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THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 18th January 1939.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

* 609 *Q.*—[a]

Number of Harijans selected by the Madras Public Service Commission for appointments to the services recruited for.

* 610 *Q.*—SRI M. DURAIKANNU: Will the Hon. the Prime Minister be pleased to state—

(*a*) the number of candidates selected by the Madras Public Service Commission for each service for which selection was made by the Service Commission since the present Government assumed office; and

(*b*) the number of Harijans among them?

THE HON. SRI C. RAJAGOPALACHARIAR:—"(*a*) & (*b*) A statement [b] is laid on the table."

"With your permission, in order to make the statement correct up to the 15th December, I would request hon. Members to add 1 to Madras Police Service making it 3, 10 to the Madras Ministerial Service—Clerk and Typist—making a total of 29, 1 to Madras Secretariat Service making a total of 3 and 1 to the Subordinate Veterinary Service, so that the total number of scheduled classes candidates selected will be 57 instead of 44."

SRI S. NAGAPPA:—"I should like to know what the policy of the present Government is in selecting candidates?"

MR. SPEAKER:—"That is a very important question and should therefore be an independent question. It would not arise out of this question."

SRI RAO BAHADUR M. C. RAJAH:—"Out of all these, might I know how many are gazetted posts?"

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[a] Vide page 169—170 infra.

[b] Printed as Appendix I on page 228 infra.

THE HON. SRI C. RAJAGOPALACHARIAR:—" The Madras Civil Service, the Madras Police Service, the Madras Medical Service and the Madras Registration Service are all gazetted services."

SRI RAO BAHADUR M. C. RAJAH:—" Does the Police Service include Sub-Inspectors of Police also? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I do not think so, Sir."

Deletion of and amendment to certain sections in the Agency Tracts Interest and Land Transfer Act.

* 611 *Q.*—SRI P. PEDDA PADALU: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the Government are in receipt of any petition from the Andhra Provincial Agency Peoples' Association requesting to delete section 8 (2) of the Agency Tracts Interest and Land Transfer Act, and amend section 4 (1) and (2) so that the execution may become easier; and

(*b*) if so, what the Government propose to do?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) The Government have received a petition from the President of the Andhra Provincial Partially Excluded Areas Association suggesting deletion of section 8 (2) of the Agency Tracts Interest and Land Transfer Act, 1917 (I of 1917). There is, however, no suggestion in it to amend section 4 (1) and (2) of the Act.

" (*b*) The matter is under the consideration of the Government."

Construction of irrigation works in Malabar on the model of those existing in the Travancore and Cochin States.

* 612 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Revenue be pleased to state with reference to question No. 554, dated 30th March 1938—

(*a*) whether the examination of the possibility of introducing irrigation works in Malabar district similar to those in existence in Travancore and Cochin States has been completed;

(*b*) if so, with what result; and

(*c*) the nature of irrigation works in the latter State?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*), (*b*) & (*c*) The matter is still under investigation."

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Legislative proposals to exclude inam villages from the operation of the Urlam decision.

* 613 *Q.*—SRI K. P. YAGNESWARA SARMA: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether the Government have filed two appeals in the Privy Council from the decisions of the Madras Court in second appeals Nos. 309 and 310 of 1928 on the ground that the principle of the Urlam decision is inapplicable to inam villages;

(*b*) whether any suggestion has been made to Government that the Government may introduce necessary legislation for the purpose, instead of prosecuting the appeals before the Privy Council; and

(*c*) whether any and if so, what decision has been arrived at by the Government on the same?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) & (*b*) The answer is in the affirmative.

" (*c*) The Government do not propose to take any action on the suggestion at the present moment."

Legislative proposals in respect of the Irrigation Law of the Province.

* 614 *Q.*—SRI K. P. YAGNESWARA SARMA: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether any representations have been made to the Government for introducing legislation on the lines of Sir K. Srinivasa Ayyangar's Irrigation Bill No. 13 of 1922;

(*b*) whether the Government have arrived at any and if so, what decision on the same; and

(*c*) whether the Government have any proposal of their own for legislation in respect of the Irrigation Law of the Province?

SRI T. VISWANATHAM (Parliamentary Secretary) on behalf of the Hon. Sri T. Prakasam:—" (*a*) The answer is in the affirmative.

" (*b*) The Government do not propose to take any action now.

" (*c*) The Government have under consideration a proposal to amend the Irrigation Cess Act to provide for the levy of enhanced water-cess for breach irrigation and for the irrigation of wet lands by any means other than those specifically approved by the Government. The absence of legislation in this regard has resulted in damage to irrigation systems and wilful waste of water."

Extension of the supply of electric energy from Krishnagiri to Hosur taluk.

* 615 *Q.*—SRI M. G. NATESA CHETTIYAR: Will the Hon. the Minister for Public Works be pleased to state whether the Government propose to extend the supply of electric energy to Hosur taluk from Krishnagiri?

THE HON. MR. YAKUB HASAN:—"The feasibility of extending electric power around Krishnagiri including Hosur taluk is being investigated. If found remunerative, schemes will be prepared and necessary action taken to supply power."

SRI V. VENKATASUBBAYYA:—"For what purpose is the power intended to be used?"

THE HON. MR. YAKUB HASAN:—"Of course for lighting, fans and industrial purposes."

* 616 *Q.*—[a]

Delay in the issue of permits by the Central Board of Traffic, Madras.

* 617 *Q.*—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Law be pleased to state—

(*a*) how many applications for permit are still pending disposal before the Central Traffic Board, Madras;

(*b*) the reason for the delay;

(*c*) whether it is a fact that certain lorries that paid the fee even in the first week of October have not yet received such permits;

(*d*) if so, for what reasons such permits have not been issued;

(*e*) whether the Central Traffic Board is entitled to refuse or delay the issue of permits to new lorries;

(*f*) whether the Government will issue orders to the Board on the point; and

(*g*) who is responsible for the loss caused to such lorry owners?

THE HON. DR. P. SUBBARAYAN:—"(*a*) Four hundred and thirty-three applications for permits and the extension of the validity of permits, are pending disposal before the Central Road Traffic Board. Provisional permits have, however, been issued in 355 of these cases.

"(*b*) The goods vehicle applications, which constitute the majority of those now pending, are applications for permits to carry goods over long distances between points connected by rail. The Central Board is bound, under the

[a] Vide page 170 infra.

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rules, to give the railway companies concerned an opportunity to put forward their views on the question and before passing final orders the Board has to consider the points specified in rule 149 of the Madras Motor Vehicles Rules, 1938. The problems which have to be examined have been the subject of acute controversy in many countries, and the Board believes that no quick and easy solution is possible. The applicants themselves have tended to contribute to such delay as has occurred by their failure in many instances to comply with the requirements of the new rules. In most cases, they did not state clearly, in their applications, the routes on which they wished to run their lorries, the description of the goods to be carried, and the public need for the transport they wished to supply. This has necessitated correspondence, sometimes protracted, in almost every case.

" (*c*) The answer is in the affirmative.

" (*d*) In respect of five out of thirteen such lorries, provisional extensions of permits were granted. In the other cases, provisional extensions were not granted, as the applicants did not establish that there was *prima facie* a public need for the lorries to be licensed, and as the objections to the grant of the permits that have been raised by interested parties have to be considered before disposing of the applications concerned.

" (*e*) The Central Road Traffic Board has discretion to grant or refuse permits for lorries.

" (*f*) The Government consider that in the circumstances there is no need for the issue of any orders to the Central Board in the matter.

" (*g*) If an applicant incurs liabilities in anticipation of the decision of the transport authority on the question of the grant of a permit to him, he is himself responsible for any loss which he may sustain if the transport authority decides that a permit should not be issued to him. There is provision in the rules for the grant of a permit prior to the purchase by the applicant of the vehicle in respect of which a permit is required (rule 144, Madras Motor Vehicles Rules, 1938)."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I ask whether it is the policy of this Government or of the Central Traffic Board to stop the issue of permits to such lorries as are competing with the railway companies? "

THE HON. DR. P. SUBBARAYAN:—" No, Sir; that is not the general policy of the Government."

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SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask why it is necessary to consult the railway authorities with regard to long-distance routes for which permission is applied?"

THE HON. DR. P. SUBBARAYAN:—"For the simple reason that we must know the conditions under which the railways are working before any such permits are issued."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask why when other lorries were allowed to ply on these routes there was no consultation with the railway with regard to the condition of the railway traffic?"

THE HON. DR. P. SUBBARAYAN:—"At least that is the opinion of the Central Board, and I see no reason to change that view."

Probable savings due to the abolition of Courts ordered during the year.

* 618 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Law be pleased to state—

(*a*) the number of Courts abolished during this year;

(*b*) the reasons for the same; and

(*c*) the amount of money that will be saved in consequence of the same?

THE HON. DR. P. SUBBARAYAN:—"(*a*) & (*b*) The attention of the hon. Member is invited to the answer given to starred question No. 242 at the meeting of the Assembly on the 29th November 1938. Orders have since been issued for the abolition of the Sub-Court, Tellicherry, with effect from the 23rd December 1938.

"(*c*) The savings amount to Rs. 33,992 a year."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"May I know why the Government are slow in taking steps for the abolition of the superfluous courts?"

THE HON. DR. P. SUBBARAYAN:—"Of course it is only a question of opinion. I do not think the Government have been slow in this matter at all."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—"May I know, Sir, whether the Government intend filling up the vacancy that would arise shortly by the retirement of Justice Madhavan Nair, in the High Court?"

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THE HON. DR. P. SUBBARAYAN:—" I should like to tell the hon. Member that this has nothing to do with the question on the Order Paper."

SRI V. S. R. M. VALLIAPPA CHETTIYAR:—" Are there any courts which are going to be abolished hereafter, Sir? "

THE HON. DR. P. SUBBARAYAN:—" If the hon. Member will put down a separate question, I will answer."

MIR AKRAM ALI SAHIB BAHADUR:—" May I ask the Hon. Minister whether any courts in the Godavari district have been abolished? "

THE HON. DR. P. SUBBARAYAN:—" That does not arise out of the question on the Order Paper."

Number of operations performed by the Superintendent, General Hospital, Madras, in his unit during September 1938.

* 619 *Q.*—SRI B. BHAKTAVATSALU NAYUDU: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) on how many days in September 1938 the Superintendent of the General Hospital, Madras, attended the hospital;

(*b*) the total number of operations done in his unit during September; and

(*c*) of those, how many were done by the Superintendent?

THE HON. DR. T. S. S. RAJAN:—" (*a*) to (*c*) Lieut.-Col. M. M. Cruickshank, I.M.S., who is the Superintendent of the hospital, attended the hospital on 24 days in the month although he was ill, and performed 10 out of 55 major operations done in his unit."

Development of the pharmaceutical factory attached to the Government Medical Stores, Madras.

* 620 *Q.*—SRI K. V. R. SWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) the nature of work done by the pharmaceutical factory attached to the Government Medical Stores, Madras;

(*b*) the volume of work done by this factory last year; and

(*c*) whether there is any idea of developing this factory so as to meet the needs of this Province?

THE HON. DR. T. S. S. RAJAN:—" The Medical Store Depot, Madras, is under the control of the Government of India. This Government have, therefore, no information."

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Suspension of the census operations for 1941.

* 621 *Q.*—Sri G. RANGIAH NAYUDU: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(*a*) whether it is a fact that the Central Government referred the question of suspending the census for 1941 to the Provincial Government for opinion and desired to know whether the Provincial Government were prepared to bear the provincial part of the census operations;

(*b*) if so, what the opinion given by the Madras Government was; and

(*c*) if opinion has not been already given, what their opinion will be in the matter?

The Hon. Sri V. I. MUNISWAMI PILLAI:—" (*a*) & (*b*) The Government of India addressed the Provincial Government asking for their assurance that their staff and the staff of the local bodies would be placed at the disposal of the census system without claim for remuneration from Central revenues on the same basis as was done in connexion with the previous census. This Government replied agreeing to extend their fullest co-operation on this basis.

" (*c*) Does not arise."

Insolvency of the Andal Mills, Gudiyattam.

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

(*a*) what the nature of business that was done by the Andal Mills, Gudiyattam, is; and

(*b*) what the reasons for the losses and insolvency are?

The Hon. Sri V. V. GIRI:—" (*a*) The Mills were doing business in rice-hulling, flour-milling, groundnut decorticating and cotton ginning.

" (*b*) So far as the Government are aware, the failure of cotton ginning and severe competition in rice-hulling coupled with the general trade depression account for the working of the mills at a loss."

Import of matches for consumption in the Province.

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

(*a*) the quantity of matches required for consumption in this Province; and

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(*b*) whether any, and if so, what portion of it is imported from outside the Province?

SRI B. S. MURTI (Parliamentary Secretary) on behalf of the Hon. Sri V. V. Giri:—" (*a*) The quantity consumed during 1937–38 was 4,496,919 gross boxes. This assumes that the total quantity produced in the Province plus the quantity imported by sea represents the consumption of matches within the Province. As figures of movements of matches are not separately recorded in the rail-borne trade statistics, it is not possible to say how much of the local production and of imports went out of the Province by rail.

" (*b*) The quantity imported by sea including coastwise imports during 1937–38 was 621,058 gross boxes. It is not possible to say what quantity of matches was imported from outside the Province by rail as such statistics are not separately recorded in the rail-borne trade statistics."

SRI K. V. R. SWAMI:—" May I know from the hon. Parliamentary Secretary whether Government will be pleased to consider the question of getting this information from the Railway department? "

SRI B. S. MURTI:—" The Government would consider the question."

Schools and classes in Chittoor district paying scholarships to Harijans.

* 624 *Q.*—SRI M. DURAIKANNU: Will the Hon. the Minister for Industries and Labour be pleased to state the names of schools and classes in the Chittoor district in which scholarships to Harijans are given?

SRI B. S. MURTI (Parliamentary Secretary) on behalf of the Hon. Sri V. V. Giri:—" The Labour department has given scholarships in the following ten schools during 1938–39:—

(1) Board High School, Chandragiri—Forms I, II and IV.

(2) Board Higher Elementary Combined School, Kalikiri—Standards V, VI and VII.

(3) Board Higher Elementary School, Piler—Standards IV, V and VII.

(4) Board Higher Elementary School, Kurabalakota—Standard V.

(5) Board Middle School, Pakala—Form I.

(6) Board Higher Elementary School, Renigunta—Standards V and VI.

(7) Board High School, Tiruttani—Class V.

(8) Board High School, Madanapalle—Forms I and IV.

(9) Board Higher Elementary Combined School, Peddatippasamudram—Standard IV.

(10) Board Amalgamated School, Burakayalakota—Standard IV.

The Education department has given scholarships in the following five schools in 1938:—

(1) Board High School, Tiruttani—Form IV.

(2) Board High School, Madanapalle—Form V.

(3) Board Higher Elementary School, Renigunta—Standards VI and VII.

(4) Board Elementary School, Basinikonda—Standard V.

(5) Peeifer Memorial Higher Elementary School, Renigunta—Standards VI and VIII."

Publication of a list of commissioners of municipalities not possessing a lien elsewhere with their qualifications and pay.

* 625 *Q.*—Mr. D. R. ISAAC: Will the Hon. the Minister for Local Administration be pleased to furnish a list of commissioners of municipalities who do not retain a lien on any substantive appointment, with their respective qualifications and pay?

The Hon. Sri B. GOPALA REDDI:—"A list[a] is appended."

Conveyance allowance to chairmen and commissioners of municipalities.

* 626 *Q.*—Sri K. P. YAGNESWARA SARMA: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) the number of municipalities in which both chairmen and commissioners draw a conveyance allowance;

(*b*) the principle on which the respective amounts that are allowed as conveyance allowance to chairmen and commissioners are fixed and the reasons for the variation of these amounts, if any, in the various municipalities;

(*c*) whether Government have come to a decision on the question of conveyance allowance for the Tirunelveli Municipal Chairman which has been unanimously voted by the Council and disallowed by the Inspector of Local Boards; and

(*d*) whether Government will be pleased to pass early orders on the subject?

[a] Printed as Appendix II on page 229 infra.

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THE HON. SRI B. GOPALA REDDI:—"(*a*) Nine.

"(*b*) The attention of the hon. Member is invited to the answer to Legislative Assembly question No. 31 answered on 1st September 1937 in regard to the principle observed in granting conveyance allowances to the commissioners. The conveyance allowances to chairmen are sanctioned by the Inspector on the merits of each case.

"(*c*) & (*d*) Orders have issued sanctioning conveyance allowance to the Chairman, Municipal Council, Tirunelveli."

SRI K. P. YAGNESWARA SARMA:—"May I know whether the Hon. Minister will be pleased to consider the question of giving conveyance allowance to the chairmen of municipalities?"

THE HON. SRI B. GOPALA REDDI:—"Each case will be considered on its own merits."

SRI K. P. YAGNESWARA SARMA:—"May I know whether there is no general policy followed about these things?"

THE HON. SRI B. GOPALA REDDI:—"There is no general policy."

SRI K. V. R. SWAMI:—"May I know whether the commissioners are given conveyance allowances?"

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir."

