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THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, the 24th January 1939.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Selection and appointment of Sub-Registrars in Malabar.

* 659 *Q.*—KHAN BAHADUR P. M. ATTAKOYA THANGAL SAHIB BAHADUR: Will the Hon. the Minister for Revenue be pleased to state—

(*a*) how many Thiyya Sub-Registrars are there in North and South Malabar; and

(*b*) how many were selected as Probationary Sub-Registrars from Malabar during the selection held in October 1938 and how many of them were Thiyyas, Nayars and Muslims?

THE HON. SRI T. PRAKASAM:—"(*a*) & (*b*) The Government have called for a report."

Proposal of the District Board, Tirunelveli, to participate in the suit for the settlement of a scheme for the Siviliperi and Singikulam Chatrams.

* 660 *Q.*—SRI K. P. YAGNESWARA SARMA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether any reference has been made to the Government by the ex-officio President of the District Board, Tirunelveli, that the Board should intervene in a suit O.S. No. 20 of 1938 pending in the Tirunelveli Sub-Court for the settlement of a scheme for the Siviliperi and Singikulam Chatrams on the ground that the Board is vested with the right of superintendence over the chatrams under Regulation VII of 1817; and

(*b*) whether any and, if so, what orders have been passed by the Government on the same?

THE HON. DR. T. S. S. RAJAN:—"(*a*) Yes.

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

Policy of Government in regard to the administration of charitable endowments.

* 661 *Q.*—SRI K. P. YAGNESWARA SARMA: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether the Government have considered the question of the necessity for the amendment of the law relating to charitable endowments;

(*b*) whether any representations have been received by the Government on that subject;

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

(*d*) whether the Government will be pleased to enunciate its policy relating to the administration of charitable endowments?

THE HON. DR. T. S. S. RAJAN: —" (*a*) It is under consideration of the Government.

" (*b*) Yes.

" (*c*) & (*d*) It is under consideration of the Government."

Prospects of sericulture in the Province.

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

(*a*) the places within this Province which are fit for sericulture;

(*b*) whether sericulture prevails to any extent at these places;

(*c*) if so, to what extent; and

(*d*) the help given to private agencies, if any, employed in sericulture?

SRI B. S. MURTI (Parliamentary Secretary) on behalf of the Hon. Sri V. V. Giri:—" (*a*) A statement [a] giving the information required is placed on the table of the House.

" (*b*) & (*c*) The Government have no information except that given in the annual reports of the Department of Industries, Madras, which have been placed at the disposal of the Press.

" (*d*) The attention of the hon. Member is invited to the annual reports of the Department of Industries, Madras, which give an account of the help given."

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[a] Printed as Appendix I on page 551 infra.

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SRI K. V. R. SWAMI:—" May I ask whether the Government will call for the information asked for in clauses (*b*) and (*c*)? "

SRI B. S. MURTI:—" The answer says that the Government have no information except that given in the annual reports of the Department of Industries, Madras, which have been placed at the disposal of the Press."

SRI K. V. R. SWAMI:—" My question is whether the Government will call for further information in the matter."

SRI B. S. MURTI:—" The Government have no further information; any information available is always given in the annual reports of the Department."

SRI S. NAGAPPA:—" Where there are no private agencies, in order to develop such industries in the Presidency, will the Government take up the question if not in all the places which are fit, at least in a district like Bellary which is backward in each and every respect? "

SRI B. S. MURTI:—" If the hon. Member puts down a separate question, it will be considered."

Extension of the term of office of the present Fourth Presidency Magistrate, Madras.

* 663 *Q.*—SRI B. BHAKTAVATSALU NAYUDU: Will the Hon. the Minister for Law be pleased to state—

(*a*) whether it is a fact that the term of Mr. B. Madhava Rao, as Presidency Magistrate, Georgetown, Madras, has been extended up to the end of June 1939;

(*b*) whether it is a fact that his term ought to have expired by the end of December 1938;

(*c*) if the answer to (*a*) is in the affirmative, what the special reasons are for the extension of his term;

(*d*) whether it is a fact that the policy of the present Government was at one time to abolish the post of the Fourth Presidency Magistrate, Madras; and

(*e*) if the answer to clause (*d*) is in the affirmative, what the reasons are that made the Government change their view in this matter?

THE HON. DR. P. SUBBARAYAN:—" (*a*), (*b*) & (*c*) There is no set term for the appointment of Sri B. Madhava Rao as Presidency Magistrate. He was appointed to act when the permanent Chief Presidency Magistrate went on leave in June 1938, and, on the return of the Chief Presidency Magistrate, the Government continued Sri B. Madhava Rao's services, in the first instance for three months, and again

for two months, i.e., up to the end of 1938. The object of these extensions was to avoid the *de novo* trial of a number of cases. Sri Madhava Rao's services have been retained until the end of June 1939 because of an extremely heavy case with about 300 witnesses, which would otherwise take up the time of some other Presidency Magistrate to the detriment of his other work.

"(*d*) & (*e*) There is no change in the policy of the Government with regard to abolishing the post of the Fourth Presidency Magistrate as soon as possible."

SRI B. BHAKTAVATSALU NAYUDU:—"What is the age of Sri B. Madhava Rao now? When should he have retired in the usual course?"

THE HON. DR. P. SUBBARAYAN:—"I have not got information about the age of this Magistrate just now."

Transfer of the bill collectors of the Alanthur Panchayat Board.

*664 *Q.*—SRI RAO BAHADUR M. C. RAJAH: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether it is a fact that the Inspector of Local Boards and Municipal Councils visited the office of the Panchayat Board, Alanthur, on 30th October 1938;

(*b*) whether it is a fact that the Inspector of Local Boards and Municipal Councils later issued a notice to the President, Panchayat Board, Alanthur, to show cause why the three bill collectors should not be transferred from the station;

(*c*) whether it is a fact that the Panchayat Board unanimously passed a resolution stating that in the interests of efficient administration, it would not be proper to transfer all the three bill collectors for the present and communicated this resolution to the Inspector of Local Boards and Municipal Councils and to the Government; and

(*d*) what action the Inspector of Local Boards and Municipal Councils proposes to take in the matter?

THE HON. SRI B. GOPALA REDDI:—"(*a*) *to* (*c*) The answer is in the affirmative.

"(*d*) The Government understand that the matter is under consideration by the Inspector."

Request of the President, Panchayat Board, Alanthur, to hold an enquiry into the alleged misconduct of the District Panchayat Officer, Chingleput.

*665 *Q.*—SRI RAO BAHADUR M. C. RAJAH: Will the Hon. the Minister for Local Administration be pleased to state—

(*a*) whether it is a fact that the President of the Panchayat Board, Alanthur, addressed the Government for an enquiry into

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the conduct of the District Panchayat Officer and for sanction to prosecute him in view of the disclosures made in the statement of the bill collectors, which was duly forwarded to Government; and

(*b*) what action the Government have taken in the matter?

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

"(*b*) The Government declined to accord sanction to prosecute the District Panchayat Officer."

SRI E. KANNAN:—"May I ask the reasons why the Government did not accord sanction to prosecute the District Panchayat Officer?"

THE HON. SRI B. GOPALA REDDI:—"Because there were no grounds to prosecute the District Panchayat Officer."

UNSTARRED QUESTIONS

Import of goods made of steel and iron.

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

(*a*) the various articles made of iron and steel imported into this Province from other places;

(*b*) what the quantity and value of each of such articles are; and

(*c*) the place or places from which each such article is imported?

A.—(*a*) *to* (*c*) A statement [a] giving the information for three years (1934–35 to 1936–37) is placed on the table of the House.

Present stage of the Tungabhadra Project.

206 *Q.*—SRI R. MARUTHAI: Will the Hon. the Minister for Public Works be pleased to make a statement as to the stage at which the Tungabhadra Scheme stands?

A.—A conference of the representatives of the Madras and Hyderabad Governments was held at Madras on the 6th and 7th November 1938. At this conference an agreement was reached regarding the feasibility of a partial utilization of the Tungabhadra waters, without going into the larger question of the rights of the Governments concerned, in the river which would involve almost interminable disputes. The formal ratification of the Hyderabad Government to the agreement is awaited.

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[a] Printed as Appendix II on pages 552–559 infra.

Decision, if any, in regard to the site for the construction of a bridge across the Cauvery near Karur.

207 *Q.*—Sri R. MARUTHAI: Will the Hon. the Minister for Local Administration be pleased to state whether the Government have come to any conclusion regarding the selection of the site for the construction of a bridge across the Cauvery near Karur?

A.—The Government have decided that the bridge across the Cauvery should be constructed near the present Pugalur-Velur ferry crossing.

Amount spent by and due to Government on account of the purchase and allotment of house-sites to Harijans.

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

(*a*) the total amount invested by the Government until now for the purchase of house-sites for the use of Harijans; and

(*b*) what the total amount due from them under this head is?

A.—(*a*) The total amount invested up to 31st March 1938 is Rs. 19,31,438.

(*b*) Figures are not readily available, but the balance still to be collected from the grantees out of the instalments fallen due up to 30th September 1938 is Rs. 98,175 under principal and Rs. 70,704 under interest.

Annual value of sea-fish available in this Province for consumption.

209 *Q.*—Sri K. V. R. SWAMI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state with respect to question No. 621, what the approximate average value is of the fish annually available in this Province for consumption—taking 1925 to 1935 into consideration, so far as sea-fish are concerned?

A.—The average annual value of sea-fish landed on the West Coast in the years 1925 to 1935 is approximately Rs. 39,56,160. Statistics in respect of the East Coast are still under compilation.

Retention of the Government Headquarters Hospital at Ramnad.

210 *Q.*—Sri U. MUTHURAMALINGA TEVAR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether it is a fact that the Government Headquarters Hospital now located in Ramnad is proposed to be removed to Sivaganga;

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(*b*) whether there has been any mahazar submitted to the Government by the residents of Ramnad taluk objecting to the said proposal; and

(*c*) if the answers to the above two clauses are in the affirmative, at what stage the proposal stands and whether, in view of the reasons urged in the said mahazar, the Government will have the proposal dropped?

A.—(*a*) It is proposed to convert the Government hospital at Sivaganga into a District Headquarters hospital and to move the headquarters of the District Medical Officer, Ramnad, to Sivaganga. The Government Hospital at Ramnad will however continue to have its present staff.

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

(*c*) The matter is under consideration.

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

II.—MOTION UNDER RULE 17 OF THE MADRAS LEGISLATIVE ASSEMBLY RULES.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, as regards to-morrow, I should like to submit that it will not be desirable to interrupt the discussion on the Report of the Madras Estates Land Act Committee. If you, Sir, and hon. Members have no objection, I should like to move that to-morrow be taken for Government work so that this debate may not be interrupted. But there are two non-official Bills, one for introduction only and the other will have probably to be submitted for consideration by a Select Committee. I have no objection, if it is considered necessary, to give opportunity for considering those two Bills to-morrow; it will take only a few minutes. Apart from the consideration of those two Bills, I should request that the House should consent to to-morrow being given for Government work, so that this debate may not be interrupted. I therefore beg to move formally—

'*That rule* 17 *of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Wednesday, the* 25*th January* 1939.'"

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, this is a partial encroachment on the privileges of members of this House I am sorry that the Hon. the Leader of the House should take away these non-official days from time to time. We have complained about this matter many times. 18th January ought to have been a non-official day; in view of the fact that 25th January will be a non-official day, we did not have non-official business transacted on the 18th of this month. This is, to say the least, improper. The Hon. the Leader of the House

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was kind enough to say that the two non-official Bills might be taken up to-morrow. Then the motion moved by him now, is not in order. The motion that rule 17 of the Assembly Rules might be suspended in order to enable the Government to transact their business is not in order, if it is also stated that non-official business also can be transacted to-morrow. But this can be done; to-morrow may be taken up for non-official business and we might agree to postpone the remaining *non-official* business after a certain stage and then take up official business. Official business can be taken up at any time on a non-official day. We may agree for that proposal. . ."

MR. SPEAKER:—"It comes to the same thing; after the two non-official Bills are disposed of, we can take up official business."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"If non-official business is to be taken up to-morrow, there is no necessity for the Hon. the Leader of the House to move the present motion; at any stage to-morrow, we may take up official business."

MR. SPEAKER:—"We all understand what business will be taken up to-morrow."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I submit that the motion of the Hon. the Leader of the House is not in order, if to-morrow is to be a non-official day and if we decide to take up official business after we finish the two non-official Bills."

MR. SPEAKER:—"The consideration of the Report of the Madras Estates Land Act Committee is also non-official business. The Joint Committee's Report is being considered; it is as much non-official business as official; it is not Government business."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"My argument is still further strengthened. If the consideration of the Report is also non-official business, we can continue to transact non-official business to-morrow also . . ."

MR. SPEAKER:—"We should make it clear to hon. Members that only this Report will be considered to-morrow and nothing else."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I submit that this motion will not be in order if we are going to take up non-official business to-morrow."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Sir, this is not the first occasion when we have to make representation in this House not to curtail non-official days; last week we lost one non-official day, thinking that non-official business would be taken up to-morrow. I do not think there is any necessity to take away the non-official day. Even from the point of view of Government work, the Hon. the Leader of the House

will see that there is no necessity to give up non-official work to-morrow. As has been pointed out to you, Sir, even the Hon. the Leader of the House has no objection to the two non-official Bills being taken up to-morrow. Apart from these two Bills, I now understand that there are two non-official resolutions only on the agenda. All the non-official business may not take up a long time of the House to-morrow. To-morrow may be a non-official day and we can first finish all the items on the agenda; then we may take up official business. That will be the most proper and right course; this will not in any way interfere with the progress of the discussion on this Report."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I am sorry, Sir, that this has taken so much time. It is entirely a wrong view to take that the privileges of the House are different from those of the Government. The House is represented by the Government and the Government do represent the House. If the Government have business on some matters, the House also is interested in it. Government business is going on to-day. The question is whether this should be interrupted, and whether to-morrow should be taken up by discussion of other general matters. . ."

MR. SPEAKER:—"It is all a chance that the Chairman of the Madras Estates Land Act Committee happens to be the Revenue Minister. Suppose I had appointed a non-official as the Chairman of the Committee, he would have made the same motion that the Report of the Committee be taken into consideration."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"There is no substance in the opposition to my proposal. What you have stated, Sir, is true. Apart from that, I submit that it is not right to imagine that the Government deny the privileges of the House if non-official business is not taken up on a particular day. Generally Wednesdays are given to the transaction of non-official business. If, on the whole, the whole House is more interested on a particular business, I submit it is fair that the Government should ask the permission of the House uninterruptedly to continue its discussion; if non-official business is taken up, it will interrupt the debate. . ."

MR. SPEAKER:—"The Report under discussion is much more important than those two Bills."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I do not want more extreme action than what is just necessary. I think there should be no objection to my motion since all hon. Members are interested in the discussion of this Report. It is therefore desirable that we should continue the discussion of this Report to-morrow. I therefore press my motion."

MR. SPEAKER:—" Those two Bills will take up much of the time of the House."

* THE HON. SRI C. RAJAGOPALACHARIAR:—" In spite of what has been stated on the other side, I submit that it is necessary and desirable that I should make this formal motion and that we should have to-morrow for Government business."

3-15 p.m. * KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" Permit me, Sir, to make a representation to you particularly in view of the observation which has just been made by you, Sir. No doubt, you characterized the discussion that is now going on as non-official business; I do not. . . . "

MR. SPEAKER:—" I did not say ' non-official '; I said it is as much non-official as official. You are as much interested in this discussion as in the discussion of non-official Bills or resolutions. The only accident was that I appointed the Hon. the Revenue Minister as the Chairman of the Committee."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" Not only this House but the whole country is interested in this discussion, it is true. We are all very anxious not to stand in the way of the peaceful discussion of this Report in a good atmosphere; but that should not in any way deter hon. Members from discharging their duties in this House. You may know, Sir, that non-official days are very rare things here; after all, we may not get more than four or five non-official days in a whole year. We may be a minority in this House, Sir. There may be one who may be in a minority of 1 out of 215 in this House; there may be a solitary representative here representing his constituency in this House, in the full hope that this House is not presided over by a partisan, not by a person belonging to one party or another, but by a person who is there to protect the liberty of any individual member. . . . "

* THE HON. SRI C. RAJAGOPALACHARIAR:—" I beg your pardon, Sir. The whole thing, if I rightly understand the rules, seems to be based on a misapprehension. It is the privilege of the House to pass a motion of this kind; and no question of partisanship arises here It is highly improper, I submit, to continue such a discussion as this."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" Mr. Speaker, I should like first of all to clear a misunderstanding. If I used the word ' partisan ' I did not mean any offence to anybody at all."

MR. SPEAKER:—" Who is the partisan? To whom does the word ' partisan ' apply, I want to know."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—" To nobody does it apply."

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MR. SPEAKER:—"Who is the member to whom it applies?"

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I say that it does not apply to the Speaker, and that is what I was going to say. What I said was that the question of the privilege or the right of the members to have a non-official day, even if there be only a single non-official member sitting on this side, is a question regarding which he can appeal to the Speaker or the Chair, who is the custodian . . ."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I say 'to the House' and not to the 'Speaker.'"

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Sir, I have not got a very careful recollection of the rules."

MR. SPEAKER:—"I would like to invite the attention of the hon. the Leader of the Opposition to rule 64 which runs thus:

'No member except a member of Government or the Leader of the Opposition or a member moving a Bill or a no-confidence motion in the Ministry or a particular Minister shall speak for more than 30 minutes.'

If only that thirty minutes' rule is observed, I could finish the whole discussion of this Report to-night. I have not, however, imposed any time-limit for the hon. Members. We could have finished the whole discussion yesterday and to-day. As a matter of fact, hon. Members who were entitled only to thirty minutes, have been allowed two hours, one and a half hours, one hour and so forth, because I consider this is a very important matter in respect of which full time should be allowed to non-Government members as well as to others, who are ordinarily entitled to speak only for thirty minutes. Hereafter, however, I think I must stick to that rule. That means that some members who may speak on the Report to-day may not speak for one hour or more; I have not found any member of the House who has come to me for permission to speak asking for anything like half an hour. If we want to close this discussion, there must be some time-limit or other. The hon. the Leader of the Opposition may know that this motion is moved so that we may have one more day for the discussion of this Report. If necessary, we shall continue the discussion the day after to-morrow; only, before the Legislative Council meeting begins, we must finish the consideration of this Report, if possible. There is therefore nothing wrong here. The Chair has shown every indulgence to every member of this House and given full time for discussing this Report."

* SRI G. KRISHNA RAO:—"On behalf of the landholders, I thank you, Sir, very much for this great consideration that you have shown in allowing members to discuss the Report at length."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Mr. Speaker, I thought that we could come to a compromise on this question by the Government agreeing to have the non-official day

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to-morrow, and ourselves agreeing to finish the non-official business in as brief a time as possible and then allowing the discussion of the Report to continue. We have absolutely no objection to that course; but at the same time we are as much jealous of our rights as the Hon. the Leader of the House is."

MR. SPEAKER:—"There is no question of rights here. There is no invasion of any rights. I will not allow any invasion of the rights of the House by any member of this House or even by the whole Government; but the Government are also interested in the preservation of the rights of the House as every hon. Member of the House is interested."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Inasmuch as the motion has emanated from the Leader of the House, I cannot say that it is an infringement of the rights of the House; but all the same, a non-official day is being taken away. If, as was stated, both the Government day and the non-official day are the same . . ."

MR. SPEAKER:—"The hon. Member will understand that once when non-official work was taken up, I allowed non-official business which would have taken four non-official days to be transacted on that day, and we sat till 9 o'clock in the night and finished the whole thing. It was considered very important at that time. So, it is the importance of the business that has to be considered in such cases. We have now before us the Estates Land Act Committee Report; it is a very important matter, as the hon. Leader of the Opposition has agreed. We must therefore save every minute of the time of the House for discussing this Report. I think Mr. Hameed Khan will certainly agree that we may even suspend question-time to-morrow and the day after, if necessary, in order to enable us to continue the discussion of this Report. But I have not so far proposed it."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I do not think, Sir, that it prevents the Hon. the Speaker and the Hon. the Leader of the House agreeing to have non-official business to-morrow as long as it is necessary and then taking up the Report."

MR. SPEAKER:—"That means that, supposing the motion for referring the Bill to a Select Committee is taken up for consideration, it may take even two hours. How can any hon. Member be prevented from speaking? The Devadasis Bill is an important Bill, and every member may make up his mind to speak on it. So, we shall have a special day for that Bill."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"In this session, Sir?"

MR. SPEAKER:—"I want to finish it, if possible, to-morrow, or at least on the 26th."

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* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:— "Will there be a special day for this purpose in this session?"

MR. SPEAKER:—"Or we shall have it in February, immediately after the general discussion of the Budget."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:— "Sir, we are very grateful to you for the indulgence you have shown to the members of this House in allowing them sufficient time to speak on the Estates Land Act Committee Report now before the House. We very much appreciate your kindness, but that is a different matter; and that should not in any way interfere with the consideration of the motion which the Hon. the Leader of the House has just now put before the House, i.e., whether we should have to-morrow as a non-official day. I think, Sir, the suggestion made by my hon. Friend Mr. Hameed Khan is a very reasonable one, i.e., that we should sit to-morrow for the transaction of non-official business and then after finishing it, continue official business, i.e., the discussion of this Report."

MR. SPEAKER:—"I suggest to the Leader of the Opposition, in view of the importance of the Devadasis Bill, that we may take it up on a separate day, instead of hurrying it through, say, in an hour or an hour and a half. It is not desirable to take it up to-morrow; it is an important Bill in which the public are interested. I want to give a full day to it."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:— "There is also a resolution on the agenda for non-official business, regarding land revenue assessment in Malabar. I know there is a very strong feeling on the part of some members, particularly those coming from Kerala, that that resolution should be taken up to-morrow. I do hope, Sir, that you will see the reasonableness of their request and the Government also will see the reasonableness thereof and allow this resolution to be taken up to-morrow. I sincerely trust that the Hon. the Leader of the House will agree to have to-morrow as a non-official day."

