall be paid to the Council Secretaries so appointed such salary as may be provided by vote of the Legislative Council.' It proposes that some salary should be paid. The question of voting the supplies does not arise in this case at all. The Governor has got absolute discretion in this matter. Under clause 4 of section 52 . . . ."

The Hon'ble the PRESIDENT:—"I must ask the Honourable Member to speak on the motion now before the Council whether this matter should be adjourned."

Rao Bahadur K. S. VENKATARAMA AYYAR:—"Therefore I say that it should not be adjourned. 'The Governor may at his discretion appoint from among the non-official members of the Local Legislative Council Secretaries who shall hold office during his pleasure' and the salary is to be fixed by the vote of the Legislative Council. With regard to the Deputy President, it is to be fixed by an Act and therefore it was necessary that the Hon'ble the Law Member had to bring in a Bill for the purpose of deciding the pay of the Deputy President. But the Act says that the salaries of the Council Secretaries should be fixed by the vote of the Legislative Council. In my opinion the salary has to be provided for at once if they are to enter upon their duties and they should not be made to wait till the Council decides upon their salaries. It has been said by the Hon'ble Member for Local Self-Government that they are full-timed men. If they are to be full-timed men, the salary that has been proposed is quite reasonable and it will also be quite proper that this amount should be budgeted for as a recurring grant in the budget that has to come up for the consideration of the Government. The salary of these permanent men should be a recurring item of expenditure which is to be provided for in the budget. What is the use of merely shirking the question and taking it up later on? Honourable members of this Council had been gracious enough to vote for Rs. 5,000 for the Deputy President's salary and the question was not what was the work that he had to do; and when a full-timed man has to come forward before the Council and render his services, because His Excellency the Governor has appointed him, I think it is but proper that his pay be decided once for all so that the Hon'ble the Finance Member may provide for the pay in the budget. Whatever the pay may be, it must be fixed once for all as a recurring item. With regard to the grants whether this is necessary or that is necessary, or whether that is a thing which should be adjourned or whether it should be taken up at once or whether it could be taken up next year and whether provision may be made for an agricultural or industrial school or whether this item is more necessary this year, those are items that will be dabbled in the budget. This question of pay should be decided by the Council once for all, so that the Hon'ble the Finance Member may know what are the items which he can provide for in the budget. No useful purpose will be served by merely shelving this question. We have already a sufficient number of resolutions which have to be provided for in the budget. I therefore think that my Honourable friends would agree with me in thinking that the matter should be decided once for all, which, after all, relates to a paltry sum of Rs. 500, i.e., of the grade of a deputy collector and less than that of a sub-collector.

We can wait for one year and see what the work of these Secretaries is. After all, it is a sum of Rs. 500. His Excellency the Governor has appointed three Ministers and the pay of the Secretaries comes to only Rs. 18,000 a year."

The Hon'ble the PRESIDENT :—"The Honourable Member will do well not to repeat his arguments."

Rao Bahadur K. S. VENKATARAMA AYYAR :—"This is a matter which should be decided once for all and the motion for adjournment need not be passed by this House."

Mr. T. SIVASANKARAM PILLAI :—"Mr. President, I rise to support the motion for adjournment. I have given notice of a resolution for the enhancement of the pay of teachers. I wish to wait till I know what amount can be made available for the teachers."

Mr. O. TANIKACHALA CHETTIYAR :—"Mr. President, I oppose this motion for adjournment to the 17th of March on the following grounds. The very object with which the Secretaries have been appointed will be defeated if the matter is adjourned to the 17th of March. The period between now and the 17th March will be the busiest season for the Ministers and Executive Councillors and the Council Secretaries. It is then that they require the assistance for preparing the budget. As it is, the Ministry was formed on the 17th December last; but His Excellency has thought fit not to exercise the power vested in him of appointing Secretaries until he found that there was a necessity for it. It is now nearly two months since Ministers were appointed and it is now that he has made up his mind to appoint Secretaries. Having done that now, as has been pointed out by my friend, the previous speaker, the Council has no other alternative but to fix the pay. It may be the magnificent sum of Re. 1 of which we heard yesterday. But they cannot say that they shall not pay anything as the Honourable Member for the University has suggested. That will be quite contrary to the law. It may be that a matter of grants of supplies for departments may be refused; but when the statute says that a salary shall be paid, we are bound to give a salary. We cannot tell the gentlemen who have been appointed 'wait till the 17th March, and you may or may not get the pay.' They will not content themselves with the Bible maxim 'Man shall not live by bread alone.' They will expect to be paid and would like to be assured that they will get some decent pay. Therefore it is that we have to consider the matter now. When the subject comes up on the 17th March, as has been pointed out by the Honourable Minister, members will have no chance of discussing about increase of their pay. They can only accept it or reduce it. But they will have no opportunity of raising it. If by any stratagem this resolution is adjourned to 17th March, such of those who do not approve of the salary proposed would be denied the chance of moving an amendment for increase and to bring it before the Council for consideration. Therefore I strongly appeal to all gentlemen here who have spent over an hour and a quarter on the discussion of the subject not to allow the motion for adjournment because of the doubtful consequences following this procedure but to deal with this question straight off and to face it."

The Hon'ble the PRESIDENT :—"We are now dealing with the question of adjournment. Every Honourable Member has got a right to speak on the motion. But if the question whether this matter shall or shall not be adjourned is going to be debated upon as fully as the original motion itself, it would really mean doubling the debate. While I therefore do not want in any way to interfere with the rights of honourable members, I would ask them to confine themselves to the issue and allow this House to divide as soon as possible so that in case we have to dispose of the main question we may have time to take it up."

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Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Sir, I wish to point out that, as I understand the scheme of constitutional reforms, the only resolution which would be effective is the budget resolution. Resolutions proposed at the time of the budget are the resolutions which give power to this Council to effectively vote supplies. All other resolutions, so far as I can see, are resolutions by way of recommendation to the Governor in Council. And in this matter I should like to invite your attention to section 52 of the Act. In dealing with the salary of the Ministers, the section lays down, 'there may be paid to any Minister so appointed in any province the same salary as is payable to a Member of the Executive Council in that province unless a smaller salary is provided by vote of the Legislative Council of the province.' I would invite your attention to the words 'by vote of the Legislative Council of the province.' In regard to the Council Secretaries exactly the same phraseology is used : 'There shall be paid to Council Secretaries so appointed such salary as may be provided by vote of the Legislative Council.' Now, Sir, I submit to you that the only effective vote is the supplies for the pay of the Council Secretary at the time of the budget and in regard to this particular resolution I understood from the Hon'ble the President that this resolution was admitted under rule 53 and that rule. . . ."

The Hon'ble the PRESIDENT :—"I do not quite follow the Honourable Member."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I understood that this resolution was placed on this agenda under the rules relating to the admissibility of resolutions."

The Hon'ble the PRESIDENT :—"Like any other motion, yes."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Like any other resolution, this resolution can only be recommendatory in this nature. If that be the view of this Council, I would, for the sake of finality, submit to the Minister who has moved this resolution that the only way in which he can deal with this matter would be by a budget resolution. So if this construction of the rules is not acceptable to the House, by all means let them debate the resolution and it would be open, in my view, for any Member of the Legislative Council to get up at the time of the budget and propose again a reduction of the salary of the Council Secretaries. I am merely pointing out the necessity of dealing with this matter with a certain amount of finality because at the beginning every one in this House is anxious to take a correct attitude in settling this matter. I support this motion for adjournment of this subject."

The Hon'ble Sir LIONEL DAVIDSON :—"I move that the question be now put."

The Hon'ble the PRESIDENT :—"Yes, the question will now be put. The motion before the House is that this matter be adjourned till 17th March or such later day as the President may fix. The Hon'ble Sir Lionel Davidson considers that the motion has been debated adequately and therefore he wants that the resolution be put to the meeting. This is the first time we have the closure being applied. It is better that I explain it. At any time after a motion has been made, a member may move 'that the question be now put'; and unless it appears to the President that such motion is an abuse of the rules of the Council or an infringement of the rights of reasonable debate, the question 'that the question be now put' will be put forthwith and decided without amendment or debate. The idea is that the members may feel that they have had enough of the discussion and would like the question to be put, and then it would be open to any member to

initiate the view, put the matter to the President and, if I am satisfied, I will put it to the Council whether they are satisfied and whether they allow the motion to be voted on by the Council. The motion that I am now putting before you is neither the original motion to fix the pay of the Council Secretaries at Rs. 500, nor is it the motion of Mr. A. S. Krishna Rao which recommends that the matter be adjourned; but the motion is whether you are satisfied that you have had this debate to an adequate extent and whether you are prepared to divide upon the motion for adjournment."

The motion for closure was then put and carried.

The Hon'ble the PRESIDENT:—"I will now put the other motion, the motion to adjourn: 'that this matter be adjourned to 17th March or to any such later date as the President may fix'."

The motion for adjournment was then put and lost.

The Hon'ble the PRESIDENT:—"That being so, the Council will now proceed with the main motion before the House, viz., that moved by the Hon'ble Mr. Subbarayalu Reddiyar."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, I am as anxious as any other member in this Council that in starting a new experiment under the new constitution, every member of this House should be actuated by exactly the same sentiments for setting up a correct standard in regard to the parliamentary machinery of this House. I was glad to hear that the Hon'ble the Minister for Development recognizes that in a matter such as this we on this side of the House are actuated by exactly the same feelings as inspire him and his colleagues in regard to the appointment of Council Secretaries. I also join with the Hon'ble Mr. Srinivasa Ayyangar that in this matter, when we are making a new departure in regard to the Council work, we should have in view the functions that are to be assigned to these Secretaries. Now, Sir, after having heard the Hon'ble Mr. Venkata Reddi one would imagine that it was taken for granted that the necessity for the appointment of these Secretaries has been made out. Simply because there is a provision in the Act for their appointment, it does not necessarily follow that the appointments should at once be made. I trust that no member of the House will disagree with that proposition. A second point to which I should invite the attention of the House is that the question has come up before it under rather unfortunate circumstances. A member of this House wanted to raise the issue directly by bringing forward a resolution that there is no necessity for the appointment of the Council Secretaries. Unfortunately for reasons for which the Ministry is not responsible this resolution has not been placed before the Council. I do not wish to go into the reasons why that resolution came to be rejected, but the fact remains that immediately after that resolution had been rejected, His Excellency the Governor made these appointments and the Hon'ble the First Minister came forward with a motion that the pay of these new appointees should be fixed. Therefore the main question which has been sought to be raised is that the necessity of these appointments has not been allowed to be debated under the resolution of which notice has already been given. I was looking forward therefore with considerable interest to hear—let alone what has happened to the resolution of which notice was given—I was looking forward with considerable interest to see what the two Ministers who are responsible for this resolution had to say in support of the creation of these appointments. The mover of this resolution has assigned no reasons for the creation of these two appointments. He has contented himself with saying that His Excellency the Governor has made these appointments and that he therefore comes here with a

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resolution to ask us to vote Rs. 500 per mensem for these offices. The Hon'ble Mr. Venkata Reddi tried to make up for the omission. I will therefore now say a few words with reference to the arguments that have been advanced by him. In the first place I regret that so early in our parliamentary career the Hon'ble Mr. Venkata Reddi should have referred to the tendency, or rather would seem to have justified the tendency, to find places for political supporters. Well, Sir, speaking for myself—"

The Hon'ble Rao Bahadur K. Venkata Reddi Nayudu :—"I deny it."

Diwan Bahadur M. Ramachandra Rao Pantulu :—"Very well, Sir, I understood the Honourable Member said so, and I think I am right. I must disclaim on behalf of myself and several other Honourable Members that this tendency which finds a play elsewhere should be introduced here. We should therefore, for the present, dismiss this aspect of finding places for political supporters in this House. I merely mention it at the outset to clear the ground. Now as regards the exact reasons for which these new appointments have been created, I regret to say that I have not been convinced by the arguments of my Hon'ble friend Mr. Venkata Reddi. In the first place, he began by a reference to the position of Parliamentary Under Secretaries in the United Kingdom. I do not wish to go into that matter in the brief space of time that is allotted to me, but I would in the first instance say that I would be one with them and I am sure that every Honourable Member in this House would be with them if the necessity for these appointments had been made out. We have to judge of the necessity from all that has been stated in support of this motion. The Honourable Member stated that these appointments are training grounds. Well, Sir, the first thing, for a long time I should think, and the best for the Ministers, would be, to do all the work themselves, to train themselves. For any Minister either now or for some time to come the best thing would be not to relegate these important branches of administration to other persons or to rely upon others' notes. The best way of training is to train oneself. I do not think there is much in that argument that it is necessary immediately to create opportunities for training junior members of this House. So far as I have heard from the Hon'ble Mr. Venkata Reddi he does not say that the training of the junior members would be a relief to him. Well, the second argument that has been urged is that the Secretaries are required to place them in touch with the House. I am very much surprised at this statement. I think it is the Minister's duty to be in touch with every section of this House to ascertain the feeling of this House on all important questions and to do everything possible to meet the wishes of the honourable members of this House, and not to engage intermediaries. I am perfectly certain that if any such practice is adopted, it would not be to the taste of the members of this House. Therefore, this part of the argument cannot be taken too seriously.

"Having dealt as briefly as possible with what has been stated, I should like to inquire whether His Excellency the Governor has assigned any duties to these officers, to these new Council Secretaries, or whether, having appointed them, he (His Excellency) and the Honourable Ministers at whose instance, I take it, they were appointed, are going to find work for these Secretaries. Myself and several honourable members would like to be enlightened as to whether the duties of these new Council Secretaries are to be confined purely to the Council portion of their work, namely, to working up cases for the Council. I am sorry to hear that the Hon'ble Mr. K. Venkata Reddi has been burning midnight oil over the resolutions and the questions But apart from this I should like to know what the exact position is. If they will tell us what these new officers are required for, we should be

prepared to appreciate to what extent the necessity has been made out, and I trust that no Honourable Member, especially the Ministers, would misconstrue our attitude. I am anxious, having had something to do with the way in which agitation in this country has been carried on for the reforms, that we should make some beginning in setting up a parliamentary machinery for this Council, and I am sure that we are prepared if a statement, a clear statement, is made as regards the circumstances which have led to these appointments, and as regards the work which His Excellency the Governor under the advice of the Ministers proposed to assign to these new Council Secretaries, I do not at all deal with the question of the pay."