SRI K. V. R. SWAMI:—"May I know why, when the commissioners are paid men, they are given conveyance charges, while the chairmen who are honorary men, are not given conveyance allowances?"

THE HON. SRI B. GOPALA REDDI:—"It is because honorary people cannot get salaries, they cannot get conveyance allowance also."

Alleged false personations in the last elections of the Tiruvallur Panchayat Board.

* 627 *Q.*—SRI D. RAMALINGA REDDIYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether the Government have received any report from any voter in Tiruvallur, Chingleput district, to the effect that there were many false personations in the last panchayat board elections of Tiruvallur;

(*b*) whether the Government have received a copy of the judgment delivered by the District Munsif of Tiruvallur, where an election for a particular ward was held null and void owing to false personations; and

(*c*) if the answers to (*a*) and (*b*) are in the affirmative, what action has been taken by the Government to prosecute the offenders and to return the deposit amount of Rs. 20 in each case of a challenged vote in the said elections?

THE HON. SRI B. GOPALA REDDI:—" (*a*) & (*b*) The answer is in the negative.

" (*c*) In view of the answer to clauses (*a*) and (*b*) the question in this clause does not arise."

Alleged death of an anti-Hindi prisoner in the hospital.

* 627-A. *Q.*—SRI E. KANNAN: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether the attention of the Government has been drawn to a report in the Press that a prisoner, Natarajan, convicted for picketing in anti-Hindi agitation died recently in the hospital; and

(*b*) the circumstances of the case and the cause of his death?

THE HON. SRI C. RAJAGOPALACHARIAR:—" One of the persons convicted in the picketing campaign at the Theological High School, Natarajan, an illiterate Harijan, who was convicted on the 5th December last, developed facial cellulitis with fever. After about five days in the Penitentiary hospital he was released temporarily and admitted in the General Hospital on 30th December. The Lieutenant-Colonel in charge of the ward has reported that he was admitted with facial cellulitis complicated with septicæmia pyæmia abscess in the thigh. In spite of the best efforts the patient developed pyæmic abscess in the brain. After sixteen days' treatment in the General Hospital, the patient died at 2 p.m. on the 15th January.

" The Surgeon's report is as follows:—

' Cases like these are really one of the serious problems in surgery. During the whole time when the patient was in this hospital he was unfit to be removed from here but he had free access to his relations. His father was almost always with him. While the patient was in this hospital, he was given all the modern treatment available for such cases, such as a course of streptococcal serum, proseptacine and soluseptacin in addition to intravenous glucose twice daily.' "

SRI G. RANGIAH NAYUDU:—" May I know whether the boy was not a student? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" He was, as I said already, not able to read or write his mother tongue or any other language. I presume he was not a student."

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SRI R. M. PALAT:—" Was not an application made by his parents for his release? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" None that the Government are aware of. As I have said, he was released from the Penitentiary jail and was for fifteen days in the General Hospital."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" Am I to understand from the Hon. Premier when he says that he was released, he was released in the legal and technical sense, or whether release means transfer from the Penitentiary to the General Hospital? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" There is a regular procedure for release—temporary release as it is called—of prisoners for the purpose of treatment in hospitals outside the jails. There are conditions attached to such release and the patient is really released for all practical purposes."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" Was any order passed to that effect? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" If I can judge aright from the report I have received from the person who is in charge of the Penitentiary hospital and the form in which that report has been sent it reads in the manner in which I have stated."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" How long was the unfortunate young man in the Penitentiary hospital before he was taken to the General Hospital? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" I have already stated that he was there for five days and for sixteen days in the General Hospital."

SRI R. M. PALAT:—" May I know how long the boy was inside the Penitentiary? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" For twenty-one days. I would also add the two days during which he was under observation."

SRI RAO BAHADUR M. C. RAJAH:—" May I know who was the doctor in charge of the patient in the jail during the five days when he was a patient there? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" He was in the Penitentiary hospital for five days, but I am not able to give the name of the Surgeon who immediately attended to him."

SRI RAO BAHADUR M. C. RAJAH:—" My point is whether the person was given proper treatment in the Penitentiary hospital? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" He was for five days in the Penitentiary hospital as distinguished from the cell, but as the authorities in the hospital could not see any improvement, they sent him to the General Hospital after going through this process of temporary release for treatment outside. The procedure adopted shows that they were very considerate and were quite able to see the danger of the situation."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Will the Hon. Premier be pleased to place the report on the table of the House? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" The Hospital authority sent us a report, but I shall read the report received from Lieutenant-Colonel Khan, I.M.S., who is in charge of the Penitentiary hospital. This is what it says:

'I have the honour to report that convict No. 5524, Natarajan, had a boil on the lower lip and was detained in the Penitentiary hospital for treatment on 26th December 1938. The boil burst on 27th December 1938 and was duly attended to. On 28th December 1938 the temperature rose up to 102 degrees F. Left side of the face became red and swollen and he was complaining of severe pain.

'Adequate treatment for his condition was given. On 28th and 29th his temperature was ranging between 100 degrees and 102 degrees F. The swelling in the face was stationary, but swelling and tenderness was noticed on right thigh and left leg.

'On the morning of 30th December 1938 the temperature was only 99 degrees, but swelling extended to the whole of the face, lips and front of the neck. The swollen part was red and tender and the spreading margin elevated.

'He was sent as an in-patient to the General Hospital immediately (30th December 1938). On 15th January 1939 a message was received from the Government General Hospital, Madras, that the person expired at 2 p.m.'

" The Government General Hospital message states that he died of cellulitis face."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" Is there any senior doctor in the Penitentiary? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" Lieutenant-Colonel Khan."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" When the I.M.S. officer in the Penitentiary discovered that there was cellulitis in the patient, were the Government made aware of the fact that it was a dangerous disease and that it should be treated in the General Hospital and not in the jail hospital? "

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THE HON. SRI C. RAJAGOPALACHARIAR:—"That is exactly the reason they had to keep him there for five days. It is not easy to diagnose such diseases at all. A certain time must elapse. Ordinary swelling is not distinguishable from cellulitis. In the process of maturing and observation some time elapses. If it could easily be observed, the gentleman responsible for taking him to the picketing campaign need not have taken him to that campaign."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"May I know from the Hon. Premier whether the Government considered the question of releasing him when he was seriously ill in the hospital?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I have already stated very clearly that the patient was ill for five or six days in the Penitentiary and the Penitentiary authorities have taken the necessary steps for getting the necessary orders for the release of the prisoner and sending him on to the General Hospital. Releasing him and leaving him at the prison door would have served no human purpose."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Apart from the release necessary for treatment of the prisoner, I want to ask the Government to let us know whether any application was received for releasing him altogether and whether they considered the question of releasing him because of his serious illness?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I am not aware of any such application having been made by anybody responsible for this young man. As I have already stated, he was an illiterate young man belonging to the scheduled classes."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I want to know whether the Government considered the question of releasing this young man of their own accord or not? It was a serious case."

THE HON. SRI C. RAJAGOPALACHARIAR:—"The Government were aware of his illness only when the report was made. From the report it was found that he was under the best of treatment. The question of entire release did not arise, further than the release already ordered."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:— 3-30 p.m.
"May I ask when the first report was sent to the Government, and when he was sent to the hospital?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I think the dates that I have given are quite enough for the hon. the Leader of the Opposition. He was ill on the 25th; he was in the Penitentiary till the 30th; he was admitted in the General Hospital on the 30th. I cannot give the exact hour and the minute."

DR. M. J. SAMUEL:—"In view of the serious nature of the disease, do not the Government think that the Penitentiary Medical Officer has made unusual delay in sending the patient to the General Hospital for expert treatment?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I do not think that in a case of this kind where the doctor found a swelling on the lip on the 25th, if the case reached the General Hospital at Madras on the 30th, and if in the interval the patient was in charge of Lieutenant-Colonel Khan in one place and Colonel Mahadevan in another place, any neglect can be imagined or possibly conceived of in this matter."

DR. M. J. SAMUEL:—"What was the prognosis of the Medical officers in the General Hospital when the patient was admitted?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"That can be seen from the report that I have received from Colonel Mahadevan in this matter. May I read it?"

DR. M. J. SAMUEL:—"May I ask whether it was bad when the patient was admitted or whether it was considered to be a fit case for treatment?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"When the General Hospital doctors admitted him on the 30th and diagnosed the case as cellulitis, I have it on the authority of the Surgeon-General that it falls in the class of one of the most difficult and troublesome matters that surgery has to deal with in modern times."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I ask whether this was not realized and found out and diagnosed even in the Penitentiary hospital?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"It must have been found out towards the latter part of the five days that I referred to."

SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"May I ask, Sir, whether the swelling in the lip was due to natural causes or to any injury?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I can answer this very fair question, Sir. I think it was due to natural causes. I think the boy, though unfortunate by reason of what happened to him, has had better attention than he could have had otherwise."

SRI K. V. R. SWAMI:—"May I ask the Hon. the Premier whether the leaders of the anti-Hindi movement took any interest in this unfortunate boy?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I do not think the Government can answer that question."

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H. S. HUSSAIN SAHIB BAHADUR:—"Mr. Speaker, Sir, may I have some of my questions which were passed over answered now."

MR. SPEAKER:—"But is this question finished? Does the hon. Member presume that this question is finished?"

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Will the Hon. the Premier be pleased to place on the table of the House on a future occasion the qualifications of the doctor who immediately attended on the patient while he was in the Penitentiary?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The Penitentiary, as the hon. the Leader of the Opposition should certainly know, is in charge of one of the best doctors that the Provincial Government can command. This has always been so. The Penitentiary and the hospital in that Penitentiary are under the immediate attention of that officer who is in charge of the Penitentiary. Whatever may be the qualifications of the various doctors who may be in charge, attention on patients will vary according to the nature of the case, according to the urgency of the matter and so on. I have no doubt that the best attention has been given in this case. No object will be served by placing the names of particular medical officers on the table."

SRI K. V. R. SWAMI:—"How did this illiterate man who had no knowledge of even his mother-tongue happen to take part in the anti-Hindi movement?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"A very interesting and relevant question, Sir, but the Government cannot answer it."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"May I know, Sir, whether it was due to his illiteracy that he got this illness?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"It was due to his illiteracy that he picketed and it was due to his picketing that he happened to be in the jail, but his illness was certainly due to other causes." (Laughter.)

Conditions governing the grant of special pay for shorthand and typewriting.

* 609 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(*a*) whether there have been any complaints or memorials in respect of the application of G.O. No. 783, Public, dated 20th September 1933, and if so, what they are; and

(*b*) whether the said Government Order is still in force?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (*a*) A statement [a] is laid on the Table of the House;

" (*b*) the answer is in the affirmative."

H. S. HUSSAIN SAHIB BAHDAUR:—" May I know whether any action has been taken on the complaints or memorials received by the Government? "

THE HON. SRI C. RAJAGOPALACHARIAR:—" May I ask the hon. Member to read the third column in the paper placed on the table of the House."

Restrictions on the use of certain roads and culverts in South Kanara by motor vehicles.

* 616 *Q.*—H. S. HUSSAIN SAHIB BAHADUR: Will the Hon. the Minister for Law be pleased to state—

(*a*) whether it is a fact that the District Board of South Kanara has either closed or restricted motor traffic on certain roads and culverts;

(*b*) whether any protests have been received by the Government from the owners of motor vehicles or businessmen in respect of this closure or restriction;

(*c*) what the cause for such closure or restriction is; and

(*d*) whether the Government will call for a report from the district board concerned as to how long it will take either to reopen these roads and culverts for motor traffic or to resume normal motor traffic over them?

THE HON. DR. P. SUBBARAYAN:—" (*a*) & (*b*) The answer is in the affirmative.

" (*c*) The reason for such closure is the dangerous condition of certain culverts and bridges and the unsuitability of certain roads for bus and lorry traffic.

" (*d*) The information is being called for."

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

II.—HOURS OF SITTING.

MR. J. NUTTALL:—" Mr. Speaker, on a point of information, my group will be pleased to know what are likely to be the hours of sitting more or less throughout this session. Quite a number of members were rather taken by surprise yesterday evening when the House rose an hour earlier than the expected hour and we were . . ."

[a] Printed as Appendix III on page 230 infra.

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MR. SPEAKER :—" I suppose the question has been stated. The House will meet punctually at 3 o'clock as usual, and for the convenience of hon. Members, ordinarily the House will rise at 7 p.m. unless there is any special business, when the Chair will exercise its discretion and give such time as is necessary. But the ordinary meeting hour is 3 p.m. and the ordinary concluding hour is 7 p.m."

MR. J. NUTTALL :—" My impression was that the sitting hours were from 3 to 8 p.m."

MR. SPEAKER :—" That was so; but in response to the representations of hon. Members and as a result of the discussion in the Rules Committee, in order to meet the convenience of some hon. Members who felt that 8 p.m. was too late an hour, 7 p.m. has now been fixed as the ordinary concluding hour."

MR. J. NUTTALL :—" Thank you, Sir."

MR. SPEAKER :—" I suppose the hon. Member is satisfied."

MR. J. NUTTALL :—" May I ask, Sir, whether the House will sit on Saturday also?"

MR. SPEAKER :—" Yes, the House will sit on Saturday also. Is there any other doubt with regard to the hours of sitting of the House? (No answer.)

" The House will now proceed to the consideration of amendments to the Madras Public Health Bill."

III.—THE MADRAS PUBLIC HEALTH BILL, 1938
(L.A. BILL No. 17 OF 1938)—*cont.*

Clause 4.

Sub-clause (1).

New item after item (c).

ABDUL HAMEED KHAN SAHIB BAHADUR :—" Sir, I move—

' Insert *a new item after item (c) providing for*

(i) *the representation of the Corporation of Madras by the Mayor of Madras;*

(ii) *one member to be elected by the presidents of district boards:*

(iii) *one member to be elected by the chairmen of municipalities.*'

I do not think any arguments are necessary . . ."

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MR. SPEAKER:—" I do not think the amendment is in the proper form. I think it may be put as follows:—

'*After item* (*c*), insert *the following*:—

" (*d*) *the Mayor of Madras,*

(*e*) *one member to be elected by the presidents of district boards,*

(*f*) *one member to be elected by the chairmen of municipalities.*" '"

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Yes. My object in moving this amendment is to make this Board sufficiently representative. We have seen that although this Board is intended to be an advisory board for the purpose of managing the public health affairs of the Province, there are a number of officials on it such as the Ministers, the Sanitary Engineer, the Director of Public Health and one other officer of the Government. The only non-official members on the Board representing this House and the other House are also to be nominated by the Government. We know from a perusal of the Bill that the institutions that will be most affected are the district boards and the municipalities including the Corporation of Madras. But there is no representative of these bodies on the Board. It is necessary that their experience and advice on matters of public health should be made available to this Board. This can be done only by making provision for the representatives of these bodies on the Board. Of course we cannot have all the presidents of district boards and chairmen of municipal councils on this Board. It will be quite enough if we constitute electoral colleges consisting of the presidents of district boards and chairmen of municipalities and ask them to elect one member from each college to represent them on the board. It is very probable that these presidents of district boards will select only the best and the most experienced among them whose advice will be very valuable to the Board. In the same way even the chairmen of municipalities will elect from among themselves only one who has had long experience of the work of municipalities in the matter of public health. Therefore, in order to make this advisory board a real advisory board, it is necessary to give representation to these bodies."

* THE HON. DR. T. S. S. RAJAN:—" May I rise to a point of order, Mr. Speaker? Yesterday the House decided that there shall be no election and again in this amendment the question of election has been brought up. I want to know whether it can be done."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Are you going to give your ruling, Mr. Speaker, or am I to answer the point of order which has been raised? "

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MR. SPEAKER:—" I shall give my ruling.

" However much the Government may be fond of nomination as against election, it was a particular amendment that was thrown out and not the question of nomination or election. A particular amendment having been thrown out, another amendment incidentally involving the question of election may be moved. It is just possible that the Government may be disposed to-day to revert to the principle of election." 3-45 p.m.

ABDUL HAMEED KHAN SAHIB BAHADUR:—" Thank you, Sir. The question that was disposed of, was whether the members that are chosen from this House should be elected or nominated. The question of election *versus* nomination has not been decided. According to your ruling, Sir, my amendment is in order. I think the Government will accept the amendment and give room in the Board for the members I have mentioned . . ."

MR. SPEAKER:—" The hon. Member expects the Government to agree to the election of district board presidents and municipal chairmen, when they have not agreed to the election of members by the Legislature itself. What does the Hon. Minister say? "

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" I have given notice of an amendment (No. 68) on the same lines. I think, Sir, you will permit me to speak on this amendment."