MR. SPEAKER:—"Is that the only resolution on the non-official list to-morrow? I do not want the Devadasis Bill to be taken up to-morrow, because I think it will take a very long time. I do not want to curtail the time for its discussion on account of the necessity to discuss this Estates Land Act Committee Report."

* KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:— "Sir, though personally I am not for this bargaining, anyhow, as a compromise, I have no objection to our not taking up the Devadasis Bill to-morrow. I understand from Mr. Hameed Khan that he has given notice of a Bill and that he wants to move it to-morrow; probably that will not take up much time, as it is

simply to be introduced. There are two resolutions, and they may be taken up after Mr. Hameed Khan's Bill is introduced. I do not know the names of members of the House who have given notice of the resolutions. I, however, leave the matter to you, Sir."

Mr. SPEAKER:—"Miss Ammanna Raja has given notice of the Devdasis Bill; I think she will make a fairly long speech."

* Kumararaja MUTHIAH CHETTIYAR of Chettinad:—"I leave the matter to you, Sir."

* The Hon. Sri C. RAJAGOPALACHARIAR:—"On the whole, after having had the benefit of all the opinions of the leading members on the other side, I am sorry to say that I must press the motion that to-morrow be taken up for the transaction of Government business."

Mr. SPEAKER:—"Does the Hon. the Leader of the House think that the resolution on Malabar land revenue assessment can be taken up to-morrow."

* The Hon. Sri C. RAJAGOPALACHARIAR:—"There may not be sufficient time, Sir. It will take a long time, I imagine, and it is a question of disturbance to the present debate. That is a cognate subject, and a cognate subject generally confuses us more than a different, separate and distinct subject. That is why I do not think we could take up such a resolution at this stage."

Mr. SPEAKER:—"Can we not take up that resolution, after the discussion of this Estates Land Act Committee Report is over?"

* The Hon. Sri C. RAJAGOPALACHARIAR:—"Yes, we may; but there again, if I have to go into that subject now, by way merely of explanation, I may say that we have got this subject again on the 27th in the other House, i.e., the discussion of the present Report. And the Hon. the Revenue Minister will certainly be wanted there. On the whole, in spite of all that has been said on the absolute rights and privileges of members, etc., it is very inconvenient for all sides interested in things like this; and I request earnestly that this debate may be concluded now first; and if it is prolonged indefinitely, it will overlap on the 27th also. I submit it is not a good arrangement at all. It will make things difficult for Government as well as for hon. Members."

Mr. SPEAKER:—"Who has given notice of the land revenue assessment resolution?"

* Sri R. M. PALAT:—"I have given notice of it. There is no use putting that resolution off, Sir, because, if it is to be taken up at a later stage, by that time all the assessment would have been collected, and there would be no use then in taking up that resolution. Again, Sir, we have had a break of a day during the

discussion of this Report, i.e., last Sunday. Therefore, we may as well have another break to-morrow in the discussion of the Report, just like the break last Sunday."

MR. SPEAKER:—"If hon. Members wanted it, we could have sat on Sunday also."

* SRI R. M. PALAT:—"Quite so; but what I want to say is that the point put forward by the Hon. the Leader of the House that we should avoid a break has no force at all."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR:—"May I know whether if we finish the consideration of this Report to-morrow, we are not going to have any non-official day during this sitting? I should like to know what the Hon. the Leader of the House has to say?"

MR. SPEAKER:—"There is no sacrosanctness about Wednesday; non-official work can be taken up on any day. Wednesday has been fixed, only for convenience, as a non-official day."

SRI D. V. RAMASWAMI:—"May I suggest to the Hon. the Speaker the desirability of having a night session, so that non-official work also may be taken up, in order to satisfy those who want it?"

MR. SPEAKER:—"If hon. Members think it convenient to sit after 7 o'clock, we can have a night session. I have no objection to sit; but the younger members of the House are not willing to sit after 7 o'clock. (Laughter.) That is the difficulty. So, I take it, that after the discussion of this Report is finished, we shall take up the Malabar land revenue assessment resolution. This discussion will continue from day to day until it is finished. I do not want it to be interrupted by any other business, official or non-official. This discussion will lose its interest and its value in that case; and I do not think we should interrupt this discussion at all. If hon. Members are, however, willing to sit we shall have an all-night session either to-day or to-morrow. (Laughter.) Are all the hon. Members prepared?"

(Cries of 'No, no.')

MR. SPEAKER:—"We shall sit from 9 o'clock."

(Cries of 'No, no.')

MR. SPEAKER:—"Then, I will formally put the motion to the House. The question is—

'That rule 17 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Wednesday, the 25th of January 1939.'"

The motion was put and carried.

III.—REPORT OF THE MADRAS ESTATES LAND ACT ENQUIRY COMMITTEE.

MR. SPEAKER:—" Mr. Chandramouli will now continue his speech."

3-30 p.m. * SRI K. CHANDRAMOULI:—" Mr. Speaker, yesterday I was explaining to you that according to the Hindu conception of Dharma the king cannot change the law or alter the law, but the king has only to administer the law according to Dharma. So, the king was subject to this Dharma and he acted according to the limitations and conditions imposed therein. So, what the king got was only a tax and there was a fixed limit to his demand. The real owner was the cultivator and his right of ownership over the land has been recognized even by the Muhammadan Rulers, and even they did not change this conception; probably, the only change was the alteration in the rate.

" No one says that the Permanent Settlement Regulation did not purport to alter the rights of the parties then existing in the land. In fact even the Government have no such right. If that is so, how could the Government give any interest in the land to the zamindars, since the Government themselves have no such right from time immemorial?

" Then again, Sir, there is a limit to even the king's share in the produce. So, there must also be a limit to the zamindar's share of the produce, because he cannot get higher rates than the Government themselves get. The right of the Government is only to alter its rate from time to time below a fixed limit according to the necessities of the State, and the zamindars were not entrusted with the rights of the Government in the zamindari areas. Therefore, the zamindars cannot claim to alter the share or interest in the produce. And whatever rate the zamindar was entitled to at the time of the Permanent Settlement is unalterable and could not be changed by the zamindar. The right to ask for a further contribution from the zamindari ryots for necessities of the State is still vested in the Government and they can bring in any legislation for that purpose.

" Sir, even at the time of the Permanent Settlement Regulation XXV of 1802, the words used were ' proprietary right ' and because that term was used in the Regulation, the zamindars claimed proprietary interest in the soil, though they had no such right and could not have had such right up to the time of the Permanent Settlement. This was made clear in the Regulation IV of 1822 that the provisions of the Permanent Settlement Regulation were not meant to define, limit, infringe or destroy the actual rights of any description of landholders or tenants. So, even after the Permanent Settlement, the position of the zamindar was not in any way higher than what it was before the Permanent Settlement. We have already proved that

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the zamindars or even the Government were not the proprietors of the soil. Clause 14 of the Permanent Settlement Regulation insists on the zamindars entering into agreements with the ryots and granting pattas defining the terms of the tenancy existing at that time. Once this is done, how can it be altered at any time? This is what is amplified in Patta Regulation XXX of 1802. The Patta Regulation indicates that the motive behind the Permanent Settlement Regulation was the security of the tenant or the cultivator. This is the main object of the Permanent Settlement Regulation. This state continued till it was disturbed by the High Court Judges who were strangers to the customary law in India. These European Judges were not familiar with the customary laws of individuals and that resulted in disturbing the state of affairs. So, there is no injustice in giving to the tenants what is their due and probably they have a right from the zamindar to compensation for the expropriation of the tenants' rights in the meanwhile. The zamindars might be under the impression that they were the real owners of the soil and that was the reason for the misleading judicial decisions and ill-considered legislation at that time.

" There is also another complaint brought forward, and that is that the zamindars have not made improvements to irrigation sources, such as tanks, forests and such other things. I say the zamindars have no right even over the forests, tanks and other minor irrigation sources, because the zamindars are only mere collectors of rent, but not the owners of these tanks, forests, etc. That is why, probably, they have not made any improvements to the tanks. I do not blame them for it. My main contention is that he has neither the right of ownership nor the right to enhance the tax, nor to interfere with the rights of the ryot over the forests, tanks, etc. Had he allowed the ryot to make improvements and repairs, there would have been plenty of food and prosperity to the ryot and the country would have been in a far better position to-day.

" The only thing which I wanted to impress upon this House through you, Sir, is that these were the facts that have been brought forward so elaborately in the Report which has been produced by the Committee. The Hon. the Revenue Minister has only brought out the hidden facts and the hidden truths. I wholeheartedly support the motion moved by the Hon. the Revenue Minister and I appeal to the House to give its unanimous support to the resolution."

* Mr. W. K. M. LANGLEY:—" Mr. Speaker, before I make any observations on this very important Committee's Report and the proposed Bill, I should like to make it plain that I must not be regarded as necessarily expressing the views of all Europeans in this Presidency. I think the House is probably

aware and it has been said that every Englishman is born either a Liberal or a Conservative and when it comes to matters affecting the ownership of land there has always been a sharp cleavage between these two schools of thought. Although Europeans in this country are generally united in watching over their own legitimate interests in this country, it does not follow that they all hold the same views on matters affecting land tenure. In fact on this subject we probably have as many different opinions as the Congress party has on most subjects. That is not to say that I myself do not hold exceedingly strong views as I shall endeavour in the course of my remarks to show. I feel justified in asking the House to permit me sometime in this debate, seeing that the constituents I represent, who incidentally are not confined to Europeans, represent the nearest you are likely to get in this country to the ideal user of land. The great majority of them are people who have taken up large tracts of hitherto unused and apparently unusable lands in inaccessible and frequently unhealthy tracts, which they have then proceeded to develop themselves, being backed with adequate capital without which no land can ever be properly developed. They have thereby increased the economic wealth of the country and have provided work for many thousands of labourers at very much better wages and usually under better conditions than obtain in their own villages. In fact they represent the best example of a landowner using his kudivaram rights. If some of our zamindars had used their own land in much the same way this Report might conceivably never have been written and any way would have been written in very different language.

"The three great passions which govern men's hearts in this world are religion, land and the opposite sex. And my own observation leads me to believe that the strongest of all these passions is man's hunger for land. In fact the first recorded murder in the world, so far as we Christians know it, seems to have been connected with some jealousy in the matter of a payment of kist. It is inevitable therefore that the revolutionary proposals made by this Committee must arouse very strong feeling both for and against. Although, therefore, much of the language used in the Committee's Report would justify a fairly hot reply, I will endeavour to make my remarks as objective as possible. I start with the advantage of an entirely fresh mind as regards this subject, my experience as far as the land system of this country is concerned having hitherto been confined to Malabar. And I would like to remark at the outset that I can see no justification for assuming that any land system must continue for all time; in fact history teaches us otherwise. Some of the methods by which great land owners have obtained their possessions are indeed as questionable as the way in which Empires and Kingdoms have been created. I feel therefore that there is

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nothing absolutely sacrosanct about the ownership of land and it is for the owner to justify the continuation of his privileges. But like most Conservatives, I prefer the system of evolution, as a sudden change in an old established system creates hardships and upsets the order of things in such a way that frequently the effects are more felt by the general body of the community than by some particular person at whom such changes are aimed. Now I have very little doubt that abuses have sprung up in connexion with the zamindars' system and it is not very hard to see why. Following the example of many of the Rajas in this country there is too much absenteeism which means lack of attention to one's estate and extravagances, which in the long run mean that the estate is neglected and not properly looked after, the land gets into the hands of tenants who do not cultivate and finally the actual cultivator is the man who suffers. This state of things is unfortunately not confined to this Province or to India. But that does not justify revolutionary proposals such as those put forward in this Committee's Report. I think there is little doubt that abuses have crept into the ryotwari system, just as I have suggested that they have crept into the zamindari system; also it does not follow that the present method under which each system is worked is ideal for present conditions, whatever may have been the case a hundred years ago. There are also large questions such as the question of land purchase; but perhaps above and beyond all these questions is the system which has crept into this country to such a large extent, inevitable perhaps seeing that fields of investments have hitherto been so limited, of middle-class men investing in land, that is to say, becoming the nominal ryot under the zamindar or Government as the case may be and then sub-letting the land to the actual cultivator. This system by which a middle man takes a profit out of the land, frequently a larger profit than the zamindar himself, is surely much more indefensible than any of the alleged abuses which have been brought forward in this Report. I have heard it stated by those who should be in a position to know that the proportion of such middle-men in the zamindari areas is probably as high as 40 per cent of the available land while in the ryotwari areas I should imagine that it is even higher. Now these gentlemen who pass under the misnomer of ryot have the advantage of being exceedingly vocal and I suspect that if it were not for their existence, we should hear much less of the alleged grievances of the poor ryot.

3-45 p.m.

"Now surely in all these circumstances the proper attitude of a Government inspired by the high ideals that we know the Hon. the Premier to possess, would have been to conduct an impartial and comprehensive enquiry into the whole land system of this Presidency and correct abuses where they exist. But to take just one class of landowner and proceed by the simple process of dispossessing him and giving his land to somebody else

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is not statesmanship but simply plain confiscation. It is for this reason mainly that I, and I think most of those associated with me, must oppose the conclusions of this Report and the proposed Bill, just as we shall oppose anything put forward by the Government which is plainly of a confiscatory or expropriatory nature unless of course it includes adequate compensation for those expropriated. When the Justice Government was in power, we were the first party to protest against the provisions hastily put into the amending Estates Land Act of 1936, which we considered were an act of injustice to the inamdars; and in the same way we must oppose the present proposals which are out of all comparison to the treatment of the inamdars in 1936.

"Now let us turn to the composition of this Committee and its methods. I have no particular complaint about the personnel of the Committee. It is natural, things being as they are, that the present Government should have a clear majority on the Committee; but even so the indications are that the dish which the Committee eventually produced was stronger meat than at least one Congress member of the Committee was able to digest, which in itself is significant. The first complaint I have to make about the proceedings of the Committee was the unusual arrangement by which not only was the Revenue Secretary not made the Secretary of the Committee, but actually seems to have been very largely excluded from the enquiry which took place: and if the Revenue Secretary was so excluded, it is reasonable to assume that full use was not made of the records in the possession of the Revenue Department many of which must cancel out the records on which the Committee has relied. I think some very clear explanation is required about this action of excluding the Revenue Secretary and, I hope also, some assurance from the Hon. the Premier that in future, Committees formed by this Government will follow the more usual procedure and associate the Secretariat concerned very fully with any such commission. Instead of this salutary arrangement, what happened? A Secretary was appointed in the person of the exceedingly clever gentleman who usually answers questions in this House on behalf of the Hon. the Revenue Minister. I have no doubt that this gentleman represents an extreme point of view in connexion with the zamindari system and I also have no doubt that the greater part of this enormous Report with which we have been presented was inspired and written by him."

Sri T. VISWANATHAM:—"Mr. Speaker, let me deny that at once."

* Mr. W. K. M. LANGLEY:—"I fully accept the statement that the Report was not inspired by the hon. Member."

Mr. SPEAKER:—"Not even prepared by him. He denies it *in toto*."

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* MR. W. K. M. LANGLEY:—" I thought it must have been written by him."

MR. SPEAKER:—" It is not so."

* MR. W. K. M. LANGLEY:—" Any way it is a very fine Report and it does great credit to him. It is certainly a monument to his industry, but it cannot be said to represent the dispassionate presentation of the evidence which might have been expected from an impartial Secretary. In making these remarks I hope it will not be supposed that I am suggesting that the Hon. the Revenue Minister took no part in these labours. We know he must have done as King Charles' head inevitably gets into the Report in the shape of Chapter IX of that well-known bee in his bonnet, the Exchange and Currency Policy of the Government of India. I think I might deal briefly with that particular Chapter before I go on to my other remarks. There is no necessity to go over all the old ground covered by the hon. Member in this Chapter as it is the same fustian stuff that we have listened to *ad nauseum*. In the first place I should like to remark that any attempt to show that a high level of the rupee means low prices for ryots' produce and vice versa is completely upset by a comparison of the figures over a number of years: in fact when the rupee soon after the War stood at the highest figures known to those now living, the price in this country of rice and other crops produced by the ryot stood higher than they have done within living memory. Now I myself represent in this House a large body of agriculturists and on the whole this body has always been in favour of a lower ratio for the rupee, although this support on their part has undergone some change since Sterling went off the Gold Standard and introduced an entirely different factor. Now it is generally admitted, I think, that a reduction in the rupee ratio would have the immediate effect of slightly raising the price of agricultural products in this country; but the world has a way of adjusting itself in matters of prices and this immediate effect would very soon be nullified. On the other hand, agriculturists would immediately have to pay more for everything that they use, including of course all their farm implements, clothing and so forth; but—and here is the main point—the one person who would get no benefit whatever out of the adjustment, but on the other hand would straightaway be worse off, would be the agricultural labourer representing the great mass of the populace in this country. Inevitably his wages would stay the same and would only gradually rise, even if higher prices for agricultural products were to continue, and they would naturally never rise in proportion to such rise in price. The advocates therefore of the lower ratio, while they would no doubt benefit many millionaire gamblers in the big cities, would undoubtedly be doing a great disservice to the poorest classes in the country.

" Let us now consider the methods followed by this exceedingly industrious Committee. It seems to have resolved itself into a peripatetic commission hunting for witnesses who may be ready to testify to the evils of the zamindari system. We all know how easy it is to obtain such evidence, especially when the witnesses think they will secure some material benefit. But apart from this, the Committee representing a Government, flushed with success at the last elections and eager to take its revenge on those whom it regarded, probably correctly, as its principal opponents, could naturally count on any quantity of assistance. May I be allowed to quote a brief passage on this point from one of Macaulay's Essays?

' Some of our readers may have seen, in India, a cloud of crows pecking a sick vulture to death, no bad type of what happens in that country, as often as fortune deserts one who has been great and dreaded. In an instant, all the sycophants who had lately been ready to lie for him, to forge for him, to pander for him, to poison for him, hasten to purchase the favour of his victorious enemies by accusing him. An Indian Government has only to let it be understood that it wishes a particular man to be ruined ; and, in twenty-four hours, it will be furnished with grave charges supported by depositions so full and circumstantial that any person unaccustomed to Asiatic mendacity would regard them as decisive.'

" Macaulay indulged in the language of hyperbole, but making allowances for literary exaggeration, can it be doubted that most of those who gave evidence to this Committee felt that the zamindars were the beaten side and that they would stand well with their opponents if they supplied the evidence required? This being the case I confess to extreme doubt as to the reliability of a great deal of the evidence put before us in this Report. However, I need not labour this point as it has already been sufficiently exposed in the striking dissenting minute of the Zamindar of Mirzapuram.

" Let me now turn to the main conclusions of the Report itself. This Report as I have already remarked is a monument of industry and at the same time, owing to the authorities it cites, is a most interesting historical document, but like most history, seems to be entirely fallacious. The premises may or may not be correct but the conclusions, to a plain man like myself with no preconceived notions on the subject, seem to be at entire variance with the premises. I claim an average quantity of intelligence and I think I know something of the minds of my countrymen and if there is one thing more clear than another which seems to me to arise out of the fascinating minutes, State papers and Regulations which abound in this most entertaining volume, it is that the authors of the Permanent Settlement quite clearly established the zamindars the proprietors of their lands. It seems quite clear that most of the zamindars included in the Permanent Settlement were already in large measure the full owners, and, in fact, in some cases, the sovereign owners of their possessions. It stands out as clear as crystal what the intentions were of Lord Mornington

and his associates in the instructions that they issued to Collectors on the 4th of September 1799. In those days when like everybody else Englishmen were wiser than they are now-a-days, they were great believers in the value of large estates as the best method of improving the land and obtaining the fullest possible production of the fruits of the land. At the same time they had to secure adequate revenues to the Government and also abolish a bad system where all sorts of petty and corrupt officials were harassing the cultivators and at the same time failing to secure a regular revenue for the sovereign power. They therefore devised this Permanent Settlement in the first place to secure an adequate revenue to the Government for all time and fixed the peshkash at a reasonable figure in the firm belief that thereby the zamindars who, in these instructions are referred to again and again as the proprietors of the soil, should be able to secure an adequate income for themselves, which it was hoped they would spend in the improvement and development of their estates. It is not for me at this stage to discuss to what extent this hope has been fulfilled, but the whole obvious intention underlying these instructions was the retention of great landed proprietors; and if the English language means anything then these instructions can only mean that the zamindars are the full proprietors of their estates in every sense of the term. How after quoting this and other similar documents, the Committee could then briefly state that "on a review of all the authorities quoted above, we are of opinion that the landholder is only an agent of the Government to collect rents and that the ryot is the owner of the soil," simply passes my comprehension and means that the authors of this Report and myself do not talk the same language. I, anyway, talk the language of the authors of the Permanent Settlement and I hold to my view in the face of this Report and of any elaboration of it that I may hear in the course of this debate.