Diwan Bahadur P. KESAVA PILLAI:—" Mr. President, you will kindly allow me to make some dispassionate observations on the question before the House. My friend there, the Honourable Member for the University, wanted this question to be considered dispassionately. I have been hearing the arguments put from that section of the benches, and one or two from this side also, and I consider that the appointment of Under Secretaries from among the elected members is necessary, not for the work that may be delegated to them, but for the information and for the knowledge they can bring to bear on the work coming before the Ministers. My friends,—and I have been all along with them,—have been all for democracy and for democratic institutions. Now the Ministers have, all on a sudden, been thrown into the arms of the bureaucratic Government, of Secretaries imbued with the bureaucratic spirit and traditions, and of officials who make red-tapeism a fetish. At this juncture we ask the Ministers, the representatives of the House—they are our representatives—the representatives of democracy—to take up the administration; they are taken to the Council rooms, papers are put into their hands by officials who have been moving in certain grooves of thought for generations, and they are supposed to take the advice of those officials into consideration and act on them. Unless they have the assistance of some of the elected members imbued with the the new feeling of democracy, for which my friends there on the other side have as much admiration as I have, I think they will not be in a proper position to do duty to the satisfaction of the public. In this view, Sir, I support the motion. I am surprised that the champions of democracy on the other side will leave the Ministers at the mercy—I hope the permanent officials will not take offence at the remark—at the mercy of the permanent officials of the Secretariat. I think, Sir, my friends on the other side are wrong in asking the Ministers to be satisfied with the help given by the officials and not to take the advice of the young enthusiastic gentlemen who have been recently appointed. In this view I think the appointment of the Under Secretaries is very wise on the part of His Excellency the Governor, and I think it will be but fair that you should give them some salary. They are here undergoing a process of dissection as I was yesterday (*laughter*). I did not mind it, however, and I was very glad to undergo the experience. Well, I consoled myself that in the end I got my freedom to speak out my mind in this Council. I believe it is very necessary that there should be Under Secretaries from among the elected members to give help to the Ministers in the discharge of their onerous duties. We are anxious to make this experiment of diarchy, which has not been tried anywhere in the world, a success. Somebody suggested, it seems to me, well —I do not want to say 'in the words of a great man'—'Democracy is here, we have to make it a success.' Will you allow them to be absorbed in the official atmosphere, or will you allow them to have free air by coming in contact with the people? Although my friend, Mr. Ramachandra Rao, says that the Ministers should be in touch with the House, the Honourable Members can best be in touch with the House, if they are in touch with these Under Secretaries. Otherwise we shall have still to complain of the old methods of doing, we shall still be declaiming

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against the bureaucratic spirit of the Government. Well, I do not want to take up the time of the House. My friend has no doubt got full training. He may be able to do even without any Under Secretaries. My friend Mr. Ramachandra Rao, I say, would have done it because he is accustomed not only to burn midnight oil but to burn it till 4 o'clock in the morning. I know him to be very industrious. But such colossal industry is not at the command of every one. At the same time we do not want Honourable Ministers to break down in the service of the country. Give them a fair field, give them proper under secretaries with the necessary equipment and establishment; then, Sir, I think they will be successful. With these few words, I heartily support the motion for payment, and I do think that considerable wisdom has been shown by the Government in appointing these under secretaries to help the Ministers."

Rao Bahadur A. P. PATRO:—"Sir, I did not want to take part in this debate, but some observations made before this House to-day oblige me to intervene. All yesterday we were treated to a very legal interpretation by very highly technical lawyers that we should interpret the sections and that we should not go beyond the four corners of the language of the section. Now, section 58 of the Government of India Act gives power to His Excellency the Governor to make the appointments and the power of voting the salaries is given to the House. Therefore, the question whether there is any necessity to appoint council secretaries, I submit, does not at all arise, and it is not relevant to the discussion of fixing the salary that is asked for in this resolution. Then, again, there is a difference between an appointment that has been made discretionary under the statute and an appointment that is made under executive orders. This is an appointment made under a sanction provided for in the Act itself. It is not an appointment made by the Executive. The difference between the two is very great. In a case where the legislature fixes that it shall be or that it may be in the discretion of a particular officer to make an appointment or where it is given that a certain establishment may be created for a certain business, if we remember that distinction, then most of the discussion before the House becomes altogether irrelevant. I submit therefore that the only point we are to consider is whether you are going to approve the salary that is proposed in this resolution or whether you think that the salary is unnecessary; and the speaker who preceded me has already conclusively answered all the questions that were raised in opposition to the motion. I only rose in order to point out the distinction between an appointment made under a discretion vested by law and an appointment made by executive orders. This being so, the only question is whether we are going to vote the salaries now. I have heard members of the House say that the salary of Rs. 500 is very moderate and that, considering the Council Secretaries are whole-timed servants, it is altogether inadequate. I believe the Member for Negapatam has already said, and that the Member for Nellore has already suggested, that it is very moderate considering the time they have to devote to the work. In these circumstances, I do not think that any useful purpose will be served by a further discussion of the resolution."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR:—"Mr. President, a few questions have been raised in connexion with the motion now before the House which perhaps it is desirable we should consider and dispose of separately.

"The first question on which the speaker that preceded me has laid considerable stress is whether it is competent for us to go into the question of the propriety of making these appointments, once His Excellency the Governor has, in virtue of the powers with which he is vested, appointed them. I may perhaps, Sir, try to brush aside the force of that argument by saying that we find that the

very same clause, which allows His Excellency the Governor the discretion to appoint Council Secretaries, also says that the pay of those Secretaries shall have to be fixed by the Council. My submission, therefore, is that the scheme of the legislature was that there should be a certain amount of inter-dependence between His Excellency the Governor on the one hand and the Council on the other in the matter of the appointment of these Council Secretaries and the fixing of their salaries. If for any reason you, Sir, or any member of this House should be of opinion that it is not possible for us to go into the question as to the propriety of these appointments once they have been made, because our function then will only be to fix the salaries of Secretaries, I for one am prepared under Standing Order 51 to say that the pay of these Secretaries shall be reduced to Re. 1 which it is possible for me to do. But I do not think it is necessary for me to exercise that right which as a member of this House I am vested with in virtue of that standing order. Therefore, Sir, to me it appears that it is altogether irrelevant to discuss whether we are competent at this stage to go into the whole question and to examine whether, in the light of the circumstances that have been brought to our notice, it is desirable or otherwise that there should be Council Secretaries appointed. Coming therefore to the question whether Council Secretaries have to be appointed, I submit, Sir, there are two questions that stand out very clearly with reference to that matter. The first is a question of great constitutional importance, and that is whether this appointment can be considered to have been well-advised, at any rate, to have shown sufficient appreciation of what is due to the members of this House when notice of a resolution has been given bearing on the very same question, and when the Ministers who, I understand from the speech of the Honourable the Minister for Development, have advised the appointment when they were aware of the disallowance of this resolution."

The Hon'ble the PRESIDENT (*interrupting*) :—"Order, order. The disallowance of the resolution—Mr. Ramalingam Chettiyar's resolution—was done by me under the standing orders. The Ministers had nothing to do with it. I may at once explain to the House that all questions regarding the allowance or disallowance of resolutions are dealt with by the President and the Governor. They do not go to any of the Members of the Government. It is obvious that His Excellency and, under His Excellency, the President are bound to hold the scale even in the application of the Act and the standing orders as between the Members of the Government and those who may not see eye to eye with the Cabinet; I may ask the Honourable Members to take it from me that the Minister who has proposed this salary had nothing to do with the disallowance of the resolution, and I may also beg of the Honourable Members to take it from me that when I have disallowed a particular matter, it is to be assumed that it is not competent for the President's ruling to be discussed within this House. I must ask the Honourable Member to abstain from doing so."

The Hon'ble Diwan Bahadur A. SUBBARAYULU REDDIYAR :—"For a moment, Mr. President, I must add my protest against saying that we knew anything about it. As a matter of fact the disallowance was not known to us."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR (*continuing*) :—"Mr. President, I should be sorry if any remarks of mine were construed to mean that I called in question the propriety of the President's decision. I certainly bow to what the President has done and it was not at all my object to call in question the propriety of that decision. What I wanted to submit was that the Ministers could have shown greater appreciation of what is due to this House when they recommended to His Excellency the Governor to make these

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appointments, particularly when there was this resolution which was submitted for the consideration of this House and which you, Sir, ultimately had disallowed. In these circumstances my submission is that full opportunity should have been given to the House.

"Discussing the question in the abstract, apart from the question of personality whether a stage has been reached in the work of this Council which will justify the appointments of Council Secretaries—and I am sure you, Sir, and the Honourable Members of this House will agree with me when I say that we would have been in a much better position to arrive at a dispassionate judgment on that question if we had not been embarrassed by the appointment of these Secretaries at this stage—I submit, Sir, that we are not convinced of the reasons that have been given on behalf of the Ministers or of the Government as to the need for the appointment of these Council Secretaries. The fact that they have already been appointed ought not to deter us from giving our votes against the motion.

"Now, Sir, going to the other question as to whether there was any need for the appointment of these Council Secretaries, I find that the only gentleman who has in any way endeavoured to support the appointment of these Secretaries, the Honourable the Minister for Development, has put himself in a somewhat inconsistent position. If I understand him correctly, it is this: he wants members to be trained for their work. He wants also that Ministers should be given assistance. It does not need much argument, nor does it require that I should remind the Honourable the Ministers of the fact, that to train a person for some work adds only to the labours of the trainer and does not in any way lessen the work of the trainer. If therefore the object of the Honourable Members who have suggested the need for the appointment of these Council Secretaries is that they should have some part of their work being done by the Secretaries, they will be very much mistaken if their other object is to have them trained for that work. I venture to doubt, Sir, whether Honourable Members can say, or whether this House can determine, that they have reached the stage when their work has become so heavy that they require a lightening of it, particularly, Sir, when they are assisted by gentlemen of considerable experience, of considerable ability and considerable knowledge of the subjects which form the portfolios of these respective Ministers.

"Here, Sir, I may perhaps take note of an argument that the Deputy President has chosen to put forward by way of justifying his view that Council Secretaries have to be appointed. His argument was that Ministers require to be strengthened in the atmosphere of democracy by which they are at present enveloped. He thought that some impression had to be made upon the bureaucratic element surrounding these Ministers which is likely to contaminate these Ministers, that these Council Secretaries would be antidotes to these bureaucratic elements. Now, Sir, I do not think so lightly of these Honourable Ministers that they require additional help for the purpose of withstanding the bureaucratic force by which they might be surrounded or which might be brought to bear upon them. Nor have I such a low opinion of the civilian officers who, although they may form members of the bureaucracy, have it to their tradition that when once they find that a particular institution has become the established order, they loyally carry out not merely the letter of what is required by that institution, but they also carry out the spirit of that institution. In these circumstances, Sir, the Ministers require very little aid, absolutely none, by way of strengthening the atmosphere of democracy by which they are supposed to be enveloped. Now, Sir, if that is the case, we shall see whether it has been made out that there is any need for these Secretaries. I am free to admit that if

really there is any need for Council Secretaries, particularly when they are to be whole-time men, the pay of Rs. 500 as suggested is perfectly moderate and I may even say errs on the side of inadequacy.

"But my point is that especially when we have been told yesterday when we had to discuss the salary that should be paid to the Deputy President that Government is much in want of funds, that even a sum of Rs. 7,000 per annum might make a difference in their resources, this question of adding Rs. 18,000 as a recurring expenditure to the Government by way of payment to the Council Secretaries requires considerable attention. I venture to think that with a little more experience, understanding what it is that the Ministers can do and what it is that they cannot do, I think, Sir, we shall be in a better position to realize the need and to appreciate the necessity for these appointments in which case it will be possible for us to give and instruct the vote upon this question.

"I may submit, Sir, that we are altogether in the dark as to the functions that are to be discharged by these gentlemen. In the first place, it is stated that they are required to be trained. If they are merely required to be trained, it is obvious that no salary should be paid to them. If, on the other hand, they are required to help the Secretaries, we must know what the departments are and what kind of help is sought. Therefore my submission to you is in these circumstances, with absolute want of information on very many material points which have a great and relevant bearing upon the determination of the question as to the extent of the pay that is to be paid to these Council Secretaries, that it is premature to ask us to vote."

The Hon'ble the PRESIDENT:—"Whether it is premature or not has already been disposed of. The Hon'ble Member, Mr. A. S. Krishna Rao has made a motion to the effect that it is premature and it was thrown out. I trust the Honourable Member will go to the merits."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR (*continuing*):—"Here again I am sorry I was misunderstood. When I said it was premature it was not that I suggested that this was not the time to go into the resolution but that it should be postponed. I say we have not enough materials before us and I was about to say when I was interrupted that it was not the fault of the Ministers that they are unable to give the information. The reason is that they are as much picking up experience as possibly the other members of this House. They do not know what the extent of their need is, but it is too early for them to say: 'Give us Council Secretaries.'

"In these circumstances, can it not be said with some reason that the Ministers themselves are not in a position to fix the quantity of work to be done by them and the quantity of work to be delegated to these secretaries? I for one should, especially when we find that these representative institutions are on their trial and when we are now in the experimental stage, object to any of the functions of the Ministers being ever delegated—whether we acknowledge it or not in theory—I for one object to any of the functions of these Ministers being delegated to these Secretaries. I for one shall not be a party to an arrangement which has for one of its definite objects the delegation of powers. That is my reason, Sir, for voting against the motion."

The Hon'ble Sir LIONEL DAVIDSON:—"I move, Sir, that the question be now put."

The Hon'ble the PRESIDENT:—"The motion before the House is that the question be now put. In other words, those Honourable Members who are satisfied that the matter has been debated in full and that the matter should be voted upon will say so by holding up their hands."

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The motion that the question be now put was put to the vote and carried.

The Hon'ble the PRESIDENT :—"I will now put the motion before the Council. The motion is that this Council do resolve, under the second paragraph of clause (4) of section 52 of the Government of India Act, that each of the said Council Secretaries be paid a salary of Rs. 500 per mensem."

The motion was put to the vote and carried.

XIV

postponement of the adoption of resettlement proposals generally.

Mr. P. SIVA RAO :—"Sir, the resolution that I have the honour to move runs as follows :—

'That this Council recommends to the Government that the adoption of resettlement proposals in the Presidency may be postponed till the principles of land revenue settlement are embodied in legislation.'