MR. SPEAKER:—" The hon. Member can speak on this amendment; the decision of the House on this amendment will settle the fate of amendment No. 68."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" I was saying, Sir, that if this Board is to be an advisory board and that if this Board should consist of some experts and some members with experience of public health matters, it is necessary that representatives of the municipal chairmen and district board presidents should also be on the Board. The Hon. Minister said yesterday that the Board will function as an expert advisory body; then the presence of the representatives of municipal chairmen and district board presidents will not be a check on the working of the Board; they will certainly be co-operating with the experts of the Board and the advice they give, on account of their experience, will be very valuable. If this Bill is passed into law and is given effect to, I feel that there will be many places where people will be put to great hardship. Unless there is a sufficient representation of the representatives of the people, such as the chairmen of municipal councils and presidents of district boards, the hardship to which some people are put to, will not be made known to the

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Board. Therefore, I believe that it is very necessary that these representatives should be on the Board."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" Sir, while seconding the amendment moved by my hon. Friend, Mr. Hameed Khan, I would like to submit that, instead of 'one other officer of the Government nominated by the Government to serve on the Public Health Board,' I suggest that two persons may be elected from among the presidents of district boards and chairmen of municipalities, to serve on the Board . . ."

MR. SPEAKER:—" That point was finished yesterday; it cannot be brought up again. The amendment of the hon. Member Mr. Appadurai Pillai is in respect of an amendment which was disposed of yesterday."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" My amendment is with reference to item (*g*) of sub-clause (1) of clause 4. Item (*g*) as it stands at present is as follows:—'One other officer of the Government nominated by the Government.' My amendment is as follows:—

" *For* item (*g*), *substitute* the following:—

'Two persons to be elected from among the presidents of district boards and chairmen of municipalities respectively in the manner prescribed.'"

MR. SPEAKER:—" The hon. Member's amendment is to the effect that two persons are to be *selected*. Who is to select them?"

SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" 'Selected' in my amendment is a mistake for 'elected.' It is wrongly printed. I have stated in my notice of the amendment that two persons are to be *elected* from among the chairmen of municipalities and presidents of district boards. I am not enamoured of nomination as against election."

MR. SPEAKER:—" You second the amendment of Mr. Abdul Hameed Khan."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" I desire that two members should be elected from among the district board presidents and municipal chairmen. Some of these district board presidents and municipal chairmen, as we are aware, are men possessing long experience of the affairs of district boards and municipalities. They would, in my humble opinion, make very good contribution to the deliberations of the Public Health Board, in fact, as much contribution as an experienced officer of the Government can make. The reason assigned for item (*g*) in

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the Select Committee Report is this:—'The Committee has also strengthened the expert element on the Board by adding the Sanitary Engineer to it. The Committee considers that there should also be on the Board an officer with administrative experience and has added one other officer of the Government nominated by the Government to the list of members of the Board.' Administrative experience can also be contributed very satisfactorily by experienced district board presidents and municipal chairmen. We know, Sir, that presidents of district boards and chairmen of municipalities meet annually at conferences; annual conferences of these heads of local administration have become a permanent feature of the administration; in these conferences very many matters of public health are discussed and considerable public opinion is focussed on these questions on such occasions. Therefore these people, as a result of such deliberations, would be in a very good position to advise the Public Health Board as to the necessity of particular measures to be taken concerning public health.

"My next point is, if expert advice is needed, there are three officers of the Government who have not only technical experience but also considerable administrative experience. For instance, the Surgeon-General with the Government, the Director of Public Health and the Sanitary Engineer are heads of departments with considerable administrative experience coupled with technical experience. There is no necessity, therefore, to have one other officer of the Government to be nominated by the Government as is stated in item (*g*). As has been very wisely observed by you, Sir, we have been deprived of the elected element on the Public Health Board, by the House throwing out the amendment that was moved yesterday. Now the elective element will be altogether eschewed. That can be compensated to some extent by the acceptance of my amendment that two members should be elected from among the presidents of district boards and municipal chairmen. I would therefore very respectfully urge upon the Hon. Mover of the Bill to accept this amendment and substitute for one other officer of the Government, two persons to be elected from among the presidents of district boards and chairmen of municipalities."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, the proposal is that three more members be added to the nine members of the Board as stated in the sub-clause under consideration. The proposal in particular is to make the Mayor of Madras a member and to ask the presidents of the various district boards to elect a member and to elect one member from among the chairmen of municipalities. This would interfere with the procedure followed in the Bill. This will introduce, the Government

consider, a new kind of authority and instead of serving as an advisory council, the Board will constitute itself into a friction Board altogether. As can be seen from the provisions of the Bill, various presidents of district boards may have several points to urge in regard to every matter dependent on local circumstances and the like, and all the boards will have to be consulted from time to time. It will not be a workable and useful machinery at all, if the strength of the Board is augmented in this manner by elected members from among presidents of district boards and chairmen of municipal councils. It will not really serve the particular object with which the Board is constituted and the advisory function be given to it. Of course it will be an experiment, a new kind of co-ordination of members of local bodies.

"I know that this matter was thoroughly discussed in the Select Committee. In order to strengthen what I stated in this connexion yesterday, I may point out that it was Sir Pannir Selvam who insisted that the principle of election might be done away with in the matter of constituting the Public Health Board . . . ."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"On a point of order, Sir. Is it permissible for any member of the House—much less a Member of the Government—to disclose what happened in the Select Committee?"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, before you give your ruling, I wish to point out that there is nothing secret or private about the matter. It was a Select Committee of this House. I am simply giving reasons which, from all points of view, are reasonable. The Government cannot be charged with having been influenced by a desire to get nominated members in order to strengthen the hands of the Government. I am only saying the thing which the hon. Member knows. Perhaps the Select Committee Report does not include any remarks in respect of this small matter, though it looks seemingly very important now from the point of view of election *versus* nomination. If you, Sir, think that there is any impropriety in referring to the Select Committee's Report, I do not wish to do so."

MR. SPEAKER:—"We must dispose of the point of order raised by Mr. Abdul Hameed Khan. I do not think it is improper, because the Government now explain why it is good to recognize nomination and not election, although election was originally proposed, and why this change from election to nomination was made by the Government. The Hon. Premier says that it was Sir Pannir Selvam that was responsible for converting the Government to this point of view.

"Ordinarily, reference to the proceedings of the Select Committee is not permissible. The Government now recognize

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the power of the Opposition to convert the opinion of the Government from election to nomination. This is a legacy of the old diarchical form of government to the present full responsible government.

"This is an extraordinary occasion in which the Government were converted from the principle of election to that of nomination. The revelation is therefore appropriate."

SRI R. M. PALAT:—"What is the criterion, to decide such points?"

MR. SPEAKER:—"According to circumstances. This is an extraordinary instance; the conversion of the point of view of the Government from the principle of election to that of nomination was explained by the Hon. the Premier."

4 p.m.

*THE HON. SRI C. RAJAGOPALACHARIAR:—"It is very good, Sir, that these questions have been raised. I understand that this very matter is contained in the Select Committee's Report. It is sufficiently important, and I am glad that my instinct of appreciation of nice points has not failed me in this respect. This is a matter which ought to be published for the information of members of the House, and I am glad to find it has been printed in the Select Committee's Report. I apologize to the House for not having read it before. Once again, I submit, Sir, that it is necessary for me to explain that it is not by a superficial attachment to formulæ that we will be able to work the principles of democracy. Election is indeed better in many cases, but . . ."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"On a point of order, Sir. May I know whether this amendment is intended for discussing the policy of nomination *versus* election? Or is the Hon. Minister raising the question . . . ?"

MR. SPEAKER:—"But the hon. Mover of this amendment has himself dilated upon that point. It is better that the Government give an exhaustive explanation incidentally as to why there has been a change."

*THE HON. SRI C. RAJAGOPALACHARIAR:—"Surely, Sir, my method of presentation should not become the subject for points of order from the leader of the Muslim League group. I do maintain that the principle of election may be quite good and preferable to nomination in some cases; but when responsibility is taken, say for instance, by a Member of the Legislature who forms the Government, he cannot, instead of forming his own Cabinet, ask the House to elect the members of the Cabinet for him and thereby throw the responsibility on the House instead of taking it on himself. Similar is the case here. The Opposition representative in the Select Committee insisted

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very strongly—in fact even after much dissuasion from the other side—that we should not be permitted to shirk responsibility in this matter. With a keen political sense he knew that the Public Health Bill is one of the most difficult things to administer with popularity in a Province with so many district boards and municipalities, and that unpopularity will have to be faced by the Government in doing the work properly under this Bill, and he did not want to share in it. I could understand it very well; but we were not disinclined to take that responsibility, having taken up office. Therefore, we took the responsibility and that is why, Sir, I say I am not wandering out of the present amendment to anything that happened at any previous stage. Again, the Corporation of Madras selects its own Mayor and carries on its work through its own Council; there is no reason why it should submit that privilege to the Government and should have the disproportionate privilege of sending its Mayor alone over to this advisory board when all the other municipalities in the Province do not have such a privilege. May be the Corporation is big, may be it is important; but still, I think the Mayor is influential enough to influence the Government without coming into this advisory body, and he can well disprove what may be deemed to be an extra privilege for the Corporation by the other municipalities of the Province.

" As regards the presidents of district boards, local questions will have to be decided by the Government on representations made by the various local bodies and not by taking one of the presidents into the advisory Board. On the whole, we thought over the matter from all points of view and came to the decision, after full discussion, that the Board should be restricted to nine. I may add for the information of members who are anxious on this aspect of the matter that there are three members of the Madras Legislature nominated by the Government who will, in all probability be fully able to represent the interests that are kept in view by the mover of this amendment."

The amendment was put and lost.

Sub-clause (1) (e).

* H. S. HUSSAIN SAHIB BAHADUR:—" Mr. Speaker, I move—

' *After sub-clause* (1) (*e*), insert *the following as item* (*f*):
" (*f*) *the Inspector of Local Boards and Municipalities* ",
And re-letter *the existing items* " (*f*) " *and* " (*g*) " *as* " (*g*) " *and* " (*h*)." '

" Sir, the Minister for Local Administration is already on the Public Health Board, and in my opinion, it is but right that he should be there as the head of the Local Administration Department. What I seek by this amendment is that he should be ably

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assisted by an officer of his own department in the deliberations of the Board. The Inspector of Local Boards is in intimate touch with the working of the local bodies in the Province. As we can see from the provisions of the Bill, the successful working of this measure will depend to a very large extent on the working of the local bodies. In other words, the success or otherwise of the working of this piece of legislation is intimately bound up with the administration of local bodies in this Province. Therefore, I submit that the Inspector of Local Boards and Municipal Councils who has got expert knowledge of the working of the local bodies should be on the Board; because he can, by his status, well be one of the expert officers who can advise not only his chief, the Minister for Local Administration, but the whole Board. The Hon. Mover of the Bill may of course say that there is already provision made here for the nomination of one more officer of the Government; but three officers of the Government have already been approved, viz., the Surgeon-General who is in touch with the medical administration, the Director of Public Health who is administering the Public Health department and also the Sanitary Engineer to Government who is looking after the sanitary arrangements, etc. I do not therefore see why an officer who has got an expert knowledge of the working of the local bodies should not be added. Moreover, the 'one other officer of the Government' to be nominated by the Government may be some other officer, and he need not necessarily be the Inspector of Local Boards and Municipal Councils. I therefore, move, Sir, this amendment, and I hope it will be accepted."

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"I second it."

* THE HON. DR. T. S. S. RAJAN:—"I am sorry, Sir, I cannot accept this amendment."

The amendment was put and lost.

Sub-clause (1) (*g*).

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"Mr. Speaker, I beg to move—

'Delete *sub-clause* (1) (*g*).'

"The reason that has induced me to move this amendment is this: The official element on the Board is already strong; there are on the Board two Ministers, the Sanitary Engineer, the Director of Public Health and the Surgeon-General with the Government; I do not see any reason why one more officer of the Government should be added to the list. It has been made clear by the Hon. the Minister in the course of his speech that the Board should be constituted of persons who can give expert advice on matters coming up before the Board. Are we to understand that

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the officer to be nominated under clause (*g*) will be the officer who will give expert advice on matters coming before the Board? Why should we presume that only officers of the Government will be able to satisfy this condition? Why should we think that the public at large does not contain any one who can give similarly good advice, as good advice as anybody in the official circles can give? If people outside official circles can usefully serve on the Board, I do not understand why any partiality should be shown to the officers of the Government.

"Another thing I want to oppose is the system of nomination. I do not like to discuss that point fully again now, as it has already been thrashed out on the floor of the House. I therefore formally move, Sir, that clause (*g*) be deleted."

The amendment was duly seconded.

*THE HON. SRI C. RAJAGOPALACHARIAR:—"This is also a matter of general policy which has already been decided, and it was considered very fully by the Committee. The previous amendment has much to do with this amendment. The usefulness of the Inspector of Local Boards on this Board was considered at great length. This officer has not yet risen to the exact status of a head of a department. He is a travelling officer dealing with all local bodies and municipalities. It is likely no doubt that he will have all the experience necessary for representing all the inconveniences felt by the various boards and municipalities in carrying out the advice of the Board; but it is not correct for the hon. Mover of the amendment to assume as he did, that he was intended to supply expert public health knowledge. He may have expert knowledge and experience in the administration of local boards and municipalities. But that officer, as I said, is still in the making, and so time has been taken by the Government by stating here 'one other officer of the Government nominated by the Government.' With this explanation, I hope the hon. Member will withdraw his amendment."

The amendment was by leave withdrawn.

Sub-clause (2).

4-15 p.m. BASHEER AHMED SAYEED SAHIB BAHADUR:—"Sir, I move—

'*In line* 2, for *the words* "*one year*" substitute *the words* "*three years.*"'

"Sir, the reason for my amendment is this: I am quite aware that of late the policy of the Government seems to be that all appointments to committees should be only for one year. So far I have not been able to find out the reasons for limiting the period of tenure to only one year. No press communiqué has been issued in respect of this matter and I am yet to know why exactly the

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period of one year has been adopted. Ordinarily, by convention and by age-long practice, the period has been either three years or five years. In the Government of India, I find they make appointments to committees and *ad hoc* bodies for a period of two years. That I thought, Sir, would be the maximum reduction. Now, I see that in appointing various other committees, the Government have limited the period to one year. I think, Sir, that even from the point of view of the Government, it would be an irksome thing to have it as one year. In some of these *ad hoc* committees, the period of one year may seem to be very short. For instance, some times it takes months to communicate the order of appointment of a member according to present Governmental methods and by the time the order of appointment is communicated to the persons concerned, it will be again time for the Government or the authority concerned to take up the question of appointment for the next year. That would mean that throughout the year the Government or the Minister in charge or the Secretariat concerned will be merely considering the question of appointment, re-appointment or fresh appointment to the boards. I do not think that will be conducive to efficiency at all. Even from the point of view of disposal of these appointments, or from the point of view of the persons concerned and also from the point of view of the Government, it is not desirable to have the period as one year. I would therefore fix the period of service as three years and not one year as it is sought to be made in this Act. They may have one year for other ordinary committees, but not so in the case of an important committee like this which has to discharge very many important and difficult functions. Time must be given for members to acquaint themselves with the duties and functions that they have to discharge as members of the committee. For that purpose at least a period of three years would be proper and reasonable. I therefore suggest three years instead of one year."

MR. SPEAKER :—" The amendment falls through for want of a seconder. No left-winger will second the motion of a right-winger." (Laughter.)

THE HON. SRI C. RAJAGOPALACHARIAR :—" The hon. Member committed the mistake of sitting on the wrong side." (Laughter.)

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

'*In line* 3, for *the words* " *from the date* " substitute *the words* " *from the date of nomination.*" '

To make the meaning more clear, this amendment has been brought forward. It is only verbal, Sir."

The amendment was put and carried.

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Sub-clause (3).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" Sir, I move the following amendment:—

' *In lines 2 and 3, for the words " the Director of Public Health, "* substitute *the words " Secretary to Government in the Public Health Department."* '

Sir, I find from the Report of the Select Committee that my hon. Friend, Mr. T. T. Krishnamachariar pressed this point at the Select Committee and apparently not being successful, had caused an addition to be made to the Report to this effect: ' Sri T. T. Krishnamachariar wishes it to be recorded as his opinion that the Director of Public Health should not be ex-officio Secretary of the Public Health Board as proposed in sub-clause (2) of clause 4.' In support of that opinion I would like to submit for the consideration of this hon. House that it is very desirable to have an extraneous officer like the Secretary to Government in the Public Health Department, rather than the Director of Public Health to serve as Secretary to the Board. My reason, Sir, is that the Director of Public Health is the head of a department. Besides that, he is also a member of the Health Board and for a member of the Board to be also its Secretary seems to be rather an anomalous position. There may be occasions for the Public Health Board to either criticize or comment on the work of the Health Department, when they have to refer to the activities of the Director of Public Health and it would not therefore do for an officer of that kind to serve also as Secretary to the Board.

" Further, Sir, on the last occasion during the general discussion of the Bill, the Hon. the Mover of the Bill stated that the Director of Public Health would be in a better position to put up before the Public Health Board files and cases for its consideration. My contention is that the Secretary who is accustomed to placing before the Government files and cases for consideration would be in a much better position in this behalf than the Director of Public Health."