"With regard to the question of the relations which should exist between the zamindar and the ryot and the intentions of the authors of the Permanent Settlement thereon, I confess I do not feel quite so easy in my mind. It is evident from the famous instructions to Collectors that Lord Mornington and his high-minded associates were concerned to see that the ryot received a square deal. But I cannot find any evidence of a reliable nature that this idea was ever reduced at that time to a binding regulation or even to a formula. It seems to me, therefore, that in the business of securing the Permanent Settlement, the interests of the ryot were left rather in the air. But as the authors of this Report 4 p.m. have dug up so much ancient history, we might perhaps consider the circumstances in which the rulers of the country were situated round about 1800. It was the period of the Napoleonic Wars when all peoples and Governments probably felt even less secure than at present, if that is possible. I conclude therefore

that it was a matter of urgency to the British occupiers of this country to secure as complete a settlement of the country in the way of ordered Government, collection of revenue and so forth as could be achieved in a short space of time. I suspect too that the authors of the Permanent Settlement were not uninfluenced by these considerations and consequently found the aid of these powerful zamindars a great convenience to them in securing an orderly state of things over a large area of Southern India. If that was so, it is not difficult to see that the main concern was a Permanent Settlement with the zamindars in the course of which it might well be that the direct interests of the ryots were either overlooked, or possibly that it was not convenient to press them upon the zamindars as the other parties to this great land transaction. Now mark the period during which this thing happened. It was the year 1802, the period in which Napolean was at the height of his power, when he had announced that he had intended to found two great Colonial Empires, one in America and the other in India! Is it not possible, when the Government themselves in that period had neither the material nor men to protect their interests, that they should have thought of securing as complete a settlement of the country in the way of ordered Government as possible by entrusting the collection of revenue to these zamindars? But even if there had been any definite code to govern the relation between the zamindar and the ryot, surely the whole aim of the settlement would have been nullified if the zamindar had not the inherent right of securing his reasonable share in any rise in price of the products of agriculture. This, after all, is the whole basis of the ryotwari settlement and is in accord with the Indian system of land revenue which includes rent from time immemorial. I am aware of course that the authors of this Report seek to beg the question by claiming that land revenue does not include rent; and it is perhaps a pity that in the ryotwari areas the rent factor should have been allowed to be overlooked so much when discussing the incidence of land revenue. A land tax pure and simple on the basis of which land revenue in this country is generally levied would be utterly indefensible in any circumstances. But when it is appreciated that the rent factor enters largely into land revenue, then we arrive at something which can be justified in the name of Government. My main point, however, is that there was no permanent and unalterable settlement in 1802 as far as the ryots were concerned, and evidently this caused no great hardship; as otherwise can one doubt that the Governors of this country up to 1865 who seem to have secured the admiration of the mover of this resolution would have seen that justice was done to the ryot if it did not already exist? But even if it is conceded that the ryot's lot was a hard one for more than a hundred years, surely the authors of this Report do not suggest that Sir George Forbes, with his well-known bias in favour of the tenant and cultivator, did not achieve substantial justice for the ryot in his Estates Land Act of 1908. Why then

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go back to 1802? I sometimes think that the year 1802 must be graven on the heart of the Hon. the Revenue Minister. I am told that when any Englishman tries to discuss the Irish question with Mr. De Valera, Mr. De Valera invariably harks back to Strongbow. It seems to me that 1802 has just about as much to do with the present discussion as Strongbow has to do with the modern problems of Ireland. If one wants to do justice on both sides, both to the zamindar and the ryot, then surely we should enquire how far and in what way the Estates Land Act of 1908 requires amendment. I can see no particular virtue in 1802 or in any other date of ancient history. Why stop at 1802? I have no doubt that many of the present zamindars could prove a clear title to their estates dating back far beyond 1802. The reason for 1802 is of course not difficult to understand. It is taken because of the blessed word " Permanent " which is associated with it and with the object of choosing an exceptionally favourable date for the benefit of the ryots. Before this Committee sat, I very much doubt whether any of the ryots were in the slightest concerned with 1802; and this I notice is brought out by Mr. A. Rangaswami Ayyangar in his dissenting minute. I can see no justification therefore for the proposed conferring of this advantage upon the zamindari ryot and putting him in an exceptionally privileged position as compared with other ryots in this Presidency; I hope therefore that whatever may be the outcome by way of legislation of the recommendations of this Committee or of this House, this arbitrary 1802 settlement in favour of the ryot will be dropped. But while I have been in some doubts about the intention of the authors of the Permanent Settlement as to the relations between the zamindar and the ryot, I cannot see that any of the evidence contained in this Report gives the slightest credence to the theory that the ryot is the proprietor of the soil. In fact all the evidence lies in exactly the opposite direction. What was implied by the authors of the settlement, and certainly not only intended but created by subsequent enactments was a right of occupancy on the part of the cultivating ryot, and this I do not think any zamindar nowadays would contest.

" Now how do the authors of this Report and the Hon. Mover of this resolution propose to implement the views they have expressed? We have the whole business laid bare before us in the shape of this proposed Madras Estates Land Revenue Bill of 1938. The Hon. the Mover was at pains in the course of his speech to suggest that this Bill hardly differed from the abortive Madras Tenancy Bill of 1898. But I noticed that he glossed over all the pages of the Bill involving entirely new legislation. Of this Bill perhaps the less said the better, as I cannot imagine any responsible Government bringing forward a Bill couched in language more suited to the Hustings than to a serious and important statute. Apart from the argumentative rant of the preamble, might I draw attention to the delicate distinction in the Statement of Objects and Reasons

between ' some of the foreign Judges who were not familiar with the common law of the land ' and later on ' the learned Indian Judges? ' (Laughter.). This brings up an interesting point which has considerable prominence not only in this Report but also in the classic speech of the Hon. the Mover of this resolution. We all know that the devil can quote scripture for his own purposes. (Laughter.) I use it in an entirely proverbial and colloquial sense. (Laughter.) And I notice that when any of these old Englishmen concerned with the Permanent Settlement seemed to take a line in accordance with the views of the Hon. Mover, they are referred to as ' these high-minded Englishmen ' (laughter); if they take the opposite view, then of course they are merely ' alien administrators and judges who know nothing about the law or custom of the country.' (Laughter.) Any way we have this Bill before us which I can only describe as having been begot in envy, conceived in hatred and delivered in malice. (Laughter from the Government benches.) The Hon. the Mover referred at the beginning of his speech to Moscow and Socialism and challenged any member to show any connexion between his proposals and the systems usually associated with Moscow. Well, I can reply to him that this Bill supplies the necessary answer to his question. It is a Bill to take away what belongs to certain people at present and give it to somebody else. By this Bill you are taking away from the zamindar something which has admittedly belonged to him any way for 136 years and in many cases much longer, not in order to retain it for the benefit of the State, but in order to make a present of it to somebody else, in this case, the ryot. In other words you are following the Moscow precedent when land was taken away from the big landowners and given to the Kulaks. You are now proposing to create a large body of Kulaks in this Presidency in the shape of the ryots who are to be handed what has hitherto belonged to the zamindars. That is how Moscow started but we all know what happened to the Kulaks when more advanced theories took the place of the earlier Bolshevism. I wonder how far this endowment of a Kulak ownership commends itself to the many gentlemen of advanced views who are now beginning to control the Congress Party. Are they going to accept for very long this proposed ownership of the soil by a ryot who in many cases will simply sublet the lands to somebody else for cultivation? How long will it be before these ryot Kulaks are themselves liquidated?

" The Hon. the Mover said that if his proposals could be shown to be revoutionary or expropriatory, he woud be ready to correct even himself. I claim that I have shown that this is exactly what his proposals are. They will sow the seed of dissension, they will not materially benefit the cultivator, they will definitely expropriate the zamindars, they will deprive the Government itself of any opportunity later on of getting its fair share of the rent in these

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tracts, they will cause discontent amongst the more heavily taxed mirasidar and ryots of the ryotwari areas and nobody will be one-anna the better off. I appeal to the Government therefore before it is too late that they should have this matter further examined by some impartial tribunal, and, if in the interests of Government and the people it seems desirable to bring about far reaching changes in the zamindari tracts, to do so by the honest means of full compensation for rights and property." (Cheers from the Opposition benches.)

SRI P. SYAMASUNDARA RAO: "అధ్యక్ష మహాశయా, శ్రీకాళహస్తి వెంకట్రాయులుగారు ప్రతిపాదించిన తీర్మానాన్ని నేను బలపరుచుచున్నాను. శ్రీకాళహస్తి మంత్రిగారు దీనిపై విపులముగాను, చాలా దీర్ఘముగాను చర్చించుచూ మొదట ఈ రిపోర్టును ప్రతిపాదించినప్పుడు మన హిందూదేశములలో సాంప్రదాయ సిద్ధంగావచ్చిన హిందూ రాజులు, పరువాత మహమ్మదీయ రాజులు, ఆ తరువాత కంపెనీ ప్రభుత్వము, ఇవన్నీ ఆవలంబించిన లాండ్ రెవిన్యూ విధానాన్ని చర్చిస్తూ ఉపన్యసించారు. మొదట 1802 వ సంగ్లీపు పెర్మనెంటు సెటిల్‌మెంటు ఏ విధముగా వచ్చినదో ఆ విషయము, వాటి షరతులను, ఆ తరువాత 1822 వ సంవత్సరములో వచ్చిన రెగ్యులేషన్లు, 1864 వ సంవత్సరములలో వచ్చిన చట్టము ఆ తరువాత 1898 వ సంవత్సరములో వచ్చిన మద్రాసు లాండ్ రెవిన్యూ చట్టము తదుపరి 1908 వ సంగ్లీపు మద్రాసు టెన్యూర్స్ లాండ్ ఆక్టును గురించి దీర్ఘముగా చెప్పినారు. అందులో ముఖ్యముగా పెర్మనెంట్ సెటిల్‌మెంటులోలేని షరతు లేవిధముగా రైతులకు వ్యతిరేకముగా అన్వయింపబడెనో ఈ చట్టము న్యాయస్థానములలో ఏ విధముగా రైతులకు వ్యతిరేకముగా అన్వయింపబడెనో ప్రభన్నీ దీర్ఘముగా చర్చించినారు. వాటి విషయమై ప్రసంగించుట చర్విత చరణమునుగాయుండును.

"రైతుల విషయమై ప్రసంగించుచు మీ రాజాపురం జమీందారుగారు వారి రిపోర్టులో రైతులపై కొన్ని దూషణ వాక్యములు చెప్పినారు. వాటినిగురించి కొంచెము చెప్పెదను. 430 వ పేజీలో రైతులు స్వాభావికముగా యివే సలహాలు గలవారినియగ, అందువల్ల గవర్నమెంటు శిస్తులకంటె ఎక్కువ శిస్తులుండవలెనియ, శిస్తులు రాబట్టుకొనుటకు రైతులపై దావాలు ఆమలు జగిపి కోర్టు ఖర్చులు యావత్తు భర్తీ చేసుకొనుటకు వీలుండునని యు వ్రాసినారు. ఆ సందర్భములో రయితులు చాలా మొండిస్వభావము గలవారినికూడా వ్రాసినారు. ఐతే మీ రాజాపురం జమీందారుగారిని తదితర జమీందారి గణాన్ని రయితుల తరపున పిలైనా అన్నట్లయితే కోపము వచ్చునేమో! దీనిని బట్టి యథార్థాన్ని పరిశీలించి చూచినట్లయితే సాధారణముగా జమీందారులు రయితులవల్ల ఎంతవరకు రాబట్టుకొని తమ బొక్కసానికి చేర్చుకలరో అంతవరకు రాబట్టుకొంటున్నారు. అందుచేత జమీందారులు పీడించే స్వభావము కలవారని నేను తిరిగి అంటే తప్పేనుంది? కోర్టు ఖర్చులు రాబట్టుకొనుటకై రయితులపై గవర్నమెంటు రేటుకంటె ఎక్కువ రేటు ఉండడం న్యాయమని చెప్పటలో అర్థములేదు. 1802 వ సంవత్సరపు రేటు ప్రకారమే వసూలుచేసినట్లయిన జమీందారులు కోర్టు కెక్కవలసిన అవసరముగాని దావాలు ఆమలు జరుపవలసిన అవసరముగాని వుండదు. వారికంటను ఈ రిపోర్టునుగూర్చి వ్రాయుచు, 'There is no merit but novelty in the report' అన్నారు. అంటే 'ఈ రిపోర్టులో నవీనతఉన్నా ప్రాశస్త్యములేదు' అని 4-15 p.m.

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అన్నారు. వారి వ్యతిరేకపు రిపోర్టులలో ప్రాశస్త్యముకాని, కొత్త ఫక్కీగానిలేదు. మొదటినుంచిఉండే ఆ పూర్వపు విధానమును తప్ప ఈ రిపోర్టులలో ఏ విషయమూకూడా వారి కంగీకారముగాలేదు. మద్రాసు Landholders పంచిపెట్టిన మెమొరాండములలో కూడా ఎక్కడా ఈ రిపోర్టుపట్ల సుహృద్భావమేయొక్క విషయములలోనూలేదు. 406 వ పేజీలో వారు 'జమీందార్లపైన, జమీందారీ ఉద్యోగస్తులపైన ఎల్లప్పుడూ నేరారోపణచేసే స్వభావంగలవార'ని అన్నారు.

"రైతులు చెప్పే ఆ విధమైన సాక్ష్యము నీ కమిటీ వారాలోచించుట తప్పనియు ఈ కమిటీకి మర్యాదకూడా కాదనియు రిపోర్టులలో లేసుకొన్న సాక్ష్యములకన్నిటికి అవకాశమిచ్చుట న్యాయమనియు రిపోరోపణచేస్తూ దానిలో వ్రాసినారు. అంతేకాక రయితులస్వచ్ఛందములే భావాన్ని ఆ సందర్భములో వెలిబుచ్చినారు. రిపోర్టులో చెప్పిన సాక్ష్యమంతా అబద్ధమని చెప్పినారు. ఆ సందర్భములో 3 వ సాక్షి Exhibit No. 2 దాఖలుచేసినారు. విశాఖపట్టణములో విచారణ జరిగేటప్పుడు నేనుకూడా ఉన్నాను. పొల్లాడ గ్రామము సెటిల్‌మెంటు తీర్పు 3 వ సాక్షి బడే వెంకటరెడ్డి నాయుడుగారు దాఖలుచేసినారు. ఆ తీర్పులో జమీందారు లెక్కలు, వారి సాక్ష్యము అబద్ధమని ఆంధ్రులో వ్రాసినారు. అది 2 వ Exhibit గా దాఖలుకాబడినది. అంతేకాకుండా పోలాకి రామకృష్ణన్నుగారు ఒక రైతు తాలూకా ఆనేక రసీదులు దాఖలు చేశారు. 1926 వ సంవత్సరములో ఆ రైతు చెల్లించిన డబ్బును, 1937 వ సంవత్సరములో తిరిగి Execution petition పెట్టినట్లును, అది ఇప్పుడు అమలు జరుగుచున్నట్లును ఆనాటి సాక్ష్యములో వారు చెప్పినారు. వీరు 3 వ నెంబరు Exhibit గాలూకు E.P. No. 954 of 1937 in S. No. 672 of 1924 ; E.P. No. 946 of 1937 న్ను రెండున్ను దానితో బాటు 3 (a) మొదలు (h) వరకు రసీదులు దాఖలు చేసినారు. వీటన్నింటిబట్టి రైతులస్వచ్ఛందములో లేక జమీందార్లే ఆ అపవాదుకు పాత్రులో శాసన సభ్యులందరు ఆలోచించవలసియుండును. ఈ రైతులపై ఇట్టి దోషారోపణలు చేయటంత సమంజసముకాదని జమీందారీ సోదరులకు మనవి చేయుచున్నాను. నిజముగా ఈ జమీందారుల సహస్రసంఖ్యల దృష్టిలో ఈ అమాయక రైతులు అసత్యవాదులు కాకపోతే మరేమవుతారు ?

"వారు వసూలుచేసే శిస్తులు న్యాయమైనవే యనుచు వారిట్లు చెప్పినారు ; 'క్రొత్తగా చాలా భూములు సాగుబడి కావడముచేత వారి రాబడి ఎక్కువైనది కాని నిజముగా శిస్తులు మాత్రము వారేమియు హెచ్చించలేదని శ్రీమీర్జాపురము జమీందారుగారు తమ మినుటులలో వ్రాసినారు. రైతులపై వేయబడ్డ శిస్తులు దుర్భరముగా లేవని దానికి దాఖలాగా కొన్ని కిఫ్లత్తును, కొన్ని క్రియ దస్తావేజులును దాఖలు చేసినారు. రైతులే కొలుకు భూములు అమరకంచేసి ఎక్కువ లాభములు పొందుచున్నట్లును, వారు ఆధిక మొత్తములకు భూముల నక్తముకొనుచున్నట్లును దానికి దాఖలాగా కొన్ని కాగితములు చూపినారు. వారు రయితులపై నేరారోపణచేయబూని ఏవో ఆక్కడక్కడ కాగితములను కొన్నింటిని దాఖలుచేసి కిఫ్లతుదార్లకే ఎక్కువ ఆదాయము వచ్చుచున్నదన్నవాదనకు అర్థములేదు. ఈ సంవత్సరములో విశాఖపట్టణములో మందసా రైతుల తరపున శ్రీ చౌదరీ కృష్ణమూర్తిగారు ఇచ్చిన సాక్ష్యమును గమనించగోరెదను : 'జమీందారీ భూములను రయితులు అమరకము చేయడం ఆచారం

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లేదు. పాపం కౌల్దార్లకు బాకీపడినప్పుడు రంగూన్ పోయినవాళ్లు భూములు కౌలుదార్లకు ఆమరకంచేసినా వారికివచ్చే ఆదాయం పూజ్యం. ఆ భూములనుండివచ్చే ఆదాయ మందింపులు వ్యవసాయపు ఖర్చులుపోతే జమించారీ శిస్తులకు చాలదు. అందుచేత ఎవ్వరూ కౌలుచార్లురారు. పంట ఆంతా శిస్తుకు చాలదు అని చెప్పిరి.' జమీందారీ భూముల ఖరీదులకును, దగ్గరగానున్న గవర్నమెంటు, జిరాయితీ భూముల ఖరీదులకును గల తేడాలు చూడవలెను గాని ఎక్కడనో ఒక మూల ఒకానొక భూమియొక్క ఖరీదు ఎక్కువగానున్నదని, నిరూపించుదుం, వాటిని కౌలుకుకూడా ఇచ్చి రైతులు ఎక్కువ ఆదాయమును తీయచున్నారని చెప్పువాదన నందరును గమనింపగోరెదను.

"నిజముగా జమీందారీ భూములకు పిలువయున్నదా లేదా యను విషయమును పరిశీలించవలెనన్న భూమి లేక ఖా బ్యాంకులకుపోయి రైతు లిచ్చిన ఆప్పు దరఖాస్తులను గమనించినట్లయిన నిజము తెలియగలదు. ఆట్టి దరఖాస్తులపై సొమ్ము మంజూరు చేయరు. సత్తాలు విడుదల కాలేదనియ, పంట సరిగా పండు భూమి కాదనియ, మంచి జలాధారములు లేవనియ భూములకు రెఫిటక్ లేదనియ ఇంకా ఆనేక కారణములచేత వారికి ఆప్పులీయరు. అందుచేత కళ్ళెర్ల విషయములోను, క్రియ చీటీ విషయములోను మీర్జాపురము జమీందారుగారు చెప్పిన వాదన విమూత్రము సరియైనది కాదని మనవిచేయుచున్నాను.

"విచారింపబడిన సాక్ష్యులగురించి ప్రస్తావించుచూ వారి సాక్ష్యము యావత్తు పాక్షికముగాను, ఒక దురుద్దేశ్యముతోను, జమీందారీగణాన్ని నిందలపాలు చేద్దామని చూచినారని," వీరు చెప్పినారు. ఇందులో సాక్ష్యమిచ్చినవారు చాలామంది జమీందార్లును, జమీందార్లవద్ద పనిచేసిన ex-దివాన్లను గవర్నమెంటు ఉద్యోగస్తులును సాక్ష్యముల నిచ్చియున్నారు. Court of Wards లో పనిచేయచున్నవారును, ఆగ్రికల్చరల్ డిపార్టుమెంటులో ఎక్కువ అనుభవమున్న వారునుకూడా సాక్ష్యములు నిచ్చినారు. వీరందరి సాక్ష్యములను మొత్తముగా ఆలోచించవలెనుగాని కేవలము రైతుల సాక్ష్యము పాక్షికముగానున్నదని వాదన సరిగాలేదు. వీరి సాక్ష్యములే కాకుండా రెవిన్యూ బోర్డువారును, ఆనేక న్యాయస్థానతీర్పులలోనూకూడా జమీందార్లు శిస్తులను అక్రమంగా పెంచించినారని వ్రాసినారు.

"మరొకచోట మీర్జాపురం జమీందారుగారు గవర్నమెంటు శిస్తులను, జమీందారీ శిస్తులను సరిపోల్చకూడదన్నారు. 'గవర్నమెంటు వారికేదైనా special policy లుంటే (ప్రత్యేక ఉద్దేశ్యము) వారి ఆదాయమును వదులుకోవాలంటే వదులుకోనవలెను గాని మే మేమాత్రమును వదలుకోమని' చెప్పినారు. గవర్నమెంటువారి policy మొదట పండిన పంటలో సగ భాగము, ఆ తరువాత కొన్నాళ్లకు పండిన పంటలో వ్యవసాయపు ఖర్చులుపోను మిగిలిన దానిలో సగముగా మారినది. ఇప్పుడు నూతనంగా వెలువడిన రిపోర్టులలో రూపాయకు 3 ఆణాలకంటె ఎక్కువ శిస్తు వసూలు చేయకూడదన్నారు. గవర్నమెంటువారి లాండు రెవిన్యూ విధానముకూడా క్రమ పద్ధతుల కనుగుణ్యంగా లేదనియ అది సవరించవలెననియూ గవర్నమెంటు శిస్తులతో సమానముగా జమీందారీ భూములపై శిస్తులు వసూలు చేయకూడదనియ, అందు చేతనే 1802 వ సంవత్సరపు శిస్తు రేట్లే సక్రమమైన రేట్లనియ మేము చెప్పుచున్నాము. Langley దొరగారును ఇంకను కొందరు సభ్యులును రైతులు తమకు బాధలు గలవనియ, వాటిని విచారింపటకు సంఘము కావలెనియ కోరలేదన్నట్లును

4-30 p.m.

1802 వ సంవత్సరపు రేట్లు వారడుగక పోయినప్పటికీ మీరు వీటినన్నిటిని నిర్ణయించుచున్నారని చెప్పినారు. రైతుల కీవిషయము లెట్లు తెలియును? వారు ఆమోదకులు. ఇచ్చటనున్న శాసన సభ్యులకే గవర్నమెంటు రికార్డులలోని కొన్ని విషయములను సంగ్రహించుటకు దుర్లభమైయుండ ఇక ఏ మూలనోనున్న రైతులకెట్లు సాధ్యమగును? ఈ నాడు కాంగ్రెసు గవర్నమెంటు వున్నది కాబట్టిన్ని, రెవిన్యూ మంత్రిగారే ఈ కమిటీకి అధ్యక్షులు కాబట్టిన్ని దీనికి సరియైన రికార్డాధారము సంగ్రహించి ఈ గ్రంథము నందు ప్రచురించి బయటపెట్టుట కవకాశము కలిగినది. శాసన సభ్యులకే వీలు కాని పని రైతులవల్ల జరుగునని ఆనుకొనుట కేమాత్రమును ఆధారము లేదు. ఈ రిపోర్టులోనున్న సూచనల ప్రకారము 1802 వ సంవత్సరములో వుండే శిస్తు గేల్చే ఆవిధించవలెనని రైతులు, వందలకొలది సభలు జరిపి వేలకొలది సంతకములుచేసి ఈ శాసన సభకు పంపించిరి. వందలకొలది తీర్మానములిచ్చియున్నారు.''