"Mr. President, Sir, for some time past, I may say for a long time past, the people of this country have had no voice in shaping the revenue policy of the Government. I may say the operations of land revenue assessment have gone on so long without consulting the people's views and this is an unsatisfactory state of things. This unsatisfactory state of things was brought forcibly to the notice of the members of the Decentralization Commission and they considered them ; and after a mature deliberation they came to the conclusion which I shall presently lay before the House. In paragraph 252 of their report, they state 'we consider that the general principles of assessment, such for instance as the proportion of net profits from the land which the Government shall be entitled to take and the period of settlement should be embodied in Provincial legislation instead of being left to executive order, as is now the case outside Bombay'. And that conclusion was arrived at by the Commission in or about the year 1909 and I do not see any attempt made on the part of this Government to follow the findings or to reduce these principles to legislative enactment. The matter was again agitated before the Joint Select Committee of both the Houses, the House of Commons and the House of Lords. Very recently in 1919 and 1920, in their report, the Joint Committee stated 'The Committee are impressed by the objections raised by many witnesses to the manner in which certain classes of taxation can be levied upon the people of India by executive action, without in some cases any statutory limitation ; and in other cases, without adequate description by statute of the method of assessment'. They considered that the imposition of a new burden should be gradually brought more within the purview of the legislature, and without expressing any judgment on the question whether the land revenue is rent or tax, they advised that the process of revising the land revenue assessment ought to be brought under compulsory regulation by a statute, and Honourable Members may mark these words 'under compulsory regulation by statute' as soon as possible. 'At present the statutory basis of checking revenue on the land varies in different provinces but in some at least the pitch of assessment is entirely at the discretion of the executive Government. No branch of the administration is regulated with greater elaboration and care but the people who are most affected have no voice whatever in shaping the system, and the rules are often obscure and imperfectly understood by those who pay the revenue. The Committee are of opinion that the time has come to embody in the law the main principles by which the land revenue is determined and the methods of valuation, the pitch of assessment, the periods of revision, the graduation of enhancement, and other chief processes

which touch the well-being of the people.' This was in short the recommendation and the unanimous finding of the Joint Committee. As soon as the Committee's findings were received, I took care to interpellate the Government whether they intended to introduce any Bill in that behalf, and I got replies from time to time that the drafting of a Bill had been entrusted to the Board of Revenue and the Bill had not been received from them. I do not know the precise stage which the drafting of the Bill has reached, but I may take it that the Bill is under consideration by the Honourable Members of the Board of Revenue and before long we shall have it ready for the introduction in this House. I may, Sir, in this connexion draw the attention of the House to what was stated by His Excellency yesterday in his opening speech. He referred to this piece of legislation as one of the items in the programme to be introduced, if not in the next session, at any rate in the next after that, and he also stated that efforts were being made to bring the drafting to a speedier completion. The Bill is now under preparation. When the Bill embodying the principles of this Land Revenue Settlement is on the legislative anvil, we naturally ask that the settlement proposals, at any rate the sanction for the proposals, may be postponed till after that Bill is passed into law. I ask the Honourable Members: "Can anything be more natural, can anything be more moderate than a request like this?" And a similar resolution was moved by me at a meeting of the House on the 16th July 1920 in a slightly different form. It was when the preliminary work was going on that I moved that the resettlement be postponed. The chief objection taken by the Honourable Member in charge, the Hon'ble Mr. Todhunter, to the adoption of that resolution was that it would be unwise on the part of the Government to disband the numerous establishments that had been then working, and that it would be waste of money to suspend them and to appoint them afresh after the Bill came into law. It was that idea that prevailed and then my resolution was vetoed by the House on that particular ground in my opinion. The Honourable Member stated also that it would at least take five years before the legislation could take effect. The drafting is now going on and we shall have it at the latest in the course of six months or so. I cannot conceive for one moment that this Bill would take as long as five years for its final passing into law. Under any circumstances it will not take more than 6 to 8 months. That was the one ground on which that resolution was controverted, on the 16th July 1920. Then it was also stated that eight districts were ripe for settlement. Now if that view prevails it comes to this: some eight districts are ripe for settlement and if these settlements are allowed to go on, or in other words after the whole cycle of settlement is completed, then what is the good of laying down principles and embodying them in a statute, if those principles are not to be enforced in the coming settlement but are to be enforced only in the settlements that are to come 30 years hence? That was the standpoint taken by the Honourable Member in charge. He also stated that it would be unfair to the districts in which settlements had already been sanctioned. My chief objection to this course is that we can ill-afford to wait until the cycle of settlements is completed. Then there would be no object if the object of the law is to be enforced, and there would be no urgency for a measure like this. Considering all the aspects of the question, I think it is but fair that the principles must be embodied in a legislation and we shall apply these principles to the settlements now on hand. I have no objection to the preliminary work going on. Facts and figures have now been collected, at any rate in the Anantapur and Bellary districts; the scheme report is ready for adoption. All that we have to do now is to arrive at certain definite principles to apply to these facts and figures. Now may I ask that the final orders of the Government on the scheme report, the

proposals of the settlement officer, be deferred until after the principles are settled by this legislative assembly. With these remarks I move the resolution for the acceptance of this Council."

Mr. C. V. VENKETARAMANA AYYANGAR:—"I have great pleasure in seconding this proposition as one coming from Coimbatore, where we had a recent settlement and all its difficulties. We had a number of conferences in which these difficulties, were pointed out, and I believe, Sir, you presided over one of them. It is generally said that there is no great hardship caused to the ryots in fixing the increased assessments during resettlement. In our district, it was said that as a matter of general principle the assessment of dry lands would be only 15 per cent. and of wet lands 12½ per cent. But in working out the whole scheme, the result was announced that the increase would be about 30 to 33 per cent. or so, and it was easily done in this way: that the restriction of 12½ per cent. and 15 per cent. applied only to the various classifications. But if the settlement officer thought that a particular land was classified under a lower class and could be easily classified under a higher class, then it was his will and pleasure, and in some cases in our district assessments were raised to 300 per cent. So it is very desirable that we should have some principles to be decided by legislation so that, if necessary, there may be recourse to courts of law, if the rules are disobeyed. This resolution if passed, will hasten the bringing in of the Bill. The Honourable Member for Bellary said: It was stated at the last Council that it would take five years for the legislation to see the light of day in this Council. We have however got more members now in the Cabinet, and such important measures will be prepared much earlier than it was anticipated. But even if this is not so, if we pass this resolution to-day, there will be no settlement until the whole matter of principles has been decided by legislation. That will be a very good reason why the Government would be compelled to bring in the Bill before the House at a very early date. Even supposing that we all agree that some principles should be decided upon vary early, we should pass this resolution to-day. All that I say is that there is no harm in carrying out this proposition. One word more. The Honourable Member for Bellary said that it had been suggested by the Government before that in some districts settlement had taken place and others were ripe for settlement and that it would be unfair if the districts in which settlement had taken place were left out. All that I can say is that there is no end to this sort of argument, and there is no finality about these settlements. By the time the settlement is carried on in ten more districts, it will be about 20 or 25 years and the districts already settled will again have to be resettled. It is an evolution, it is a cycle with no end. And therefore, if it is said that settlement in ten districts has already taken place and that it will be considered unfair to the districts already settled above other districts to be free—such arguments are of no use.

"It has been said over and over that there is absolute necessity to settle the principles of settlement by legislation and the sooner it is done the better and I believe the carrying of this resolution will hasten the day when the Bill will be introduced and passed into law. With these few words I beg to second this resolution."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Mr. President, I regret that I am unable to see eye to eye with the Honourable Member for Bellary who has moved the resolution or the Honourable Member for Coimbatore who has seconded it. I feel at the same time that I am to-day somewhat in a luckly position—his resolution having previously been debated in the

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Legislative Council quite recently, viz., on the 16th July 1920 and having been lost. I have listened to the speech of the Honourable Member for Bellary as to whether he would support or fortify himself to-day by any arguments more than what he had advanced on the previous occasion. I would confess I have heard none such. If the arguments are analysed, they merely come to this. Pending some other scheme in sight, of which we have at this moment not even a definite idea—pending some scheme in sight, pray postpone all operations in pursuance of a scheme which is now in working order. I would submit for the consideration of the House that an argument like that can certainly find no support. I confess that the Joint Committee on Reforms has laid emphasis on the fact that in future all such matters must be regulated by legislation. I would also remind the Honourable Member for Bellary of the fact that after that announcement was made, the Madras Government have been trying to bring into existence a piece of legislation on the lines that are practicable at the present moment. But the difficulties incidental to the drafting of a Bill like that are obvious. The Board of Revenue is now engaged on that work and will I dare say complete it as early as possible, and not until the Bill has been put in our hands, not until we are in a position to examine the principles and policy inaugurated in that Bill will it be possible for us to say whether the Bill will not need the prior sanction of the Government of India and the Secretary of State as well. So therefore it is premature at this stage to make any statement as regards the exact year or month or date on which the future legislation can come into force. Even if it is introduced in this Council, say some time about the next session, it will, I dare say, attract considerable public attention, as indeed it ought to and it will take some time before its principles are carefully examined by those who are interested in examining them and before it comes up in a final shape for being passed. Then the moment a Bill is passed into law, it is certainly not possible to give it magical effect on the following day. Whatever may be the principles that are going to be incorporated in the Bill—and I have at this moment certainly not the least idea as to what they will be—whatever may be the principles, I think I can assure the House that they will certainly need some amount of preliminary work for the purpose of the introduction of the principles that will be involved therein. And it is that idea which was presumably in the mind of my Hon'ble Colleague, Mr. Todhunter, when on the last occasion he told the House that it might possibly take about five years for full effect being given to the principles of that new legislation. Then, is it, I ask, practical politics that we ought to suspend a machinery which has been in operation for years? Is it practical politics, I ask, to substitute nothing in place of a machinery which is working, and again I ask, is it practical politics to say that until something else comes into force let there be absolute stagnation in that direction? I believe the Honourable Members are aware that we have at the present moment no less than five settlement parties working scattered over the whole of the Presidency. We have on the top of them a Special Settlement party working in the Nilgiris-Wynad and the Malabar-Wynad which are costing us nearly 5 lakhs of rupees a year. They have their respective duties to perform. I ask this House to imagine if, with one stroke of the pen, you intend to scotch away that whole establishment at once. If you do that what would be the result? Each party will probably be disbanded at a time when it is busy with investigation of certain preliminaries which, whether the settlement is to be governed by an Act of the Legislature or whether it is governed by departmental orders, will still be absolutely necessary. So therefore, I ask whether it would be in any cases practical that we should give absolute immunity to the officers of these

departments from further carrying on their operations or to send them home *en bloc*. Those gentlemen who have any knowledge of these settlement operations will, I am sure, bear me out when I say that most of the work that is being done by the Settlement party is work intended for the purpose of bringing up the Revenue administration of every district to the modern standard. It is not therefore quite right to say that these settlement parties exist merely for the purpose of raising the *kist*, but they are there for the purpose of doing a lot of preliminary work which has a very great effect in bringing the Revenue administration of the district to up-to-date methods.

"Then there is one other matter upon which some stress was laid, viz., the fact that my Hon'ble colleague on the last occasion used an argument, that it will be unfair to other districts which have been already settled that they should be expected to pay larger amounts than others whose settlements are now in operation, but which according to the recommendation will have to be absolutely suspended. Well, I think it is a commonsense argument, for it is only quite recently, I believe, that we resettled some of the districts, and from figures we find that North Arcot is paying nearly 4 lakhs of rupees more than what it was paying previously; part of Chittoor is paying nearly Rs. 60,000 more; part of Ganjām is paying Rs. 42,000 more; Madura is paying nearly 3 lakhs more; South Arcot is paying Rs. 83,779; and Ramnad, I think, is paying Rs. 7,000 and odd. Of course in some of these cases resettlements of complete parts have not yet been finished and they are now in operation, except in the case of North Arcot I presume. Now is it, I ask, fair that a man whose district got settled last year should be asked to pay more than the man whose district is under settlement now, but which on account of this resolution will be automatically stopped. Well even if this Settlement Bill is hastened as expeditiously as the Madras Government could find it possible to do, I would submit that any provisions that will be made there will not ignore the fact that there are certain inequalities between district and district at the present moment, that any piece of legislation to be equitable will have to take into account those inequalities; and before therefore the provisions of that enactment are brought into force, it will be necessary that some means should be devised whereby things are levelled up so that all the districts may start on the same basis in future.

"There is one matter which I can assure the House about and that is this. It is, I think, not quite correct to say that the resettlement principles are being carried out at the present moment without anything like an opportunity being given to those who are interested in seeing that they are worked on equitable and reasonable principles. Whatever might have been the past, into which I shall certainly not probe at this juncture, one or two resolutions on the agenda of to-day will convince the House that members of this House are taking the fullest advantage possible of bringing the resettlement operations into discussion, before the Government make up their mind to give effect to them. In the case of Bellary and Anantapur resettlement schemes, which were ready sometime ago—and effect to which in the natural course of things ought to have been given from the current fasli—when representations were made to the Government that certain deputations might be heard before doing so, all action on that matter was suspended and it was my proud privilege to have gone to these two districts for the purpose of hearing the deputations and even after having heard those deputations you will see, Sir, that we have got one or two resolutions for consideration regarding the same resettlement schemes. What is the fear then, I would ask the House, if the new piece of legislation is not introduced from to-morrow? If members of this

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House are dissatisfied with any scheme that has been prepared by our officers this House is always ready to listen to such representations and to advise the Government, in case there are any inequitable proposals put forward, that such proposals had better be removed. The Government are always ready and willing to hear such representations.'

"Then, Sir, my Honourable friend from Bellary, quoted some paragraphs from the report of the Joint Committee of both Houses in regard to the necessity for incorporating the principles of legislation. I may at once tell him that we have translated their wishes into action as expeditiously as it has been possible to do. At the same time he laid considerable emphasis on four words which occurred in the extracts which he read, namely 'as soon as possible'. Like a schoolmaster, I am not going to paraphrase 'as soon as possible'. All that I would tell the House would be that in the same paragraph, if my Honourable friend from Bellary, had read further down, he would have noticed that the intention of the Committee was that this should be placed on a statutory basis, in any case not later than before Revenue can be transferred to the Ministers. We certainly are not going to take shelter under the last proviso. We have already started our attempt. The piece of legislation is in sight. We hope as soon as we possibly can to subject it to the searchlight of public criticism. But after everything is said and done, it must be confessed, Sir, that we cannot allow the administrative machinery to stagnate without a substitution. We cannot allow the work which is going on now to be suddenly suspended before the existing order is superseded by something else. For these very brief reasons I must confess that I am not able to accept this resolution."

Diwan Bahadur M. KRISHNAN NAYAR: "I have very great pleasure, Sir, in supporting this resolution that is now before the Council. I am particularly interested in this question at the present moment for the reason that my friend the Hon'ble Member for Revenue has himself given, namely, that settlement operations are to-day proceeding in a portion of the Malabar district which I have the honour to represent in this assembly. My friend, the Revenue Member, has asked, I think reasonably and rightly, whether it is reasonable, whether it is necessary and whether it is proper to suspend all the pending operations in connexion with the Settlement Department that are now going on in several parts of the Presidency simultaneously, pending the introduction or the passing of a statutory measure relating to this subject. I quite agree with him that it is quite unreasonable to suspend all these operations pending the passing of this measure. But the question is whether if this resolution is adopted it will become necessary to suspend all these pending operations. The Hon'ble Member for Revenue has also appealed to the experience of those who know something about this question. I may be pardoned, if I say, that I pretend to know something of this question. And with this knowledge I make myself bold to say that operations like these particular settlement operations have a tendency to be prolonged for months and for years. And in view for this tendency for these operations to be prolonged it is very highly necessary that the measure which has been promised and which His Excellency in his speech yesterday referred to should be introduced and passed as soon as possible. It is not necessary for this purpose to suspend the preliminary operations necessary before the introduction of the actual settlement rates is proceeded with and settled. It is only the question of rates, the question of fixing the amount that has to be suspended and that has to be made dependent upon the passing of the measure. And if the measure is introduced very soon into the

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Council and I believe it is the duty of the Government—it is what His Excellency stated yesterday—it is the duty of the Government to put pressure on the Revenue Board and, if there are other officers, on those officers who are now engaged in the preparation of the draft of the Bill. His Excellency yesterday stated that it might not be possible to introduce this measure in the next session. Quite right. By all means, say that it will be introduced in the session next after the next session, say in the course of the next six or seven or eight months And when once it is introduced it can be passed with reasonable speed. I quite agree with the Honourable Member, in thinking that there will be necessarily some delay. But if this resolution is carried that delay will be considerably minimised. Ever since I have been a boy, I have been hearing the request for codifying the principles of settlement in the Statute Book. I have been hearing it for more than a quarter of a century. At length the Government, the responsible authorities, have promised that a measure will be introduced giving effect to that promise as speedily as possible and one way of giving effect to it is, as quickly as possible, to have this resolution passed. As has been observed, if this resolution is negatived and the settlement operations that are now proceeding be given effect to, what is the use of the revenue measure such as the one that is being prepared? It is like the coming of the waves of the sea. As soon as one district is over, another district is taken up for settlement and this procedure goes on for ever. For these reasons, Sir, I urge that the House may be pleased to pass this resolution."