BASHEER AHMED SAYEED SAHIB BAHADUR:—" Sir, as I said yesterday, there should be some independent election to this Public Health Board. Now, the Director of Public Health is already a member and I am sure he will come with views already made up, since he is also the Director of Public Health. Of course the Hon. the Premier may say that it is not necessary that he should have the same views as the Government. That may or may not be the case. But in all probability it will be the only course, because the matter would have been already referred to him for his opinion and he would have known the opinion of the Government also and in almost all cases his opinion would be the opinion of the Government. So, let us have him as a member of the Board and I have no objection to that. But, why should he

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be also the Secretary? Further, the function of the Secretary is also to carry out the orders and resolutions passed by the Board, and for carrying out those orders it is necessary that there must be some executive officer; and the officer most competent and fit to discharge such function is the Secretary to the Government in the Public Health Department. I therefore second the amendment moved by my hon. Friend."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"With your permission, Sir, I would like to be enlightened as to whether the object of the amendment is that a non-member of the Board should be the Secretary. (Basheer Ahmed Sayeed Sahib Bahadur: 'Yes.') That is, the Secretary should be one who is not a member of the Board at all, but is an outside Secretary; in which case, my answer would be that the Secretary to the Government will continue to be the Secretary and it will not be necessary to make him Secretary under this clause; because he will be Secretary without being a member of the Board and no object will be served by the declaration in sub-clause (3) that the Secretary to the Board shall be the Secretary to the Government. But, if it is intended that the Secretary should be a member, I would like to submit an answer to it of an administrative nature which hon. Members may not perhaps appreciate, but which I trust they will at least take at second-hand from me that it is not a convenient thing to put in the Secretary to Government as a voting member in any committee."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"Though I am not inclined to press this amendment, yet I am very sorry to say, Sir, that I am not convinced by the arguments of the Hon. the Premier. It will be seen that in the existing Public Health Committee, the Secretary to Government in the Education and Public Health Department is a member, and is functioning as the Secretary and it is not clear why he has been ousted, so to say, from that office now that a board is being formed. I do not know what sin he has committed to deserve such a treatment."

The amendment was put and lost.

New sub-clause (4).

* DR. M. J. SAMUEL:—"I beg to move—

'Add *the following as new sub-clause* (4):—

"(4) *A health committee shall be constituted for each local area consisting of*:—

(1) *Health Officer or some other officer deputed for the purpose by the local authority.*

(2) *A local medical practitioner.*

(3) *A member of the public.*

This committee shall advise the local authority or the Health Officer as the case may be on all public health matters."'

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"Sir, in requesting the Hon. Mover of the Bill to adopt this additional sub-clause to clause 4, my idea is to make the local bodies take more interest in enforcing the rules and regulations by being advised by these health committees consisting of men of influence and those who are interested in the dissemination of knowledge of public health matters. So far as the present Bill goes, it does not give any scope for non-officials to work the provisions of the Bill. Secondly, the Health Officer with all his powers would cut a sorry figure unless he has a strong body of men in each local area to support him in enforcing the provisions of the Bill in all matters connected with the health of the people. Surely, this is the first time that the Health Officers are entrusted with extraordinary powers, which I am afraid would be misused if they are not properly directed and guided by the representatives of the people in the respective local areas. With these few remarks, I submit that this additional sub-clause may be accepted."

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"I second it, Sir."

4-30 p.m. * THE HON. DR. T. S. S. RAJAN:—"The clause relates to the constitution of the Health Board whereas this amendment seems to create a number of boards all over the Presidency. By accepting this amendment, there will be a multiplicity of boards in all villages, towns and municipalities all over the country, which is not the object of the clause. It is at variance with the object of the constitution of the Public Health Board. It is therefore very difficult to accept the amendment.

"But I would like to point out here that local bodies have even to-day got their own health committees in the municipalities and other places and this law does not prevent such committees being formed and put in operation wherever local bodies think it is necessary. The acceptance of this amendment would not help the administration of the Act; the amendment is contrary to the object of the clause and is redundant. I am sorry I cannot accept the amendment."

The amendment was put and lost.

Clause 5.

Sub-clause (1).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"I move—

'Restore *the original sub-clause as it stood before it was altered by the Select Committee, namely*:—

"5. (1) *The Public Health Board shall advise the Government on such matters as may be prescribed as well as on such other matters as the Government may from time to time specifically refer to it.*"'

The definiteness implied in the original clause has unfortunately been removed by the alteration made by the Select Committee.

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According to the original clause, the Public Health Board was required to advise the Government on such matters as may be prescribed, and also on such matters as may specifically be referred to it. Thus there will be double function. There will be cut and dried rules under which the Board will be consulted and also there will be specific occasions on which reference will be made to it. Now, Sir, under the modified clause there is a sort of colourless duty imposed upon the Board. It is only required to advise the Government on such matters as may be referred to it by the Government. My own fear is that such occasions may be few and far between and eventually it may be that the Government may not consider it necessary to consult the Board at all, and even if they do consult the Board, it may be on very rare occasions. The clause as it stood originally was more definite. Instead of it, we have here in this clause the duties of the Board prescribed in an indefinite manner. Therefore, I contend that the original clause may be restored."

SRI B. BHAKTAVATSALU NAYUDU:—"I second the amendment."

* THE HON. DR. T. S. S. RAJAN:—"Sir, I would like to give an answer both to this amendment and the one that follows because the answer will be the same. The idea here is to make the Government entirely responsible for the discharge of the duties under this Act. If the original clause is to stand, the responsibility will be divided between the Government and the Board. The Select Committee considered this aspect of the matter and it was thrashed out fully and the point was accepted by the Government. The responsibility for working the various provisions of the Act is on the Government and it is not sought to throw the burden on any other body. If the Board is to be given more powers, and if it is to advise on matters which are not referred to it by the Government, then there will be divided responsibility. As an administrative measure it will lead to endless difficulties. This aspect of the matter was clearly brought out during the proceedings of the Select Committee and the Government accepted the position, as they accepted the principle of nomination. The Government have taken upon themselves the sole and entire responsibility for the working of the Act. Hence, I am sorry I cannot accept the amendment."

The amendment was by leave withdrawn.

Clause 6.

Sub-clause (2).

* H. S. HUSSAIN SAHIB BAHADUR:—"I move—

'*In line* 3, for *the words* "*Director of Public Health,*" substitute *the words* "*Inspector of Local Boards and Municipal Councils*".'

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" My object in moving the amendment is that the direction by the Government should be given to an officer who is in close touch with the local bodies and who is the proper authority to control them and will be able to carry out the provisions of the Bill. Under sub-clause (1), the Government have power to inspect, control and superintend the operations of local authorities under the Act. Under sub-clause (2), the Government have to define the powers to be exercised and the duties to be performed by the Director of Public Health. My submission is that it would be more appropriate to entrust this work to the Inspector of Local Boards and Municipalities and ask him to inspect, superintend and control the operations of the local authorities in respect of the carrying out of the provisions of this Act."

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" I second the amendment."

* SRI T. T. KRISHNAMACHARIAR:—" Mr. Speaker, I oppose the amendment for the reason that the framework of the Act depends upon the Director of Public Health and his department. The amendment is based upon a misconception. I cannot see how the Inspector of Municipal Councils and Local Boards comes into the picture at all. I do not think that he has got anything to do with the carrying out of the provisions of the Act. This is a Public Health Act and it is only natural and proper that the Director of Public Health should have the powers of supervision and control. For these reasons I oppose the amendment."

* THE HON. DR. T. S. S. RAJAN:—" I regret I cannot accept the amendment. It is very doubtful if the Inspector of Local Boards and Municipal Councils is or is not there. It would be a very difficult situation if he is to be given certain powers when he is not there. For this reason, I oppose the amendment."

The amendment was by leave withdrawn.

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" I move—

' *In lines* 4 *and* 5, omit *the expression* " *for the purposes of sub-section* (1) "."

" Under sub-clause (2) of clause 6, the Government may, from time to time, define the powers to be exercised and the duties to be performed by the Director of Public Health or any member of his staff for purposes of sub-clause (1). The words ' for purposes of sub-clause (1) ' would seem to limit the directions given for the purposes defined in sub-clause (1), i.e., to inspect, control and supervise the operation of the local authority under this Act. I do not see the necessity for it. Rules will be issued by the Government to define the powers of the Director of Public Health with reference to these matters alone; but other directions are also

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necessary in order to regulate his work in view of the fact that this is the first time very extraordinary powers are granted to the Director of Public Health. This position has been very clearly stated in the explanatory memorandum to this clause in the original Bill:—

"There is no provision in the existing law for the Director of Public Health exercising any statutory power of control and superintendence over the operations of local authorities. Such a power is considered necessary and is provided for in the Bill.'

Statutory power of control is granted to the Director of Public Health for the first time and he is empowered to exercise enormous control over local authorities. It is very necessary, in my humble opinion, to have definite rules and orders defining the powers of the Director of Public Health not only with reference to particular aspects of public health work but in all cases generally. That was what was aimed at in the original clause; but unfortunately that has been altered and hence the need for the amendment."

SRI B. BHAKTAVATSALU NAYUDU:—"I second it."

THE HON. DR. T. S. S. RAJAN: "According to this section the Government give certain powers to the Director of Public Health. After all, sub-clause (1) says that the Government shall have power to inspect, control and superintend the operations of local authorities under this Act. The Government know that they are giving certain powers of the Director of Public Health as the head of a department and his staff for purposes of control, inspection and supervision, which powers the Government have taken under sub-clause (1). They will regulate the powers of the Director of Public Health, having in mind the power taken by them under sub-clause (1). If the amendment is accepted, there will be a conflict of duties and the Government will not be in a position to carry out the responsibilities they have taken upon themselves. I am sorry I cannot accept the amendment."

The amendment was by leave withdrawn.

Clause 7.

* H. S. HUSSAIN SAHIB BAHADUR:—"I move—

'*In line* 2, *after the word* "*recommend*," insert *the words* "*to the Government*".'

"According to the section as it stands, it may mean that the recommendation is to be made by the Director of Public Health direct to the local authority and then the local authority will have to carry it out. It will be very difficult for the local authorities to carry out the orders couched in the form of recommendations to the local authorities. On the other hand, it would be much more proper if the recommendations were to be made to the Government who in turn may direct the local authorities to carry out those recommendations."

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4-45 p.m. K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" I second it."

THE HON. DR. T. S. S. RAJAN:—" Sir, amendments Nos. 85[a], 86, 87 and 88 are more or less intended to cover the same position as that taken by amendment No. 85. The position really comes to this: under this Bill power is given to the Director of Public Health to address local authorities directly. Now, if this amendment is carried, the Director of Public Health cannot communicate with the local authorities directly; but he has first to write to the Government and the Government have to communicate with the local authorities. This is an absolutely cumbersome procedure; and no health measures can be carried out quickly. Therefore I do not really feel that any useful purpose will be served by accepting this amendment except perhaps maintaining the prestige of the local authorities. As I said, in matters of health, the Director of Public Health should have power to take quick action, particularly on the outbreak of any epidemic. So, I regret I cannot accept the amendment, not only No. 85 but the succeeding amendments up to No. 88.

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" May I interrupt for a minute, Sir? I request I may be given an opportunity to move amendment No. 87 of which I have given notice. I suppose amendment No. 87 is not covered by the amendment just now moved."

The amendment[a] was by leave withdrawn.

SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" Sir, I beg to move—

> ' *In lines* 6 *and* 7, omit *the words* " *and it shall be the duty of the local authority to adopt all such measures*:" *and* convert *the semi-colon after the word* " *therein*" *in line* 6 *into a colon.*'

" I find that the direction ' it shall be the duty of the local authority to adopt all such measures ' is self-contradictory; I mean it contradicts the statement made in the earlier portion of the clause, which runs thus: ' The Director of Public Health may, from time to time as occasion requires, *recommend* for adoption.' When the Director ' recommends ' for adoption by the local authority, it cannot at the same time be stated that ' it *shall* be the duty of the local authority to adopt all such measures.' The earlier wording of the clause shows that the direction is only recommendatory and not mandatory. So, I submit, the clause is self-contradictory, and therefore I move the amendment to omit those words."

SRI B. BHAKTAVATSALU NAYUDU:—" I second it."

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[a] Amendment moved by H. S. Hussain Sahib Bahadur.

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* THE HON. DR. T. S. S. RAJAN :—" The amendment practically comes to this: the Director of Public Health is to make recommendations and the local authorities are to adopt those recommendations."

MR. SPEAKER :—" But the Bill proceeds thus: ' It shall be the duty of the local authority to adopt all such measures '."

THE HON. DR. T. S. S. RAJAN :—" Exactly so. But the clause does not stop with that. If the local authorities do not agree with the recommendation of the Director of Public Health, the proviso to the clause makes provision for such a case. It runs thus: ' Provided that if on account of financial or other reasons, any local authority is unable to carry out such measures, or if there is any difference of opinion between the local authority and the Director, the matter shall be referred to the Government whose decision shall be final.' So the whole thing runs as one clause. It is not as if the proviso is completely distinct from the foregoing portion of the clause."

SRI G. KRISHNA RAO :—" On a point of information, Sir, I wish to know why in the beginning of the clause it is made a recommendation, but, towards the close of it, it is made obligatory."

MR. SPEAKER :—" That is exactly the point which the Hon. Minister is now explaining."

SRI G. KRISHNA RAO :—" I am sorry; I thought he had finished his speech."

* THE HON. DR. T. S. S. RAJAN :—" The real point is this. The clause says that the Director of Public Health may recommend and it is the duty of the local authorities to carry out the recommendation."

MR. SPEAKER :—" But if it is a recommendation, it may be considered, objected to and need not necessarily be carried out."

* THE HON. DR. T. S. S. RAJAN :—" Yes, and the proviso provides for such cases."

MR. SPEAKER :—" The proviso limits the power of the local authorities in rejecting the recommendations."

* THE HON. DR. T. S. S. RAJAN :—" The proviso qualifies the obligatory part of the main clause and gives an opportunity to the local authorities to appeal to the Government."

MR. SPEAKER :—" If it is only a recommendation of the Director of Public Health to the local body, why should the local body be put to the necessity of appealing to the Government? "

* THE HON. DR. T. S. S. RAJAN :—" If it is not made obligatory on the part of local bodies to carry out the recommendation, then it will be defeating the whole purpose of the enactment. The

recommendation of the Director of Public Health should not be construed as an expression of his opinion. But if it happens that the recommendation cannot be carried out, there is the proviso provided for to meet such cases."

SRI G. KRISHNA RAO:—" Anyhow I should say, the clause is badly drafted."

MR. SPEAKER:—" Mr. Krishna Rao will be called upon to speak at the proper time."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" Sir, this Public Helath Bill is a very peculiar Bill. (Laughter.) It is in some parts like any other ordinary piece of legislation; but in some other parts by common consent it partakes the form of propaganda, advice and education. (Laughter.) Therefore, a new clause of an obligatory character is introduced here. The sovereign authority of the local bodies is recognized and therefore the wording 'recommends' is used here. At the same time as the local authority is to look after public health, it is stated: 'It shall be the duty.' It is contradictory with the legal and statutory position of the local authority; but no words more scientific from the statutory point of view . . ."

MR. SPEAKER:—" Nor legally." (Laughter.)

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I mean legally scientific, can be found. For instance, I can pick out several such enactments which run in an educative style. That is the only defence I can make for this combined character of the clause, such as, 'recommendation' and 'duty.' And this is made clear by the proviso. It is something like what we have in the Educational Code. As you know, the local bodies shall consult the Educational Officers in matters of education, and unless they express their reasons for disagreement, they are bound to follow the recommendation of the Educational Officers. Such is the meaning of the present clause."

SRI G. KRISHNA RAO:—" The point now before the House is . . ."

THE HON. SRI C. RAJAGOPALACHARIAR:—" May I cut short the discussion? Government are quite prepared to omit those words, as the meaning remains exactly the same without those words." (Laughter.)

MR. SPEAKER:—" So the amendment is accepted."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" Once in my life my amendment is accepted." (Laughter.)

MR. SPEAKER:—" Yesterday one of your amendments was accepted."

* THE HON. DR. T. S. S. RAJAN:—" He will have many more chances."

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THE HON. SRI C. RAJAGOPALACHARIAR:—"In fact I have given a general instruction to the Health Minister to accept all such amendments."

The amendment was put and carried.

Clause 9.

Sub-clause (1).

SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"Sir, I beg to move—

'Delete *sub-clause* (1).'

"Sub-clause (1) of clause 9 runs thus: 'A local authority shall, if so required by the Government, include the post of a Health Officer in its establishment schedule.' This clause seems to be unnecessary in view of sub-clause (1) of clause 8. That sub-clause says, 'The public health establishment of every local authority (other than the Corporation of Madras) shall be on such scale as the Government may from time to time direct.' If the Government decides the scale, *ipso facto* the local authority has to appoint a Health Officer."

SRI B. BHAKTAVATSALU NAYUDU:—"I beg to second the amendment."

THE HON. SRI C. RAJAGOPALACHARIAR:—"I am sorry to say that I have to make an exception to the assurance I gave so soon. Sub-clause (1) of clause 8 authorizes the Provincial Government to fix the scale of salary of the public health establishment, which is quite different from the appointment of a particular officer. So sub-clause (1) of clause 9 will be necessary in the Bill."

The amendment was by leave withdrawn.

Sub-clause 2 (*b*).