MR. SPEAKER :—'You have been refering to the telegrams which have not been before the House. Unless these petitions are presented by the members of the Houses to the Assembly, they cannot be taken notice of in your speech.

MR. P. SYAMASUNARDA RAO :—''వచ్చిన మహజర్లను ఈ దినము గాని రేపటి దినముగాని చాఖలుచేయుటకు ప్రయత్నము చేయుచున్నాము. ఇవన్నియు స్పీకరుగారివద్ద చాఖలు చేయబడెనని మేము పూరుకున్నాము. మాకు తెలిసిన భోగట్టా కాపున చెప్పినాను. ప్రజాభిప్రాయము ఈ కమిటీ సిఫారసు పట్ల సంపూర్ణముగా ఒకరుచుచున్నదన్న విషయమందరికిని తెలిసినదే.

''జమీందార్లు శిస్తుల నేవిధముగా క్రమ క్రమముగా హెచ్చించినారో చాని కేయే పద్ధతుల నవలంబించినారో చెప్పెదను :

''క్రోల్ దొరగారు 1898 మదరాసు ఎస్టేటు లాండు రెవిన్యూ చట్టము ప్యాసు కాకుండా అడ్డుతగిలినవారిలో ముఖ్యుడు మండసా జామీందారు. ఈ మండసా రాజావారి ఎస్టేటులో 1908 కి పూర్వం నగదు శిస్తులుండెను. 1908 చట్టము రానున్నదని తెలిసికొని ఈ సూతన చట్టప్రకారము రూపాయి 1 కి రెండు ఆణాలు కంటె హెచ్చించుటకు వీలుండదని, నగదు శిస్తులు ధాన్యం రూపముగా రైతులను నిర్భందించి మార్చినారు. ఆనంతరం జరిగిన సెటిల్‌మెంటులో దుర్భరముగా హెచ్చింపబడెను.

''ఇది మెమొరాండము రిపోర్టు 2 వ భాగములో 15, 16 వ పేజీలలోనున్నది. మండసా ఎస్టేటులో కొన్ని గ్రామాలలో డిమాండ్లు నేవిధముగా హెచ్చించిరో; ఆనగా 1902 వ సెటిల్‌మెంటుకు పూర్వమెంత డిమాండు గ్రామాలకుండెనో 1908 వ సంవత్సరం ఆనంతరమెంత డిమాండులుండెనో విశదపరచెదను. పిడి మండసాలో 1906కు పూర్వము గ్రామపు డిమాండు రూ. 1,600 ఉండగా 1921-22 వ సెటిల్‌మెంటులో రూ. 3,500 వరకూ హెచ్చించిరి. దేవపురములో రూ 500 నుండి రూ 2,500 లు వరకున్నా, హరిపురములో 1878 వ సంవత్సరములో రూ 2,300 లును, 1891 లో రూ 3,070 లును, 1895 లో రూ 4,519 లు వున్నదానిని 1922 వ సంవత్సరం సెటిల్‌మెంటునందు రూ 8,033 లు చేసిరి. ఆంబుగామములో 1893 లో రూ 2,300 లును, 1905 లో రూ 3,070 లును, 1912 లో

24th January 1939] [Sri P. Syamasundara Rao]

రూ 4,519 అను వున్న దానిని 1922 వ సంవత్సరం సెటిల్‌మెంటులో రూ 6,800 లు చేసిరి. కర్తలిపాలెములో రూ 3,548 లనుండి రూ 10,300 ల వరకును, చెంకట వరదరాజపురములో 1895 లో రూ 940 లుండగా దానిని రూ 2,240 లు వరకును, చాలిగాంలో 1833 లో రూ 1,250 లున్న దానిని 1922 లో రూ 3,129 ల వరకును పెంచించినారు. అందుచేత వ్యవసాయం వృద్ధి అయినందున జమీందారీ రాబడి పెంచడంలేదని, ఆక్రమంగా పెంచింపులు జరిగినవని ఇందుమూలంగా తెలియ చున్నది.

"10 వ నంబరు సాక్షి మూరపు చంద్రయ్య రెండు పట్టాలు 30, 31 exhibits గా దాఖలు చేసినాడు. వాటిలో ముఖ్యముగా మొదటిలో సెటిల్‌మెంటు ఆఫీసర్లు తీర్పు చెప్పేముందు యిచ్చిన రఫ్ పట్టాకున్నూ 4 మాసముల తరువాత యిచ్చిన fair పట్టాలలో ఎక్కు రేట్లు పెంచింపబడినవో వికరంపబడెను. మందసా ఎస్టేటులో మొదట మదనాపురం రైతులకు రఫ్ పట్టా లిచ్చినప్పుడు 13 రూపాయిల చొప్పున రేటుండెను. నాలుగు నెలలు పోయిన తరువాత ఆది రూ 22-10-0 లకు పెంచిం సబడెను. రెండవ తరం భూమి 12 రూపాయిలనుండి 21 రూపాయిల వరకును, మూడవ తరం భూమి రూ 10-8-0 నుండి రూ. 19-5-0 ల వరకును, నాలుగవ తరం భూమి 9 రూపాయిలనుండి రూ 17-5-0 లు వరకును, తరువాతి రూ 4-8-0 నుండి రూ 8 లు వరకు ఈ తీరున పెంచింపబడెను. ఈ విధంగా జమీందార్ల కెప్పుడవకా శము దొరికినప్పుడే అప్పుడేవో విధంగా కస్తులు పెంచించి వారి యాదాయమును వృద్ధి చేసుకొన్నారు.

"లాంఛ్లేగారున్న, ఇతర మిత్రులు కొందరున్న చెప్పినదేమనగా మేమును రైతులు ను ఏదోవిధముగ ఒడంబడిక చేసుకొని యెన్నో సంవత్సరములనుండి అనుభవించగా 136 సంవత్సరముల క్రితం రేట్లుపెట్టి యిప్పటి రేట్లు ఒక్క మారుగా మార్చడానికి ప్రయత్నము చేయుట Sanctity of Contract కు భంగమని చెప్పినారు. వారికిని రైతులకును ఆన్యోన్య ఒడంబడిక గలదనియు దానికి భంగము కలుగునని యు చెప్పినారు. ఈ ఒడంబడిక పులికిని మేకకిని జరిగిన బేరంబడిక వంటిది. అనాడు జమీందారు కాగితము వ్రాసి సంతకము పెట్టమన్నచో రైతు సంతకము పెట్టకలసినదే జమీందారు మాట నెదిరించుటకు రైతుకు ధైర్యమేది? ఈ నాడు బయలుదేరిన విచారణ కమిటీముందు సాక్ష్యము నిచ్చుటకే రైతులు రుధిసినారు. అనాడు జమీందార్లు ప్రజా ప్రాతినిధ్యా నికి పోటిమ్మనగానే వారికిష్టమును లేకపోయినా జమీందార్లకే పోట్లనిచ్చిరి. ఈనాడు రహస్యపు పోటింగు పద్ధతి వచ్చినందున రైతులు జమీందార్లపై తమకున్న అయిష్టాన్ని వెలిబుచ్చుచూ వారి శ్రేయస్సు కోరినవారికే పోట్లన్నియు కురిపించారు. అందుచేతనే ఒక్క చల్లపల్లి జమీందారుగారు తప్ప వి జమీందారును గెలువలేదు. దీనినిబట్టి జమీందార్లకు రైతులకుగల ఆగ్రిమెంటు కేవలము బలవంతముగా జరిగినదని తేలుచున్నది.

'136 సంవత్సరములనుండి మేము నిరాహాటంగా ఒడంబడికల ద్వారా కొన్ని హక్కులు అనుభవించుచున్నాము. అవి అన్యాయమైనా మా హక్కులుగా మారినవి. వీనినితీసి పారవేయడానికి మీకు న్యాయములేదు. ధర్మముకాదని జమీందార్లు చెప్పు చున్నారి.' పూర్వమునుంచియు పలుకుబడి జమీందారీగణాని కెక్కువగానున్నది. ప్రభుత్వమందు రైతులకు ప్రాతినిధ్యములేదు. రైతుల కష్టములనుగూర్చి ఆలోచించు

టకు ప్రభుత్వాని కవసరములేకపోయింది. ప్రభుత్వములో ప్రాధాన్యమైన గణము జమీందారీగణము. చట్టమును న్యాయస్థానపు తీర్పులను ఇతర రెగ్యులేషన్లన్నియు అన్వయించునట్లు వారి కనుగుణ్యముగా మార్చి చట్టమును బయటపెట్టినారు. ఇంకను ఈ పెర్మనెంటు సెటిల్‌మెంటులోనున్న పరతంత్రయించుటలో పారిభాటు జరిగిందని చెప్పుచున్నారు. 136 సంవత్సరములనుండి అనుభవించుచున్న ఆని అన్యాయంగా సంక్రమించినపుడు దానిని మార్చుకూడదన్న దానిలో అర్థములేదు. న్యాయం కాదు. రైతులు కోల్పోయిన హక్కులను తిరిగి వారికిప్పించుట శాసనసభ్యుల బాధ్యతయైయున్నదని నేను మనవిచేయుచున్నాను. శిస్తులు నిర్ణయించుటలో ముఖ్యముగా ఒక విషయమును గమనించవలెను. సాక్ష్యులందరి సాక్ష్యములను, అందును ముఖ్యముగా గవర్నమెంటు తరపునవచ్చిన సాక్ష్యులను, జోగిరాజుగారి సాక్ష్యమునుబట్టియు చూడగా వ్యవసాయము లాభదాయకమైన వృత్తికాదేయని, మదింపులు వ్యవసాయపు ఖర్చులు జమీందార్లకు చెల్లించవలసిన శిస్తులపోను రైతులకు గంజి అన్నానికైనా మిగులుటలేదని వారి సాక్ష్యంవల్ల తెలియగలదు. జోగిరాజుగారు వ్యవసాయ నిపుణులు. ఇంకను అనేక దృష్టాంతములున్నవి. కాబట్టి ఈ శిస్తులను పునర్విమర్శించవలసియున్నది.

"ఇంక భూమి ఎవరిదనే వివాదాని కవసరమే లేదు. పూర్వమునుంచికూడా సాంప్రదాయసిద్ధంగా భూమిని వమునుచేసి ఆడపులుగానున్న దానిని చెట్టుచేమకొట్టి వ్యవసాయమునకు అనుకూలంగాచేసి ఫలోన్ముఖముగా చేసినది రైతేగాని జమీందార్లు యేమిచేయలేదు. ఈ భూస్వామ్యపు హక్కు సాంప్రదాయసిద్ధముగా రైతు సొమ్ము దాయమునకే చెందునని రిపోర్టులో ప్రాసినదానిని నేను పరిపూర్ణముగా సమర్థించుచున్నాను.

"శిస్తుల విషయములో ఆన్ని ఎస్టేట్లలోను 1802 నాటి శిస్తులే లాభకరంగా వుండుననుటకు కూడా వీలులేదు. కాని ఈ రిపోర్టులోచెప్పిన ప్రకారము ఈ 1802 రేట్లు రైతులకు నష్టమైనను, జమీందార్లకు నష్టమైనను ఉభయులుకూడా దానికి బద్ధులై యుండవలెను. 1802 నాటి రేట్లు సర్వత్ర రైతులకు అనుకూలముగా వుండుననుటకు వీలులేదు. ఎవరికనుకూలముగావున్నా ఎవరికి లేకపోయినా ఒక సూత్రమును అంగీకరించిన తరువాత ఆ పద్ధతి కంటరును కట్టుబడియుండవలెను.

4-45 p..m "Langley గారును, మీర్జాపురం జమీందారుగారును కలులుదార్ల విషయములో సానుభూతితో మాట్లాడుదూవచ్చినారు. రైతేభూమిని సాగుచేసి శిస్తు చెల్లించలేక ఖర్చులుపోను ఏమీ మిగలనప్పుడు జమీందారీ ప్రాంతాలలో కలులుచాల్లెక్కువయున్నారని చెప్పుట కష్టము. రైతులే భూమినంతను సాగుచేసుకొనుచున్నారుగాని కలులు చార్లు హెచ్చువగాలేరు. ఈ రిపోర్టు బిల్లయి అమలులోనికివస్తే కలులుచారు సమశ్యే ఆనాడు వస్తుంది. పట్టాదార్లకు శిస్తులు తగ్గుతాయి. అప్పుడు ఏమైనా కలులు చార్ల సమశ్యె బయలుదేరవచ్చును. కలులుదార్ల విషయములో మేమేమాత్రము వారిని కాపాడు సమశ్యలోతీసి పోవువారము కాము. దానికి నేను బాస నిచ్చుచున్నాను. ఈ రిపోర్టులో జమీందారీ, గవర్నమెంటు రైతువారీ ఈనాందారీ, కలులుదార్లకంటరికి ప్రత్యేక విచారణ జరిపెడమని చెప్పినారుగాన దీనినిగూర్చి ప్రత్యేకముగా నొక్కివాదించ నవసరములేదు. కలులుదారు విషయములో ఫలానా సదుపాయము చేయవలెనే సూచనను మీర్జాపురం జమీందారుగారు చేసినచో దాని నంగీకరించువారమే. కాని కలులుదార్లకు రైతులకు భేదాభిప్రాయములు కలుగజేయవలెనే ఇట్లు చెప్పు

చున్నారుగాని వారీ రిపోర్టు నంగీకరించుచు కళలుదార్ల విషయములో వివైన సూచనలుచేసినచో వాటిని మే మంగీకరించియే యుండుము.

"ఈనాము రైతుల విషయములో ఆలోచించిచూస్తే ఈనాము భూములు, వాటికి సంబంధించిన పుట్టు పూర్వోత్తరములు భిన్నముగావుండవచ్చును. 1936 వ చట్టము ప్రకారము ఈనాము రైతులనుభవించేటట్టి సాగు హక్కులకే సూత్రము భంగముకలగకుండా న్యాయము నొసంగెదరని నా విశ్వాసము. ఈ రిపోర్టు ప్రకటింపబడినది మొదలు (Estate Land Report) ఈనందార్లున్ను, ఆగ్రహారందార్లున్ను తమ రైతులను తొలగించెదమని బెదరిస్తున్నారు. వారిపట్ల ఈ చట్టము రద్దగును. అందువల్ల రైతులలో భయమున్ను ఆందోళనయు బయలుదేరినది. కావున ఈనాంబిల్లు కూడా త్వరలో ప్రవేశపెట్టవలసియుండును.

"ఆలీబేగ్, బషీరు అహమ్మదుగార్లు జమీందారీలను రద్దుచేసి వారికి నష్టపరిహార మివ్వవలెనని చెప్పినారు. కృష్ణారావుగారు ఒక ట్రిబ్యునలు నేర్పాటుచేసి ఈ రిపోర్టును ఆ ట్రిబ్యూనలుకు పర్యవేక్షణ వారి సిఫారసులను తీసుకొనవలెనని చెప్పినారు. ఈ రెండు సూచనలలోను ఆలీబేగ్ గారి సూచనలను రైతు సంఘమువారందరు పూర్తిగా ఆమోదిస్తారు. రైతు సంఘమువారి ఆదర్శమే యిది. దానికేమైనా వీలుండునా లేదా యని ఆలోచించవలెను. ప్రస్తుత పరిస్థితులలో రైతులకుండే కష్టాలను చాలా భాగము నివారించెడి ఈ జమీందారీ కమిట్టి రిపోర్టు వారి సిఫారసులను రైతులు అంగీకరించుచున్నారు. పరిహారము విషయమునుచ్చినచో రైతులు జమీందారులు 136 సంవత్సరములనుండి అక్రమంగా వసూలుచేసిన మొత్తము శస్త్రులు లెక్కచూచుకొనవలెను. రైతులకు జమీందార్లేమైనా తిరిగి యివ్వవలసియున్నచో రైతులు మాత్రమేమియు పుచ్చుకొనరని వారి పక్షమున నేను చెప్పుచున్నాను. జమీందార్లకు రైతులీయవలసియున్నచో ఇచ్చుటకేమియు అభ్యంతరములేదు. ఇన్నాళ్లనుంచి జమీందార్లు రైతుల వద్దనుంచి కూడబెట్టుకొన్న ధనము అస్త్రులు చాలాగలవు. వారికి రైతులు పరిహార మీయవసరములేదు. కృష్ణారావుగారు తెచ్చిన సవరణ విషయములో ఇది బిల్లు కాకుండా ఎక్కువైన వాయిదా పడి వెంటనే పరిష్కారము కాకపోవునేయ లేకున్న మన కొంపమునుగుననే యుద్దేశముతోచేసిన సవరణగా కాబ్బించుచున్నదిగాని దీని యందలి ప్రాముఖ్యత విమాత్రమునులేదు. ప్రజాభిప్రాయ మేవిధముగానున్నదో శాసన సభ్యులకు తెలియును. వీరనేక సభలుచేసి తీర్మానములనుచేసియున్నారు. అందుచేత జమీందారీ రైతులు చాలకాలమునుంచి పడుచున్న బాధలను నివారించుటకై శాసనసభ్యులను ప్రభుత్వమువారును ఈ బిల్లు విషయమై వాయిదాలు వేయకుండా ఎంత త్వరలో చేసిన రైతు లోకమంతా అంత సంతోషించెదరు. రైతుల సిఫారసులను జిమీక్ రైతు సంఘమువారి సూచనలనుగూడ ఆలోచించి బిల్లును తయారుచేసి ఆఖ్యసర్మైనచో విప్రిల్ మాసములో ప్రత్యేక శాసన సభ సమావేశపరచి ఈ బిల్లును ప్రవేశపెట్టవలెనని కోరుచున్నాను.

"ఏదైనా పనిచేయనపుడు వెంటనే చేసినట్లయిన చాలామంచిది. ఆలశ్యమైనచో అమృతమునుకూడ విషతుల్యమగును. ఈ చట్టమునుపై శాసన సభ్యులను ప్రభుత్వమువారును కూడా సుముఖులైయున్నారు. అందుచేత కళావెంకట్రావుగారి ప్రతిపాదనను నేను ముఖ్యముగా బలపరచుచు జమీందారీ రైతుగణానికి త్వరలో మేలుచేయవలెనని ప్రార్థించుచున్నాను.

[24th January 1939

MAHBOOB ALI BAIG SAHIB BAHADUR:—" Mr. Speaker, before dealing with the subject-matter of my amendment, I consider it my duty to say a few words on the preparation of this Report, especially after the observations made by my hon. Friend Mr. Langley. I wonder, Sir, whether anybody in this Assembly or outside does fully realize the stupendous task, the inexhaustible energy, the probity and the mastery of the issues involved on the part of the Chairman of the Committee, for all of which the Hon. the Minister for Revenue, mainly, if not exclusively, was responsible. I was a member of the Committee. I am not a Congressman. Mr. Narayanaswami Nayudu who was also a member of the Committee is not a Congressman. The Zamindar of Mirzapuram is a landholder and he represents the landholders' constituency. We agreed on certain points and we have differed on certain others. The Congress member, Mr. Rangaswami Ayyangar, has chosen to differ from the majority report. You will, therefore, see, Sir, that the proceedings of the enquiry and the deliberations of the Committee were conducted in such a thorough manner that every one of us, the members of the Committee, was prepared and made fit to express his opinion on the points included
5 p.m in the terms of reference. I consider, Sir, that it is the highest tribute that can be paid to the chairman of any committee of this nature which was charged with the duty of solving one of the most serious and complicated agrarian problems of this Presidency. I might at once request Mr. Langley to disabuse his mind if he thought that we had not before us all the material which the Revenue Secretary would have made available to us. We had the advantage of studying all the State papers, papers from very ancient times. All the State papers were requisitioned and I am glad to tell you that the Revenue Secretary and all the Government officials including the Collectors of the districts co-operated with us. There was nothing which was not brought to our notice in the time that was given to us. We spent very anxious hours. We thought of coming to unanimous conclusions, but we honestly differed and accordingly minutes of dissent are appended to the Report. That a Congressman should have found it necessary to differ from other Congress members who have signed the majority report itself shows that we were not influenced by any party principles. We did not spare ourselves. We tried our best. According to our lights and our intelligence and the interest that we have for the welfare of the country and the people, we have honestly drafted our Report and minutes of dissent.

" Sir, I have a very difficult task before me. I have agreed with the report of the majority in very important matters and disagreed with them with regard to some conclusions and recommendations. I do not agree with the views of the landholders, but I must say that some compensation must be given to them, because they have acquired those rights. So, my position is very

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difficult. I must substantiate my points, my conclusions and answer the criticisms from both the sides. Now, Sir, with your permission, I shall read my amendment again so that I might refresh the memory of my hon. Friends. The amendment runs thus:—

'That, on such consideration this House is of opinion—

(*a*) that the ryot is the owner of the soil and that his liability is strictly confined to compulsory contribution of a share of his income to the finances of the State for the purpose of meeting the expenditure necessary for the governance of the State;

(*b*) that the Permanent Settlement of 1802 is based upon a wrong conception of the legal status of the ryot, and opposed to the legal and customary rights enjoyed by him from time immemorial;

(*c*) that the zamindari system should ultimately be abolished by payment of compensation to the zamindars and proprietors for the rights acquired by them from the time of the Permanent Settlement;

(*d*) that, pending such an elimination of the zamindaris and other proprietary estates by payment of compensation, the settlement of land revenue in the zamindari and other proprietary estates be made immediately on the basis of ryotwari settlement principles;

(*e*) that in future, there shall be only one class of ryots, whose duty and privilege it should be to make their humble contribution to the coffers of the State in proportion to their ability to pay;

and recommends to the Government to bring forward immediate legislation based on the abovesaid principles.'