Mr. S. T. Shanmukham Pillai:—"I do not support the resolution as it stands. I agree with the Honourable mover that no fixed principles are followed in regard to the revenue settlement. They vary from time to time. At the original revenue settlement which took place fifty years ago, the principles proposed were fieldwar classification of soils and the fixing of term rates according to the productive qualities of the soil. Subsequently it was found that fieldwar classification was not practicable. It was a herculean task. Then they adopted blockwar system which varied the original principles and gave rise to inequalities of all sorts. At the resettlement that followed thirty years thereafter, the assessment was increased at 2 annas per rupee and this, after going through all the formalities of classification, etc., at a very heavy cost. A simple circular to the tahsildars to raise the rate by 2 annas in the rupee could have brought about the same result. The block system as it now obtains would seem anything but satisfactory. Principles for the guidance of settlement officers in determining the rates of assessment must be clearly laid down and embodied in legislation as soon as possible. But I am not for an indefinite postponement of the matured proposals of resettlement already on the anvil after all the preliminaries have been fully gone through at a great cost. The survey operations are quite necessary any way and must be pushed on to the end."

Rao Bahadur A. S. Krishna Rao Pantulu:—"Mr. President, I do not find anything either unreasonable or impracticable in accepting this resolution. It has been suggested that the preliminaries might be continued, but the fixing of the assessment might be postponed to a later date pending introduction of legislation in respect of this matter. Notwithstanding all that has been said by the Honourable Member for Revenue, it will be in the recollection of this Council that questions relating to resettlement have always given rise to several difficulties and have become the subject of acute controversy in several districts. It is true that the Honourable Member for Revenue in his visit to Bellary district and other parts affected, might have given an opportunity to the various persons affected to make representations in respect of this important question. But I may point out that

whatever regulations might have been introduced or whatever changes might have been made in the Resettlement Manual, the methods adopted have generally not given rise to any feelings of satisfaction. It has not been possible to arrive at a satisfactory solution as to the process by which one can arrive at the net income realized from lands. It is not possible to come to any understanding as to the methods by which cultivation charges and other items of expenditure have to be arrived at. It has not been possible to have any correct idea as to the economic condition of the tracts which are proposed to be resettled. It has not been understood on what principles the agricultural indebtedness and other items to be taken into consideration have to be ascertained and determined. I am quite sure that in dealing with the resettlement of the tracts affected the officials concerned will give opportunity to various persons to make their representations. But what we are more concerned with is the definite enunciations of the principles upon which the assessment has to be determined. It is to be noticed that after the publication of the report of the Joint Committee which has pointed out the imperative necessity for having land legislation, the Government are taking steps in that direction. We have also been assured that they will not make any unreasonable delay in that matter. But, may I ask whether this question of land revenue legislation has been brought to the notice of the Government only by the report of the Joint Committee? Was it the first occasion when the attention of the Government was drawn to the paramount necessity that exists for having land revenue legislation in this province? Was it not clear even in 1909 when the Decentralization Committee published their recommendations? Was it not definitely pointed out then that something has to be done in that direction? Has there been any explanation for the fact that for the last 12 years no definite attempt has been made? If notwithstanding these facts the question of land revenue legislation has been put off all these years, there is no knowing whether it will not take some more time before it is actually introduced. The only question for consideration is what is the harm that is likely to be caused if these operations are put off. It is not a question of revenue administration being at a standstill. Even under the existing rates of land revenue the people, especially those of the Ceded districts, are complaining that the assessments are high. Assuming that the result of accepting this resolution will be to put off the introduction of the resettlement rates for two or three years more, is it not a step for which this Council can take responsibility? The only argument that can be advanced is that probably it will not get us increased revenue for a short time to come. This no doubt has been the crux of the problem for several years. I would now give the Council a few figures showing as to how far there has been an increase of revenue by settlement operations. No doubt there will be a feeling of satisfaction that there has been an increase of revenue especially from the standpoint of the tax-gatherer. But it seems to me necessary to consider whether there are not places, tracts, or persons who have been prejudicially affected by the old method of resettlement. It is only from that standpoint that we are to look at this question. The figures furnished by the Board of Revenue in their report on the Survey and Settlement and Land Records Departments in 1920 furnish interesting reading. And it gives an idea as to the extent to which they have been able to develop the land revenue by means of these settlement operations. It will be found that so far as the original settlement operations are concerned the increase has been substantial in various districts. And so far as the resettlement is concerned it has also given rise to more than about 20 or 30 per cent. The result of the original settlement operations regarding them is thus stated. The demand prior to the introduction of settlement was 155 and odd lakhs of rupees, and the demand of

fasli 1328 is 226 lakhs and odd, thus showing an increase of nearly 70 lakhs. The result of resettlement operations in various districts where the operations have been complete, Ganjam, Godavari, Vizagapatam, Kistna, Cuddapah, Chittoor, North Arcot and other districts, the result of the resettlement operation is as follows : the demand prior to the introduction of the settlement was 285 lakhs and odd and the demand of fasli 1328 is 346 and odd lakhs with the result that there has been an increase of 61 lakhs, so far as the resettlement operations are concerned. In the course of his remarks the Honourable Member for Revenue stated that resettlement did not necessarily mean an increase of cess. But with these figures now placed before the Council is not the Council satisfied that the effect of the resettlement operation has necessarily led to an increase of cess? No doubt, the rules provide that in all proper cases there would be a reduction. I am aware of these rules. What has been the effect of the resettlement operations? The effect is that there has been a substantial increase in land revenue. Not that I would ask this Council to reject the opportunity for developing land revenue wherever necessary and wherever reasonable ; not that I would ask the Council even to minimize its opportunities for getting revenue in all reasonable directions. But I would only ask this Council to have in mind the rigour with which these rules would be worked unless we examine them carefully and properly. We must realize revenue wherever reasonable ; but we must not simply for the sake of revenue allow such measures. We must wherever possible and wherever reasonable allow our revenue to suffer when it will affect harshly or unjustly particular individuals, land-owners or ryots. From that standpoint I would request the Council not to be carried away by the argument that because the settlement parties are at work they ought not to be disbanded at once. They ought not to sit idly at home but to continue the work. But I would request that this long-pending legislation whereby we can have the principles of assessment definitely fixed and settled may be taken up at once. Even if the legislation should be delayed for two or three years, we can very well afford to allow the revenue to suffer from the postponement. After all, Sir, may I point out that the effect of postponing this is to put off the resettlement for 33 or 34 years. It is not unreasonable at all. We are all aware that there have been representations made from time to time asking for a permanent resettlement or at least for resettlement being postponed for sixty years. The effect of this proposal would be that it would be postponed to 33 or 34 years. Even if such a change should take place it is a very reasonable one to accept."

Mr. T. Sivasankaram Pillai :—" Sir, I rise to support the motion moved by Mr. Siva Rao. The Honourable Member for Revenue said that there was an establishment that was working at a cost of five lakhs, and he asked what was to become of that and whether it had to be paid for nothing. The establishment is only a means to an end and not an end in itself. There also seems to be some misconception in respect to the wording of the motion. The previous speaker seems to have understood to mean that the whole settlement operations are to be stopped pending the framing of the Act. What is proposed is that settlement operations may go on, establishments may be maintained and go on with their work but the final proposals, if any, may be allowed to lie over pending legislation on the subject. On this ground, I support the resolution."

Diwan Bahadur M. Ramachandra Rao Pantutu :—" Sir, I should like to place one or two matters before the Council for its consideration. I have heard the long statement by the Honourable Member in charge of Land Revenue and

Irrigation. There is one statement made by him which has taken me by surprise, and that is that it will be five years before legislation with regard to land revenue is in sight."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :—" May I at once state, Sir, that I never made that statement. All that I attempted to do was to explain what probably was at the back of my honourable colleague's mind when in July last he said that it might possibly take five years."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*) :—" I should like to know why the Honourable Member seems to be in a hesitating frame of mind. He stands by the statement made by the Hon'ble Mr. Todhunter in July last. Is he in a position to inform the House in what stage the proposals for legislation are and in what period of time this legislation is likely to come before this Council ? It seems to me that a reference was made to the Hon'ble Mr. Todhunter's statement as representing the present state of things. I think I must protest against this delay and support this resolution. I do not think any Honourable Member of this House would desire that there should be any great delay in connexion with this legislation. It has been long pending. Now, Sir, unless the Honourable Member in charge of Land Revenue gives us a definite assurance—I do not say 'definite' in the sense that to the very letter it should be observed—a fairly reasonable assurance, that this legislation would be introduced without much delay, I think I must ask my Honourable friends to vote for this motion. I might perhaps also refer to the statements which he has made that this legislation has to go for the sanction of the Secretary of State and the Government of India. I believe, Sir, I must, in this connexion, refer to the classification of subjects under the rules framed under the Government of India Act, 1919. Honourable Members are aware of the lists of provincial subjects published at page 121 of this Manual from which they will see that land revenue is a provincial subject. But rules have been framed which are published at page 168 of the Manual by which it will be seen that Bills relating to land revenue have to be reserved for consideration of the Governor-General unless they are previously sanctioned by him. So that it seems to me the effect of the classification of the subjects coupled with the rules on page 168 is that it is essentially the function of this Council to legislate in this matter subject to the Bill being reserved for the consideration of the Governor in Council. If the Honourable Member thinks that the Government should previously obtain the sanction of the Governor-General for the introduction of this Bill it is obviously his duty to expedite the Bill as much as possible. Therefore I submit that unless we have any reasonable assurance that this legislation will be pushed through as early as possible, the only way of expediting this matter is by passing this resolution. Therefore I would strongly appeal to him to make such a statement, and if he is not willing to commit himself in any manner, there is no other way of compelling him to expedite this matter than by passing this resolution."

Mr. R. SRINIVASA AYYANGAR :—" Mr. President, you know perfectly well that for many years we asked for a permanent settlement, and later for reasons which it is unnecessary to state, we contented ourselves with asking for a sixty years' settlement. Now, so far as this resolution is concerned, it does not ask for doing away with any resettlement altogether, but only wishes this Council to postpone the adoption of resettlement proposals until the principles governing the assessment are made to appear in the form of a Bill and until it receives legislative sanction. There is absolutely no reason why we should wait for two or three or five years for that matter. I throw a direct challenge to the Member,

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and I would request him to enlighten me on the point, viz., whether within the past thirty or forty years there was a single instance of any resettlement which was meekly and tacitly accepted by the people. Settlements are often objected to by the people. The reason was that the people in the country, and especially the tillers of the soil and the agrarian population, have no voice in the shaping of the principles underlying the resettlement operations which invariably raise the land revenue and that is the reason why they object.

"Coming to South Arcot, I submit that some three or four years ago settlement operations went on, and the Minister for Education then brought forward a resolution in this Council which was disallowed. There was a cry all over the country that the resettlement operations were being controlled and influenced by executive orders, and there were no definite principles underlying the carrying out of these operations. Now we are in sight of the promised land. We hope to be able to have it in the near future. The entire policy of the land assessment will hereafter have to rest on a legislative basis. The Hon'ble the Member for Revenue has told us that it may take some time before the Bill is laid before this House, and I understand, and I have reasons to believe, that the preparation of the Bill is in the hands of the Board of Revenue which is supposed to be an authority on matters of revenue in particular. There is no reason why the Board of Revenue should not be called upon to expedite the preparation of the Bill to be placed before this House. Therefore, I beg leave to state that the postponement of these resettlement operations is not likely to embarrass the Government. As regards the objection that this will lead to stagnation, I may state that that circumstance ought not to influence us. If it is a question of choosing between two evils, choose the lesser of the two. We are in entire sympathy with the tillers of the soil, and we have also at heart the cause of the settlement staff. Therefore, in that view of the matter, I request you to carry this resolution."

Diwan Bahadur P. Kesava Pillai:—"Sir, let me preface my remarks by publicly acknowledging in this Council the great services the Hon'ble Member for Revenue has rendered by visiting our districts. We were able to present our case, the case against the enhancement in person, at the head of a deputation of thousands of ryots. I think he is in a peculiar position to understand the hardships that people feel and are made to feel when these new settlement operations are begun, when excess of revenue is expected to be raised, especially in poorer districts like Anantapur and Bellary. The mover of the resolution, Mr. Siva Rao, asked for the postponement of the adoption of resettlement proposals. I think he has no objection to the preliminaries being made by the settlement party. He urges that the proposals made by resettlement officers should be postponed. The Hon'ble the Member for Revenue has, in his admirable presentation of the Government case, stated one thing, that is, that the parties would have no work. Here are so many parties employed, he seems to say, and if these operations are stopped they would have no work. It reminds me of the saying, 'if you raise a ghost give him some work; if not, he will swallow you up'. The Honourable Member's argument sounds more or less like that. They must have some work to do, as a large expenditure has been incurred in their maintenance. I think most of these parties consist of temporary hands. You may as well dispense with them. My friend says it will be hard on these poor subordinates, but it will be harder still on the ryot population. If you would levy taxation without giving them the safeguard which has been vouchsafed to us by the Joint Committee and by other responsible authorities, I think it is but fair to the tax-paying communities

that they should have this safeguard of a regular statute that has been promised to us. The Honourable Member of course knows that we are in the position of tax-payers. But the Honourable Member is in the position of tax-gatherer, and naturally he fights lest the Government should lose legitimate revenue. One other argument he advanced is that North Arcot was able to pay four lakhs of rupees after the resettlement and that Chittoor paid a lakh or so. Why should these people not pay? If you suspend the operations these people will escape paying an additional revenue. I imagine that the Honourable Member thought that the people of North Arcot would grudge if consideration is shown to the districts where settlement operations are going on as contemplated in the resolution. I think they will only be glad, if due consideration which was denied to them is given to the people of these districts. If I am not mistaken, the Honourable Member was on the non-official side when I raised the debate on the resettlement of North Arcot district. We protested and protested under the old order of things and yet 25 per cent was raised in spite of all our protests, including, I believe, that of the Honourable Member who is now in charge of Revenue. . . ."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur (*interrupting*) :—"May I at once correct the statement, Sir, that I was not a member of the Legislative Council at that time though my honourable colleague, the First Minister, was a member."

Diwan Bahadur P. KESAVA PILLAI (*continuing*) :—"I am glad to be corrected, and I thank the Honourable Member for that correction. After all, the burden is shifted to the First Minister who is here, and who is, I think, likely to support the Government. Now, my friend the Hon'ble Member knew the condition of the district at that time. Under the old order of things, Sir, we were not able to carry any resolutions when the Government opposed. Now, this House consists of elected members with a full sense of their responsibility to the people as well as to the Government, and I think they should carry this resolution in justice to the ryots. I fully associate myself with all the remarks made by the Hon'ble Member, Mr. A. S. Krishna Rao, in his stentorian voice, and I also associated myself with him at the time of the Chittoor resettlement. We both of us had a hard fight on the Chittoor resettlement and the North Arcot resettlement and felt the keenness of the injustice done to the people at the time. At any rate, we hope to achieve some success this time in this Council."