SRI H. B. ARI GOWDER:—"I move, Sir— 5 p m

'Omit *sub-clause* (2) (*b*).'

"I do not know, how the Government are going to collect the contributions from the panchayats which are the local authorities in rural areas and which are very poor. I suggest that minor panchayats be exempted from making any contribution. If they are asked to make any contribution, surely there will be representations and endless correspondence. Besides, if the Government are going to depend on the contributions of the panchayats in the matter of the appointment of Health Officers, it will be very difficult for them to administer the Act. I hope the Government will bear this in mind, and if the amendment is not accepted, they will at least frame rules so that the panchayats which are not able to make any contribution may be exempted."

The amendment was duly seconded.

THE HON. DR. T. S. S. RAJAN :—" Before any health scheme is proposed the resources at the disposal of those local bodies are always taken into consideration and the Inspector of Local Boards and the Accountant-General who are responsible for auditing the finances of these bodies have been consulted. If it is prohibitive financially, or if the scheme could not be carried out without the help of the Government, the Government have always given contributions and such necessary help as occasion demanded. Therefore I do not see anything useful in accepting this amendment."

The amendment was by leave withdrawn.

Clause 10.

Sub-clause (1).

BASHEER AHMED SAYEED SAHIB BAHADUR :—" Sir, I move—

' *In line* 5, *after the words* " one or more " insert *the words* " *Health Officers or.*" '

" I want, Sir, that the Government should not have merely the power of appointing additional Health Officers as suggested but they must have the power of appointing Health Officers as such. I want to give the Government larger powers." (Interruption.)

MR. SPEAKER :—" You want the word ' Additional ' to be struck out."

BASHEER AHMED SAYEED SAHIB BAHADUR :—" No, Sir. In clause 9, temporary officers . . . (Interruption.) In clause 9, it is said that the local authority shall, if so required by the Government, include the post of a Health Officer in its establishment schedule. But under clause 10, if appointment is made for temporary periods, the Government can merely appoint additional Health Officers. Supposing in a municipality where there is no Health Officer a Health Officer is required for a temporary period, clause 10 does not give the Government the right to appoint Health Officers for that temporary period."

MR. SPEAKER :—" That is exactly what I mean. You evidently seek to delete the word ' additional.' "

BASHEER AHMED SAYEED SAHIB BAHADUR :—" No. I want the word ' additional ' to be there and to insert the words ' Health Officers or ' before the words ' additional Health Officers.' That will be the wording if the amendment is accepted. Clause 9

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confers the power upon the Government to appoint permanent Health Officers wherever Health Officers are necessary. But clause 10 seeks to give power of appointment only in temporary emergencies where there is already a Health Officer. Emergencies also may arise where there is no Health Officer at all, in a particular municipality. Then instead of a Health Officer, it might be called upon to appoint an additional Health Officer. Therefore, I say that the Government must have the power to appoint a Health Officer for a temporary period in any municipality where there is no Health Officer as such, as this clause only gives power to appoint additional Health Officers. I think the Government will not reject the additional powers, if they are given them."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"I just want to point out, Sir, that there are Health Officers in all the municipalities. But where there are municipalities without any Health Officer, the District Health Officer will be the Health Officer. And, therefore, it is provided in this clause to appoint additional Health Officers. There is no need for the insertion of the words 'Health Officers or' there."

MR. SPEAKER:—"Does the mover of the amendment withdraw it in view of the explanation offered by the Hon. Minister?"

BASHEER AHMED SAYEED SAHIB BAHADUR:—"I am helpless, Sir." (Laughter.)

The amendment was by leave withdrawn.

BASHEER AHMED SAYEED SAHIB BAHADUR:—"Sir, I move—

'*In lines* 7 *to* 9, omit *all the words commencing from "or for investigating.....", and ending with "such mortality."*'

"Sir, the purpose of this amendment is that the Government are legitimately entitled to recover the expenses for the treatment of certain infectious diseases and to prevent the spread of the infection and to prevent mortality as the case may be. It has been wrongly placed. I do not move it."

Sub-clause (2).

* H. S. HUSSAIN SAHIB BAHADUR:—"Sir, I move—

'*In line* 3 *between the words "under" and "Madras"* insert *the word "the".*'

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"I accept the amendment, Sir."

The amendment was put and carried.

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

'*In lines* 4 *and* 5, for *the expression* " *on such salary or allowances* " substitute *the words* " *on such salary or allowances or both* ".'

This is only a verbal amendment to make the clause clear."

The amendment was put and carried.

* SRI H. B. ARI GOWDER:—" Sir, I move—

'*In lines* 5 *and* 6, omit *the words* " *payable from the funds of the local authority.*" '

If the Government are going to appoint a Health Officer for a panchayat board and charge the expenses to that body, which is unable to bear the expenses, there is no point in saying that the expenses should be payable from the funds of the local authority. Therefore, I suggest that the words 'payable from the funds of the local authority' may be omitted."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" It is a definite obligation on the part of the local bodies. The Government cannot accept the responsibility."

The amendment was put and lost.

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

'*At the end* for *the expression* " *payable from the funds of the local authority.*" substitute " *The salary and allowances shall be payable from the funds of the local authority.*" '

This is also a verbal amendment to make the clause quite clear."

The amendment was put and carried.

Clause 11.

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" Sir, I move—

'*In line* 2, add *the words* " *Executive Authority or* " after *the word* " *any* " *and* before *the word* " *officer.*" '

The reason for which I move this amendment is this. Clause 11 empowers Government employees or the employees of a local authority to exercise the powers of a Health Officer. I do not see any harm in such powers being given to the executive authority also. After all the powers that will be given will be powers specifically given to them under the orders of the Government. So, Sir, in my opinion there is no danger of the executive authority doing any harm to any body by using all sorts of powers or misusing the powers given to it. The executive authorities are

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already agitating, Sir, that many of the powers have been taken away from them. If this amendment is carried, it will meet their grievance to a large extent. I move the amendment, Sir."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" The executive authorities are people who are not necessarily officers. They are always non-officials. If we give them powers of the Health Officer over the local boards, it will be improper. It is only a question of status. We do not want to interfere with non-officials by asking them to do officers' work."

The amendment was put and lost.

Clause 13.

Sub-clause (1).

New proviso.

MR. SPEAKER:—" It is not a very important amendment. Is it withdrawn?" (Laughter.)

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" I have just one point, Sir. The clause contemplates the transfer of any member of the public health establishment of a local authority to the public health establishment of another local authority. The local authority in this case will be a district board or a municipality or a panchayat board. Now, my amendment is with reference to the Health Officers. The Health Officer of a local authority will be the Health Officer of the district. If he is transferred from one district to another, then it will cause some administrative inconvenience. Take, for instance, the case of the Health Officer of North Arcot being transferred to Chittoor or the Health Officer of Guntur being transferred to Godavari without the consent or knowledge of the Government; it might probably inconvenience the general administration. I, therefore, think that in the case of the Health Officer alone, it would be advisable to obtain the previous approval of the Government before he is transferred.

" Therefore, I move, Sir—

' Insert *the following proviso after sub-clause* (1):—

" Provided the transfer of a Health Officer from one local authority to another shall be effected with the previous approval of the Government." ' "

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" I am rather amused, Sir, that this amendment comes from the hon. Mr. Appadurai Pillai, because the Health Officers are all gazetted officers and no transfer of a gazetted officer can be effected unless it is approved by the Government."

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MR. SPEAKER:—"I suppose the amendment is withdrawn."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"I am only surprised at the summary way in which the Hon. Minister disposes of my amendment. The clause as it stands is not explicit on this point."

* THE HON. DR. T. S. S. RAJAN:—"Every attention has been paid. The clause is absolutely clear with reference to the subject."

MR. SPEAKER:—"After the explanation given by the Hon. Minister, does Mr. Appadurai Pillai press for a vote?"

The amendment was by leave withdrawn.

Sub-clause (3).

5-15 p.m. * H. S. HUSSAIN SAHIB BAHADUR:—"I move—

'In line 5, between the words "pay" and "the" insert the words "for the period of such temporary duty,"'.

"I propose this amendment because the matter may be made clear."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"I accept the amendment."

The amendment was put and carried.

Clause 14.

Sub-clause (2) (*a*).

* H. S. HUSSAIN SAHIB BAHADUR:—"I move—

'In line 3, omit the words "transfers and" and between the words "punishments" and "of", insert the words "and dismissal."'

"In this connexion my submission is this. The power of transferring a member of the health establishment is given to the Director of Public Health under section 13. It cannot be that a Health Officer of one local authority can transfer a member of one local establishment to another local establishment. He must always be another superior officer who has got control over all the local bodies. Therefore I move the amendment."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"I just want to draw the attention of the hon. Member to the fact that dismissal also is a form of punishment and therefore it need not be specifically mentioned there."

The amendment was put and lost.

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K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"I move—

'*In lines* 6 *and* 7, for *the words* "*Health Officer subject to the approval of the executive authority*", substitute *the words* "*executive authority with the concurrence of the Health Officer.*"'

"Sir, it is seen that the change was effected by the Select Committee. The powers of appointment and transfer should be with the executive head and not with the Health Officer. It is the executive officer that must have entire control over the local body in his charge. When there is an executive authority it is dangerous to give equal power to the Health Officer also. Let it be concentrated in one. Therefore I move the amendment."

* H. S. HUSSAIN SAHIB BAHADUR:—"I second it."

* THE HON. DR. T. S. S. RAJAN:—"This matter was clearly discussed and as far as the health staff is concerned the Health Officer is given power to make appointments of members of the establishment referred to in sub-section (1). But the power of the supreme authority has been recognized and a special clause has been added. There is nothing inconsistent in this and we have practically compromised all those objections raised by the proposal 'subject to the approval of . . . . .'"

The amendment was put and lost.

Clause 16.

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"I move—

'*In lines* 11 *to* 13, for *the words commencing with the word* "*subject*" substitute *the following*:—

"*subject to the same rights of appeal by an aggrieved person against the orders of a Health Officer as were available to him under the above-mentioned Acts in respect of the orders passed by the Executive authorities in such matters.*"'

This is only intended to assure that the same rights of appeal would be available to an aggrieved person as are now provided under the present Acts. It is stated here 'subject to such appeal and control as the Government may determine.' What I suggest is that the right of appeal of an aggrieved person to the extent quoted in the clause may be definitely stated for the sake of clearness."

MR. B. BHAKTAVATSALU NAYUDU:—"I second it."

* THE HON. DR. T. S. S. RAJAN:—"If I accept this there will be inconsistency between this clause and the Public Health Bill when it becomes law. Therefore I oppose it."

The amendment was by leave withdrawn.

Clause 4 as amended was put and carried.

Clauses 5 and 6 were put and carried.

Clause 7 as amended was put and carried.

Clauses 8 and 9 were put and carried.

Clause 10 as amended was put and carried.

Clauses 11 and 12 were put and carried.

Clause 13 as amended was put and carried.

Clauses 14 to 16 were put and carried.

CHAPTER III.

Clause 17.

Sub-clause (1).

* H. S. HUSSAIN SAHIB BAHADUR:—" I move—

' *In line* 2, omit *the words* " *provide or.*" '

" These words are unnecessary. Therefore I bring this amendment."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" These are all drafting alterations in these two sub-clauses. I cannot accept them."

The amendment was by leave withdrawn.

Sub-clause (3).

* H. S. HUSSAIN SAHIB BAHADUR:—" I move formally—

' *In line* 2, omit *the two commas.*' "

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" I accept the amendment."

The amendment was put and carried.

Clause 18.

Sub-clause (1).

* SRI H. B. ARI GOWDER:—" I move—

' Add *at the end, the words* " *provided the local authority has sufficient funds at its disposal.*" '

" This is a very reasonable amendment and I hope the Government will accept it. The whole Bill seems to have been drafted on the assumption that the local authorities have plenty of funds. In fact many of them have little or no funds at all. At least in the rules they frame I hope the Government will give due consideration to the question whether the local authorities have

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funds or not. Otherwise there will be difficulty in the working of the Act. Some of the local authorities may not have any funds and the Government may issue orders without considering that. So I appeal to them to accept it."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" The hon. Member shows unnecessary apprehension with regard to the funds of the local bodies. I would assure him that the relationship between the local bodies and the Government are in safe hands. They have given loans and they are interested in recovering them and specially good care is taken that they do not spend unnecessarily. On this assurance I hope the amendment will be withdrawn."

* SRI H. B. ARI GOWDER:—" In view of the assurance, I withdraw the amendment."

The amendment was by leave withdrawn.

Sub-clause (3).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" I beg to move— 5-30 p.m.

' *In line* 11, for *the words* " *Health Officer,*" substitute *the words* " *local authority,*" '.

This is intended to rectify an error which has apparently crept into the Bill. If a local authority declares that a certain source of water-supply is needed for these purposes, the control of the water-supply shall vest in the local authority. I do not know how the local authority has been replaced by the Health Officer. Once the local authority declares that a certain source of water-supply is needed for these purposes, the effect of the declaration would be that the control of such a water-source shall vest in the local authority. Now, that is the explanation given in the Select Committee's Report. It is stated on page 4 of that Report, ' and under such declaration it shall be under the control of the local authority.' That is quite reasonable. After such a declaration the source vests in the local authority, whereas in the Bill, Sir, it vests in the Health Officer. I should think, Sir, the power of declaration of the water-source should vest in the local authority and not in the Health Officer."

SRI B. BHAKTAVATSALU NAYUDU:—" I second it, Sir."

THE HON. DR. T. S. S. RAJAN:—" I accept the amendment."

The amendment was put and carried.

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*SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"I beg to move—

'Add *the following proviso to sub-clause* (3):—

"*Provided that where such source of water-supply is found to be private property, the Collector of the district or other officer empowered by Government in this behalf will take steps for the acquisition of such source or the right to make use of it, under the Land Acquisition Act, the cost of such acquisition being met from the funds of the local authority.*"'

This is an important amendment calculated to safeguard the interests of private ownership. The clause provides for the taking over of private property for the purpose of executing works thereon, but absolutely no provision has been made, Sir, for any compensation to be paid in respect of such private property. That seems to be a lacuna in the Bill. I therefore think that the lacuna should be removed by the insertion of the proviso I have given notice of. Any private man whose water-source is being taken hold of by any local authority will have the power to sue the Government or the local authority in a Court of Law, and it is only the Land Acquisition Act that would confer an indefeasible right to private property, on Government or on any local authority. I would, therefore, plead for the insertion of the proviso suggested."

SRI R. M. PALAT:—"In seconding this amendment I may say that if such provision is not made in the section, it will become *ultra vires* under section 299 of the Government of India Act. The Act says that no private property can be acquired or utilized for public purposes unless some provision is made for compensation. Therefore, unless the amendment which has been moved by Mr. Appadurai Pillai is accepted or some such similar provision is made, I think the Act will make this clause invalid."

THE HON. SRI C. RAJAGOPALACHARIAR:—"The mover of this amendment, I submit, is under a misapprehension. I submit it is not the intention of this clause to take over the property. It would have been drafted in an entirely different manner if it was intended to take over property of private persons. What is intended here is that, as it very often happens in our country in spite of modern civilization, when private wells are allowed to be used by a large number of people for drinking purposes where there is scarcity of water, the same regulations which are necessary for looking after the sanitation of the wells should be applied to such places also. If it is intended to take over the property, hon. Members will see that the whole clause would have been set on a different basis. That is, we have gone there only to the extent necessary for such purpose. So, no apprehension

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need be entertained that this is a question of acquisition. That is why the words 'Health Officer' were put there. But it was sought to be made more scientific and legally accurate and so 'local authority' was put. The words 'local authority' would indicate sufficiently that it is not acquisition of property."

* MR. J. NUTTALL:—"What I fear is this: If Mr. Appadurai Pillai's amendment is not accepted, it may lead to local authorities neglecting their proper duties. It is only right that they should provide an adequate supply of drinking water and not depend in times of great shortage on any private supply. Therefore, I think this amendment would be a protection as it would ensure local authorities paying more attention to the matter of water-supply."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I am sorry I have to rise again. I fundamentally differ from the philosophy behind Mr. Nuttall's proposition. I do not agree—and it is impossible in our country to agree—that the duties of the Government or of their agents, the local authorities, can be financially solved and performed, if that philosophy is accepted. It is the intention of this Government—and it is only a part of that intention that is seen in this section—to supplement its resources by private philanthropy and we propose to encourage such charity."

* SRI R. M. PALAT:—"I would like to say that the point of order that was raised by me has not been properly answered. The point of order was that any interference in the full ownership of private property is to that extent confiscation of property."

MR. SPEAKER:—"If it is voluntary?"

* SRI R. M. PALAT:—"Then there is no need for this section. We could entirely leave out the words referring to private ownership, if it is voluntary. Otherwise I should like to get a ruling on the point of order which has been raised by me, for the section is *ultra vires* of this Legislature under section 299 of the Government of India Act."

MR. SPEAKER:—"How do you say it is *ultra vires*?"

* SRI R. M. PALAT:—"This Legislature has no power to confiscate any property without compensation."

MR. SPEAKER:—"There is no question of 'confiscation' here at all."

* SRI R. M. PALAT:—"If there is any diminution in the free exercise of ownership, there is confiscation to that extent."