"Sir, this is a summary of my minute of dissent which has been appended to the main Report. It is printed at pages 335–342 of Part I of the Report. A close examination of my minute of dissent and its comparison with the recommendations and conclusions of the majority report will disclose at once that I am in entire agreement with the majority report in so far as its fundamental basis is concerned, namely, that the village community owned the land in the village in the earlier periods of history and subsequently individual ryots had absolute rights in the land, subject only to the payment of rajabhagam or the king's share, that neither the king nor anybody on his behalf who was charged with the duty of collecting the revenue for him, had any right in the land.

"But, Sir, I had to part company from the majority very regretfully when we came to the stage of examining the Permanent Settlement for the purpose of repudiating it or accepting

it. Later on also I had to differ and part ways from my colleagues when we came to the question of framing our recommendations. While the majority report strangely enough affirms the Permanent Settlement and ostensibly bases its conclusions on the Permanent Settlement—I want to be excused for saying 'ostensibly'—I could not see my way to accept the Permanent Settlement and affirm it. I have considered the Permanent Settlement as one of the most injudicious pieces of legislation wrongly conceived and unjustly put into effect. I thought that to affirm it and base one's conclusions on the settlement would be to perpetuate the evil, the wrongs and the illegalities that have been perpetrated all these 136 years, nay, even for a century prior to the date of the Permanent Settlement, from the time of the decline of the central authority at Delhi.

"Further, Sir, while the majority report recognizes the Permanent Settlement and contends that going back to the 1802 state of affairs is sound and is not expropriatory, I consider that by virtue of the Permanent Settlement the zamindars were vested with powers that they did not possess before, or at least when a stable Government existed before, and that therefore from 1802 onwards the zamindars have been in enjoyment of rights which they really had no right to enjoy. But, Sir, as everybody knows, this stable and civilized Government was guided by the law for the time being in force and decisions of courts based on the law for the time being in force. Therefore, one will be forced to admit that all these 136 years, by virtue of enactments, regulations and Acts and decisions of civil courts based on those laws, the zamindars have acquired certain rights, although they did not possess such rights before.

"While I admit that it is not open to the Government to divest individuals of their rights without compensation, I think that it is always open to the Government to divest individuals of their rights after payment of compensation and for national purposes and for the common weal. It is in this view that I recommended that the zamindari system should be ultimately eliminated, but it could not be done in a day; and the state of affairs in the country and the condition of the ryot is so bad that immediate remedy is necessary. Therefore, Sir, I have recommended in my amendment that pending such elimination of zamindaris, land revenue in the zamindari areas should be settled on the basis prevailing in the ryotwari areas—I have very good reason why I have introduced the ryotwari basis and I shall presently refer to them.

"You will therefore see that my recommendations are in conflict with the majority report, although I have agreed with the report in fundamental matters. But what passes my understanding is how could this Congress Government, how could this majority all

of whom are Congressmen, have thought of basing their conclusions on the Permanent Settlement. I have got my own views in this matter and I shall submit them a little later.

" Now I shall proceed to substantiate my statement and try to justify my conclusions in the hope that no party loyalties will prevent anyone of us here from supporting my conclusions, if he is really convinced of what I say. I am encouraged in this hope by the solemn declaration made by the Hon. Revenue Minister that the matter should be looked at from a non-party point of view. That encourages me, Sir, to address these few words now.

" There are three views before us now. The zamindar says that neither the village community nor the cultivator nor the ryot had any proprietary right in the soil, that it was the Government that had the right in the soil, that in the case of the zamindaris which were created newly the Government's right of ownership was transferred to the zamindars, and that in the case of some zamindaris which were ancient zamindaris they had the right in the land from age-long times. The zamindar further says: ' Show me a provision from 1802 onwards wherein it is stated that it is the ryot who has got the ownership of the land and not the zamindar.' The zamindar quotes chapter and verse: he points out section 4 of the Permanent Settlement Regulation, which says that every property inclusive of the lands, inclusive of the things mentioned there, belongs to the zamindar. He quotes the provision to the effect that the proprietary interest has been given to him. He quotes subsequent legislation also; he refers to Regulation IV of 1822. What does it say? It says that if I had proprietary right in the land, I was not deprived of it by the Permanent Settlement. The zamindar interprets the Permanent Settlement and says that nothing contained in it is meant to infringe or destroy the rights possessed by parties, whoever they may be, whether they are the ryots or the zamindars. He points out that even the Act of 1908, The Madras Estates Land Act, does not take away his right. He asks on the other hand, ' Has the ryot any right in the property? ' Though he says that the occupancy right also belongs to him, he is willing to concede that the only thing that is provided for in the enactment of 1908 is that the ryot has got the occupancy right, and that the right is inheritable and transferable. The zamindar asks, ' Besides this right, has the ryot been vested with any other right by any of the enactments? ' He says to the ryot: ' You do not have the right of mining; you cannot spoil the land; you cannot build upon it; even the trees are mine.' In the face of these facts, he asks, ' How can you say that I am not the owner? ' He asks us to prove that by any enactments, the Legislature has given any other right, except the occupancy right, to the ryot. 5-15 p.m.

" Secondly, what he says with regard to rates of rent, is this: He says it is wrong to confuse rates of rent with what we call kist;

he says that nowhere 'land revenue' is mentioned; only the word 'rate' is mentioned; amount is not mentioned in any of these enactments. He says that even in section 9 of the Patta Regulation, only the word 'rate' is mentioned. I ask what about waram rate; waram rate was mostly prevailing. He says, 'I could not commute that waram rate according to the price level when commutation took place. No enactment—not even that of 1865—supports you. Only the Act of 1908 says you can commute it; then some rules were framed and the rate was given.' Every zamindar took advantage of it and converted the waram rate when the prices rose. The zamindar asks us, 'How can you say that what I did was opposed to the Permanent Settlement?' The very gentleman who was referred to by the Hon. Minister and everybody, the Hon. Mr. Crole, clearly states that any benefit on account of the rise in prices should go to the zamindar. The zamindar asks, 'How can you say that I have done anything wrong?'

"I have referred to all these points not to show that the zamindar has got the right, but to show that the Permanent Settlement was wrongly interpreted and that the rights of the ryots have been taken away. It is stated here (Mr. Crole's speech) that the proprietary right of the zamindar and the benefit arising therefrom were confined first to the extension of the amount and not of the rate of the customary rent, by an increase of cultivation. The zamindar asks, 'What is it that I have done illegally? I am within the scope of the Permanent Settlement; I have done nothing against it.' He says again, 'I have extended cultivation; I have got the benefit of the rise in prices.' The zamindar sometimes says, 'It was so interpreted by the courts and I increased the rates.' Some zamindars deny having increased the rate. It is for us to judge. I am sure that in some cases they have increased the rate also; there is no doubt about it. The zamindar says, as far as the rate is concerned, it was one-half at that period. 'If you look at the matter, if you examine it carefully, you will find that I am not taking half the gross rate. On the complaint of the ryots, the whole matter has been thrashed out by committees and by legislatures; from 1908 onwards we have not been increasing our rates.' He says that the enactment of 1934 provides for revision of rent. He points out to the Permanent Settlement and the Regulations that have been passed and the decisions based upon them, and says that no case has been made out for any new change. I submit all these points to show how that mischievous enactment of Permanent Settlement has given the rights to the zamindar.

"The majority report says the same thing as I have said, with regard to the ownership of the land. It says that the ownership of the land has not been disturbed till now. I was careful enough to hear the Hon. the Revenue Minister; he said, 'It is true that it is not clearly laid down in any of these enactments that the ryot

is the owner of the land.' He says that because under the Permanent Settlement the rate has been fixed permanently and unalterably, the same must continue. I have certainly no quarrel as far as the money rents are concerned. I shall criticize this point later on. That is the second point of view before the House.

" The third view is my view. My view is that the ryot is the owner of the land and his only liability is compulsory contribution to the finances of the State for the purpose of running the Government. Neither the zamindar nor the person who collects the revenue is the owner. I submit that this view has been changed on account of many circumstances. I shall revert to this matter subsequently. From 1802, on account of this Permanent Settlement, the rights which belonged to the ryot have been taken away. Subsequently, the zamindars were invested with the rights and therefore I say that the Permanent Settlement must go. But they have enjoyed these rights for 136 years; so, no civilized Government would think of confiscating these rights without paying any compensation. So compensation must be paid to the zamindars and the proprietors for the rights acquired by them from the time of the Permanent Settlement.

" These are the three views that are before this House, before this august body which must give its verdict. I submit, Sir, that this august body which is a sovereign body, can do and undo things, can do good or evil. It must seriously consider all these view-points and not be led away by sentiments or party loyalties. I consider that anybody who misguides this House sins against the country, against the people and God will help me in my task.

" The particular question with regard to all these three view-points is this: who is the owner of the soil? I have heard Mr. Langley's learned discourse and I am very much disappointed with it. Why? We have got two pictures; there is the ryotwari ryot and there is the zamindari ryot; compare the two ryots; compare this picture with that. These two ryots are not enjoying the same rights and privileges all these years; look at the one brother and his counterfeit brother. This is a complete and convincing answer to anybody who would criticize the ownership theory. The zamindari ryot gave away his rights in the land, without investigating the matter whether he is the owner of the land or not. There is the ryotwari ryot who is the full owner of the land. He can dig the land for minerals or construct buildings on it; he can conduct quarrying or mining operations and need only pay royalty. The ryotwari ryot has been enjoying absolute rights in the property for a long time. Then why is it that the zamindari ryot is not the owner of the soil? I ask, Sir, this House and the Hon. the Revenue Minister, ' Do you still want to have this zamindari system which has vested the full ownership of the property in the

zamindar?' The zamindar has not got this right according to the existing enactments. I ask hon. Members, Sir, whether their constituencies demand that the Permanent Settlement should be perpetuated, which has reduced a full owner of the property to this miserable state. There will be nobody here who will agree to that proposition. I for one would not agree to that, if I were a zamindari ryot, unless there is a mandate to all of you by the people in the country that this must really go on.

5-30 p.m.

Now, Sir, it may be stated that I am simply playing upon sentiment. I will just quote chapter and verse. My friend Mr. Langley stated it is not true. I will quote from the highest authorities as to what the real state of affairs was at the time, or even prior to it. I need not go back to the B.Cs. or to the Manu period or the Ain-i-Akbari. I may say that even at the present day the ryotwari ryots are the real owners. I may also bring to your notice that several men of authority who were competent to speak on the matter have stated what the position was from time immemorial. I shall quote only a few sentences from Mr. Crole's speech, which after all did not contain his own view, but in which he quotes others:

'Whether the Government was Hindu or Muhammadan, it consistently recognized the proprietary right of the cultivator. It levied a land-tax, which even in Muhammadan days, did not exceed in theory one-third of the gross outturn. It was often oppressive and indefinite, but in theory it was limited—as one of the early Bengal papers puts it, so as "to leave the farmer that which constitutes property, a rent, a proprietor's share." Subject to the payment of the land-tax, the ryot's right in his holding was perfect. It started, in fact, on the assumption that "cultivated land is the property of the man who cuts away the wood, and who first cleared and tilled it," as Manu's Code put it. That, I submit, continues to be the common law of the Madras Presidency up to the present day. As Mr. Justice Subrahmanya Ayyar once well said: "The common law of Madras gives every ryot an occupancy right, irrespective of the period of his holding. The village communities were left in full possession of the soil included in their limits, and the ruler was satisfied if they paid the dues of the State. When the idea of individual property and individual responsibility developed, the State still continued to levy its land-tax direct. It was only when the central power of the Mogul Empire began to decay, that middlemen, under the names of zamindars, renters, or farmers-general were introduced by the local Viceroys. In an evil day, the East India Company, in ignorance of the history of the subject, and despairing of securing the prosperity of the cultivating classes in any other way, abandoned all idea of direct management, and made over the real owners of the soil to the tender mercies of the zamindars.'

"Well, Sir, anybody who has read the literature on the village communities, will find that the very same villages within the very same boundaries have been existing for many centuries as autonomous bodies; they had their own officers and their own servants, and the leaders of what were called panchayats decided all these questions. Whether it was the Hindu Government or the Muhammadan Government, whether it was the Asoka Government or whether it was the Baber or the Akbar Government, the same village communities paid this land-tax to the Government. They did not bother themselves as to which Government it was to

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whom they were paying, whether it was this Government or that Government. This I say on the authority of eminent persons who have investigated this matter. Especially when individual responsibility developed, individual ownership also developed. That is the course of the history of ownership, and that is the theory that was recognized by the Government.

"Now, Sir, as regards rent, if I am able to show that the rights of the ryots were greater prior to the year 1802, if I am able to show that the Permanent Settlement of 1802 destroyed and abridged their rights, and if I am able also to show that consequently the zamindars acquired those rights, then I submit the verdict of this House must be in my favour. Prior to 1802, the ryots were the owners of the land, and they paid a customary contribution or tax which never exceeded one-third. The highest tribunals in the land have held that the zamindar has been given rights; it is true that the scope of the Permanent Settlement was such that the authorities had to hold that the property within the geographical limits of the zamindari belonged to the zamindar. Are we not aware that the Privy Council and the High Courts have held that forests belonged to the zamindar, that hills belonged to the zamindar, and that waste-lands belonged to the zamindar? What was it that was upheld by the highest authorities who interpreted these enactments? It was that the ryot had the occupancy right. Is it not true, therefore, that prior to 1802, the ryots had those rights and they were deprived of the same by the Permanent Settlement? Is it not also true, Sir, that on that account, the zamindars were vested with rights which they did not possess? As I said, at that time the rent was a land-tax, and on the authority of Manu, on the authority of the Ain-i-Akbari, and on the authority of what was in vogue during the period of the Hindu kings, I say that the tax ranged from one-sixth to one-twelfth. During the Mogul period, the maximum was one-third the gross return. May I ask, how was it that at the time of the Permanent Settlement half the gross return was fixed as rent? There is ample information on that point in the discussions of Mr. Crole and Mr. Forbes.

"After the fall of the Mogul Empire, the Viceroys asserted themselves, the small chieftains and the small principalities rose to power. Unlike a stable government, they could not be expected to have any responsibility in governing the people. They were greedy, and there was an opportunity for them to hoard as much money as possible. It was in those circumstances that rent came into existence. And when the Permanent Settlement came to be enacted, what did the Britisher find? He found that the land-tax paid by the ryots at that time was half the gross return; and it was admitted on all hands—even the Hon. the Revenue Minister has admitted it. In some cases it was brought into existence by

the zamindars themselves; and I would point out to Mr. Langley that we have searched all the papers produced by the zamindars themselves and have found that in some cases it was three-fifths, in some cases it was two-thirds and in others half. And that is why I stated that there was no charm in fixing taxation, permanently and unalterably. After all, taxation is an attribute of sovereignty. I will have occasion to show later on how it is reprehensible that this sovereign right of taxation should be transferred to others and people's rights should be bartered away and put into the hands of third parties who are not sovereigns themselves. The collection of these taxes is the peculiar right of the sovereign, it is given to him by virtue of his being the sovereign, being charged with the duty of governing the country. Therefore, is it right on the part of this popular Government, of which the Hon. the Revenue Minister is one of the leaders, to say that the sovereign right of the Government should be allowed to continue in the hands of third parties? Except in the hands of the Government, such a right is bound to be abused. But what is the use of abusing or condemning the zamindars? I have got a good many friends among them. It is the system that you must condemn. You keep the system there and expect the zamindars to be good. It is in the nature of things bad; it is on principle bad that the sovereign's right should be transferred to third parties. I shall quote authority to prove that, having done that, the Britishers felt sorry for it, and attempts were made, even at that time, to decide whether land revenue should be settled directly by the Government or whether it would be transferred to the zamindars. Opinions differed, and as Mr. Langley put it—I agree with him entirely in that part of his address—the times were such that in 1801 the Government did not feel strong enough, they had not a sufficient army. They thought that if a permanent settlement was made, they would have strong persons on their side. That was the policy at that time. In fact, we must give them credit; they honestly believed that it was good in the circumstances to do so, as that was also the law of the landlord and tenant in England. And for whatever reason it was, whether on account of ignorance of the law of the country or on account of the policy that was pursued at that time or probably even because they wanted to find out a ready-made or easy way to collect the tax, for whatever reason it was, this permanent settlement was brought into existence. Therefore, Sir, shall we continue the same system? Shall we continue to deprive the ryots of all the rights which they had? Shall we recognize this system? I should think that it would be wrong for any party or any person to support or defend a system which has deprived thousands of persons of their rights and increased the rent from one-third to one-half, while their neighbours, the ryotwari ryots, are enjoying all those rights even to-day.

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" So, Sir, I have proved that prior to 1802 or at least during the stable Government, the zamindari ryot was the owner and that he did not pay more than one-third as the maximum. It was the Permanent Settlement that worked havoc and took away all his rights. I have already submitted that all the enactments from 1802 are in favour of the zamindar, for whatever reason they might have been brought into existence. But, subsequently those were tried to be changed and for whatever reason it may be, the object of the ryot could not be achieved and he was not restored to his former position. This is what happened at that time. They had acquired it. What shall we do? That seems to have been the problem. That is very fair. It would appeal to anybody and it is more logical, more consistent with fact, truth and the morality and welfare of the people in future. 5-45 p.m.

" Now, Sir, I would only submit one thing why I have been harping upon the ryotwari system. You will find, Sir, that as early as 1884, a draft Bill was prepared. The preamble to that Bill says, 'Whereas it is expedient to place the rights and interests of the ryots of other than ryotwari villages on the same footing of security as those of Government ryotwari villages and to carry out the objects which were always aimed at by the British Government in all settlements, permanent or temporary and to make better provision for defining the relations between the landlord and tenant and for the collection of rents,' etc. To this was also added that even when the ryot failed to pay his assessment, the Government had no power of ejecting him except by resorting to public auction under law. So, except under the one condition of failing to pay the tax and consequent ejection, the ryot is the proprietor of the soil. Previously, in 1857 too, it was declared that the proprietary right of a ryot was perfect as long as he pays the fixed assessment on his land. I do not know what Mr. Langley would say to this. It was clearly stated that the ryot was the owner of the land. So, how can a zamindari tenant be different from a ryotwari tenant? There is no principle of ryotwari management more clear and better than this and no Government can deny that any right is more strong. These were the rights possessed by the ryots. This is what the Government say: these were the rights possessed by the ryots when the Government entrusted the ryots to the zamindars at the beginning of the century. There was an attempt made to bring them up to the level of the ryotwari ryots.

" Sir, it may be said that the proposals of the majority are more favourable to the tenants and I shall have occasion to refer to that aspect later on. But what I would like to say here is that as an immediate step, we should bring the zamindari ryots to the level of the ryotwari ryots. We know, and the ryots also know, that there are going to be changes in the ryotwari tenure also and

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when you reform the ryotwari system, I am sure the zamindari ryots also will get the same advantages. At a later stage, I shall have occasion to state my view of the reform that is necessary in regard to them. I have only to state that the only way to remedy this present evil is to abolish the zamindari system and, if necessary, give the zamindars compensation for the rights they have acquired and to introduce immediately the ryotwari system and then they will sail along with other ryotwari ryots. Then, as I said, there shall be only one class of ryots in the country who shall be directly responsible to the Government.

"I have got a few more things to say with reference to the rates of rent that have been advocated by the majority, and here I wish to refer to the observations I have made in my minute of dissent. In the first place, at the time of the Permanent Settlement, mostly varam rate prevailed, and money rent was very rare; and wherever the rate of rent is referred to in section 9 of the Patta Regulation, it means the rate that is mentioned and not the amount and that was very advisedly used. In cases where the money-rate prevailed at that time, it may be said, these proposals are applicable. But the difficulty is this. Although the Revenue Minister has slurred over the matter and thought it to be an easy matter, the unit of measurement at that time was different from our unit, i.e., the unit adopted by the British Government. In regard to the measurement of land, different kinds of units prevailed at that time and it took a long time for the Inam Commissioner of 1860 to convert all these units into acres.

"The next thing is about the proposal with reference to what is called 'assets basis.' What should you do? You must ascertain the average produce of the village and determine the rate of rent prevailing there. Sometimes it was, as I said before, half, sometimes three-fourths and at other times four-fifths and in some of the documents it is put as 45 per cent. You will therefore have to ascertain what the rate was at that time. That is again another difficulty, because it was not one, but it was varying. Even if these things are known, you must know what is the acreage that was under cultivation on a particular date. It may sometimes be less or it may be more. Further, when you have converted them into money rent by what is called the process of commutation, you will have to divide the amount of rent roll by the number of acres and the number of years. Then you will get what is called the average rate. But I ask whether all the lands are of the same quality; some may be good, some bad and others indifferent; how is it possible to do it? That is yet another difficulty.

"Another thing, Sir. There is nowhere any provision as to how the rate could be commuted into money-rate. If money-rate

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was prevailing at the time, it is a different matter, but, as you know, after 1802 and from 1834–35 prices have fallen, for everybody knows that several zamindaris were attached and sold. It was only in 1860 and 1865 that the prices again rose and our zamindars, perhaps assisted by clever diwans then thought of converting those varam rates into money-rates at the prices prevailing at the time. Now, how can you say that that conversion rate was wrong? Is there any principle in asking a person who was collecting varam rates till 1865 or 1869 to go back to 1802 rates? There is no logic in it. That is the difficulty with regard to varam rates.

"Again, Sir, I have always been wondering what the charm is in rent being fixed. I can understand prices being fixed and as I already submitted, the land-tax is a compulsory contribution that a ryot or a citizen is bound to make to the sovereign, and that too, as much as would meet the necessities of the State. That is why I very advisedly used the words 'in meeting the expenditure necessary for the governance of the State.' Anybody who is acquainted with the budget will know that you ought not to collect more money than you really have to spend. That is one of the fundamental principles of finance and budgeting. So, where is the charm in rent being fixed and that too unalterably? Supposing to-morrow, there is war. Everyone of us including the ryot is bound to contribute, not half, but even three-fourths and even more. But in normal conditions only normal rates shall prevail. As a matter of fact, Sir, during the period of depression, did not this Government grant remissions and are they not proposing to give still further remissions? So, if there is no necessity you don't want money and if there is necessity you can ask people to contribute more. So, my submission is, there is no charm in that and you ought not to accept that principle at all.