Rai Bahadur T. M. NARASIMHACHARLU :—"The land revenue is one of the most important items of income to the Government. Upon this most important question which affects the landed proprietors of the country, I am sorry to say that we have not yet evolved an act importing into it the principles which should guide the Government in fixing the demand from the land revenue side. Although the country has been under the Government for more than a century, it is very strange that the Government have not yet come to any settled principles on that question. If it is contended that the revenue settlement is proceeding on some principles, I ask why are not those principles embodied in a statute, why should the Government fight shy of those principles being once for all fixed, so that the people may know upon what principles the settlement is carried on at stated intervals? I think, Sir, the reason is not far to seek. The reason is that the Government perhaps have not yet come to realize the sad predicament in which the poor ryots are put to at every settlement. Not that they are not aware of the principles, not that they do not know how to embody those principles in a statute, but I conceive

that the Government have not yet realized the grave situation under which the people are labouring under these settlement parties.

"If they once realize that, I have no doubt that they will hasten the enactment. Have they not hastened several other enactments? Have they not had copious enactments in the last session? I think on this most important point the Government ought to do what is desired by the people. I think if there are principles upon which they are guided the sooner those principles are put into practice the better. This is a question upon which I hope the House will not hold any divided opinion, except perhaps the members of the Government; and I think this is a question which affects vitally the interests of the teeming millions whom we represent, for whom we shed our tears and if we are genuine in that, if we are really sympathetic to the people, if we are really anxious that we should do our duty by the people who have sent us here, I crave the members of this House to at once pass this resolution without any dissentient voice."

Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, I have only one point to urge in support of the motion put forward by my honourable colleague, Mr. Siva Rao. And it is that, as matters stand at present, these settlements are carried on in the most arbitrary fashion. The Honourable Member in charge of Land Revenue gave the figures for certain districts, and any one who followed the figures would have seen how the figures varied from district to district. For example, in the case of the North Arcot district, the Honourable Member states that the increase consisted of Rs. 75,000. I will mention, Sir, that in Cuddapah, there was no increase at all. In Kurnool, the increase was one anna in the rupee so that the question of increase and how much the increase should consist of depended altogether on the officers who are entrusted with the work and not on any definite easily recognizable rules or principles laid down for guidance. When officers like Mr. Moir or Mr. Gwynn are entrusted with this work, they do their work according to the best of their lights. But there are officers and officers and the majority of them come under the class who try somehow to raise the assessment as much as they can possibly do. So I say that this question of enhancement should not be left to the arbitrary discretion of an officer or officers, but that they should be required by this House to follow some well-regulated principles. Therefore I say that these resettlement proposals should be postponed till the policy underlying the land revenue assessment is embodied in an enactment."

Rao Bahadur K. S. VENKATARAMA AYYAR:—"Sir, as coming from the district of Tanjore, it is my duty to support this resolution. The Tanjore Resettlement Scheme has been recently published, and this House will hear with some shudder that the increase is not going to be Rs. 75 or 30 thousands, but 13 lakhs of rupees. That is the recommendation that has been made by the Special Settlement Officer. Of course, one objection that was put forward was that other districts have had their burden and that therefore the districts which ought to be resettled hereafter should not escape. I do not think that the districts for which new settlement operations have been given effect to would grudge the postponement of settlement for districts which are to come now under the resettlement if it should be thought that it would be unfair. I do think that the districts which have to be resettled would rather bear the increase already made in the other districts in proportion to the land revenue that each district previously contributed to the exchequer till the principles are settled by the legislature.

"Further, one other objection that was raised was that the settlement party would have to be broken up. So far as I know, in the district of Tanjore, except the settlement officer who was an Indian Civil Service Sub-Collector who was put

on special duty, all the others were Deputy Tahsildars who were drafted from the regular establishment except one or two Deputy Collectors, and the establishments that were given to these were also clerks drafted from the revenue service.

"In these days when the non-gazetted officers are demanding higher pay—that question is also to come up shortly for consideration of this House—I do not see why the settlement operations should be continued when it will not be to the advantage of the clerks who will be sent back to their original posts except a few people who will continue in the settlement department. Of course, as stated, it is not the settlement operation that is asked to be stopped; the preliminary investigation may go on in those districts in which the operations have to be done; the revision of adangals can be completed, the holdings may be registered, and everything can be kept ready to give effect to the principles that will be put forward in an enactment sooner or later. I therefore think that, especially when 80 per cent. of the people are agriculturists, it is quite proper that the resettlement rates should not be given effect to till the principles are definitely settled in a Bill and it is not going to be indefinitely postponed for any length of time. The Bill will be passed very shortly and within two or three years the revenue for Government is not going to suffer; if the period of thirty years, which is generally supposed to be the period of settlement, should be taken into consideration when the Bill is passed into law, these three years may be subtracted and effect may be given in 27 years. Since it is agreed that the principle should be laid down in a Bill, I do not think any great hardship or inconvenience or embarrassment to Government will result by the acceptance of this resolution."

Mr. Qadir Nawaz Khan Sahib:—"The present survey and resettlement has been evolved from the original system that prevailed in this country for centuries. It has gone on improving step by step. Originally it was the division of produce and subsequently the produce payable was converted into money and there were distinct rules and regulations laid down for this conversion. Of course they are not known to all. For the matter of that, many matters of law which are duly promulgated and which are in force are not known to the general public. They are interpreted by the educated section of society. I am far from saying that the principles now governing survey and settlement are perfect. But to say that the business is conducted in a very arbitrary fashion and that there are no rules and regulations laid down is a charge which the Government does not merit. As I told the Council, for a long stretch of years the Government have been proceeding from one step to another commencing from the time when there was division of produce. What those stages are, are in black and white. I repeat that if people have not seen it, it is not the fault of the Government. But I think that the time has now come when these rules and regulations should be embodied in a statute so that it may not be left to the sweet will and pleasure of any particular member to do as he likes. Time is now ripe, but pending the acceptance of any proposal that this House may be inclined to make, it seems to me a pure waste of time and expense to stop the preliminary operations which are now going on. The preliminary operations may go on. Finally, when the proposal comes before the House, it will then be time to formulate your own rules and regulations and until then you will allow things to go on.

"Here I am speaking to the House on the practical side of the question. Let it go on. Let us take our own time to consider; it is not a matter to come to a decision in an hour. I saw the House yesterday going on talking and talking on small matters. Let it wait until the proposal is placed before it. As regards the

allegation that the rules and regulations are arbitrary, I am sure the same remark will not be made by all persons. Opinions will differ. Such differences ought to be and will continue to be; so long as our affairs are human, they can never be perfect.

"With these remarks I support the resolution in so far as that the preliminary operation may go on, but the final disposal may stand over till the House could come to some settlement as regards the principles to be embodied in the statute."

Mr. SASIBHUSHANA RATH :—"The resolution of Mr. Siva Rao recommends the postponement of the adoption of resettlement proposals. It does not suggest that the preliminary operations should be suspended. The operations might go on, the whole parties may continue their work, not one single clerk, not one settlement officer need go out. What is suggested is that the proposals sent in by the settlement parties may not be adopted by the Government till such time as the principles of land revenue assessment are embodied in legislation. There has been some misunderstanding as to this fact—the suspension of the preliminary operations and the postponement of the adoption of resettlement proposals. It is very necessary that the adoption of resettlement proposals should be postponed because the Government will not otherwise come forward with a piece of legislation that is so much sought for in this House. I support the resolution."

Rao Bahadur A. P. PATRO :—"It is significant that a discussion of this resolution should be supported by only two retired officials, and one of them with immense experience. There seems to be some confusion as to whether preliminary operations are necessary before settlement rules are introduced, i.e., whether the survey preceding it should be proceeded with and whether the Honourable Member wants that the survey should go on and the preliminary operations should be stopped before settlement rates are fixed. The report submitted by the Settlement Officer has to make an economic survey of the whole district. He has to map out the whole district into two sections and mark out the various classes of the soil, conditions and the rates that he proposes to impose over the various sections. Therefore, this is one of the preliminary operations which the survey and settlement party has to make and it is the most important part of it, because on these recommendations depends what would be the future rate of settlement for the particular taluk or division. If this important work is to be conducted by a settlement officer, it means that the most important part of the work is completed. It is clear that the Settlement Officer visits most of the villages, and fixes the taram; he will have to go from place to place and arrive at a conclusion in consultation with the local officials. He is guided in this matter by the rules of settlement and the Standing Orders of the Board of Revenue. They are embodied in the Settlement Manual. But however sympathetic he may be, whatever may be his opinion with regard to economic condition of the ryot of a particular area, the Settlement Officer is bound to carry out these rules. I have much experience in my own district, with a very sympathetic officer who was in sympathy with every ryot and who visited every village, taluk and division. He said he very much sympathized with the conditions of the ryots, but he should not override the rules of settlement or the conditions under which he was asked to work. Therefore, it is absolutely necessary that the preliminary work that a Settlement Officer has to do under certain conditions are not to be taken as the standard. If the reply of the Honourable Member to the Mr. Ramachandra Rao's question regarding the embodying of the principles of settlement by legislation was assuring, I would not have pressed for this resolution,

but as there is no chance of legislation being introduced, at least an assurance of it, it is necessary in the interests of the people that the settlement operations should be postponed. This is the first question coming before the House and it affects the interests of the rural population. It affects the economic condition of the people. Therefore, regardless of all these questions whether the incidence of land-tax is right or not, whether we have a certain amount of unearned increment, whether or not the state has to be profited by the unearned increment or the rise in prices, or the conditions of the market—all these questions will not arise in this discussion. This matter should be considered. The Honourable Member is not able to assure us how long it will be before this legislation is introduced. I would therefore earnestly urge on the members of this House, in the interest of the pattadars, to strongly recommend to Government the postponement of the settlement operations."

The Hon'ble Mr. C. G. TODHUNTER:—"Before the House commits itself to this resolution, I do wish to ask them to consider the financial effects. There are two main sources of revenue in this Presidency. The first is the land revenue and the second the excise. Anybody who studies the newspapers nowadays can see that the increase in the excise revenue is being checked by a movement of the nature of non-co-operation in certain districts. Mr. Ramachandra Rao is going to impose a further check by introducing local option. We must consider the effects of such action from the point of view of finance. This resolution asks that resettlement proposals should be postponed for an indefinite period; in other words, the progress in land revenue also will be postponed to an indefinite period. Under the Meston Committee's report, we were looking forward to a progressive increase in our revenue. All that has been taken away from us, and the result will be, if you pass this resolution and introduce local option, our revenue will stand still. We are shortly going to debate a resolution regarding the non-gazetted officers and village officers, which will involve, if we accept their proposals, $4\frac{1}{2}$ crores of rupees. How are you going to meet that Bill? So far as we can see from the budget, we cannot meet that Bill without cutting out everything to which we are not already definitely committed, and that includes a great part of the provision made for education, sanitation, development and all matters in respect of which progress is so essentially necessary. I therefore do ask Honourable Members to consider deeply before they commit themselves to the cutting off of this large source of revenue. What is it that is proposed? To defer all settlements until the settlement principles have been embodied in law. Some honourable members have suggested that the adoption of this plan need not prevent our going on with preliminary operations. I ask, how can you do that if nobody knows what the new principles of settlement are going to be. If you carry on preliminary operations on the present basis and an entirely new set of principles are embodied in the law, the work you do during the next few years may be completely thrown away. Lastly, there is the question of time. I have been quoted as having said that it will take five years to get this Act passed. I did not say that. What I said was that it was likely to take five years before you got the new Act into operation. If honourable members will look at the rules under section 81 of the Government of India Act printed on page 168 of the Council Manual, they will see that this Bill will have to go to the Government of India and in all probability to the Secretary of State. Meanwhile is it probable that the Act would be accepted by the many members who have their own new schemes of settlement with a minimum of delay? Again, similar Bills from other provinces will have to go to the Government of India who are likely to consider them all together. When your Bill has passed through all these various ordeals, you will have to begin your

preliminary operations over again. It is this that I said would take five years ; in other words, if you put a stop to preliminary operations now, it will be five years before you are ready to bring any new settlement into force."

Mr. K. GOPALAKRISHNAYYA :—" I heartily support this resolution and I beg to add a few words. I fully believe that the Government are aware of the growing consciousness among the ryot population in the various districts relating to the already over-delayed legislation that has to be introduced in this matter. The Government are, I believe, aware of the innumerable conferences and innumerable resolutions that have been unanimously passed in the various districts about this subject in the hope that this new Council would come to their rescue when they have returned their representatives to it. The Honourable Member for Revenue has urged two grounds among others : that there will be some difficulties in the way of the Government with regard to the dislocation of the survey operations of those settlement officers. Of course we must bear in mind the difficulties under which the ryot is labouring. The ryot nowadays is very suspicious about the increase of this land revenue. Is the Government going to burden the ryot who is already overburdened ? So far as history shows us, it is the Indian ryot that pays the largest land revenue of all the land-owners in the world. And the other reason that is urged by the Member for Government is the disparity in the rates which might prevail in some districts which are settled and in the other districts which are to be settled hereafter. Of course, this reasoning has already been replied to by some of the speakers who spoke this morning. The Member for Revenue also promises that this would be taken into consideration. Of course, we have had these promises already and we want to satisfy the ryot in the village that this promised legislation is near at hand. Unless there is the assurance of this House that this settlement business would be taken up in the near future, there is no satisfaction for the ryot in the village. So I fully support this resolution and I urge that every Member would support it."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR :—" Mr. President, I must confess to a feeling of disappointment at the position that the Honourable the Revenue Member has taken up with regard to this resolution. Since the debate has advanced far enough, I do not propose taking up much time of this House over this matter. Let us examine the argument that the Honourable the Revenue Member has advanced as to why it is that this resolution should not be accepted by this House. As I understand it, Sir, his position is this : he has no idea as to how long it might take for the contemplated Bill to become law, and what is even worse, he has no idea as to what the principles are that are going to be embodied in it ; in the meanwhile you cannot allow the parties which are now doing settlement operations to be either disbanded or to remain idle and therefore it must be that the present existing settlement operations should be continued. Curiously enough, in the same breath it is also said that there are certain principles which are guiding the settlement operators in working up the proposals. I may at once remind the House that the resolution is a modest one in this, that it merely says that before the final proposals are accepted they must wait for the Bill to become law, not that so much of the settlement operations as may be necessary for the purpose of getting the required information on which any Bill might be worked should be postponed, but that only the adoption of the proposals should be postponed. Now, Sir, it seems to me that there is a great deal in this resolution which ought to commend it for the acceptance of this House. We are gravely told that it might take a lot of time for this Bill to become law. And yet the Hon'ble Mr. Todhunter thinks that so far as Mr. Ramachandra Rao's Local

Option Bill goes, it might be passed into law quickly enough so as to wipe away what possible extra revenue might be had by way of increase. Now, Sir, if, as a matter of fact, a persistent and serious attempt is made for the purpose of having the principles regulating revenue settlement embodied into law, I have no doubt that delay, which is otherwise likely to occur, could be avoided. Attention has been drawn to what is found in the rules under section 81 of the Government of India Act. It merely says that the Governor of a Governor's province shall reserve for the consideration of the Governor-General any Bill not having been previously sanctioned by the Governor-General which has been passed by the Legislative Council of the Province. I do admit that this is one which affects the land revenue of the province and one in respect of which the Governor-General's sanction will have to be obtained at one stage or another. But to me it appears that there can be no difficulty, at any rate not any insuperable difficulty, in the way of procuring the sanction of the Governor-General, particularly when the Government is satisfied that there are certain definite and, according to them, equitable principles which have guided them in the making of settlements and which undoubtedly must form the basis upon which any Bill which has become law must be passed. In those circumstances, I rather think that the passing of this resolution will have the effect of insisting upon the Government turning its attention early to the bringing into existence of a Bill which will be passed into law at an early date. There is no doubt that the Joint Committee and the legislature have contemplated that as quickly as possible the principles of revenue settlement shall have to be embodied in law. We shall therefore only by accepting this resolution be carrying into effect the view that has been embodied in the legislation and in the Joint Committee's report. I may also mention, Sir, that it is cold comfort to us to be told that before this subject becomes a transferred one they should get it into the Statute Book. What does it mean? In ordinary circumstances it will take ten years to transfer the subject and it is after all . . . ."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :— " May I correct the statement at once, Sir? I never made that statement."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR (*continuing*) :—" My recollection is, Sir, that the Honourable Member assured us that in any event this special legislation concerning this subject will get into the Statute Book before it becomes a transferred one."