MR. SPEAKER:—"The clause does not contemplate any confiscation at all. It is only inferential."

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* SRI R. M. PALAT :—" Whether it is plainly stated or inferential, there is an interference with the full exercise of ownership if the Government can step in and allow water to be taken from a private well."

MR. SPEAKER :—" I hold there is no question of *ultra vires* here."

* SRI R. M. PALAT :—" Well, Sir, the section may be referred to, if you do not mind."

MR. SPEAKER :—" I was looking at the section before giving the ruling. I do not think it is *ultra vires*."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I think, Mr. Speaker, there is a misapprehension with reference to the ruling, which it is necessary to dispel. I would invite your attention to the wording of the section. He has asked you, Sir, to analyse the section. But I should like to ask you to see the important words there. What is it that the section says? If Mr. Palat, for example, allows his well to be used, as a good man is bound to if there is water scarcity in the village, but his agents do not look to its cleanliness but allow it to be in a bad condition, that charity is dangerous. In that case under this section it shall be the duty of the Health Officer to go and clean it and it is within his power. He will be a trespasser if the section is not there, whereas all those who are permitted to take water would not be trespassers because he permits them. This section gives power to the local authority to control the water-supply to that extent. There is no question of compensation or acquisition or *ultra vires* in this matter."

* SRI R. M. PALAT :—" The Hon. Minister's explanation will be all right if in line 7 the word ' is ' is omitted from the phrase ' from which water is or may be made available.' Otherwise the Government may enforce a right to the property of people."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Certainly, Sir, it will be the other way about. The expression ' may be made available ' needs an explanation. The word ' is ' exactly brings out my point more clearly. It may be pleaded that it is not allowed now, but the Health Officer thinks that it will be done to-morrow or the next day because the water is there and this is only to provide for such cases. It is not as if the Government take power to make it available."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" If that is safeguarded at least by rules framed under this Act, to provide for compensation in cases where such user is allowed, that will answer my point."

MR. SPEAKER :—" Compensation will be provided wherever the Government think it necessary. It is their duty. In view

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of the explanation given by the Prime Minister, does the hon. Member think that this proviso is necessary?"

THE HON. SRI C. RAJAGOPALACHARIAR :—" I may point out that the amendment may throw doubt on the object of this section. It would introduce the purpose of purchasing and acquiring."

The amendment was by leave withdrawn.

Clause 19.

Proviso.

* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" I beg to move—

' *In lines 2 to 5, for the words " communicate . . . against the proposal,"* substitute *the words " give two months' notice of the grounds to the local authority."* '

This amendment aims at making the provision more definite because it is stated that the Government shall communicate to the local authority, fix a reasonable period, etc. ' Reasonbale period ' may mean anything. It is indefinite and vague. It is better to avoid indefiniteness in a legal provision. I, therefore, move that my amendment may be accepted."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" ' Reasonable period ' is an elastic term. We have got to consult the means of a local body. It may take time. If you put two months, it might take more time or it might be finished sooner; but ' reasonable period ' is absolutely elastic and, at the same time, implies due care and attention given to enable a local body to form its opinion and communicate its reply to the Government."

The amendment was by leave withdrawn.

Clause 20.

Sub-clause (3).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" I beg to move—

' *In line 3, after the word " lie,"* insert *the words "within thirty days from the date of such direction."* '

The object of this amendment is to know within what period an aggrieved person is at liberty to file an appeal. If he files an appeal two or three months later and it is rejected on the ground of delay it would not be fair. It would, therefore, be better, Sir, if at least in cases where an appeal lies some period is fixed so that the appellant may know whether he is within time or not."

The amendment was duly seconded.

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* SRI R. M. PALAT :—" Whether it is plainly stated or inferential, there is an interference with the full exercise of ownership if the Government can step in and allow water to be taken from a private well."

MR. SPEAKER :—" I hold there is no question of *ultra vires* here."

* SRI R. M. PALAT :—" Well, Sir, the section may be referred to, if you do not mind."

MR. SPEAKER :—" I was looking at the section before giving the ruling. I do not think it is *ultra vires*."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" I think, Mr. Speaker, there is a misapprehension with reference to the ruling, which it is necessary to dispel. I would invite your attention to the wording of the section. He has asked you, Sir, to analyse the section. But I should like to ask you to see the important words there. What is it that the section says? If Mr. Palat, for example, allows his well to be used, as a good man is bound to if there is water scarcity in the village, but his agents do not look to its cleanliness but allow it to be in a bad condition, that charity is dangerous. In that case under this section it shall be the duty of the Health Officer to go and clean it and it is within his power. He will be a trespasser if the section is not there, whereas all those who are permitted to take water would not be trespassers because he permits them. This section gives power to the local authority to control the water-supply to that extent. There is no question of compensation or acquisition or *ultra vires* in this matter."

* SRI R. M. PALAT :—" The Hon. Minister's explanation will be all right if in line 7 the word ' is ' is omitted from the phrase ' from which water is or may be made available.' Otherwise the Government may enforce a right to the property of people."

* THE HON. SRI C. RAJAGOPALACHARIAR :—" Certainly, Sir, it will be the other way about. The expression ' may be made available ' needs an explanation. The word ' is ' exactly brings out my point more clearly. It may be pleaded that it is not allowed now, but the Health Officer thinks that it will be done to-morrow or the next day because the water is there and this is only to provide for such cases. It is not as if the Government take power to make it available."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" If that is safeguarded at least by rules framed under this Act, to provide for compensation in cases where such user is allowed, that will answer my point."

MR. SPEAKER :—" Compensation will be provided wherever the Government think it necessary. It is their duty. In view

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of the explanation given by the Prime Minister, does the hon. Member think that this proviso is necessary?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I may point out that the amendment may throw doubt on the object of this section. It would introduce the purpose of purchasing and acquiring."

The amendment was by leave withdrawn.

Clause 19.

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'*In lines 2 to 5,* for *the words "communicate . . . against the proposal,"* substitute *the words "give two months' notice of the grounds to the local authority."*'

This amendment aims at making the provision more definite because it is stated that the Government shall communicate to the local authority, fix a reasonable period, etc. 'Reasonbale period' may mean anything. It is indefinite and vague. It is better to avoid indefiniteness in a legal provision. I, therefore, move that my amendment may be accepted."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"'Reasonable period' is an elastic term. We have got to consult the means of a local body. It may take time. If you put two months, it might take more time or it might be finished sooner; but 'reasonable period' is absolutely elastic and, at the same time, implies due care and attention given to enable a local body to form its opinion and communicate its reply to the Government."

The amendment was by leave withdrawn.

Clause 20.

Sub-clause (3).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"I beg to move—

'*In line* 3, *after the word "lie,"* insert *the words "within thirty days from the date of such direction."*'

The object of this amendment is to know within what period an aggrieved person is at liberty to file an appeal. If he files an appeal two or three months later and it is rejected on the ground of delay it would not be fair. It would, therefore, be better, Sir, if at least in cases where an appeal lies some period is fixed so that the appellant may know whether he is within time or not."

The amendment was duly seconded.

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5-45 p.m. * THE HON. DR. T. S. S. RAJAN :—" Sir, under sub-clause (3) an aggrieved party may go to the Government. All the protection that the hon. Member requires has already been provided for."

MR. SPEAKER :—" An appeal shall lie within what period?"

* THE HON. DR. T. S. S. RAJAN :—" Sub-clauses (4) and (5) make it clear. Under sub-clause (4) power has been taken to specify the period within which the work has got to be done and sub-clause (5) provides for the execution of the work. Everything is covered by sections (3), (4) and (5)."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" But there is no definite period fixed for preferring an appeal. It is the right of every citizen to prefer an appeal if he is aggrieved."

MR. SPEAKER :—" Is it not necessary to specify the period? "

* THE HON. DR. T. S. S. RAJAN :—" It is superfluous and it will cause a lot of difficulties if a man takes a lot of time for preferring an appeal."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" That is why I have said thirty days."

MR. SPEAKER :—" Supposing the aggrieved party takes six months?"

* THE HON. DR. T. S. S. RAJAN :—" But here action has got to be taken by the local authority within a particular time and all that. Afterwards only they can do the work."

MR. SPEAKER :—" They will prescribe the time."

The amendment was put and lost.

Sub-clause (4) (*b*) (ii).

* H. S. HUSSAIN SAHIB BAHADUR :—" Sir, I move—

' *In line* 1, omit *the word* " *local.*" '

This word is not used before the word ' authority ' or ' authorities ' in any other part of this clause. The only word used is ' authority ' or ' authorities.' It is only in this sub-section that the word ' local ' has been used. I therefore suggest that the word ' local ' may be omitted."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" It is a very dangerous thing to do. The local bodies will have to recover some part of the cost incurred by them. If we omit the word ' local,' the local bodies will lose. Therefore the amendment cannot be accepted."

The amendment was by leave withdrawn.

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Sub-clause (6).

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

' *In paragraph* (a) *of the Explanation,* for *the expression* " *section* 24 " substitute *the expression* " *section* 25 ".' "

The amendment was put and carried.

Clause 21.

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" Sir, I move—

' *In line* 1, for *the words* " *Director of Public Health,*" substitute *the words* " *Collector of the district.*" '

The reason behind this amendment is this: the Director of Public Health is an officer residing in Madras and the district Collector will be the proper person to give his opinion and conduct an investigation under section 20. So, in my opinion, it would be much better if this power of investigation is given to the district Collector and not to the Director of Public Health. I request the Hon. Minister to accept the amendment."

* H. S. HUSSAIN SAHIB BAHADUR :—" I second it."

* THE HON. DR. T. S. S. RAJAN :—" This is an emergency provision. Therefore we cannot afford to have a duplication of authorities. The Director of Public Health is the man concerned with the matter, and if the authorities concerned are to go on searching for the Collector, the emergency would have been over by the time they found the Collector of the district."

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" It would be much more difficult to find the Director of Public Health than to find the Collector. The Collector will be available in the district, whereas the Director of Public Health who is an officer residing in the City of Madras will be difficult to be approached. I do not see why this amendment should not be accepted."

* THE HON. DR. T. S. S. RAJAN :—" The Director can act always on information received, Sir."

The amendment was by leave withdrawn.

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" Sir, I move—

' *In line* 3, *between the words* " *water-supply* " *and* " *is contaminated* " insert *the words* " *in a local area* ".' "

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" I accept the amendment."

The amendment was put and carried.

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* SRI H. B. ARI GOWDER :—" Sir, I move—

' Add *at the end the following sentence* :—

" *In such a case Government will advance a loan or make a grant as the case may be, if the local authority has no funds sufficient for the purpose.*" '

This is more or less on the same line as the amendments which were lost. I would assure the Hon. Minister that my object in moving this amendment is only to save the Government and the local bodies from difficult situations in times of emergency. I believe that if the Government are not prepared to accept this, they will find it necessary to make provision for this purpose at least in the rules they are going to frame."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" There is no need to impose any such statutory obligation on the Government. They are always interested in the solvency of the local bodies. I have already explained in another connexion that this amendment is unnecessary and superfluous."

SRI H. B. ARI GOWDER :—" I am afraid the Hon. Minister did not hear me, Sir."

The amendment was put and lost.

Clause 24.

Sub-clause (1).

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" Sir, I move—

' *In line* 1, *between the words* " *the* " *and* " *Health Officer,*" insert *the words* " *Collector of the district on the recommendation of the.*" '

Under this clause the Health Officers are given very wide powers ' to keep and maintain any such source of supply in such manner as the Health Officer may direct . . . ' I am sure the Hon. Minister will agree that it is advisable to entrust such powers to highly responsible officers like the district Collector. Therefore this amendment must be inserted with a view to see that the Health Officer does not misuse his power and lay unnecessary obligations on private parties."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" I have already explained the position of the Government in this matter. I cannot accept the amendment."

The amendment was by leave withdrawn.

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* K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" Sir, I move—

'*In line* 10, *for the words* " *twenty-four* " substitute *the words* " *thirty-six* "'."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" I accept the amendment."

The amendment was put and carried.

Sub-clause (2).

* H. S. HUSSAIN SAHIB BAHADUR :—" Sir, I move—

'*In line* 6, *after the word* " *person*," *and before the word* " *at* ", insert *the words*, " *or persons*,"'."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" I accept the amendment."

The amendment was put and carried.

Clause 25.

Sub-clause (1).

* SRI H. B. ARI GOWDER :—" I move—

'*In line* 4, insert *between the words* " *tax* " *and* " *which*, " *the words* " *payable in cash, kind or manual labour.*" '

In moving this amendment, I wish to draw attention to the fact that in a certain part of the year the villagers may have no funds to pay this tax proposed. To enable them to meet their obligations at such times, I suggest that the villagers may be asked to contribute manual labour if they have no cash with which to meet the same. It is only to help the Government and also the villagers that I have moved for the acceptance of this amendment."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" Sir, this is a novel procedure that has been suggested, namely, contribution of manual labour instead of cash. It is absolutely impossible to accept this. The suggestion may perhaps appear sound in principle, but it will be impracticable to consider it from the point of view of collection of revenue. The Government cannot certainly make a new departure in the procedure for the collection of funds particularly in the Health department."

The amendment was put and lost.

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New sub-clause (5).

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

' *After sub-clause* (4), add *the following sub-clause*:—

" (5) *Nothing contained in this section shall be deemed to affect the power of the Corporation of Madras to levy a water and drainage tax under section* 99 (1) (*b*) *of the Madras City Municipal Act*, 1919, *or of any municipality governed by the Madras District Municipalities Act*, 1920, *to levy a water and drainage tax under section* 81 (1) (*b*) *of that Act*." '

adras Act V of 1919.
adras Act V of 1920.

Sir, this provision may look redundant, but the fact is that this power of levying taxes under these sections remains. But, in view of what has been mentioned in this Act, there is a vague suspicion that railways for instance may not be covered by this section; because of this, this new sub-clause (5) is proposed to be added at the end of clause 25 and this will make it clear that this clause will not interfere with the existing powers possessed by the Madras Corporation and the municipal councils of the Province which levy water and drainage taxes. Under section 139 of the Indian Railways Act, it is the central authority that could impose the tax and therefore it may seem as if we are taking away the power from the local bodies. So, we want to reiterate once more that they have got these powers. It is only to make the matter clear that we have to introduce this sub-section."

The amendment was put and carried.

Clause 26.

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" Sir, I move the following amendment:—

' Delete *clause* 26.'

The clause says that no new house should be occupied by the owner without obtaining a certificate that water-supply has been provided and this certificate is to be obtained from a member of the health establishment not lower in rank than a sanitary inspector. My submission is that this is an invasion of private rights.

6 p.m. " The owner of a private building ought to be given the option of occupying it at any time he likes. Among Hindus an auspicious day is fixed for the occupation of a new house. If on the ground that water-supply has not been provided for that house it is ordered that the owner should not occupy it, it will interfere with the discretion of the person concerned, and probably the occupation of that house may have to be put off for a long time in that case.

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"Secondly, there is another vital objection to this clause: a building is constructed with reference to a plan previously submitted and approved of by the local authority, and such a plan provides for the necessary sanitary conveniences, water-supply, etc. So we must take it for granted that the owner of the building could provide the water-supply whenever it is possible for him to do so. If for some reason or other he is not able to provide water-supply for his house at a particular time, a mere certificate from the sanitary inspector would not in any way go to safeguard that contingency.

"My third objection to this clause is that this provision, if insisted upon, may lead to malpractices."

SRI B. BHAKTAVATSALA NAYUDU:—"I second it."

* THE HON. DR. T. S. S. RAJAN:—"Sir, here the whole thing applies to urban local areas where before any house is occupied it is quite possible for the house-owner to provide water-supply, etc. But if we do not have a provision of that sort, he may go on postponing the thing and ultimately drop the matter altogether. Of course it is absolutely difficult in village areas to insist upon such a provision being complied with. But it is certainly possible in municipal areas to provide for water-supply. Therefore the clause ought to be there and people who occupy houses in municipal areas should also be given facility for protected water-supply. Therefore, I cannot accept the amendment."

MR. SPEAKER:—"I suppose the hon. Member, Mr. Appadurai Pillai, does not want to say anything more."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"What shall I say, Sir? What I consider as a most rational amendment is thrown out. The Hon. Minister reminds me that the clause applies only to urban areas. I do not need any reminder. It is only in urban local areas that this invasion of private rights should be avoided. A person who wants to build a house or wants to occupy it ought to be in a position to exercise his right of occupying it at any time he pleases."

The amendment was put and lost.

* THE HON. DR. T. S. S. RAJAN:—"I beg to move—

'*In line* 7, for *the words* "*Sanitary Inspector*," substitute "*Health or Sanitary Inspector*,".'

If the words 'Sanitary Inspector' are retained, then they will refer only to municipalities. Both the Health and the Sanitary Inspectors have got the same status. So in order to make this point clear, we want to put in this amendment."

The amendment was put and carried.

Clauses 17 and 18 as amended, clause 19, clauses 20 and 21 as amended, clause 22, clause 23, and clauses 24, 25 and 26 as amended were put and carried.

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CHAPTER IV.

Clause 28.