"Then, Sir, in the matter of the collection of rent, a private agency is to collect the tax. I ask, would a private agent have any mercy if the ryot has no money or if his harvest has failed? He won't. And, do you expect that system to continue? That was the mistake committed in 1802 and on account of defective legislation, on account of ignorance, on account of the exigencies of the times and on account of the then policy, that was done. Is there any policy behind it? I have got some idea as to why it is done, which I will explain later. 6 p.m.

MR. SPEAKER:—"I think the hon. Member has already explained the same thing a number of times."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"No, Sir."

MR. SPEAKER:—"If a paraphrase is going on, I would suggest that it be cut short. There are only seven hours available for the debate and there are so many hon. Members anxious to

speak. I would suggest to the hon. Member to cut down his observations. Otherwise I should have to impose a time-limit in respect of the speeches."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"The rate advocated by the majority ought not to have been advocated and it is not correct in principle."

MR. SPEAKER:—"This is a point that has been hammered rather too much and too long."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I shall try to avoid this sort of repetition."

MR. SPEAKER:—"I think the hon. Member would close his speech very soon."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Then again, Sir, why should the ryots be asked to pay half cost? This is based on an age-long custom and for that reason I am opposed to Permanent Settlement. I ask, Sir, whether there is any legislation or regulation to say that you must adopt it. I suggest that the ryotwari basis should be established.

"The ryotwari settlement system has been so perfected. There is the Public Survey department who can survey the whole thing and carry out the settlement in a very short time. Half the rate even at the level of prices of 1802 would not benefit a considerable portion of the ryots except in the very rack-renting zamindaris. Even if it did, I suppose there would be considerable delay and I am afraid, as I have stated in my dissenting minute, that no benefit would accrue to them before a decade and before they could know what they have to pay. But if the ryotwari system is to be introduced, the whole thing can be done in a year or two. Are we not aware of the unrest that is prevailing throughout the country? Have we not seen the ryots asserting their rights and the zamindars bringing about such a state of things? It is time that we introduce the ryotwari system for it is a thing which could be easily introduced and worked and the ryot would be able to know where exactly he stands in a very short time.

"Sir, with regard to forests and hills, I would advocate that the same condition that is prevailing in the ryotwari areas should prevail in the zamin areas as well. If the Hon. the Revenue Minister contends that in the ryotwari areas the villagers have got all the rights of the forests and hills which I very much doubt, then the ryots of the zamindari areas should also get all those rights.

"Then I come to the question of inams and this is a matter upon which I feel very strongly. Chapter X which deals with the inams has been most disappointing. I cannot understand why this has not been dealt with by the majority though I urged that it should so dealt with. I contended then and I contend now

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that under the terms of reference under which we were functioning, we were asked to make a report and suggest legislation with regard to zamindari tracts and other proprietary estates. From the date on which we were commissioned to enquire into the details to enable us to put forward the lines of possible legislation up to now the Estates Land Act of 1908 and the amended Estates Land Act of 1936 are yet in force. These inams also were referred to us. Inams referred to in clause (*d*) of sub-section (2) of section 3 of the Estates Land Act, whole inam villages of which the grant has been made, are estates with this difference, namely that according to the enactment of 1908 the ryot or whoever that went to court, was asked to prove that melvaram alone was granted to the inamdars and not the kudivaram right; but the amended Act of 1936 laid down that a whole inam village shall in future be declared to be an estate without that necessity and the ryots had permanent occupancy rights. There was a little confusion in the minds of the majority with regard to this matter. There was a discussion on minor inams; but it must be quite plain to you, Sir, that minor inams never formed part of estates and the ryots in these inams had no right of occupancy at all except when they were made by way of grant. So these minor inams ought not to have been considered at all. But now, Sir, with regard to these inams the majority has, I submit, taken a very wrong view. I hold that the majority is wrong and I submit that the Acts of 1862, 1866 and 1869 had nothing to do with the rights between the inamdars and the tenants. They dealt with the rights as between the inamdars and the Government. The preamble of the Act of 1869 has made it very clear:—

'Nothing contained in Act IV of 1862 or 1866 shall be deemed to confer on any inamdar any right in the land which he does not possess and the title deed issued to the inamdar shall not be deemed to define, limit or enfranchise or destroy rights of any description . . .'

There are a number of decisions to support my view and the preamble makes it clear that that has nothing to do with the inamdars.

"Having said so, the Report then proceeds to say that inams are divided into three classes, what are called the included inams . . ."

MR. SPEAKER:—"Is it necessary to go into those details? At this rate I think the discussion could not be over within the time available to the House."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"This aspect of the matter has not been touched upon by any other hon. Member and I would therefore crave indulgence, because it is a very important matter and affects thousands and thousands of inams."

MR. SPEAKER:—"I know that every hon. Member can speak for two or three hours upon this Report. There is no doubt about it. But if we are going to proceed at this rate, I should ask hon. Members whether they are prepared to have a night sitting, say, from 9 to 12 or thereabout."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"This is a very important matter and I request you to permit me to make some observations upon it."

MR. SPEAKER:—"I know that it is a very important matter and that is why I am asking the hon. Member whether we can have a night sitting. I shall give the hon. Member full time. I know that Mr. Mahboob Ali Baig has closely studied the Report and is making very useful and weighty observations."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I will be as brief as possible."

MR. SPEAKER:—"But my difficulty is that there are other hon. Members who have studied equally well and who want to speak. I would advise the hon. Member not to take more time than is absolutely necessary."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"This is a very important matter and he is the only member who has referred to the matter in detail."

MR. SPEAKER:—"But there are many hon. Members who want to refer to this."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I am not sure, Sir."

MR. SPEAKER:—"But I am sure about it."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"There are only a very few people who can speak with so detailed a knowledge."

MR. SPEAKER:—"So many members came to me and asked to be given time to make their speeches."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I am sure that very few would refer to this matter."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I will not take more time than is absolutely necessary."

MR. SPEAKER:—"Mr. Mahboob Ali Baig will finish his speech in five minutes. I shall hereafter enforce the time-limit so that every hon. Member may have an opportunity of speaking."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I crave your indulgence in this matter. If I am saying anything, it shall only be to the point and I shall observe your directions."

MR. SPEAKER:—"The difficulty is this. There are other hon. Members who have made an equally careful study of the

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Report and they also want to speak and therefore, I would suggest to the hon. Member to be brief in his observations and conclude his speech early."

MAHBOOB ALI BAIG SAHIB BAHADUR:—" I shall be very brief. I shall not say anything extraneous."

MR. SPEAKER:—" What did Mr. Hameed Khan say? "

ABDUL HAMEED KHAN SAHIB BAHADUR:—" I was suggesting that there will not be many speakers to refer to this particular matter."

MR. SPEAKER:—" On what grounds, does he say so? "

ABDUL HAMEED KHAN SAHIB BAHADUR:—" That is my opinion, Sir."

MR. SPEAKER:—" It would be wrong to ask for more time on the ground that there will not be many members who would deal with a particular subject. The Chair cannot accept the suggestion of the hon. Member."

MAHBOOB ALI BAIG SAHIB BAHADUR:—" I am not competent to make such a claim and I have not said so and I assure the Speaker that I shall be very brief in my observations.

" Let me come to the draft Bill that has been put forward by the Committee. In the Preamble to the Bill in clause 3 (1) (*d*) they state:

> 'any inam or shrotriyam village or part of a village of which the grant was made or confirmed, or has been recognized by the British Government:
>
> Provided the same had been included in the assets of the estate at the time of the Permanent Settlement and provided also that excluded inams or post-settlement inams shall not come within the definition of estate.'

I submit, Sir, that this is a wrong view. If you look at this definition it would mean that only inams which are called included inams at the time of the Permanent Settlement are estates. All inams which are outside the zamindari are excluded as well as post-Settlement inams. May I, in this connexion, invite the attention of the House to section 4 of the Permanent Settlement Regulation? It vests property in zamindars including some inams, what are called lakhiraj lands. So these inams were excluded at the time of the Permanent Settlement, and it was left to the Government in 1860 to enfranchise or not to enfranchise. I am speaking here only of whole inam villages. Under that section they should be treated as estates for the purpose of getting occupancy rights; and it is a very extraordinary proposition that post-Settlement inams should have been excluded; that is, under sections 4 and 12 of the Permanent Settlement Regulation, they are 6-15 p.m

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considered by the Report as invalid. May I invite your attention, and through you, Sir, the attention of the Hon. Revenue Minister to section 12? It runs thus:

'It shall not be competent to proprietors of land to appropriate any part of a landed estate permanently assessed, to religious or charitable, or to any other purposes by which it may be intended to exempt such lands from bearing their portion of the public tax.'

"That relates only as far as public tax, that is, peshkash is concerned. It means this: you might give away that land, but that land-tax will be a charge on that property; you can pursue that property for the collection of peshkash, in whosoever's hands that land may be. That is the decision of the Privy Council also.

"Coming to the inams which are outside zamindari area, I may tell the Hon. Revenue Minister and the members of the majority report, that their theory is that in the villages the land belongs first to the village as a whole, and to the villagers subsequently, and that it is only the land-tax that is transferred to the inamdars. And for the matter of that, that was the case in the ryotwari tracts also. So the position is, in the whole of India, in whole inam villages whether ryotwari or zamindari, the villages have proprietary rights in the land. They have what is called kudivaram right in the land and what was given to the inamdars is only melvaram. The theory is that the villager is the owner and Government have only the right to revenue. That being the case, I do not see why these inams should have been excluded. The inamdars made their representation very effectively all these years, but in spite of that, in 1936 an Act was passed on the very same theory that the villagers . . . '

MR. SPEAKER:—"May I know what time more Mr. Mahboob Ali will take?"

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I will take ten minutes more."

MR. SPEAKER:—"I don't think at this rate he is going to finish in ten minutes."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"I have come to the fag end of my speech."

MR. SPEAKER:—"Although Mr. Hameed Khan is very anxious that we should adjourn at 7 o'clock, unless hon. Members sit either the whole night or up till 8 o'clock, I don't think we can finish the business."

THE HON. SRI C. RAJAGOPALACHARIAR:—"Let us come to an understanding on the question. We shall sit till 9 o'clock to-night."

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MR. SPEAKER:—"Mr. Appadurai Pillai has got elaborate notes, and I see him still preparing (laughter) and there are some zamindars and landholders who have got their speeches ready typed."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"I don't think on account of that we should sit till 9'clock to-night. We shall sit in the morning also, or, we shall sit even on Friday."

MR. SPEAKER:—"But the Legislative Council will be sitting on that day, and that means the Hon. Revenue Minister will have to be there in the morning and here in the afternoon."

THE HON. SRI C. RAJAGOPALACHARIAR:—"Apparently, Sir, negotiations are going on which will finally result in discussion in the Upper House and here going on simultaneously."

MR. SPEAKER:—"We must certainly finish the discussion here before we begin there."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I believe there is the Public Health Bill, which will be taken up on the first day in the Upper House. They may agree to take it up first. It is a heavy Bill."

MR. SPEAKER:—"Yes, it is a heavy Bill, and . . ."

THE HON. SRI C. RAJAGOPALACHARIAR:—"The hon. the Leader of the Opposition is anxious more about the Health Bill; but he does not care for the health of the Hon. Ministers." (Laughter.)

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Only yesterday morning I was advising the Hon. Premier to take care of his health in a public meeting. I do not know how many members more there will be who will speak."

MR. SPEAKER:—"Fifty."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"We will leave it to you, Sir, to decide. We shall see as we proceed."

MR. SPEAKER:—"Unless we have some understanding now it will be very difficult to finish. There are only two days; I think you can understand from this very clearly and also mathematically (laughter) we have altogether eight hours, to-morrow and the day after."

ABDUL HAMEED KHAN SAHIB BAHADUR:—"Why not we sit to-morrow and the day after from eleven to five."

(Several Voices: 'No, no.')

SRI G. KRISHNA RAO:—"May I submit, Sir, that we shall sit from 3 to 8 o'clock to-morrow and the day after?"

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MR. SPEAKER: "Let the House know how many hours Mr. Krishna Rao wants." (Laughter.)

SRI G. KRISHNA RAO:—"If you want . . ."

MR. SPEAKER:—"What time does Mr. Krishna Rao propose to take up?" (Laughter.)

SRI G. KRISHNA RAO:—"I don't think I will take more than 40 or 50 minutes."

MR. SPEAKER:—"We will sit till 8 o'clock to-night. Mr. Mahboob Ali Baig will continue his speech."

KUMARARAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Not necessary."

MAHBOOB ALI BAIG SAHIB BAHADUR:—"Sir, I was on the subject that inams which are outside zamindaris have also been eliminated. I was submitting that the villager is the owner of the land, and that whether it is the inamdar or zamindar or even the Government itself, they are entitled only to rajabhagam, that is the share of the king. Except that, they are entitled to no other right. But that apart, Sir, I submit the ryots of the inam villages have also occupancy rights.

"I was very much surprised to see how the majority report could be inconsistent in the same Report. I fail to see how they can say that in the zamindaris, the villagers have got occupancy right, but not the villagers in the whole inam villages. It was so contended by the zamindars, and a lot of evidence was let in on the side of inamdars and inam tenants also; in fact, the inamdars have contended always, not only now but in 1908 when the Madras Estates sLand Act was enacted, and also in the 1936 enactment they vehemently contended for their rights, and on the same theory the Legislature passed the enactment including inams also as an estate.

"Another contention is that the inamdars are owners of both varams. It is easy to meet that argument on the very theory advanced by the majority report; but I shall not take up the time of the House on that point.

"The second point raised is, 'Why not give us a chance to prove that we have all got both varams?' The answer is this: on account of the Privy Council decision by which the burden of proof lay on the tenant that the inamdars had only one waram, that is the melvaram, it was thought by the Government that the inam tenant being a weak person, he might not have all the documents in his possession and so he would be at a great disadvantage and that it would be an unequal contest. From 1908 onwards on account of the ruinous litigation the inamdars did not succeed.

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"The third reason is: how are you going to justify the right? It is proposed that the 1st November 1933 is to be taken as the date for fixing the nature of the right. Why should a man who has not any right at all be given a right merely because he happened to be in possession or in illegal occupation on that date? There must be uniformity in legislation; at some point or other it must be declared that inam tenants have got occupancy rights without putting these inam tenants to difficulty.

"There is another important matter. The question of rent has been favourably fixed in favour of the inamdars. It is in evidence that we should have competitive rent. By that, what is meant is that the man who competes to pay more rent will be given that land. The 1st November 1933 rent was fixed as the fair and equitable rent unless the contrary is proved. That competitive rent is much higher than the zamindari rate or the ryotwari rate. And what does the inamdar lose? He loses his right to eject only. Even if that was considered to be valuable, and when no compensation was to be given by the Legislative Council, the matter was referred to the Governor-General who asked that some compensation should be given and hence it was that where the inamdar proves that he had both warams, then one year's rental was considered to be the compensation. I do admit it, Sir. I am one of those who has no belief in divesting a vested right without giving compensation. In my minute of dissent, I have submitted that one year's rental is really very inadequate, if it is for State purposes or for public need, and especially in a case like this, it is for the Government to decide whether such compensation of a year's rental is fair or not. Personally, Sir, I suggest five years' rental may be given. But on this subject of the elimination of inams also I have suggested payment of compensation. By this I have submitted, there shall be only one class of ryots who shall be directly responsible to the Government whose right it is to collect from the citizens contributions for the State's finances. So my proposal is—it is found in the last clause of my amendment—that there should ultimately be only one class of ryots who will be directly under the Government: there shall be no inam tenant, there shall be no zamindari tenant; all shall be ryotwari tenants whose duty and privilege it shall be to make their humble contribution to the coffers of the Government. 6.30 p.m.

"One thing, Sir, and I have done. I think there is some doubt in this and that is why a Permanent Settlement has not been proposed. Perhaps it is the fear that they might offend some provisions of the Government of India Act, section 299 or so and some provisions in the Instrument of Instructions. But what section 299 says is that you cannot divest vested rights. The Government cannot acquire the rights of individuals. But you can do it for State purposes, for a common need and for national purposes on

payment of compensation. I do not see, how we will offend section 299, according to my recommendation. In the Instrument of Instructions, it is said that the terms of the Permanent Settlement cannot be varied or altered without the consent of the Governor-General. Perhaps it is this fear, Sir, that is responsible for the majority report. I am sure, in the absence of these provisions, the majority would have agreed with my case. I cannot see, Sir, how even the Governor-General will oppose it, because, we are not taking anybody's right without giving anything. We are paying compensation and, therefore, there is no reason for us to fear that the Governor-General in a matter like this will refuse sanction. Or else, you had better make a first-class constitutional issue of this and I am sure, not only the Congress party, but all who have got the welfare of the people at heart, will join with you. And now, there is no reason why you should throw it away now. We see that the Governor-General granted sanction to the inams legislation of 1936 subject to payment of compensation. He has done it. There is no reason why we should be afraid. As I said, that is the suspicion behind the majority report. So I again appeal to you, Sir, by saying that this Permanent Settlement has destroyed the rights of the ryots. It is the duty of the Government to protect the rights of these ryots and restore their rights. But at the same time we must take into consideration the rights that have been acquired and pay compensation for them. We must introduce ryotwari rates in the inams and zamindaris and let them live in conformity with the ryotwari ryots. In the end, Sir, it is my desire that there shall be only one class of ryots, whose duty it shall be to make their humble contribution to the finances of the State."

MR. SPEAKER:—"Does Mr. Basheer Ahmed Sayeed want to speak?"

BASHEER AHMED SAYEED SAHIB BAHADUR:—"I want to make a representation, Sir. I must ask your pardon for not being present yesterday, when my amendment was called. I was called away on some important work and could not be present here. I also expected that when I was away my amendment would be withheld and on my return, it would be called and I would be given an opportunity to move it. I was not aware of the procedure that was adopted while I was away and I had missed the occasion. I, therefore, request you, Sir, that I may be permitted to move that amendment in the same way, formally, as was done in respect to other amendments."

MR. SPEAKER:—"There are two amendments in his name; does the hon. Member wish to move the two amendments?"

BASHEER AHMED SAYEED SAHIB BAHADUR:—"I gave notice of those two amendments as an alternative. The first amendment, which is longer, I do not move to-night."

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MR. SPEAKER :—" You do not move at all? Where is the alternative? "

BASHEER AHMED SAYEED SAHIB BAHADUR :—" The first one I do not want to move. The second one I wish to move in a slightly modified form of which I have given notice already. I will, therefore, ask for your indulgence to move it. I also submit, Sir, that as the amendment has already been circulated, it will not prejudice any issue that will be before the House."

MR. SPEAKER :—" Have you got a seconder for the amendment? "

BASHEER AHMED SAYEED SAHIB BAHADUR :—" I hope to get a seconder."

MR. SPEAKER :—" Now find a seconder. Of course I thought that the amendment should have been moved yesterday. I allowed somebody else to move it but nobody was willing. That amendment I was perfectly willing to allow, because, whereas Mr. Baig's amendment seeks the ultimate abolition of the zamindaris under a transitional scheme of land revenue, the amendment of Mr. Basheer Ahmed Sayeed seeks to abolish the zamindaris under a scheme of liquidation on payment of a reasonable compensation. So, this is a rider over Mr. Baig's amendment and as such I would like to allow it. You may formally move it but not make a speech."

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

> ' *That on such consideration this Assembly is of the opinion that all the estates in the Province held by the landholders shall be liquidated on payment of just and reasonable compensation to be determined by an expert commission to be appointed by Government; that the compensation so determined shall be payable either in cash if possible, or in Government bonds redeemable within a period of ten years; and that for effectuating this scheme of liquidation the Provincial Government shall forthwith take all necessary steps including the raising of the required funds and the necessary legislation for fixation of the land revenue assessment payable by the ryots in the estates so liquidated.*' "

H. S. HUSSAIN SAHIB BAHADUR :—" I formally second it, Sir."

MR. SPEAKER :—" Mr. Krishna Rao, do you propose to speak to-day? "

SRI G. KRISHNA RAO :—" I shall take my opportunity to-morrow, Sir."

Khan Bahadur Mahmud Schamnad Sahib Bahadur rose.

MR. SPEAKER:—"I do not see any notes in the hands of Mr. Schamnad. I want to give precedence to people who have come prepared."

(Mr. Schamnad took some paper from the table. (Laughter.)

6-45 p.m. *THE ZAMINDAR OF BODINAYAKKANUR:—"Mr. Speaker, the Hon. Minister in his opening speech said that the peshkash payable by the zamindars in this Presidency is 44 lakhs and as the peshkash was fixed at two-thirds of the total revenue derived in 1802 the zamindars should be collecting only Rs. 66 lakhs whereas they are now collecting 2¼ crores. The Hon. Minister assumes that the whole of this additional sum is due to the enhancement of rent. This, Sir, seems to be a very erroneous conclusion. He has not taken into account the large extent of waste land which has come into cultivation and the excess area brought to account by survey, commutation and conversion of dry to wet owing to improvements effected by the landholders, during the past 136 years. In fact, the amount of peshkash fixed was never exactly two-thirds. In some cases it was more and in some cases less, owing to various considerations prevailing at that time in each estate. As a matter of fact, in many of the estates in the south of the Presidency at any rate, the 1802 rates are still in force without any enhancement whatsoever. In this connexion I am glad that the Hon. Minister agrees that the zamindars have the right to enjoy the assessment on waste lands which have been brought under cultivation.