The Hon'ble the PRESIDENT :—" We must accept the Honourable Member's statement."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR (*continuing*) :—" That is exactly what I am doing. In the meanwhile this will become a transferred subject. If at all after ten years, and personally it seems to me that the need for legislation is not so great when it becomes a transferred subject as when it is a reserved subject. For when it is a transferred subject the House will have a greater control over it in that it can pass certain resolutions which will be binding upon that portion of the Government which is in charge of the transferred subject and the House has not got equal rights with respect to subjects which are reserved. Therefore my submission is, Sir, that it may not be said that it is any consolation to us. In these circumstances, particularly when you have a system of revenue settlement which is in force, and after all what is wanted is that the final adoption of fresh settlement proposals might be postponed until the passing of the Statute which is contemplated. I submit it is a very modest request that is being made

and it cannot be seriously urged, particularly when it is largely in the hands of the Government as to how long or how short it may take to have this Bill embodied into law. But I may also mention this. This country is not unaware of the fact that if only it is found necessary by the Government, measures of legislation are brought upon the Statute Book within a week or a fortnight after they have been first thought of. Here when the original principles have all been agreed upon, when every one has fully and freely discussed, what it is that has to go into the Statute Book, the facilities that there are in the way of the Government to enable them to pass a Statute regulating the revenue settlement are great indeed and there ought not to be so much delay as even five years for the purpose of having the Statute enacted."

Mr. C. V. S. NARASIMHA RAJU :—" Mr. President, the Hon'ble the Finance Member seems to have been frightened by the proposed Bill of Mr. M. Ramachandra Rao regarding the Excise Act and by the trend of the discussion on this resolution. But I wish only to remind him of his optimism when he presented last year the budget of this province to this Council. He said : ' It will be seen from the figures that the proposals which would have been ridiculous in 1905, impossible in 1918, possible only with heavy increase of taxation up to the end of 1919, will come within the range of complete practicability with effect from the 1st April 1921 '."

The Hon'ble Mr. C. G. TODHUNTER (*interrupting*) :—" That was written under the impression that we were going to get a continuing increase of revenue under the Meston proposals."

Mr. C. V. S. NARASIMHA RAJU (*continuing*) :—" Sir, I am aware of the Meston award and we had a pleasant discussion about the Meston award and the objections of the Government of India and of the Joint Committee regarding that. Even then, my position is not met. It is only a slight increase of revenue this province is to get within six years. Within six years our revenue is to be increased, instead of by two crores in 1921–22, to six crores in 1927–28. So, I only wish that the Finance Member will have the same optimism in viewing all these questions and the great changes which have come forward.

" Sir, there is another point regarding which I wish to correct the Revenue Member. He said that the same arguments of Mr. Siva Rao were repeated in this Council but I only wish to draw his attention to the present environment. Mr. Siva Rao, then standing in the Council, was only the representative of a fictitious constituency at which I hope the Hon'ble Mr. Todhunter will not take offence. But now he stands as the real representative of the tax-payers and he now demands in this House the consideration and draws attention to the recommendations of the Joint Committee of both Houses of Parliament. Sir, it is not to be said that there are no principles on which the land revenue settlement is being effected by the Government year after year. But the only complaint is that these principles are evolved by the officials and do not bear the view of the people. That is the reason why the Joint Committee recommended that the principles of land revenue settlement should be reduced to a legislative enactment by the new Council. In this connexion I want to draw the pointed attention of this House to the language of the Joint Committee's report, which says :—

' No branch of the administration is treated with greater elaboration and care, but the people who are most affected have no voice in the shaping of the system, and the rules are often obscure and imperfectly understood by those who pay the revenue. The Committee are of opinion that the time has come to embody into law the main principles upon which land revenue is determined, the methods of valuation, the pitch of assessment, the periods of revision, the gradation of enhancement and other chief processes which touch upon the well-being of the revenue-payers.'

"Sir, I do not agree with many of my honourable colleagues who said that the work of the settlement department may go on. We do not want the settlement department to go on on the old lines. We want to chalk out a new line and ask them to work out on those lines."

Mr. T. A. Ramalingam Chettiyar :—"Mr. President, I agree with the previous speakers that there is a necessity for having a Settlement Act passed as early as possible. It is indeed a well-known cry with regard to the settlement operations that the rules and principles are not quite followed. It is very much better to have some settled principles with regard to them. After hearing the Hon'ble Mr. Todhunter it seems to me we have to find out some means by which we may meet these grievances but at the same time not wait indefinitely for the passing of this Act. It looks from what the Hon'ble the Finance Member said that the passing of the Act will take some time, not merely some 'little' time. It has been stated that Land Revenue is not a transferred subject, but a reserved subject, and consequently there are bound to be a lot of difficulties in ultimately passing the Act. If we are going to wait until the Act is finally passed and becomes law, I fear for a good many years we shall be losing the share in the unearned increment which I believe the country as a whole is entitled to. So it occurs to me that if the settlement principles can be brought before this Council for consideration, or if the actual proposals made with regard to any district are brought before this Council and discussed before the Government finally adopts them, probably we may in a way meet these difficulties. I do not know whether the Government will be prepared to adopt either of these courses and I do not know also whether it will satisfy the public mind that the settlement is going on on sound principles and is conducted properly if these discussions are provided for in the Council. This is a reserved subject and any resolutions passed are not absolutely binding on the Government, but still as a *via media* I would request the Revenue Member to state whether he would adopt either of these courses and whether he would make a statement in this House as to whether he would be led by the resolutions passed in the House on settlement questions until the Act is passed."

Diwan Bahadur D. Seshagiri Rao Pantulu :—"Mr. President, I heartily support this resolution. The passing of this resolution will expedite the introduction of a law with fixed principles of revenue administration which is bound to remove a great deal of serious discontent among the people. The advent of a resettlement party into a village is considered nothing short of a pestilential visitation. I think it is the duty of the Government that they should try to remove this serious discontent from the villagers."

The Hon'ble Khan Bahadur Muhammad Habib-ul-lah Sahib Bahadur :—"Mr. President, the matter has been so fully discussed. . . ."

The Hon'ble the President :—"I assume that the honourable mover would prefer to address the Council afterwards."

Mr. P. Siva Rao :—"Sir, I do not know if I have got a right of reply."

The Hon'ble the President :—"Yes. This is an important matter and I will allow it."

Mr. P. Siva Rao :—"Now, Sir, there is a good deal of misapprehension as to the real scope of the resolution I have placed before the House. If only some of the honourable members had taken care, or even if the Honourable Member in charge had taken care, to read the resolution as it appears on the agenda, I do not think

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any such misapprehension would have possibly arisen. I shall read it once again for the benefit of such honourable members of this Council as have not gone through it carefully. The resolution reads thus :—

'*That this Council recommends to the Government that the adoption of resettlement proposals in the Presidency may be postponed till the principles of land revenue assessment are embodied in legislation.*'

"The Honourable Member from Tinnevelly and the Honourable Member from the east coast were anxious to hear from me whether I desire that these preliminary operations should be suspended. I repeat that the preliminary operations should be suspended as the result of our resolution which I have carefully worded. I only ask that the final orders of the Government should be stayed pending this legislation. Now, Sir, whatever may be the principles we are to act upon, some sort of preliminary work is necessary, and I need not take honourable members of this House into all the processes which are necessary before the Government can pass final orders in a matter like this. As Mr. Patro pointed out, there is the economic survey, as he called it, and throughout the Settlement Manual we find in full the various processes and the several investigations which have to precede the sending up of the scheme report and the passing of the orders of the Government. I only mention one circumstance mentioned by Mr. Patro, that survey is not indispensable, and probably the Madras Government have in most cases dispensed with the survey as a necessary preliminary business. As regards other investigations, investigations into the economic condition of the typical tracts, the Hon'ble Mr. Todhunter was asking 'is it possible to carry on preliminary operations when the business is not settled ?' I tell him it is quite possible. Is it not possible to inquire into the economic condition of the typical tracts, whatever the principles may be ? The facts and figures that have to be elicited have to be ascertained. I shall mention one thing ; on what principle should it be settled where prices have been ruling for 20 years or so whether they have been abnormal or famine years ? Is it not possible to ascertain these preliminary facts and figures whether we have any principles or not. Then again there is the rainfall in season and out of season. What the rainfall has been in a certain tract can be ascertained and that is a matter for investigation. I may say that this preliminary work can go on without settling principles or without arriving at a final decision on it. I was carefully listening to the arguments of the Honourable Member in charge. I was wondering what possible arguments he could advance against the most modest request I have made in this resolution. His arguments correspond to the closing paragraphs of what the Hon'ble Mr. Todhunter had spoken at the last discussion. My hope in bringing this resolution was that I could convince the President of the Council much better by bringing this same resolution again. One argument that was adduced was that it should come up in the Governor-General's Legislative Assembly. In rule 82 it is laid down that it is necessary to send it up. The Governor may reserve it for the consideration of the Governor-General. The best means of shelving is, I am afraid, not to pass this resolution. If we pass this resolution we shall be applying a lever to the Government to move them. Otherwise they will shelve this Bill, I am afraid, for a number of years and they will take their own time. They say 'this is not ready, that is not ready and it is under correspondence between the Government of India and the Local Government'. If honourable members of this House would really care for any such legislation, I ask them to adopt this course of applying this lever to the Government, so that it will be put to the necessity of pushing it forward and of getting some revenue. The Hon'ble Mr. Todhunter said that money must be had. We require money for sanitation, for the payment of village officers, and so on. If all these considerations

had been taken up just after the Decentralization Commission had recommended it, they need not have waited for the unanimous recommendation of the Joint Committee of both the Houses in taking up this question. They have lost a great deal of time. I may say, if I may quote the familiar proverb 'where there is a will there is a way'. Have we not passed 15 long and laborious Bills in the course of 1½ years? Have we not been very active about the City Municipality Bill, the District Municipalities Bill, the Local Boards Bill, etc.? We have passed all. If we apply ourselves earnestly to the consideration of this Bill, it won't be a very difficult matter for the Government. I think the Honourable Member in charge was attempting against an imaginary happening. He says he was asking 'should we by a stroke of the pen scratch up past work?' I never asked that. Let them work. It is a very useful work. When the scheme is reported to Government and when the time comes for final consideration, let the principles come up and let them apply those principles. It is stated and it is my complaint, that this matter was never brought before the Legislative Council. We are told by the Honourable Member in charge that the Council has always had an opportunity of speaking about this matter. I would ask him whether the principles involved in the Resettlement Manual were allowed to be adopted in this Council or whether discussions were solely confined to the calculations—"

The Hon'ble the PRESIDENT:—"Order, order. I trust the Honourable Member will confine himself to the issue before us. He is exercising his right of reply and that opportunity should be taken to answer criticisms or correct misapprehensions."

Mr. P. SIVA RAO (*continuing*):—"I shall be very brief. I am only referring to what the Honourable Member has said. We have had an opportunity of discussing this matter in the Legislative Council, though the opportunity we have had is not a substantial opportunity. The principles were in the manual and the executive had framed those rules and regulations. The real difference between those and the Act which we wish to have is this: the one is considered and passed by the executive and the other will be passed by the general will of the assemblage here. I have spoken enough on this resolution. In the interest of economy of time I do not want to say anything more in the matter. I strongly press that this matter should be postponed. I may say one other circumstance. An appeal has been made to the members of the Council on the ground of finance. Are we to sacrifice 13 lakhs and 2 lakhs merely for the sake of some principles which will be introduced? Now, on the other hand, I am going to ask this simple question. It is also stated that some districts have already suffered under this burden. May I ask, merely because we have applied some unsatisfactory principles in some districts, is it fair to apply the same principles to other districts and to perpetuate the same inequality, the same unsatisfactory principles to other districts as well? I would humbly ask the Honourable Member in charge, is it in the interests of those districts for which resettlement proposals have been passed already or is it in the interests of the districts in which such proposals are pending? As I have pointed out, if it is necessary to revise the settlement rates in those districts, there is nothing to prevent us from doing so. With these words, Sir, I press the resolution."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Mr. President, I should, in the first instance, try to clear a doubt which to my mind seems to be lurking in the minds of some of the honourable members of this House as to whether the Madras Government have been sufficiently vigilant and active in the matter of drafting the Bill which now forms the subject matter of so

much discussion. I may at once inform the House that it was about March or April last year that the question of the possibility of drafting a Bill was referred to this Government by the higher authorities, and the Madras Government lost no time whatsoever to set the necessary machinery in working order, and they requested the Board of Revenue to see to the drafting of the Bill immediately. This was, Sir, in April 1920. The Board of Revenue has since been busy in drafting the Bill. It has to contend against certain difficulties, owing to the fact that this piece of legislation will be the first of its kind so far as this province is concerned, and there are probably not many precedents to guide the Board of Revenue. The Madras Government, on the other hand, have been from time to time asking the Board of Revenue to expedite this legislative measure and from the last assurance that I have had from the Board of Revenue I am hoping to receive this Bill in a month or so. Sir, even if the Bill has been received, it does not by any means follow that it will have reached a stage when it will be fit for introduction into the House. Honourable members may be aware that there are certain preliminary stages through which a Bill prepared in a particular department has to pass. There is my learned colleague, the Hon'ble the Law Member, who in the first instance will have probably to contribute his knowledge, his intelligence and his legal acumen for the purpose of giving it a definite shape. Then the next most important functionary of the Government, whose advice will inevitably have to be sought for, is the Advocate-General and it will have to be scrutinized in other departments and published for information and public criticism and eventually introduced into the Council. This, Sir, is the only information which at the present moment I am in a position to give to the House. Let me once more assure the House that there has been not the least intention on the part of the Government either to burke this Bill or to needlessly delay it. On the other hand every possible effort has been made, is being made, and will continue to be made until this Bill is introduced in this House. Then, Sir, a great deal of argument seems to have centered round one question, viz., that it was perfectly possible for the existing staff to proceed with the preliminary investigations, regardless of the fact that there are now certain principles to guide the department and that in future certain other principles may be incorporated in the future legislation, that nothing should prevent the present settlement parties doing the necessary spade-work in the shape of preliminary inquiries until this new piece of legislation comes into force. I for one cannot see the soundness of the argument. For, Sir, after everything is said and done, I take it that the process of preliminary investigations will largely be guided by the aims to the attainment of which these investigations have to be directed. We have certain principles now and in pursuance of these principles the officers of the settlement department are pushing their inquiries. If, in the future legislation, the principles which I already glean from the Hon'ble Member for Bellary are deemed inequitable, if in the future legislation these inequitable principles disappear, and if new principles take their place, then I can assure the House that all the labour, all the time and all the expenditure that shall have been devoted to the preparation of this statistical information will have been thrown away. And that, let me remind the House, will be after all tax-payer's money. Now, Sir, I may not have been quite clearly understood when I said that these preliminary investigations would be of no avail. According to the present rules, Sir, the House is aware that when we compile these statistics, whether it is in respect of the economic condition, or of determining the rainfall or for the purpose of determining the indebtedness of the people of particular localities, we always take into account a definite period,