Sub-clause (1).

Proviso.

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"I beg to move—

'*In lines* 2 *and* 3, *of paragraph* (*a*), *for the words* "*one-hundred feet,*" insert *the words* "*ten feet*".'

Sir, this proviso provides that the owner of the building has to construct the drain up to 100 feet from his premises. This would be impracticable in most cases. If I am asked to construct a drain up to 100 feet from my premises, I would be encroaching upon the public road or in the neighbour's property. If it is fixed as 10 feet, it would perhaps be within proper limits. I would therefore move that a limit of 10 feet be fixed instead of 100 feet."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"We have to consider the question from this standpoint, viz., that the owner of a house has to construct the drain leading from his house up to a reasonable distance. Considered from that standpoint, the fixation of 100 feet is the maximum obligation that would be cast on the owners of houses under this Bill. I would draw the attention of the hon. Member to section 166 of the District Municipalities Act, where the obligation is placed upon the owners of houses to construct even roads and also drainage. Now under this Bill we do not cast any such obligation upon the owners of houses. If the main is within 100 feet, then the owner will have to bear the cost of constructing the drain leading to that main. But if the main is beyond 100 feet, then the municipality or the local authority will bear the cost for their portion. Up to 100 feet at least, the owners of houses must have the responsibility of laying out the drains leading to the public drain, at their own cost. So under these circumstances, I am afraid, I cannot accept the amendment."

The amendment was by leave withdrawn.

Clause 30.

Sub-clause (2).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"I beg to move—

'*In lines* 5 *to* 7, for *the words* "*construct such drain . . . repair it*" substitute *the words* "*have such drain constructed, and cause it to be cleansed and repaired*".'

Sir, this is only a verbal amendment, and I hope the Hon. Minister will accept it."

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ABDUL HAMEED KHAN SAHIB BAHADUR:—" I second it."

* THE HON. DR. T. S. S. RAJAN:—" I accept it with a little qualification. If the owner is asked to construct a drain it does not necessarily mean that he should construct it with brick and mortar. He may construct it with such material as may be available to him and as may be considered suitable by the Health Officer. It may not be necessary for the owner to have the drain constructed by somebody else on his behalf. Therefore, I would omit the words ' have such drain constructed ' proposed in Sri Appadurai Pillai's amendment. I would accept the amendment in the following form:—

' construct such drain and cause it to be cleansed and repaired '."

The amendment of Mr. Appadurai Pillai as amended by the Hon. Minister was put and carried.

Clause 32.

Sub-clause (1) (*a*).

* H. S. HUSSAIN SAHIB BAHADUR:—" I beg to move—

' *In line* 3, *between the words* " *or* " *and* " *such* " insert *the word* " *within* "'.

In order to make the meaning of the clause clear, this amendment is necessary."

ABDUL HAMEED KHAN SAHIB BAHADUR:—" I second it."

* THE HON. DR. T. S. S. RAJAN:—" I accept the amendment."

The amendment was put and carried.

Clause 34.

* THE HON. DR. T. S. S. RAJAN:—" I beg to move—

' For *the words* " *or latrine* " *in sub-clauses* (*a*) *and* (*b*), substitute " *latrine or sanitary convenience* "'.

Sir, this is only a verbal amendment."

The amendment was put and carried.

Clause 35.

* MR. J. NUTTALL:—" I beg to move—

' *In line* 1, *after the words* " *No person shall* " insert *the words* " *save as may be generally or specially prescribed,* "'.

Sir, the idea of inserting these words is to enable certain manufacturers to turn their waste water into the public drain provided some authority gives them permission to do so. If the additional words above mentioned are included in this clause, it will enable

the appropriate authority to allow, in certain cases, waste water to be turned into a public drain. There is a proviso which follows that prohibits anything being turned into the drain which would cause damage, but it should be open to the person who wishes to turn waste water into any public drain or water-course to apply to some authority or other for the requisite permission. I should be very glad if the Hon. Minister can see his way to accept this amendment."

6-15 p.m. MR. SPEAKER:—"What about the second amendment?"

* MR. J. NUTTALL:—"I would not press that amendment if the Hon. Minister would be good enough to accept the one on which I have just spoken."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"I accept the amendment."

The amendment was put and carried.

Clause 35 (*b*).

* MR. J. NUTTALL:—"Sir, I beg to move a minor amendment which, I think, will clear a doubt which seems to exist with regard to the wording of clause (*b*) of section 35. I move, Sir—

'*In line* 1, omit *the words* "*any chemical refuse or waste steam, or*" *and* insert *the word* "*other*" *between the words* "*refuse or steam or*" *and the words* "*liquid which*" *in line* 4.'

"My idea here is that without the inclusion of the word 'other' it would be impossible to allow entry into any drain of any refuse or waste steam. I know that in many cases it is of considerable assistance in order to clear drains to allow certain refuse or waste steam to run into them. It has an extremely good effect and I know that the municipality in Madras is very glad to have this waste matter put into their drain at a very high point which clears the drainage system throughout the City. I should be very pleased indeed if the Hon. Minister would accept this amendment."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"I accept the amendment with this addition: '*and* make the consequential changes in the schedules'."

The amendment of Mr. J. Nuttall as amended by the Hon. Minister was put and carried.

Clause 36.

MR. J. NUTTALL:—"I beg to move, Sir, the following amendment:—

'*In the opening line, after the words* "*No person shall*" insert *the words* "*save as may be generally or specially prescribed—*".'

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" This amendment is similar to the one which the Hon. Minister has already accepted in the case of section 35 and it is not necessary for me to repeat the reasons for the insertion of these words. I would be glad if the Hon. Minister will accept this amendment also."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" I accept the amendment."

The amendment was put and carried.

Sub-clause (2).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" I beg to move, Sir, the following amendment :—

' *In line 3, after the word* " *water-course,*" insert *the words* " *water-trough* "."

" This is only a verbal amendment. This is necessitated by the fact that some of the water-troughs in the City of Madras are very badly kept on account of the introduction of dirty matter into them."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" I really cannot understand the necessity for the word ' water-trough.' It seems to be absolutely superfluous."

The amendment was by leave withdrawn.

New sub-clause (3).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" Mr. Speaker, I beg to move the following amendment :—

' Insert *the following as new sub-clause* (3) :—

" *or*

(3) *commit nuisance in or in the neighbourhood of any such water-course or water-trough* "."

" It is a matter of common experience, Sir, that people commit nuisance in and around water-troughs. I have found it very often. Now that we have a Public Health Bill, I thought it better to bring such acts under the category of nuisances, so that effective steps may be taken to put an end to them."

The amendment was duly seconded.

MR. SPEAKER :—" The amendment to insert the words ' water-trough ' was not accepted by the Government. Here again the hon. Member has used the same words."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI :—" The words ' water-trough ' are used by the Government in another connexion."

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* THE HON. DR. T. S. S. RAJAN :—" Sir, I accept the amendment if it is altered as follows :— ' or

(3) commit nuisance in or in the neighbourhood of any watercourse.'

" That is intelligible, Sir, but I cannot understand ' watertrough '."

MR. SPEAKER :—" So, the last portion goes. The question is that the following be inserted as new sub-clause (3) :— ' or

(3) commit nuisance in or in the neighbourhood of any watercourse '."

The amendment was put and carried.

Chapter IV with the clauses as amended was put and carried.

CHAPTER V.

Clause 38.

* THE HON. DR. T. S. S. RAJAN :—" I beg to move the following amendment :—

' *In line* 5, for *the words* " *sanitary convenience* " substitute *the words* " *sanitary conveniences* ". '

" This is only a verbal amendment. We have put the words ' sanitary conveniences ' instead of the words ' sanitary convenience '."

The amendment was put and carried.

Clause 39.

Sub-clause (1).

* THE HON. DR. T. S. S. RAJAN :—" I beg to move the following amendment :—

' (*a*) *In line* 3, for *the words* " *sanitary convenience* " substitute *the words* " *sanitary convenience or conveniences.*"

' (*b*) *In lines* 4 *to* 6, for *the words* " *is insufficient* " " *is inefficient* " *and* " *is objectionable* " substitute *the words* " *are insufficient* " " *are inefficient* " *and* " *are objectionable* " *respectively.*

' (*c*) *In sub-clause* (*a*) for *the words* " *sanitary convenience* " *in both the places,* substitute *the words* " *sanitary conveniences* ".' "

The amendment was put and carried.

CHAPTER VI.

Clause 41.

* THE HON. DR. T. S. S. RAJAN :—" I beg to move—

' *In line* 3, for *the expression* " *clause* (23) ", substitute *the expression* " *clause* (25) ". '

18th January 1939] [Dr. T. S. S. Rajan]

" This is only a verbal amendment."

The amendment was put and carried.

* Sri Diwan Bahadur A. APPADURAI PILLAI :—" I beg to move the following amendment :—

' *In line* 1 *of item* (2), *after the word* " *water-course,*" insert *the word* " *water-trough,*".' "

The amendment was duly seconded.

* The Hon. Dr. T. S. S. RAJAN :—" I accept the amendment."

The amendment was put and carried.

* Sri Diwan Bahadur A. APPADURAI PILLAI :—" I beg to move the following amendment :—

' *In line* 1 *of item* (8), *after the word* " *dust,*" insert *the word* " *cinders* ".' "

The amendment was duly seconded.

* The Hon. Dr. T. S. S. RAJAN :—" I accept the amendment."

The amendment was put and carried.

Clause 42.

Sub-clause (*a*).

* H. S. HUSSAIN SAHIB Bahadur :—" I beg to move the following amendment :—

' *In line* 2, *between the words* " *time* " *and* " *with* " insert *the words* " *and at least once in a year* ".'

" Sir, the provision in section 42 is mandatory and . . ."

* The Hon. Dr. T. S. S. RAJAN :—" Mr. Speaker, chapter V is over but it has not been put to the House."

Mr. SPEAKER :—" I shall put chapters V and VI together."

* H. S. HUSSAIN SAHIB Bahadur :—" Sir, I have moved this amendment, because clause 42 is mandatory. It says that ' every urban local authority *shall* cause its local area to be inspected from time to time . . . .' The expression ' from time to time ' is rather vague and indefinite, while the section is mandatory. My idea in proposing the amendment is to make it obligatory on urban local authorities to inspect their local areas at least once in a year. Therefore I want to insert the words ' and at least once in a year ' between the words ' time ' and ' with '."

The amendment was duly seconded.

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* THE HON. DR. T. S. S. RAJAN :—" I am sorry, Sir, I cannot accept the amendment, because it puts an unnecessary time-limit. When we say ' from time to time ' it means anything. It may be even three or four times a year. It need not necessarily be once a year. Therefore the clause is best left as it is."

The amendment was by leave withdrawn.

Clause 43.

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" Sir, with your permission, I should like to move my amendment in a slightly altered form as follows :—

' *In lines* 2 *and* 3, *after the words* " *the Health Officer* " add *the words* " *or any officer of the Health establishment of the local authority* ".' "

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" I accept the amendment in this form : ' or any other officer of the public health establishment of the local authority '."

The amendment as accepted by the Hon. Minister was put and carried.

Clause 45.

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR :—" I beg to move the following amendment :—

' Substitute *the word* " *shall* " for *the word* " *may* " *wherever it occurs* '."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN :—" It is a dangerous amendment, Sir. I cannot accept it. It will land the local bodies in very great difficulty."

The amendment was by leave withdrawn.

Clause 47.

Sub-clause (1).

* THE HON. DR. T. S. S. RAJAN :—" I beg to move the following amendment :—

' *In lines* 3 *and* 4, for *the words* " *this Act* " substitute *the words* " *this chapter* ".'

" This is merely a verbal amendment."

The amendment was put and carried.

* H. S. HUSSAIN SAHIB BAHADUR :—" Sir, amendments 170 and 171 go together. I move—

' *In line* 5 *after the word* " *if* " *and before the word* "*such,*" insert *the words* " *after the publication of notice to that effect* ".'

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'*In lines* 7 *and* 8, for *the words beginning with* "*on*" *and ending with* "*authority*," substitute *the words* "*of publication of such notice.*"'

"I submit, Sir, that when any materials have been removed by a local authority and are going to be sold by the local authority, sufficient opportunity should be given to the owner of those materials to take them away within a specified time. Unless this is done by the publication of a notice, it will not be possible for the owner to take away his materials, who may not be living in the locality or who for some other reason may not become aware of such a thing. It will be difficult for him if he comes up afterwards and claims his materials, and if in the meanwhile those materials have been disposed of by the local authority. Therefore, Sir, I move this amendment and hope that it will be accepted by the Hon. the Mover of the Bill, so that a reasonable opportunity may be given to the owner of the materials to take them away within a specified time."

The amendments were duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"I shall answer both the amendments Nos. 170 and 171. These amendments impose a fresh obligation on the local authority to publish a notice to the effect that the articles have been removed. This clause is only a corollary to clause 45 and it cannot be invoked unless notice has been served on the owner under clause 44. There are adequate safeguards in the Bill. This clause will apply to cases of persistent default of the persons responsible, where the local authority is compelled to abate nuisance under clause 44. These amendments are unnecessary." 6-30 p.m.

The amendments were put and lost.

Sub-clause (3).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"Sir, I beg to move the following amendment:—

'Delete *sub-clause* (3).'

"My object in moving this amendment is to make the position clear. This clause provides for the disposal of articles removed while abating nuisance. It is stated here in this subclause, that 'The provisions of this section shall not apply to any offensive matter removed by a local authority which belongs to it under the Act governing such authority.' I do not know to what the word 'it' refers. This clause is borrowed from the English Public Health Act; the English Public Health Act puts it very clearly and the effect has been more or less spoiled on its

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adaptation in the present Bill. This is what section 276 (3) of the English Public Health Act says: 'This section does not apply to refuse removed by a local authority.' That is simple and one can readily understand it. The sub-clause, as it is in the Bill, is not at all clear; what is meant by the sub-clause is not clear to me. I would therefore suggest that the wording in the English Public Health Act might be followed. That wording is quite simple and conveys the meaning clearly."

The amendment was duly seconded.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I suggest and move that the words '*which belongs to it*' be omitted."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"Yes, I support the suggestion and withdraw my amendment."

The amendment was by leave withdrawn.

* THE HON. DR. T. S. S. RAJAN:—"I accept the amendment before the House."

MR. SPEAKER:—"The question is:

'In line (3), *delete* the words "which belongs to it" between the word "authority" in line 2 and the word "under" in line 3.'"

The amendment was put and carried.

Clause 48.

* THE HON. DR. T. S. S. RAJAN:—"Sir, I beg to move the following amendment:—

'(*a*) *In the opening paragraph, in line* 4, for *the words* "*Sanitary Inspector*" substitute *the words* "*Health or Sanitary Inspector.*"

'(*b*) Insert *the following at the end of proviso* (*a*) *before the semi-colon*:—

"*except when a nuisance is caused by anything done or omitted to be done in the premises between sunset and sunrise.*"

(*c*) *In proviso* (*b*), for *the words* "*dwelling place*" substitute "*dwelling house*".'

"Explanation is required only with regard to (*b*). Usually, the Inspector would go and inspect any premises during the hours between sunrise and sunset. That is why the proviso is made explicit, viz., 'except when a nuisance is caused by anything done or omitted to be done in the premises between sunset and sunrise'."

The amendment was put and carried.

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Proviso (*c*).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" Sir, I move the following amendment:—

'*In line* 3 *of paragraph* (*c*), for *the word* "*females*" insert *the word* "*women.*"'.

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" I accept it."

The amendment was put and carried.

* H. S. HUSSAIN SAHIB BAHADUR:—" Sir, I beg to move the following amendment:—

'*In line* 3 *of paragraph* (*c*), *after the word* "*women*" *and before the word* "*to,*" insert *the words* "*after giving them reasonable time and facility.*"'.

" In my opinion I think that females should be given reasonable time and facilities to withdraw. The provision as it is says that sufficient notice shall, in every case, be given to enable the inmates of any apartment appropriated to females, to withdraw to some part of the premises where their privacy may be preserved. It may be stated that there is already provision for giving notice. In my opinion, it is not enough. When the Sanitary Inspector comes to the locality and finds that there are women in an apartment, he must then and there give them reasonable time and facilities to withdraw from the apartment. For these reasons I move the amendment and I want that the words 'after giving them reasonable time and facility' should be inserted."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" Sir, the amendment is redundant. The provision as it stands says that sufficient notice shall in every case be given to enable the inmates of any apartment apportioned to women, to withdraw to some part of the premises where their privacy may be preserved. It cannot be more explicit than that. It is also stated in the clause that due regard shall be paid, so far as may be compatible with the exigencies of the purpose of the entry, to the social and religious usages of the persons residing in the premises. There is the same provision in the Act as it stands at present. We have not taken any more powers than what is provided for now. Therefore I cannot accept the amendment."

The amendment was by leave withdrawn.

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Clause 51.

Sub-clause (1).

SRI H. B. ARI GOWDER:—" I beg to move—

' *In lines* 8 *and* 9, omit *the words within the brackets.*'

" In villages there are many places which cannot be stated to be either public or private, and the Health staff will find it difficult to enforce the provision in the Bill, in the villages."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" A man should not keep rubbish in his ground. There must be some place even for the poor man to put his rubbish. The villager may have his manure pits and we cannot insist on licence for such things."