"Not only do the proposals deprive the zamindar of the right to enhance rent in case of improved water-supply but they impose additional obligation on him to construct new irrigation works without claiming any enhanced rent on that account. The zamindar cannot also call upon the ryot to pay any enhanced sum for any improvement of irrigation works executed at the expense of the Government, *even though he may be required to pay an additional sum to the Government*. This is extremely unreasonable and unjust. Here I may pause and ask the question. 'Do the Government execute such works in ryotwari tracts without enhancing the land revenue?' The answer is emphatically no. I may quote instances. The Mettur Project was originally intended as a protective work. But when the work was completed, the Government converted second-class sources of irrigation into first-class sources and charged enhanced revenue for lands already classed as wet and for which the Government were bound to supply water. The Government made this conversion and enhancement in spite of the protests of the ryots that the Mettur Project had not in any way improved the supply they were getting before. For all dry lands brought under wet cultivation, heavy rates of assessment have been charged. Similarly, lands under the new High

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Level Channel in Kulitalai and Trichinopoly taluks are heavily charged. Similar is the case with Periyar irrigation in the Madura district. Before Government undertake any irrigation project, enquiries are made to ascertain the probable income that will accrue. If it is not remunerative, the work is not undertaken (e.g., Tungabhadra and Bhavani projects). The Committee asserts, on the analogy of the ryotwari holders, that the ryots in zamin villages are the owners of the soil and that the zamindars are the assignees of Government's rights. If ryotwari tenants are not entitled to such concessions, I fail to see how the position of the ryots in estates calls for a different treatment. The amendments made to the irrigation chapter in the present Estates Land Act by the Act of 1934 have gone too far against the zamindar. The proposals now made are unjust and would be ruinous to landholders. Adequate provision should therefore be made for making reasonable enhancement of rent in cases where new irrigation works are constructed for the benefit of the ryots at the expense of the landholder and in cases where the zamindar is required to pay any additional sum to Government for any irrigation works constucted by the latter.

" The Committee recommends that there should be a statutory declaration that the ryots are entitled to remission where the land does not yield any produce for causes beyond their control. The Committee regards this claim to remission as an elementary right. How, it is not clear. The attitude taken by the Committee is curious and inconsistent. Where the rent is fixed in perpetuity and cannot be enhanced by the landholders or reduced by the ryot under any circumstances or for any reason, it seems strange that the Committee should suggest that the rent is liable to be reduced for failure of crops. No remission is, as a matter of fact, allowed to the landholders by the Government nor do the ryots pay anything in excess during prosperous years. And so, a statutory recognition of the right to remission owing to the failure of crops is unjust and expropriatory. In this connexion I may point out that even in Government areas remission is granted not under statutory provision but as a matter of grace. Even as a matter of grace, remission is granted in ryotwari areas, only in the case of the wet ayacut when there is no supply of water in the tanks. Even for the wet ayacut no remission is granted if the tanks happen to get a few days' supply of water, irrespective of the fact whether such a supply is enough to raise a crop or not. No remission is granted, to the dry areas, on account of the failure of the rains and crops except in years of extraordinary drought, flood or famine. Any legislation on this matter will tempt the ryots to claim every year a remission and will be a fruitful source of litigation full of evil consequences, both to the landholders and their tenants. The question of remission can therefore be left to the discretion of the zamindars and the mutual good will existing between the ryots and the landholders.

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" As the ryots already possess occupancy and transfer rights, a determination of the question as to who is the proprietor of the soil is neither expedient nor necessary, so long as the respective rights of the proprietor and the tenants are clearly defined. The conclusion of the Committee seems to have been based on a misconceived theory that the sovereign had no paramount right over the soil, but had only the right to collect the revenue from the ryots.

" As regards the rights to minerals, forests, etc., I will only dwell briefly on the subject. I would simply suggest that any rights granted to the ryots in zamindari areas regarding minerals, forests, etc., should not exceed the rights now enjoyed by the ryots in Government areas.

" In this connexion please permit me, Sir, to mention a few facts regarding my own estate, Bodinayakkanur. Centuries ago this estate formed part of the West Coast. At a time when much havoc was reported to have been done by some wild animals, the then ruler Poonaiyathu Thambiran who owned a great portion of the Western Ghats notified that whoever put an end to the havoc by the wild animals would be suitably rewarded. I invite the attention of the hon. Members to the early history of my zamindari on page 167 of Part II of the Report. I gather from my family records that the founder of this estate was given a gift of the jungle which sheltered the wild animals he killed. He thus got a jungle uninhabited, untilled and unreclaimed. He reclaimed it himself, formed villages, got people to settle there and gave them lands to cultivate. The estate has devolved on the successors in an unbroken line from the original founder. In due course after the introduction of the Permanent Settlement our estate was also settled and sanad granted. Perhaps other estates like Ammayanayakkanur and Gandamanayakkanur had a similar origin. But being unacquainted with their family history, I cannot say anything about them. The names of most of the estates in the South take after their original founders, the ancestors of the present zamindars and indicate their origin. The facts connected with my estate will show that the impression of the majority of the Committee that the proprietors of all estates governed by the Permanent Settlement Regulations were superimposed on previously existing ryots or village communities is wrong. The instructions to Collectors regarding the Permanent Settlement of the southern districts which provide for an allowance and the like to those who declined the engagement for the jumma proposed, also prove the recognition of the previous proprietorship.

" The survey of the lands in the estate is necessary in the interests of both the landholders and the ryots, though it should not be made compulsory, and the cost of the survey should be borne

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by the Government, the landholder and the ryots. The ryots are very much benefited by the survey and their exemption from liability to pay towards the cost of survey has no justification except on the ground that they should be receiving advantage at every step. In cases where subdivision of the holdings is to be effected at the instance of ryot, the cost should be borne entirely by the ryots.

" I wish to make a final appeal to the hon. Members. Let me not be misunderstood as being opposed to any ameliorative measures on behalf of the ryots. The ryots as well as the landholders may have their grievances and effective measures may be passed to redress the grievances whenever and wherever necessary. Any piece of legislation that is introduced should be just and impartial. The ryots as well as landholders are equally the subjects of the State and have to be treated fairly and impartially. The prosperity of the zamindars and the ryots and the smooth running of the revenue administration in estates depend a good deal on the cordial relationship existing between the two. This cannot be achieved unless the Government holds the scales even, without attempting to benefit the one at the expense of the other. Any legislation that adjusts the rights and relations of the tenants and landholder in a just and equitable manner will be quite welcome. But a wholesale interference with the existing relationship to the utter detriment of the landholders' interests is absolutely uncalled for and will lead to discord and evil consequences in the near future and is sure to have repercussions in other areas also."

* KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR :—" Although I come from Kerala—South Kanara is indeed a portion of Kerala—I have decided to speak on this question not only because this a very important question but also because this is an all-embracing question. The people in Kerala also may be engulfed in his whirlpool.

" After the Assembly had the advantage of listening to the very learned, interesting and exhaustive speech of the Hon. the Revenue Minister, the equally lengthy reply of the Zamindar of Mirzapuram, the able appeal of Mr. Bower to consider the question unbiased and also the different analyses of the question by the succeeding members, I do not think it necessary to travel far and wide and repeat the same arguments again and again. So I shall come to the point immediately. The important question to be considered here is: Who is the owner or the proprietor of the soil? Is it the zamindar or is it the ryot? What is the rent that has to be paid? Whether that rent has been already fixed permanently or has to be fixed. My friend Mr. Mahboob Ali in the guise of supporting the ryot has smashed the case of the ryot. He has stated that the Patta Regulation, the other Regulations of

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the Permanent Settlement and all enactments contain nothing which shows that the proprietor of the soil is the ryot. He says on the other hand the zamindar is right in claiming on these documents that they are the proprietors. But the Hon. the Revenue Minister has based his argument chiefly on the Permanent Settlement Regulations, the Patta Regulation and even the Estates Land Act and other things that took place after 1802. Mr. Mahboob Ali wants to base his argument on some imaginary rights of the ryots which are said to have been sanctioned in the Code of Manu and other ancient books. I do not know whether Mr. Mahboob Ali does it intentionally or not in saying that the owner or the proprietor of the soil as evidenced by the Regulations is
7 p.m. the zamindar. Even during the time of the Hindu and Muhammadan rulers, it was recognized that the ownership of the land vested in the rulers. Even after the English became the rulers of this country, they were also considered to be the proprietors of the soil; otherwise there was no reason for periodical settlements to raise the rates of assessment once in thirty years. If the Muhammadans and English rulers were and are the owners of this country, many of the zamindars who had been also rulers and chieftains must be owners also. This point will be borne out by what is contained in page 24 of Appendix IV in the Appendices Volume. This is what is stated there:—

'In the year 1786, when the Committee of Circuit were pursuing their enquiries, the Court of Directors by their revenue letter dated the 28th April 1786 drew the attention of the Madras Government to their views on the system of Permanent Settlement of land revenue . . . The military establishments of the Zamindars also prevented the Company's servants from pursuing any detailed enquiries.

'It had been found from the beginning of the possession of the Northern Circars and later on the cession of the Southern and Western Poliams by the Nabob of Carnatic that the East India Company could not have its own way; for both Zamindars in the north, and the Poligars in the south were Chieftains of the places with military strength of great proportions.'

" It is also said there that they were the rulers and chieftains and they were in possession of the land. The object of the British Government in transferring the right to these people was to enable them (the British Government) to get into the possession of the land easily. They said, 'You had better administer these estates; you had better look after them and give us a certain portion of the revenue as peshkash.' That is the position with regard to the proprietary right of the zamindars.

" The Hon. the Revenue Minister quoted freely from the speeches made by Mr. Crole in the debate on the Tenancy Bill of 1898, but after all the statement of Mr. Crole is his own opinion and ultimately that Bill was withdrawn. The Hon. the Revenue Minister also quoted from the speech of Mr. Forbes. But there also it was his own opinion, because in the Bill as passed finally is the decision of the Government.

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" Then in Appendix IV at page 25 of the Appendices Volume you will find the following passage :—

' The Board of Revenue on 15th October 1799 issued their instructions to the Collectors of the districts explaining the basis of the Permanent Settlement.

' The Instructions are printed as one of the Appendices (V-A and V-B) but for the sake of convenience of reference some paragraphs are extracted below. Referring to the principles of the settlement, they proceed, " They may be reduced under the following heads ; viz :—

' Constituting the zamindars proprietors of their respective zamindaris, as estates. . .'

" So, it will be clear that even in the instructions to the Collectors for introducing Permanent Settlement, they considered the zamindars as proprietors of the soil.

" As regards tenants, nowhere you will find it stated that they are the owners or proprietors of the soil. On the other hand, it has been held in 20 Madras and 23 Madras that they are not the proprietors of the soil. The learned Judges there define the ryots as having nothing more than occupancy right. This opinion has also been upheld in the Privy Council in 47 Madras. Their view was that kudivaram right was permanent occupancy right. Even in the case of waste lands, the zamindars had the proprietary right. In the same Appendix, paragraph 27 of the instructions to the Collectors at page 27 of the Appendices Volume you will find the following passage :—

' It is well known that in the Circars there are very extensive tracts of uncultivated, arable and waste lands forming part of every zamindari. These are to be given up in perpetuity to the zamindars free of any additional assessment with such encouragement to every proprietor to improve his estate to the utmost extent of his means.'

" This shows, Sir, that even the waste lands had been given to the zamindars and so we cannot now say that the zamindars have no right for the waste lands or for making any improvements therein without any additional taxation. All these rights have vested in them. In addition to the revenue they derived from the cultivated lands, the revenue derived from the waste lands also they could appropriate to themselves. They have been authorized to grant pattas or leases to persons for bringing waste lands into cultivation. This will be evident from section 15 of the Patta Regulation XXX of 1802 found on page 105 of the Appendices Volume. This is what that Regulation says :—

' Nothing contained in this Regulation shall be construed . . . nor from granting pattas for clearing and bringing waste lands into cultivation. '

" Then in Board's Proceedings No. 7743, paragraph 80 (page 185 of the Appendices Volume), it is stated :

' In those portions of the country in which the Land Revenue has been " Permanently Settled " (so far as the State receipts are in question), the Government have transferred their right to an increase of revenue through the enlargement of the cultivated area to the zamindars.'

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"So, from the above, it is also clear that they were entitled to the revenue from cultivated lands as well as waste lands and to an increase of revenue by issuing pattas to other persons.

"Then on page 41 of the Appendices Volume, in a note by the Secretary to the Committee about the cultivator's share, he quotes from Mr. Grant's survey of the Northern Circars. There he says that 50 per cent of the gross income is the cultivator's share.

"From the above it is not difficult to find out the share of the zamindar in the produce of the land. Now we are told that the rate of rent has been fixed permanently in the Patta Regulation. I submit that it is not. It is only the permanent right of the zamindar to the land that has been so fixed. Moreover it will be seen that patta was to be renewed year after year and not like sanads which were issued to the zamindars fixing his right permanently and unalterably. If the rate of rent was fixed permanently and unalterably, there was no necessity for renewing the patta year after year. It will be seen from section 13 of the Patta Regulation found on page 105 of the Appendices Volume, that 'where estates or parts of estates may be sold or transferred for the liquidation of arrears of rents or revenues due to the Government, such pattas as may have been granted by the former proprietor shall cease to have effect at the end of the fasli in which such lands may be sold and new patta shall be issued by the purchasers of such estates from the commencement of the following fasli.' So unless the zamindar was considered the proprietor of the soil, this right of issuing new pattas would not have been vested in him. Now according to the terms of the Permanent Settlement, the Government have no right of ousting the zamindar for any arrears of rent. They can collect their arrears by a sale of the estate or by some such means and thus only recover their peshkash. Therefore, Sir, from all the documents, judicial decisions and the enactments after 1802, it is conclusively proved that the proprietor is the zamindar, that the tenant has got only occupancy right, that the rent was not fixed in the Patta Regulation, that the zamindar has a right to 50 per cent of the gross income and that we are not to go to 1801 to find out the gross income because it is not only impracticable but it was not also the intention, as it was provided that the pattas should be issued soon after the Permanent Settlement. It was provided that pattas were to be given within six months of the Permanent Settlement and if within those six months the pattas were not issued, then the ryots could go to court, which should refer to 1801 to find out the assessment which prevailed then and if even then the assessment was not easily available, it was to be found out from the assessment on the neighbouring lands. It was not at all the intention that for all time to come we have to go back to 1801 to find out the gross income. Moreover, the rent was paid in kind at

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that time and in commuting that rent we have to take into account the prices prevailing now. It is not practicable to go back to 1801 to find out the rates, the prices and all such things. Therefore, what I suggest is that this important question should be considered by unbiased minds and some means should be found out by which justice will be done both to the zamindar as well as the tenant. It would be expedient also, if the Government think fit, to appoint a judicial committee who will be able to bring their judicial mind to bear upon this question and decide it justly and fairly once for all. My hon. Friend, Mr. Mahboob Ali Baig, has suggested in his amendment that the estates may be purchased and that the zamindars may be given compensation. Something similar to that has been suggested by Mr. Basheer Ahmed in his amendment. If the Government think it proper, I would have no objection to that also. But the best thing will be to have this matter considered by unbiased minds and decided in a most equitable manner possible without injuring cause of either party."

* SRI D. NARAYANA RAJU :—" Mr. Speaker, I agree with the mover of one of the amendments, Mr. Mahboob Ali Baig, to some extent, that is, that the zamindari system should be abolished or that it deserves abolition. It is common knowledge that the zamindari system and the Permanent Settlement were brought into existence at a time when a middleman was found necessary by the then Government of the day. But times have changed and for the collection of the revenues, the Government do not now require the help of any middleman. The middleman instead of being a help to the Government, is more a drag on them. Instead of the middleman assisting the Government, the Government have to assist the middleman to collect the revenues from the ryots. For, what do we find in these zamindaris now? Without the help of the Revenue establishment, the Civil Courts, the Police and other Governmental machinery the zamindar is not able to collect his rents. Therefore, the Government have to assist the zamindar instead of the zamindar assisting the Government. So, clearly the zamindari system has outlived its utility and, what is more, from the whole of the zamindari areas in the Presidency the Government are getting only about Rs. 41 lakhs, while they have to spend more in the zamindari areas. They are running the whole administrative machinery as in the rest of the Presidency, they have got the Revenue department, the Police, the Civil Courts and everything. On this administrative machinery they are spending more than Rs. 41 lakhs. At a moderate estimate we may say that the Government are spending about Rs. 1 crore in the zamindari areas of the Presidency, while they are getting only Rs. 41 lakhs as peshkash from the whole of the zamindari area. Thus this zamindari system is a loss to the general community instead of being a gain in any way. Further, the disputes between the zamindars and their tenants cannot be put an end to at any time

without abolishing the zamindari system. The dispute between the zamindar and the tenant has been going on in one shape or other for the last 136 years, ever since the Permanent Settlement. This dispute has come up for decision either before the courts or before the Government in one shape or other. I do not think that we can frame any law which will finally put an end to these disputes. These disputes have had to be adjudged by the courts or legislated upon by the Legislature from time to time. Therefore, for this reason also the zamindari system has to be put an end to sooner or later. It is bound to go, because intrinsically it has outlived its utility.

"But, Sir, the present question is, what are the powers of the zamindars; are they now acting within their rights and powers? The zamindar is no doubt an agent of the Government but we find that this agent is not acting within the limitations of the powers conferred on him. He is exceeding the limitations and, what is more, he is assuming more powers than the principal himself. The main question in the report is this: whether the ryot is the owner of the soil or not. With regard to that, I think the majority report has made the point quite clear. According to the common law of the land, as well as the authorities on the subject, the ryot has been found to be the owner of the soil. With regard to this point all the members of the Committee except the zamindar member were unanimous. They have all agreed on the point that the ryot is the owner of the soil and not the zamindar.

"Now, Sir, connected with this finding there are other very important things, such as the right of the ryots to enjoy the forest produce, irrigation sources, communal porambokes and so on. All these matters turn upon the basic point that the ryot is the owner of the soil and not the zamindar. If we examine these things in some detail we will find that the zamindar is exercising powers which the Government themselves are not exercising with regard to the forests, communal lands and irrigation sources. I will just show how.

"With regard to the irrigation sources, the executive Government had to arm themselves with an Act before they could levy any cess So an Act was passed in the year 1865 called the Madras Irrigation Cess Act. The preamble to that Act states that whereas large expenditure out of Government funds has been and is still being incurred in the construction and improvement of works of irrigation and drainage, it is right and proper that an adequate return should be made to the Government on account of the increased profits derived from the lands irrigated from such works and so on. Sir, the Act was called the Irrigation Cess Act and not the Irrigation Tax Act. Therefore, the cess that is imposed by the Government is a return for services rendered by the Government. It is not in the form of any taxation which the

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Government as such are entitled to levy. The cess is only a return for the expenditure incurred by the Government on the construction and improvement of works of irrigation, and not on their maintenance. The omission of the word ' maintenance ' is significant. Since the Government receive the general taxes from the people they have to maintain the irrigation sources. For mere maintenance they are not entitled to levy any cess. It is only when they spend large sums of money on construction and improvement of irrigation works that they are entitled to levy any cess. Now what do we find in the case of the zamindars? They have not incurred any expenditure on the construction and improvement of any large works of irrigation. They are even neglecting to maintain in proper order the existing works. That is the finding of the Committee. Still the zamindars are getting this income and claiming the control of the irrigation sources. Whereas even the executive Government of the day are not as of right entitled to such control, unless they are armed with an Act of the Legislature; the zamindars, without any Act whatsoever, without properly maintaining the irrigation sources, claim control over irrigation sources such as streams, tanks and so on. Here is a point where the agent is exercising powers which are not being exercised by the principal himself.

" Now let us come to the forests. We have the Madras Forest Act of 1882. If we examine its provisions in some detail, we will find that the Government as such were not claiming complete ownership over these forests. They have recognized the customary rights of the ryots in the neighbourhood. Here for the purpose of this Act, land was divided into two classes, land at the disposal of the Government and the land not at the disposal of the Government. With regard to the land that was not at the disposal of the Government, they had to acquire it as in the case of any other private land. Even with regard to the land at the disposal of the Government, several restrictions were imposed on the Government by this Act. If the Government want to reserve any part of the land at their disposal as reserve forest, they will have to notify and this notification has to be published in all the towns and villages in the neighbourhood; a Forest Settlement Officer has to be appointed and he must give not less than three months' notice to all the inhabitants in the neighbourhood; he must then hear their claims, their claims to occupancy rights, to water-courses and to forest produce, etc. All these rights are vested rights enjoyed by the ryots and were recognized. All such representations must be heard by the Forest Settlement Officer. He must also hear the Forest Officer; the Forest Settlement Officer must arbitrate between the Government and the ryots in the neighbourhood. All his decisions on these points are appealable to a special court, the Forest Court consisting of the District Judge, the District Collector and a non-official. The Special Forest Court is empowered to hear

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appeals from the decisions of the Forest Settlement Officer. Therefore, it is clear that the customary rights of the ryots in the neighbourhood were recognized; they can be commuted by paying compensation; they may be acquired or they can be allowed to be exercised under some restrictions. All these powers were given to the Forest Settlement Officer. In the exercise of these powers, the Forest Officer might do wrong to the ryots; but the ryots have got the right of placing forward their claims for pasture, for forest produce and for everything connected with these forests. Tnerefore, the executive Government do not claim to be the absolute owners of even the lands that are at the disposal of the Government.

" The Government are empowered to make rules with regard to certain matters. They can impose certain restrictions with regard to the clearance of the land for cultivation, for collection of the produce of the land, for quarrying, for cutting grass, or for hunting or fishing, etc. For all these things, the Government are empowered by the Legislature to frame rules, to impose certain restrictions in the matter of the exercise of the rights. Even with regard to the forest land that was not classed as reserve forest land—though it was at the disposal of the Government—they had to be guided by certain rules and regulations which they were empowered to frame under the Act. As executive Government, they were not entitled to do all these things without the concurrence of the Legislature.

" What do you find in the case of the zamindars? They have not been empowered by any law to deny or interfere with the customary rights of the ryots. Yet the ryots are not allowed fishing or shooting in the forests. Even if any wild animal comes from the forest, enters into the field of the ryot and destroys the crop, the ryot cannot shoot it. The ryots have been taken to task for driving away the wild beasts that spoil their fields. All these rights are being arbitrarily exercised by the zamindar; such rights are not enjoyed even by the Government. The zamindar is clearly exceeding the limits of his agency. His rights have been restricted by the conditions imposed on him by the Permanent Settlement. The simple question now is this: they must not be allowed to exceed their powers.