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what we call the normal 20 years out of those intervening between the previous settlement and the following settlement. I am not at the present moment in a position to foresee what the future principles of the settlements are going to be, and I am therefore not in a position now to judge whether these statistics which will be based upon certain data will be found useful when the new measure is brought into force. Now, great complaint has been made in regard to the helplessness of the Council in the past for the purpose of rectifying, if rectification was necessary, the iniquities of previous settlements. The Honourable Member for Bellary vaguely urged before the House and told it that the settlement officer had been rather unjust or arbitrary in the matter of the fixation of additional taxation. But the settlement officer merely carried out certain rules on which the resettlement was to be based. But, Sir, may I remind this House that it is always open to it to bring up any resolution they please determining the principles or policies in regard to matters affecting this province and within the purview of this House. If to-morrow any one of the members thinks that there ought to be some changes in the principles which have been laid down in what we call the Settlement Manual, nothing, it seems to me, prevents him from sending up a resolution to the President of the Council, and if it is admissible within the four corners of the rules, I take it his resolution can be discussed in this House. Then, Sir, my honourable colleague the Finance Member has addressed an appeal in his usual vehement and eloquent manner, and I take it that that appeal has produced the necessary effect; for I was able to perceive that after he had sat down, we had one or two honourable members to speak on our behalf. And I therefore think . . ."

The RAJA OF RAMNAD (*interrupting*):—"Not on behalf of the Government unless they are going to place the principles before the Council and take its approval."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur (*continuing*):—"And I take it, Sir, that that is an aspect of the question which should not be dealt with at this stage. We are face to face with possibly a very heavy expenditure. We are face to face with several schemes which we know are of considerable importance and designed for the happiness and prosperity of the people of this province. We know also that those gentlemen who are seated on my right, my honourable colleagues, the Ministers for Development, Local-Self-Government or Education, each one of them cannot profitably carry on his duties unless and until enough money is put into his hands. But if, Sir, we are going to decide on every occasion that we should shut our eyes to proposals for the development of revenue in every direction, a development which is not introduced for the first time now, but which has gone on for the last half century, and which is based on existing rules which probably have been subjected to the searchlight of public criticism during the last half century, a development which from time to time has given us some revenue, I should certainly think, Sir, that it will not be, just at this juncture, very fortunate that we should embark upon a plan of turning down every proposal which has for its aim the development of revenue. I remember the words of one of the honourable members of this Council who very pathetically told us that in no district where resettlement was conducted was he aware that the people did not object. But, Sir, we are living in no Utopia, where people would most willingly surrender to any inquisition, however just it may be. We know, I suppose, that every taxation has its own objectors, however equitable, however necessary, however time-honoured it may happen to be. So far as our experience of taxation goes, I do not for a

moment imagine that any taxation has been willingly accepted in any part of the world. I may at once assure Mr. Ramalingam Chettiyar representing Coimbatore that it is perfectly within his competence to place in the hands of the Council a resolution to-morrow if he chooses to do so, for the purpose of defining the principles which ought to be adopted in all the settlements which are now ripe."

Diwan Bahadur M. Ramachandra Rao Pantulu (*interrupting*) :—"May I know whether the Honourable Member desires a private Bill."

The Hon'ble Khan Bahadur Muhammad Habib-ul-lah Sahib Bahadur (*continuing*) :—"No, not at all, but a resolution. Then, Sir, there was a point, I believe, which some gentlemen sought to make, that inasmuch as they have been sent here as representatives of the people, it was incumbent upon them to speak on behalf of the people. Well, Sir, I do not know if I am going to dissociate myself from the people whose representatives those various gentlemen say they are. I fully associate myself with those people. I was one of them; I am still one of them. But at the same time I think I cannot shut my eyes to the fact, nor would I expect the honourable members of this Council to shut their eyes to the fact, that while they owe a certain degree of responsibility, indisputable responsibility to their electors, they at the same time owe a certain amount of responsibility to the Government of which they are a unit. And in the appeal which His Excellency the Governor made yesterday to us, I think, he made it sufficiently clear that he expected the honourable members of this Council to realize their additional responsibility under the new conditions and to regard themselves as part of the Government, and to bear in mind all aspects of the case in the consideration of the questions, which come up before them. Now, in this case, Sir, I represent the Government and I claim that that shade of opinion also should deserve the consideration and attention of the House, and I only hope that they will pardon me if I say so. By asking them to reject the resolution which is before them, I am not at all assuming an attitude of heartlessness against the people. I think fairness demands, equity requires, justice necessitates that the treatment that we have been meting out to the people of the other districts in these resettlement operations, shall be meted out to others also under similar conditions. When these conditions change, and if they change to the advantage of the people, let those who are able to secure those advantages secure them by all means."

The Hon'ble the President :—"I propose to take a poll on this resolution. To facilitate that being done, I would beg of all honourable members to be so good as to go into their places."

A poll was taken with the following result :—

Ayes.

1. M.R.Ry. K. Adinarayana Reddi Garu.
2. ,, S. R. Y. Ankinedu Prasad Bahadur.
3. ,, R. Appaswami Nayudu Garu.
4. ,, V. Appaswami Vandayar Avargal.
5. ,, Diwan Bahadur C. Arunachala Mudaliyar Avargal.
6. ,, Rao Bahadur T. Balaji Rao Nayudu Garu.
7. ,, B. P. Devarajulu Nayudu Garu.
8. ,, Rao Sahib S. Ellappa Chettiyar Avargal.
9. ,, Rao Sahib P. C. Ethirajulu Nayudu Garu.
10. ,, K Gopalakrishnayya Garu.
11. ,, K. P. Gopala Menon Avargal.
12. M.R.Ry. Diwan Bahadur M. Krishnan Nayar Avargal.
13. ,, J. Kuppuswami Garu.
14. ,, B. Munuswami Nayudu Garu.
15. ,, P. C. Muttu Chettiyar Avargal
16. ,, A. T. Muttukumaraswami Chettiyar Avargal.
17. ,, C. V. S. Narasimha Raju Garu.
18. Sir P. Tyagaraya Chetti.
19. M.R.Ry. M. Narayanaswami Reddi Garu.
20. ,, Rao Bahadur A. P. Patro.
21. ,, T. A. Ramalingam Chettiyar Avargal.
22. ,, Rao Bahadur A. Ramayya Punja Garu.
23. ,, A. Ranganadha Mudaliyar Avargal.

Ayes—cont.

24. M.R.Ry. K. Sarabha Reddi Garu.
25. ,, W. P. A. Soundara Pandya Nadar Avargal.
26. ,, T. Sivasankaram Pillai Avargal.
27. ,, N. A. V. Somasundaram Pillai Avargal.
28. ,, T. Somasundara Mudaliyar Avargal.
29. ,, A. Subbarayudu Garu.
30. ,, Diwan Bahadur K. Suryanarayanamurti Nayudu Garu.
31. ,, A. Tangavelu Nayagar Avargal.
32. ,, T. C. Tangavelu Pillai Avargal.
33. ,, O. Tanikachala Chettiyar Avargal.
34. ,, V. C. Vellingiri Gounder Avargal.
35. ,, Rao Bahadur C. Venkataranga Reddi Garu.
36. ,, Diwan Bahadur R. Venkataratnam Nayudu Garu.
37. ,, P. Venkatasubba Rao Garu.
38. ,, M. C. Raja Avargal.
39. ,, L. C. Guruswami Avargal.
40. ,, R. T. Kesavalu Avargal.
41. ,, M. C. Madurai Pillai Avargal.
42. ,, G. Vandanam Avargal.
43. ,, Diwan Bahadur M. Ramachandra Rao Garu.
44. ,, Sriman Biswanath Das.
45. ,, Diwan Bahadur T. Desika Achariyar Avargal.
46. ,, Diwan Bahadur L. A. Govindaraghava Ayyar Avargal.
47. ,, Rao Bahadur A. S. Krishna Rao Garu.
48. ,, S. Muttumanicka Achari Avargal.
49. M.R.Ry. Rai Bahadur T. M. Narasimha Acharlu Garu.
50. ,, Rao Bahadur Dr. C. B. Rama Rao Avargal.
51. ,, Rao Sahib U. Rama Rao Avargal.
52. ,, Sasibushana Rath.
53. ,, Diwan Bahadur D. Seshagiri Rao Garu.
54. ,, M. R. Seturatnam Ayyar Avargal.
55. ,, P. Siva Rao Garu.
56. ,, R. Srinivasa Ayyangar Avargal.
57. ,, T. C. Srinivasa Ayyangar Avargal.
58. ,, Rao Bahadur K. S. Venkatarama Avargal.
59. ,, C. V. Venkataramana Ayyangar Avargal.
60. Mr. M. D. Devadoss.
61. M.R.Ry. T. Arumainatha Pillai Avargal.
62. Mr. A. D. Palmer.
63. M.R.Ry. The Raja of Ramnad.
64. Sri Meka V. Appa Rao Bahadur.
65. M.R.Ry. The Zamindar of Mandasa.
66. ,, K. Prabhakaran Tampan Avargal.
67. Abbas Ali Khan Bahadur.
68. Saiyid Diwan Abdul Razaak Sahib Bahadur.
69. Khan Sahib Md. Abdur Rahman Sahib Bahadur.
70. Munshi Md. Abdur Rahman Sahib Bahadur.
71. Ahmad Miran Sahib Bahadur.
72. Abdul Qasim Beary Sahib Bahadur.
73. Qadir Nawaz Khan Sahib Bahadur.
74. Sayid Md. Padsha Sahib Bahadur.
75. Mr. A. P. I. Saiyid Ibrahim Rayuttar.
76. M.R.Ry. Rao Sahib P. Venkatarangayya Garu.

Noes.

1. The Hon'ble Sir Lionel Davidson.
2. ,, Mr. C. G. Todhunter.
3. ,, Khan Bahadur Muhammad Habib-ul-lah Sahib Bahadur.
4. ,, Mr. K. Srinivasa Ayyangar.
5. Mr. R. G. Grieve.
6. Mr. F. J. Richards.
7. M.R.Ry. A. Ramaswami Mudaliyar Avargal.
8. ,, S. T. Shanmukham Pillai Avargal.
9. M.R.Ry. S. Somasundaram Pillai Avargal.
10. Mr. A. Y. G. Campbell.
11. Mr. J. F. Simpson.
12. Mr. J. A. Richardson.
13. Mr. A. M. MacDougall.
14. Rev. E. M. Macphail.
15. Mr. R. E. Rencontre.
16. Mr. T. Richmond.
17. Dr. Gilbert Slater.

Seventy-six members voted *for* the resolution and 17 voted *against* it.

The resolution was carried.

Rates of assessment in the black-soil taluks of Bellary and Anantapur districts.

Mr. A. RANGANATHA MUDALIYAR:—" Mr. President, I beg to move—

'That this Council is of opinion that the scheme report No. S. C. 111 *Bd., dated 25th April* 1920, *of the Special Settlement Officer, Bellary, furnishes no adequate reason for the enhancement of the existing rates of assessment in the black-soil taluks of the Bellary and Anantapur districts, and recommends to the Government that the existing rates of assessment be left unaltered till the main principles by which land revenue should be determined or embodied in a statute.'*

" Sir, in view of the fact that the first resolution has already been passed by this Council, I am not going to lay stress on the second part of my resolution.

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Sir, according to the rules laid down in the Settlement Manual, the revision of assessment should generally be based on the increase or decrease of the recorded prices of the staple grains. . . ."

Diwan Bahadur M. KRISHNAN NAYAR (*interrupting*) :—"Sir, I do not rise to a point of order. I want only with your kindness an expression of your opinion or ruling on this point which I place before you, namely, whether since the Council has passed the first resolution it becomes necessary to discuss this resolution. Does it not become consequential, because the first resolution is to the effect that all resettlement operations in the Presidency be suspended or postponed? The first resolution is to the effect that the introduction of the new settlement rates be postponed till the principles of settlement are embodied in the statute. That is the resolution which the Council has already carried. The recommendation in this resolution is that the particular rates with reference to a particular district be postponed till in effect the principles are embodied or the principles are known. I wish to ask respectfully whether this does not follow and whether this resolution is necessary because the Council has already passed the first resolution."

The Hon'ble the PRESIDENT :—"Does the Hon'ble Member, Mr. Ranganatha Mudaliyar, want to say anything about it?"

Mr. A. RANGANATHA MUDALIYAR :—"I have nothing more to say except that while the resolution that has already been passed is in general terms, the present proposition furnishes another reason, namely, that the facts before us do not justify an increase."

The Hon'ble the PRESIDENT :—"I think this point was considered by me, and I came to the conclusion that we had better allow this resolution also to be voted upon because this resolution and also the resolution of Mr. Siva Rao, both of which I presume will be taken up together, refer to particular circumstances in a particular district, and as all these are only recommendations to the Government, assuming that the Government do not see their way to accept the recommendation on the first resolution, they must be in a position to know what recommendation the Council has to make in regard to the second resolution. That being so, I do not see it is proper to shut out discussion."

Mr. A. RANGANATHA MUDALIYAR (*continuing*) :—"I thank you, Sir, for the ruling in the matter.