The amendment was by leave withdrawn.

Sub-clause (3).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" I beg to move—

' Omit *the sub-clause.*'

" The sub-clause says that any person easing himself in any private open space shall immediately cover up the excreta with earth. I cannot understand what the Health Officer has to do, when a person eases himself in his *private* open space . . ."

MR. SPEAKER:—" That is a modern-recognized principle, that is a Gandhian principle."

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—" It should be left to the discretion of the person concerned. I would lay emphasis on the word ' private.' "

MR. SPEAKER:—" It is a duty to be discharged in the interests of the public."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" We cannot allow it; it will be a public danger afterwards; in the interest of common decency, excreta should be covered up with earth. Cats and dogs do it; why should not man do so? "

ABDUL HAMEED KHAN SAHIB BAHADUR:—" I am sorry, Sir, that my Hon. Friend, the Minister for Public Health, should have thought it fit to bring this matter in a Public Health Bill."

THE HON. SRI C. RAJAGOPALACHARIAR:—" This is probably, in my opinion, the most important clause in the whole Bill. I think I am not disclosing any secret of the proceedings of

18th January 1939] [Sri C. Rajagopalachariar]

the Select Committee when I say that a gentleman belonging to one of the admittedly very civilized modern societies, pointed out that this was very necessary and very useful."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"It is unnecessary."

MR. SPEAKER:—"The hon. Member, Mr. Appadurai Pillai, has, I think, realized now the gravity of the matter."

The amendment was by leave of the House withdrawn.

Chapter V with clauses as amended was put and carried.

Chapter VI with clauses as amended was put and carried.

CHAPTER VII.

Clause 53.

Sub-clause (1).

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"Sir, I beg to move—

'In line 1, after the word "treatment," insert the words "and prevention" and omit *lines 8 to 10, inserting a full-stop after the word "disease" at the end of line 7.'*

"This is a verbal amendment. The clause is rather cumbrous. It is stated here that the local authority concerned shall provide such additional staff, medicines, appliances, equipment and other things as may, in the opinion of the Health Officer, be necessary for the treatment of such infectious disease and preventing it from spreading, or for investigating the cause of such mortality, and preventing it, as the case may be. The meaning is not clear. I aim at making the clause simpler, by the insertion of the words, for treatment and prevention of such infectious diseases. With this alteration the clause will convey the same meaning. Prevention would prevent the disease from spreading; for prevention, investigation will also be necessary; it follows as a matter of course. If we simply say, treatment and prevention, the other results would naturally follow. Instead of making the clause cumbrous, it would be simpler if we say 'for the treatment and prevention of any disease.'"

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"No, Sir. The hon. Member has overlooked the words 'in the event of the prevalence of any infectious disease in any local area or of any unusual mortality' at the beginning of the clause. That is why all the words in lines 8 to 10 have been put in. These words are intended to make the meaning more clear, and any amendment like the one proposed will only make it ambiguous. I am sorry I cannot accept the amendment." 6-45 p.m.

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* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"I do not press the amendment."

The amendment was by leave withdrawn.

MR. SPEAKER:—"I shall now put clauses 52 and 53 to the vote of the House."

Clauses 52 and 53 were put and carried.

Clause 54.

MR. SPEAKER:—"The question is that clause 54 do stand part of the Bill."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Sir, if this clause 54 is accepted by the House, I think it will involve the local bodies in an expenditure which they may not be able to meet. This is the crux of the whole situation. From the beginning to the end, we have seen that provisions have been included in the Bill where penalties have been attached to nuisance of various kinds and offences have been created in regard to infectious diseases and things like that. Without the Government coming to the aid of the local bodies or constituting a Public Health Fund from which they can give relief to the local bodies, they want the local bodies to provide for all the requirements under the provisions of this Bill. I want to know whether the Government will go to the help of the local bodies at least by means of sufficient grants in order to enable them to build hospitals and wards wherever they are not now in existence. We know that in very many urban areas, hospitals are not to be found, and even if there are such hospitals available, there is no isolation hospital, or there is not enough accommodation for an isolation ward. Moreover, it is stated in this clause that certain wards should be set apart in the hospital itself as isolation wards. That is by itself a dangerous thing. My Hon. Friend, the Minister for Public Health, is himself a medical man and he knows that it is not always very dangerous to have a separate ward allotted in an ordinary hospital for isolating certain diseases: but there are certain diseases which ought to be kept away from persons who are suffering from ordinary diseases, and people suffering from such infectious diseases should be kept at a good distance. The purpose of isolating such patients will not be served by opening a ward in an ordinary hospital. If the Government really want this Bill to be effective, they must start a Public Health Fund from which they can make grants to the local bodies for the purpose of maintaining really good hospitals or for constructing wards for isolation purposes. I thought, Sir, I should bring this point to the notice of the House. If this Bill, when once it is passed into law, is not to be a mere ornament on the statute-book, if the Government really want to see that the provisions of the Act are enforced and worked

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properly to the advantage of the health of the people in the Province, I do think that they must arrange to supply the necessary funds to the local bodies for the maintenance of these hospitals and wards."

* THE HON. DR. T. S. S. RAJAN:—" Sir, I rise to answer one or two objections raised by the hon. Member in connexion with clause 54. First of all, there is a choice between two things: the patient being in his own house, so that he may be free to spread the disease indiscriminately, and the patient being brought to an institution where he can be kept under the observation of the medical authorities. Which is better? In such cases, the provision of a separate ward under proper medical supervision is certainly more protective to the general population in regard to infection than the arrangement in which for lack of provision of the necessary accommodation, we allow the patients to lie in their own houses and spread the disease, or, what is worse, to shift them to some unknown corner where medical help may not easily reach. It so happens that some of these isolation hospitals are unfortunately built very near the burning or burial grounds, and sometimes the local authorities are not very happy in constructing these isolation sheds very near to or even within the compound of a hospital. The fear of infection is so predominant in their minds that they conveniently put these isolation wards in some unknown corner of the place where medical help is most difficult to reach, or if it is to be made available, an expensive medical staff will be necessary. So, it has been provided here that under proper medical supervision, separate wards should be set apart for the purpose.

" Secondly, from what fell from my hon. Friend, it looks as if the Government never go to the help of these local bodies. In fact, the Government have gone out of their way in this Province to help and maintain hospitals which ought to run with the help of private charity and taken upon themselves in some cases the duty of running them, much to the injury of public funds. They have also taken over municipal hospitals and taluk headquarters hospitals, and what is more, they have begun to take over now rural dispensaries also. It is not therefore as if the Government are not doing their duty to these hospitals by giving them the necessary help. On both these grounds, I cannot accept the charge that has been made.

" As regards funds, there is no necessity to have anything like a Public Health Fund. As long as the local bodies spend money on these purposes, I do not think the nomenclature of a ' Public Health Fund ' has anything sacred or sacrosanct in it. As long as the Government are able to find the necessary funds for putting the provisions of this Act into operation, there is no necessity for

a separate fund. I can assure my hon. Friend that the Government have got the strength and the necessary resources to work this Act. I do not think therefore that we need waste our time in discussing whether funds will be available or in scanning every line that deals with the methods of protection against disease. I therefore protest against the accusation made by the hon. Member."

Clause 54 was put and carried.

Clause 55 was put and carried.

Clause 56.

* SRI H. B. ARI GOWDER:—"I move—

'*In line 3, after the word "tuberculosis"* insert *the words "and the headman or village munsif of every village who becomes cognizant of any case of disease, ailment or sickness."*'

"Sir, I suggest this amendment only with a view to draw attention to the fact that there may be cases in a village which a medical practitioner may know nothing about and which may be known only to the people of the village. Again, many villages may not have a medical practitioner to report these things to the proper authorities. If, therefore, the headman of the village or the village munsif is made responsible for reporting such cases, it will be easy for the concerned authorities to take action in good time and to prevent the spread of the disease. It is only with this view that I suggest this amendment."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"We had a very thorough discussion in the Select Committee over this question. If I accept the hon. Member's amendment, it will come to this: that every village headman or village munsif should know and learn the art of diagnosis of a disease, whether it is enteric fever or tuberculosis or what. That is really impossible. He cannot give proper information and there will be harassment of the public. Therefore, I am sorry I cannot accept the amendment."

The amendment was by leave withdrawn.

* SRI H. B. ARI GOWDER:—"I move—

'*In line 4, after the word "hospital"* insert *the words "within his jurisdiction."*'

"The amendment is self-explanatory and I do not think I need say anything."

The amendment was duly seconded.

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MR. SPEAKER:—" I think the meaning is the same. The amendment need not be pressed."

The amendment was by leave withdrawn.

Clause 56 was put and carried.

Clause 57.

Sub-clause (1).

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

' *In line* 4, for *the word* " *endanger* " substitute *the word* " *engender.*" ' "

The amendment was put and carried.

Clause 57 as amended was put and carried.

Clause 58.

Sub-clause (2).

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

' *At the end of paragraph* (*c*), insert *the word* " *and* ".' "

The amendment is a verbal one.

The amendment was put and carried.

Sub-clause (3).

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" Sir, I move—

' Omit *the words* " *or of the Health Officer* " *at the end.*'

" I do not see any reason, Sir, why the Health Officer is put in here. If any expression of opinion is wanted before a person is removed from the hospital, the opinion of the medical officer in charge should be quite enough. There is no necessity for the opinion of the Health Officer being got. The medical officer should be the sole authority to give such permission. I therefore move this amendment."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—" Sir, hospitals are not poor-houses. Once a person is admitted into a hospital on the ground that he is suffering from an infectious disease, naturally it is for the Health Officer who admitted him there to pronounce that he is fit to leave the hospital. I am sorry I cannot accept the amendment."

The amendment was by leave withdrawn.

Clause 58 as amended was put and carried.

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Clause 59.

Sub-clause (1).

* K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—"I move—

'*In line* 4, for *the words* "*presence or conduct,*" substitute *the words* "*closely mixing up with them.*" '

"The object of my moving the amendment is this: as it is, the clause will work great hardship in the case of the poor people who will be absolutely prevented from coming out of their houses or moving about. I think this point should be sympathetically considered."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"I cannot accept the amendment. If the amendment is accepted, it will make the clause meaningless. As it stands, the clause reads: 'No person who knows . . . shall expose other persons to the risk of infection by his presence or conduct in . . .' It will not affect people who may go out without exposing themselves to infection such as going in a closed car or conveyance without coming into actual contact with any one, or even those who may take far-reaching precautions against infection; but this is very necessary in the case of the poor people who may move about in markets or theatres without taking sufficient precautions against infection. The acceptance of the amendment of my hon. Friend will frustrate the very object for which this provision has been put in in the Bill. I cannot accept the amendment."

The amendment was by leave withdrawn.

* SRI DIWAN BAHADUR A. APPADURAI PILLAI:—"I move—

'*In line* 1 *of paragraph* (*a*) *after the word* "*any,*" insert *the words* "*railway station or similar place of public resort.*" '

"The amendment is only an explanation of the present item (*a*) as it is in the Bill."

The amendment was duly seconded.

* THE HON. DR. T. S. S. RAJAN:—"I cannot accept this amendment, Sir."

The amendment was by leave withdrawn.

Explanation.

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

'*In line* 6 for *the words* "*Sanitary Inspector*" substitute *the words* "*Health or Sanitary Inspector*".' "

The amendment was put and carried.

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K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" I move—

' *After the word " Inspector " in the penultimate line* insert *the words " or a medical practitioner."* ' "

The amendment was duly seconded.

THE HON. DR. T. S. S. RAJAN:—" I accept the amendment subject to the addition of the words ' registered under the Madras Medical Registration Act, 1914.' "

K. ABDUR RAHMAN KHAN SAHIB BAHADUR:—" I have no objection to the qualification of the term ' registered medical practitioner.' "

MR. SPEAKER:—" The question is—

' After the word " Inspector " in the penultimate line, *insert* the words " or a medical practitioner registered under the Madras Medical Registration Act, 1914 ".' "

The amendment was put and carried.

Clause 59, as amended, was put and carried.

The House then adjourned to meet again at 3 p.m. the next day.

TRUTH ALONE TRIUMPHS

APPENDIX I.

[Vide answer to starred question No. 610 asked by Sri M. Duraikannu at the meeting of the Legislative Assembly held on the 18th January 1939, page 153 supra.]

Statement showing the number of candidates selected by the Madras Public Service Commission in each service since the present Ministry assumed office and the number of Scheduled Classes candidates among them.

Name of service.	Number of candidates selected.	Number of Scheduled Classes candidates selected.
Madras Civil Service (Executive Branch) ..	2	2
Madras Police Service	8 (for 4 vacancies).	2
Madras Medical Service (General Branch) ..	1	1
Madras Registration Service	1	1
Madras Co-operative Subordinate Service ..	115	11
Madras Ministerial Service—Probationary Revenue Inspector.	12	1
Madras Ministerial Service—Clerk and Typist.	775	19
Madras Registration Subordinate Service ..	48	4
Madras Secretariat Service	63	2
Salt and Customs Department under the Government of India :—	26	1

In the following cases no candidate of the Scheduled Classes was available for selection.

Name of service.	Number of of candidates selected.
Madras Boiler Service	1
Madras Educational Service	3
Madras Electrical Service	1
Madras Public Health Service	4
Madras Sanitary Engineering Service ..	2
Madras Agricultural Subordinate Service ..	6
Madras Educational Subordinate Service ..	32
Madras Fisheries Subordinate Service ..	3
Madras Industries Subordinate Service ..	1
Madras Judicial Subordinate Service ..	9
Madras Ministerial Service—Women clerk and Women typist.	12
Madras Public Health Subordinate Service ..	3
Madras Veterinary Subordinate Service ..	39

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APPENDIX II.

[Vide answer to starred question No. 625 asked by Mr. D. R. Isaac at the meeting of the Legislative Assembly held on the 18th January 1939, page 162 supra.]

List of Municipal Commissioners who do not retain a lien on any substantive appointment (as on 15th December 1938).

	Name of Commissioner.	Qualifications.	Pay.
			RS.
1	F. W. Haughton, M.B.E.	Senior Cambridge Examination.	480
2	A. V. Krishnarao Nayudu	Matriculation	235
3	N. R. Sambandam Pillai	B.A.	250
4	K. P. Kandaswami Pillai	Intermediate Examination in Arts.	300
5	Ameerali Tabrizi	B.A., B.L.	100
6	C. N. Gopalratnam	B.A., B.L.	125
7	P. S. Vasudevan	B.A.	125
8	V. Brahmayya Sastri	B.A.	100
9	S. Ramadoss Nayudu	First Examination in Arts ..	175
10	M. Govinda Menon	B.A., B.L.	120
11	B. Lakshmana Pillai	B.A., B.L.	135
12	C. Narasimham	M.A., B.L.	205
13	P. Pitchi Reddi	M.A., B.L.	120
14	M. P. Alexander	M.A., B.L.	125

LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
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APPENDIX III.

[Vide answer to starred question No. 609 asked by H. S. Hussain Sahib Bahadur at the meeting of the Legislative Assembly held on the 18th January 1939, page 170 supra.]

Statement of complaints or memorials in respect of the application of G.O. No. 783, Public (Services), dated 20th September 1933.

By whom submitted.	Nature of request made.	Details of orders passed.
1. Certain personal clerks to Hon'ble Ministers and stenographers.	Exemption from passing the periodical test in shorthand prescribed in G.O. No. 783, Public (Services), dated 20th September 1933, or abolition of the test altogether.	G.O. No. 783, Public (Services), dated 20th September 1933, was amended abolishing the test and substituting an annual certificate of efficiency.
2. A clerk in the Local Administration Department.	Permission to draw increments in the scale of pay of the upper division in addition to the special pay of Rs. 50, drawn by him for shorthand and typewriting.	Matter is under consideration.
3. Certain clerks of the Judicial Department in the South Kanara district.	Permission to draw shorthand allowance as personal pay irrespective of whether they performed shorthand work or not and whether the number of special pays was within the limit fixed for the office or not.	Request negatived.
4. A clerk of the District Court, West Tanjore.	Permission to have his pay on promotion as Central Nazir fixed in a manner not allowed in G.O. No. 783, Public (Services), dated 20th September 1933.	Do.
5. A clerk of the District Police Office, Ganjam.	Restoration of special pay for shorthand withheld in 1932.	Request complied with.
6. A clerk of the King Institute at Guindy.	Permission to draw shorthand allowance not admissible under G.O. No. 783, Public (Services), dated 20th September 1933.	Request negatived.
7. An upper division clerk of the Registration Department.	Permission to continue to draw shorthand allowance to which he became ineligible under G.O. No. 783, Public (Services), dated 20th September 1933.	Do.
8. Five clerks of the Revenue Department.	Permission to draw typewriting allowance not admissible under G.O. No. 783, Public (Services), dated 20th September 1933.	Do.
9. Three clerks of the Revenue Department.	Permission to draw shorthand allowance not admissible under G.O. No. 783, Public (Services), dated 20th September 1933.	Do.