"I was referring to the rules laid down in the Settlement Manual, namely, that the revision of assessment should generally be based on the increase or decrease in the recorded prices of staple grains, and the conclusion so arrived should further be checked by an examination of the economic position of the agricultural classes living in that area. There is also a further safeguard namely that, when there has been an increase of prices, the rates need not be raised in proportion to the increase in prices. The Settlement Rules are clear on that point. They say that the rates should not be raised to the full measure of the rise in prices, because the allowance made for the increased cost of living, of labour, and of implements as well as for promoting a higher standard of comfort, should be liberal. I am quoting from the Settlement Manual. So far, Sir, the rules, just like many an old proclamation or announcement of policy, read very well on paper and sound exceedingly nice to the ear. But I beg leave to say that they are most disappointing in their fulfilment. The rules are honoured in name, but broken in spirit. The method adopted is simplicity itself. Over-estimate the income

from land, under-calculate the expenses of cultivation, show an artificial increase in profit, and let the Government claim a portion thereof as its share. I shall show how this has taken place in the area under consideration. The staple grains for the two districts comprised in this area are paddy and yellow cholam. To calculate the new commutation price, the principle laid down is that the price of twenty non-famine years immediately preceding the year of resettlement should be taken and the average of those twenty non-famine years taken to represent the commutation price. The rules are clear that we have to take twenty non-famine years. But the Settlement Officer of our district has not chosen to select twenty non-famine years but has taken all the twenty years immediately preceding the year in which the resettlement operations were begun, and the difference in the two methods adopted will be obvious very soon. According to the method adopted by the Resettlement Officer, the commutation price comes to Rs. 258 per garce of yellow cholam and Rs. 249 for paddy. Now I beg leave to submit, Sir, that this method is quite in conflict with the rules on the subject as well as with the accepted practice hitherto prevailing in the Presidency. I have gone through some of the scheme reports of other districts which have been settled, for example, the reports of Mr. Moir, dealing with the taluks in the Cuddapah district and of other officers relating to Chittoor and other districts. These officers have excluded for purposes of their calculation not only the years in which the prices were at famine rates, but all other years in which prices were exceptionally high.

"This has not been done by the Bellary Special Settlement Officer. On the other hand, he has included years in which there was famine prevalent. In 1908–09 actual famine-relief works were started in some of the taluks of Bellary district, and even poor-houses were opened. In the next year it was seriously contemplated that relief works should be started. All the same, the Special Settlement Officer has not chosen to treat these years as famine years or years in which prices were exceptionally high. Now this involves a great injustice to the poor cultivators of the soil. While according to the method adopted by the Special Settlement Officer the price is Rs. 258 per garce of cholam and Rs. 249 per garce of paddy, the price according to the more equitable method which is contemplated by the rules and which was adopted in other districts would be Rs. 195 for cholam and Rs. 198 for paddy. The difference between the two prices is very great indeed. That is one thing which I like to bring to the notice of the honourable members of this House.

"As regards the expenses of cultivation of grain, the Special Settlement Officer has not given adequate consideration. Even if there has been a general increase in prices the assessment need not be increased because some allowance has to be made for the increased cost of living, increased expenditure of cultivation and a higher standard of living. As regards the last it is a well-known fact that the cost of living has risen considerably now. The Committee which inquired into the salary of the non-gazetted officers has admitted in its report that the cost of living has more than doubled, and I wish that this House would bear in mind the fact that the Committee has treated the non-gazetted officers on a level with His Majesty's guests in the Penitentiary. So the cost of living for poor men has grown more than twofold according to the Salaries Committee. The Non-gazetted Officers' Association has considered the recommendations of the Salaries Committee in great detail and has issued thereon a very complete criticism. From that it will be clear that the cost now is really three times what it was before and not twice or a little over that.

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"Take, again, the expenses of cultivation. The Settlement Officer has perhaps assumed that all the expenses are paid for in grain and says that the cost has increased during the last thirty years by about 50 or 60 per cent. The fact need only be mentioned for the House to see the ridiculously low estimate of the Special Settlement Officer. In the last Settlement report, Mr. Cox tried to give us some idea of the cultivation expenses and classified them under several heads like bullocks, agricultural implements, labour and manure. I stated just now that the Special Settlement Officer seems to take for granted that the cost of cultivation in respect of all these items has risen only proportionately to the increase of the new commutation price over the old, that is, by about 50 or 60 per cent. I do not think the Government would suggest for a moment that bullocks or iron imported from foreign countries or timber so jealously guarded by the Government in their reserves can be had in the market for exchange of grain. Bullocks now cost three times as much as before. Iron costs nearly four times. The cost of cultivation has now risen at least to thrice as much as it was in the old days. It does not therefore stand to reason that there can be any enhancement of the present rate of assessment. The Special Settlement Officer tries to justify his proposals for enhancement on the ground that there has been an enormous increase in the area of valuable industrial crops under cultivation. He draws a very, very rosy picture of our district. He says that the people there have got so much wealth that they do not know what to do with it, and that they bury it underground. There are, it appears, others again who do not want to appear rich in the eyes of their neighbours and so go about borrowing money at high rates of interest, while all their hoarded wealth is lying buried under the earth. He further says that our soil is so rich and that the cultivators are so well off that they are not likely to suffer much even if there be successive failure of rains for four years. He argues prosperity from a supposed increase in population and in the agricultural live-stock. That is the picture drawn by the Special Settlement Officer. I want you now to turn for one moment to the real picture of the conditions existing in the area under consideration, which can be glimpsed even through the pages of the official report, if one goes through it with understanding and sympathy, instead of with a prepossessed notion of somehow screwing money from the people already overburdened with taxation. Ten years have gone by since the last census was taken and the ignoring of epidemics that have devastated the districts and that have reduced the population considerably, is in my humble opinion a culpable omission on the part of any officer. The Special Settlement Officer, in his anxiety to prove an increase of population seems to have forgotten the fact that somewhere in his own report there are population figures for selected villages, taken in the year 1918–19. A comparison of those figures with those of 1911 is very instructive. So far as the population of the twelve typical villages of the Bellary district is concerned, it shows a decline from 19,778 in 1911 to 16,569 in 1918–19. In other words, the population now is less than what it was not only in 1911 but in 1891 as well, the year when the last settlement was effected. As regards the alleged increase in the extent of cultivation under valuable crops, the Special Settlement Officer has taken a famine year in which nearly 25 per cent of the land was admittedly waste and compared the extent of cultivation then existing with the cultivation of the later days when there was no famine and when all the available land had been brought under cultivation, and I need hardly say that to infer prosperity from such a comparison is, I think, hardly fair of him.

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"He has done the same thing with regard to live-stock. He has taken a famine year, during which there should have been a large amount of mortality among the cattle and compared the figures of that famine year with a prosperous year thirty years afterwards. This is certainly most unsatisfactory. The available figures in the report show that during the last ten years or so there has really been a considerable decline in the number of live-stock. The Settlement Officer says that our district can successfully withstand a failure of four successive seasons. Now I would leave that point for the Honourable the Member for Land Revenue, who personally visited our tracts, to answer. He has seen our conditions, and if they are as bad as he saw them to be as the result of a failure of a single season, I would respectfully ask him what value should be attached to the exaggerated versions of the Special Settlement Officer.

"I do not want, Sir, to take more of your time. I wish only to say that the scheme report of the Special Settlement Officer has very much exaggerated the quantity and the value of the outturn and has calculated miserably low the cultivation costs. It has not given due consideration for the increased cost of living, or for the need to provide for a better standard of life than obtains at present. Our land-owners are most of them very poor people. They own no extensive plots of land. The number of pattadars who are paying Rs. 10 and below is something very great. They constitute nearly 55 per cent of the total number of pattadars and another 30 per cent of them pay between Rs. 10 and Rs. 30. It will be observed from the scheme report itself, that almost every one of these small pattadars is involved in debt. It is no wonder, I should say, that these people are in such a state of chronic indebtedness when favourable seasons are few and far between, as happily, for us, may be observed from the reports of the agricultural farm in the district.

"I say 'happily' because any report from a non-official source is likely to be discounted by the officials. The farm at Hagari has been there for 15 years and its reports are open to the public. There has not been any year in which the manager of the farm has not had to complain either of insufficiency or excess of rainfall or insect pest or some other thing. Other official records also show that ten out of the last 15 or 16 years were extremely bad and that the remaining years were not good, but only better than some of the worst years. The Special Settlement Officer has calculated the amount of indebtedness in respect of some villages, and it appears therefrom that while the average debt incurred in a year in the period from 1896 to 1902 was Rs. 72,718, it rose to a lakh and a quarter in the period from 1903 to 1910 and to two lakhs and a quarter during the period 1911–18. So there is the official testimony that indebtedness has gone on increasing. In view of these facts, therefore, I trust that the honourable members of this House will have no hesitation in coming to the conclusion that our districts, Anantapur and Bellary, do not deserve any further enhancement of assessment, not merely on any general or hypothetical grounds, but for reasons based on facts and figures which are available in the official report itself. The scheme report was furnished at the end of October and we required some time to go through it and prepare a criticism. Possibly the Commissioner for Land Records and certainly the Honourable the Member for Land Revenue were not aware of all these facts which we have since brought to their notice. The Honourable the Member for Land Revenue said to the deputation which waited on him at Adoni that he was willing to be convinced, and I may confess here that these words gladdened our hearts very much, not because we heard such words

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for the first time from official lips, but because they came from an exalted official who assured us that he would not follow the ways of many of his predecessors, but would try to rise to the occasion. I pray of him and the Government through him to fulfil the hopes held out to us by saying that there is not going to be any enhancement of assessment in the two districts."

Mr. P. Siva Rao :—" Instead of moving the resolution standing in my name, I prefer to second the one which has now been so ably moved by my honourable colleague, Mr. Ranganatha Mudaliyar. It is not necessary for me to traverse at length the reasons against the enhancement of rates in the district of Bellary. We had the privilege of waiting in deputation upon the Honourable Member in charge at Adoni, and I may take this opportunity of saying here that we had a very courteous and patient hearing at his hands. We also presented to him an elaborate memorandum in which we stated our whole case, and I think that that will serve as a guide in arriving at any decision in the matter. And I may also state, for the consideration of the Council that in the case of the districts of Kurnool and Cuddapah, especially of Cuddapah, the Government in the last resettlement did not deem it fit to enhance the rates in view of the low economic condition of these districts. Thanks to the sympathetic report sent up by Mr. Moir and Mr. R. W. Davies who were the Settlement Officers at that time, Government decided not to enhance the rates in Cuddapah and Kurnool; and I bring this to the notice of the honourable members of this Council for this reason: that the conditions prevailing in the districts of Cuddapah and Kurnool were exactly analogous to those now prevailing in the districts of Anantapur and Bellary; and I may say it is a notorious fact that our district lies in the famine zone of the Presidency. I do not rely upon the official report sent up now by the Settlement Officer with a particular purpose. It has got only one purpose. This report presents the one-sided version of the Settlement Officer who has been straining himself all the time to see that the rates are enhanced. He has given a magnified account of the economic condition of our people, of the state of the season, of the state of the rainfall and the state of irrigation, of market conditions and of the extent of exports and imports; and to all that if I had time I could have given a suitable reply. But I do not think I am justified in wearying the honourable members with details of a certain particular locality. But I may be allowed, for the information of the Council, to quote a few extracts here and there from Mr. Francis's District Gazetteer, which was compiled a few years ago under official auspices, and which, whether on the economic condition, or on the availability of labour or of rainfall gives the lie direct to the present statement of the Settlement Officer. Here are just one or two extracts which I beg leave to quote from Mr. Francis's District Gazetteer:—

"'Except in the eastern taluks the soil for the most part' this relates to two taluks only and it is unfortunate that the Honourable Member representing one of them is absent from the discussion' is very poor stuff. The rainfall is light, capricious, and often unseasonable. Owing to the nature of the country, tanks are few in number and nearly all rainfed, while channels are still fewer. The proportion of the district which is protected for all seasons is therefore as low as 2 per cent. Except in the western taluks, forests and grazing land for cattle are scarce. There are no non-agricultural industries of importance which would serve as an outlet for superfluous labour in times of stress.' And then it is also stated here: 'As long as a man can barely keep the wolf from the door, he has neither the means nor the leisure to improve his lot and in this district the wolf is never far away.' He goes on saying: 'Credit is not cheap—the rate of interest

on money loans varying from 1 to 2½ per cent per mensem and that on advances of grain being 25 per cent.' There are, I may say to the discredit of Bellary district, no co-operative credit societies there. He winds up by saying: 'The result is that the average ryot of Bellary is poor. His house is inferior to that of his brother in the south, his household utensils most primitive . . . His food-supply depends upon the rains of June and July; if two successive monsoons fail, his cattle die in thousands and he himself, as will be seen later, lives from crop to crop and as usually hardly emerged from one famine before he is submerged under another.' I cannot better state the case of my district than quoting bodily the statement of Mr. Francis; and as regards the other particulars such as means of communications, etc., he states 'roads there are none deserving the name'. And then about the rainfall: 'the rainfall of Bellary is not only very light but as a detailed examination of the statistics for each month would show, it is also capricious and uncertain.' And then he says: 'possessing therefore an exceedingly light and withal uncertain rainfall, and being, as has been seen in previous chapters, a district in which three-fourths of the people are dependent upon pastoral and agricultural pursuits, where the soil is much of it poor, and where irrigation works are few and far between and are many of them dependent upon local rainfall, Bellary is, as a necessary corollary, more than usually liable to disastrous seasons.' As an instance I wish to mention, for the information of Members of this Council, that there has been one rainfall (north-east monsoon) last year and as a result there has been acute distress prevailing in this district. And this book also notes the years in which there have been acute scarcity and famines, especially the disastrous famines that prevailed in 1876-77. These are the reasons for which I ask that the present rates may not be enhanced in view of the low economic condition of the tract which I represent. It is needless for me to quote from the report of the Irrigation Commission. The Honourable Member in charge may say that it is an old report, and that it does not represent modern conditions. Anyhow, I draw the attention of the Members of this Council to one sentence: 'Excluding these seven districts, the remainder of the Presidency is more or less liable to famine except such small areas as are protected by works of irrigation. The most insecure districts are the Deccan districts, comprising Kurnool, Bellary, Anantapur and Cuddapah, which have suffered several times from famine during the past years.' I think these reasons will be quite sufficient to persuade the Government not to enhance the rates proposed by the Settlement Officer for adoption."

Before adjourning the Council the Hon'ble the PRESIDENT said:—"No list of questions, I am sorry, will be ready for to-morrow's meeting. The Secretary has been expecting the list and it has not yet come. It may not be possible to send it to all the members in the course of to-night. So either we must do the questions to-morrow as before or we must put off questions to the next day. What is more convenient is a matter entirely for the honourable members to decide."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"May I suggest, Sir, if it is not possible to have the questions to-morrow and if honourable members cannot get it in time before they go home to-day, they may be deferred till day after to-morrow."

The Hon'ble the PRESIDENT:—"Then you will have no questions to-morrow."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I ask my friend Mr. Ramachandra Rao why we should not proceed according to the usual rule, i.e., every alternate day."

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The Hon'ble the PRESIDENT :—" I will advise Honourable Members to allow to-morrow's questions to be dealt with exactly as we did yesterday ; that is to say, they will be placed here an hour before the meeting. I would advise honourable members to come here sufficiently early to read the answers prepared for them. It will be possible later on to work up the other arrangement."

The Council then adjourned to 11 o'clock the next day (16th February 1921).

L. D. SWAMIKANNU,
Secretary to the Legislative Council