" Sir, my hon. Friend, Mr. Mahboob Ali Baig asked, ' So long as these zamindaris are allowed to exist, why not introduce the ryotwari system of tenure in the zamindari areas also? ' There is an impression that the settlement in ryotwari areas is somewhat perfect and scientific. It is not so. What do you find? Let us examine the factors that constitute the settlement operations. The Settlement Officer must first classify the land into the main classes according to the origin and mechanical nature of the soil, etc. Each class is subdivided into various sorts according to its

fertility and the chemical composition of the soil. The next process is to ascertain the grain outturn of each of these kinds of land. For this purpose, the officer has to carry on experiments for a series of years and then ascertain the actual outturn. He has to make a deduction of 8 to 25 per cent on account of the vicissitudes of the season. After thus ascertaining the net produce, he has next to find out the money value of the grain outturn. He is expected to ascertain the average selling price of the standard grains in the ryots' selling months for a series of years, generally for a period of twenty years. Then he must make a deduction of 8 to 20 per cent for cartage and merchants' profit. The balance, after making this deduction, is known as the commutation rate. The grain outturn is then converted into money value at this rate. Even here, the process does not come to an end. He has to ascertain the cultivation expenses taking into account various factors which govern each kind of soil. The difference between the money value of the grain outturn and the cultivation expenses is the net value of the produce of a particular kind of soil. These are the various operations that have to be carried on by the Settlement Officer at the time of the first settlement. With regard to resettlements, of course, the Government have come to this decision, namely, in districts where the land revenue has been adequately assessed, they need not go into the reclassification of soils and the calculation of the value of the grain outturn afresh. The rates have to be revised solely with reference to the rise in prices. With regard to enhancement of rates also, certain limits are imposed; the enhancement with reference to the rise in prices should not exceed $18\frac{3}{4}$ per cent. This is the elaborate procedure that has generally to be gone through, in connexion with settlements and resettlements; this may look very perfect and scientific on paper; but actually it is not so. Instead of giving my opinion, I shall just quote the opinion of an authority on this point, namely, Mr. S. Srinivasaraghava Ayyangar who was deputed by the Government to prepare a memorandum. Mr. S. Srinivasaraghava Ayyangar in his memorandum on the progress of the Madras Presidency says thus:

'The Madras settlement operations, though conducted under elaborate rules, resolve themselves in the final result into the simple method adopted in Bombay, firstly because the minute and extended enquiries which they involve are in most cases impossible to carry out and have frequently been dispensed with; secondly because none of the data on which reliance has to be placed, such as prices of food grains in former years, is perfectly trustworthy; and thirdly because the determination of the rates of assessment with reference to a large number of factors, slight errors in regard to which might seriously vitiate the total result, is apt to make the assessments excessive. Hence, the first step in the Madras settlement is practically determined on general considerations whether the tract coming under settlement requires a decrease or will bear an enhancement of land revenue and to what extent. The total amount of assessment to be imposed having thus been decided upon, the results of the process above described are adjusted so as to yield it.'

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"Therefore, in spite of all these elaborate rules and complicated processes the amount of assessment to be imposed on a particular tract is fixed by a manipulation of the process so as to lead to a particular conclusion; that is what is being done. Such being the case, we cannot say that these resettlements carried on in ryotwari areas are perfect and free from mistakes. Not only that; in olden days, the ryots had been enjoying certain advantages; they had been enjoying the use of common lands, fisheries and so on. These relieving circumstances are not present now. The system of land revenue has become very rigid and inelastic. All those circumstances which were of some relief to the ryot, do not exist now; there are no common lands; he cannot shoot wild animals even if they destroy his crops; his facilities for grazing his cattle are reduced. Therefore, he is suffering from all these disadvantages at present. In the olden days, he had several other occupations. If the land cannot be cultivated in a particular year, he can take up to other avocations. Those avocations and occupations are not now present in the country. He has to confine himself only to the land; further the land that is newly brought under cultivation is not keeping pace with the increase in population; population has increased and the cultivated land has not kept pace with the increase in population; subsidiary occupations have died out. What do you find therefore? All this is leading to low production and heavy indebtedness of the ryots. No doubt it is affecting the land revenue. The occupation of agriculture is not now paying, as in the olden days. Further, the present system of land revenue is based too much on averages, i.e., on average rainfalls, average irrigation supplies, average outturns, average prices, and so on. These averages may look very nice on paper, but they are really creating trouble. Therefore, I say that the present land revenue system is based too much on averages, and it is not scientific.

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"Again, there is a fundamental error in the present system, viz., it is supposed that it is the land that pays the revenue and not the ryot. The fertility of the soil alone is taken into account; the outturn from the soil alone is taken into account; the ability of the person who cultivates the land is not taken into account. The question whether the ryot is in a position to pay the tax or not is not at all taken into account. The position of the cultivator, his maintenance, his standard of living, all these are not taken into account. And the present system is not therefore in consonance with modern canons of taxation. This ancient and rigid system is making the already less prosperous ryots worse off and helps the richer people to gain advantage. The incidence of the land-tax is not evenly distributed according to the ability of the cultivator; it is distributed according to the nature of the land alone. This is the fundamental difficulty which has got to be

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removed. I am sure the Hon. the Revenue Minister will, in the near future, reform also the system of land revenue assessment obtaining in the ryotwari areas.

" But the agitation to remodel the land revenue system is a separate issue and is not connected with the present zamindari problem. There is an apprehension abroad that if the rates were reduced to the 1802 level in the zamindari areas, there would be an agitation for corresponding reduction in rates in the ryotwari areas. I can assure the Government that nothing of the kind will happen. The ryots in the ryotwari areas are not so bad as to demand that the disparity between income and expenditure of the Government in the zamindari areas must be there in the ryotwari areas also. The ryotwari ryots are not after all so unreasonable as all that; we can rely upon their reasonableness. Further, merely because the ryots in the zamindari area are now to be benefited to some extent by going back to the 1802 level, it does not mean that the ryotwari ryots would envy them. The zamindari ryot has been oppressed for a long time; and if now he is going to enjoy some advantage, the ryot of the ryotwari areas will not grudge it. When the zamindari ryot was oppressed with heavy rents, the ryotwari ryot was not able to help him; why should he now grudge an advantage to him? Therefore, I say that this misapprehension that a reduction of rates in the zamindari area to the 1802 level will automatically lead to agitation in the ryotwari area for a corresponding reduction, is not justified.

" As I have already pointed out, the land revenue system even with regard to ryotwari areas has to be re-examined and brought into conformity with modern canons of taxation. That is altogether a different question and a different problem, which I am sure the Hon. the Revenue Minister will address himself to in the near future. Sir, I heartily support the amendment moved by my hon. Friend, Mr. Kala Venkata Rao and oppose the other amendments."

* SRI B. BHAKTAVATSALU NAYUDU :—" Sir, I rise to place before the house the layman's point of view. The agitation of the zamin ryots to place them on the footing of the ryotwari ryots is more than justified by the findings in the Report of the Madras Estates Land Act Committee. That the ryot is the owner of the soil subject to the payment of a tax is accepted on all sides, and that the finding of the majority that the cultivator of the permanently settled estate is entitled to the same rights which a ryotwari cultivator holds under the Government is acclaimed even by those who added their dissenting minutes. There is also unanimity of opinion that, whatever agency is employed by Government to collect the taxes and whatever property rights are created in the melvaram rights consequent upon the passing of the Regulations of the Permanent Settlement, the obligations of

the State as the Sovereign in relation to the ryots to guarantee fixity of tenure, fixity of rates and security against rack-renting, to provide irrigation facilities and to maintain them in order, to survey every one of the estates and to safeguard all customary rights and other necessary natural facilities for the zamindari ryots to enjoy their lands, cannot any longer be ignored, or made a matter of stipulation or of adjustment between the zamindar and the zamindari ryot. The State and the Government as such are primarily and directly responsible to the zamindari ryots also to provide all these facilities as in the case of the ryotwari ryots; and as long as the Government take a portion of the rents or taxes paid by the zamindari ryots as peshkash, the duty of the Government to return the sum represented as peshkash in some form or other to the zamindari ryots cannot be easily ignored. It is a pity that since 1802 the Government have not been alive to this aspect of the matter. I may boldly proclaim that if the return by the Government to zamindari ryots can be in the reservation of the amounts of peshkash or a portion of it for the formation, repair and maintenance of irrigation facilities in the zamindaris and for some scheme of economic development of the zamindari areas, the zamindars and the zamindari ryots would be greatly relieved and contentment and peace will prevail in all the zamindaris. Owing to neglect in the past the Government will therefore be well advised if for a few years to come the whole of the peshkash is wholly set apart for the improvement of the estates and the same is statutorily recognized.

" As to the rents in the estates, the principle that they should be fixed unalterably and should not be liable to be enhanced when once fixed in money, has been recognized as early as the days of the Permanent Settlement, and the salutary principle that the amount of it should not exceed the capacity of the land to pay, cannot be ignored, even if the rents prevailing prior to 1802 are in any case to be adopted. On no reasoning can the rents be more burdensome than in the case of the ryotwari ryots similarly placed, for that would be missing the objective, and it would be absurd to impose more heavy and burdensome rents than those existing at present, on the ground that the rents of 1802 should invariably apply to all cases. The facts reveal that the rents in 1802 in Karvetnagar and other zamindaris were not the ayan rents only but also include rusums and illegal cesses which grew adventitiously and in spite of the best efforts could not be weeded out. The cry that the rents (grain or grain and money rents) prevailing in 1802 were themselves oppressive cannot go unheeded. Therefore, for fixing the rates, such principles must be adopted as that the rates should not be in excess of the rates in the neighbouring ryotwari areas, that in no case the existing rates, if found favourable in comparison with those of 1802, should be subject to revision and

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that the present capacity of the land to bear the tax should be taken into account. In short, in the interests of justice and fair play the rate of 1802 or the ryotwari rate or the existing rent whichever is lower, should be confirmed and fixed as the unalterable rent of the holding. I may mention that it would be cruel to adopt, on the other hand, the theory of the 'established rates' propounded by the majority in the Report which is calculated only to cause hardship under the guise of alleviating the misery of the zamindari ryots. The time within which these rates have to be finally settled should also be fixed in the statute and thereby the necessity for the repeal of the provisions relating to enhancement and reduction of rent and commutation of rent would become self-evident. The grant of remission of rent should be subject to rules such as those contained in the Board's Standing Orders and also to the control of the Board of Revenue, and the policy in regard to the grant of remission should be controlled and guided by the Legislature as in the case of the ryotwari ryots.

"Coming to the question of inams, the cause of the inam ryots has greatly suffered at the hands of the majority in the Report. The customary law governing other cultivators is made to take a different course in regard to the ryots cultivating and occupying lands in inam villages. Whereas in the case of the law relating to estates, the majority is prepared to concede that time and again there were errors committed by legislative bodies and is also prepared to entirely change the course of it, it has somehow gone to the length of committing a mistake in the case of inams on the ostensible ground of respect for law. Taking advantage of a slender plea that in the Regulation XXI of 1802 the possession of the inamdar is a criterion in judging the recognition of an inam, the majority proceed to the view that the inamdar was in actual possession and cultivation of the land and therefore in the case of "excluded inams" at least it should be supposed that the inamdar becomes the holder of the occupancy rights in all the lands in the inam, and though the rent is remitted his status as a ryot should be undisturbed. This I submit is going farther than what the inamdars themselves contend for. This position of the majority is certainly unjustifiable and has to be seriously questioned. By parity of reasoning of the sort adopted by the majority in the Report, the inam ryots have been time and again denied their legitimate rights. But by the persistent efforts of the great benefactor of the ryots, the late lamented Diwan Bahadur B. Muniswami Nayudu, great number of ryots in inams were delivered from their serfdom; and it may not be out of place for me if I have to sound a note of warning that the effect of the proposal of majority to take out the 'excluded inams' from the purview of the Estates Land Act will be calculated to deny the barest justice which inam ryots richly deserve, at least after so many long years of serfdom and slavery.

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" The discussion whether or not the zamindar is only a collection agent or the proprietor of the melvaram does not so much interest the zamin ryots. The fact remains that to-day a property in melvaram which is heritable and alienable is undoubtedly recognized and relied upon in the business transactions of the body politic. Whether such a right is to be denied and dismissed by propounding a theory, or to face the real situation and efface the further existence of such a property by compensating the affected vested interests, is a matter of policy for the State which this House should deeply consider. In any case, I submit that any dispute in regard to this can in no way affect or alter the claims of the zamindari ryot and the duty of the Government towards them."

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

TAMILNADU LEGISLATIVE ASSEMBLY
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TRUTH ALONE TRIUMPHS

Appendix I.

[Vide answer to starred question No. 662 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly held on the 24th January 1939, page 480 supra.]

Statement showing the places in the Madras Presidency which are fit for sericulture.

The whole of Kangayam plateau in the Coimbatore district.

The whole of Hosur subdivision and Shevaroy Hills in the Salem district.

Madanapalle subdivision, including Madanapalle and Punganur taluks in the Chittoor district.

Kudligi taluk in the Bellary district.

The whole of Malabar district.

The whole of the Nilgiris district.

Neighbourhood of Vizagapatam in the Vizagapatam district.

Neighbourhood of Ellore in Kistna district.

Guntur and neighbouring places in Guntur district.

Pudupettai area in North Arcot district.

Vadakangulam area in the Tinnevelly district.

TRUTH ALONE TRIUMPHS

APPENDIX II.

[Vide answer to unstarred questio No. 205 asked by Sri K. V. R. Swami at the meeting of the Legislative Assembly held on the 24th January 1939 pages 483 supra.]

Statement showing the imports into this Province, during 1934-35 to 1936-37, of the various articles made of iron and steel, their quantity and value, and the places from which they were imported.

Description of articles and places from which imported.	1934-35.		1935-36.		1936-37.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	TONS.	RS.	TONS.	RS.	TONS.	RS.
IRON.						
1 Angle and tee, bolt and rod	4	696	9	802	8	705
United Kingdom. Germany. Netherlands. Belgium. Luxemburg.						
2 Bars and channel	508	1,05,624	628	1,35,052	365	73,207
United Kingdom. Sweden. Germany. Belgium.						
STEEL.						
3 Angle and tee	1,359	1,46,780	2,273	2,54,574	1,374	1,60,401
Belgium. Germany. France. Luxemburg.						
4 Bars—other than cast steel	11,350	12,99,059	..	..	..	..
United Kingdom. Sweden. Poland. Germany. Netherlands. Belgium. Luxemburg. France. Czechoslovakia. Japan.						
5 Bars—under ½ inch square or round			2,097	1,87,913	1,299	96,195
United Kingdom. Sweden. Germany. Belgium. Luxemburg. France.						

6 Bars—other sorts						8,710	10,04,845	3,873	5,78,253
United Kingdom.	Sweden.								
Germany.	Netherlands.								
Belgium.	Luxemburg.								
France.	Czechoslovakia.								
Japan.									
7 Tool steel—high speed			99	56,334	48	29,533	42	24,432	
United Kingdom.	Germany.								
Belgium.	Italy.								
Czechoslovakia.									
8 Carbon			25	8,357	21	3,617	42	10,230	
United Kingdom.	Sweden.								
Germany.	Czechoslovakia.								
9 Cast steel bars			6	2,681	-	-	-	-	
United Kingdom.	Sweden.								
Germany.	Belgium.								
Czechoslovakia.									
10 Steel ingots, blooms, billets and slabs ..			9	1,359	2,021	1,37,035	10,411	7,44,666	
United Kingdom.	Australia.								
Germany.	Belgium.								
France.	Hungary.								
IRON OR STEEL.									
11 Anchors and cables			15	6,269	..	-	9	3,346	
United Kingdom.									
12 Beams, channels, pillars, girdars and bridge-work.			3,059	4,24,159	2,874	3,83,916	3,218	4,69,014	
United Kingdom.	Ceylon.								
Germany.	Netherlands.								
Belgium.	Luxemburg.								
France.									
13 Bolts and nuts			1,199	3,28,919	1,264	3,25,366	1,127	3,01,500	
United Kingdom.	Sweden.								
Netherlands.	Belgium.								
Italy.	Austria.								
Czechoslovakia.	Japan.								
Germany.	France.								
Hungary.	United States of America.								

TAMIL NADU LEGISLATIVE ASSEMBLY
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Description of articles and places from which imported.	1934-35.		1935-36.		1936-37.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	TONS.	RS.	TONS.	RS.	TONS.	RS.
IRON OR STEEL—*cont.*						
14 Fencing materials (including fencing wires)	666	1,57,731	1,018	1,71,873	705	1,39,401
United Kingdom. Belgium.						
France. Poland.						
Denmark. Germany.						
Czechoslovakia. United States of America.						
Canada. Austria.						
Japan. Netherlands.			..	..		
15 Hoops and strips	2,606	3,65,112	3,405	4,83,489	2,417	3,43,759
United Kingdom. Sweden.						
Germany. Belgium.						
France. Czechoslovakia.						
Japan. Poland.						
Luxemburg. United States of America.						
16 Nails, rivets and washers (excluding wire nails).	771	3,04,897	1,168	4,40,093	796	2,88,212
United Kingdom. Netherlands.			..	..	..	..
Finland. Belgium.						
Sweden. Czechoslovakia.						
France. Norway.						
Denmark. Japan.						
Germany. United States of America.						
17 Iron or steel—old for remanufacture	261	13,704	202	2,895	1	26
United Kingdom. Iran.						
Ceylon.						
18 Pipes and fittings, cast	362	1,71,088	107	84,306	75	45 871
United Kingdom. France.						
Japan. Belgium.						
Germany. United States of America.						

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19 Rails, chairs and fishplates (including those for Railways) United Kingdom. France. Germany. Java. Netherlands. United States of America. Belgium. Morocco.	350	75,934	2,097	1,94,129	847	1,32,566
20 Screws United Kingdom. Italy. Austria. Poland. Czechoslovakia. Germany. Japan. France. Sweden. Hungary. Belgium.	290	1,30,240	226	99,977	277	1,17,822
21(*a*) Sheets and plates, galvanized, corrugated United Kingdom. Germany. Belgium. Japan. United States of America.	1,858	3,67,031	2,162	3,66,903	916	1,57,788
(*b*) Sheets and plates, galvanized plain United Kingdom. Germany. Belgium. Luxemburg. Japan.	1,649	3,53,712	1,306	2,60,656	961	1,70,745
(*c*) Sheets and plates, tinned United Kingdom. France. Germany. Japan. Italy. Belgium. United States of America.	802	2,74,834	1,032	3,63,401	244	1,06,928
(*d*) Sheets and plates, not galvanized or tinned United Kingdom. Luxemburg. Germany. France. Belgium. Japan.	3,367	4,90,117	2,833	3,98,018	2,784	3,85,049
22 Sleepers and keys of steel or iron for railings United Kingdom. Germany. Netherlands. Belgium. Morocco.	879	1,62,149	1,273	1,87,337	352	86,773

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	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	TONS.	RS.	TONS.	RS.	TONS.	RS.
IRON OR STEEL—*cont.*						
23 Tubes, pipes and fittings wrought	3,167	7,45,307	6,316	10,88,589	3,715	6,96,920
United Kingdom. Poland.						
Straits Settlements. Germany.						
Netherlands. Canada.						
Belgium. Sweden.						
France. Czechoslovakia.						
Japan. United States of America.						
24 Wire nails	2,639	4,40,903	3,702	5,51,147	1,109	1,64,263
United Kingdom. Luxemburg.						
France. Sweden.						
Italy. Poland.						
Austria. Germany.						
Hungary. Netherlands.						
Czechoslovakia. Japan.						
Belgium. United Sates of America.						
25 (*a*) Wire rope, black	301	1,83,446	138	91,215	529	2,95,380
United Kingdom. Germany.						
Belgium. United States of America.						
(*b*) Wire rope, galvanized	108	48,232	162	41,351	83	33,237
United Kingdom. Japan.						
Germany. United States of America.						
26 Wire—other than fencing wire	666	1,20,518	743	1,15,174	437	73,438
United Kingdom. Austria.						
Sweden. Hungary.						
Germany. Czechoslovakia.						
Netherlands. Japan.						
Belgium. United States of America.						
France. Italy.						
27 Other manufactures of iron or steel	1,686	4,49,752	1,926	4,48,591	1,834	4,70,045
28 Buckets, tinned or galvanized iron	Value.	9,720	..	6,543	..	5,600
United Kingdom. Germany.						
Sweden.						

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29	Builders' hardware (excluding cutlery and electroplated ware).	..	4,07,405	..	5,14,653	..	4,47,663
	United Kingdom. Germany.						
	Ceylon. Belgium.						
	France. Sweden.						
	Japan. Norway.						
	Netherlands. Straits Settlements.						
	Czechoslovakia. United States of America.						
30	Domestic hardware	..	1,53,501	..	1,89,698	..	2,44,988
	United Kingdom. Estonia.						
	Sweden. Ceylon.						
	Denmark. Straits Settlements.						
	Germany. Australia.						
	Belgium. Finland.						
	France. Austria.						
	Japan. Hungary.						
	Czechoslovakia. United States of America.						
31	Enamelled ironware	..	2,51,858	..	3,00,730	..	2,00,946
	United Kingdom. Italy.						
	Sweden. Hungary.						
	Austria. Poland.						
	Czechoslovakia. Germany.						
	Japan. Belgium.						
	United States of America.						
32	Agricultural implements	..	33,901	..	..	..	..
	United Kingdom. Germany.						
	United States of America.						
33	Implements and tools other than agricultural implements and machine tools.	..	6,61,553	..	6,84,516	..	6,37,583
	United Kingdom. Canada.						
	Australia. Straits Settlements.						
	Sweden. Switzerland.						
	Germany. Italy.						
	Netherlands. Austria.						
	Belgium. Czechoslovakia.						
	France. Japan.						
	Egypt. United States of America.						

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Description of articles and places from which imported.	1934-35		1935-36.		1936-37.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	NO.	RS.	NO.	RS.	RS.	RS.
IRON OR STEEL—*cont.*						
34 Hand pumps	..	..	..	..	3,207	45,095
United Kingdom. Germany.						
Japan. United States of America.						
35 Safes and strong boxes of metal	17	2,510	17	2,306	134	6,497
United Kingdom. Germany.						
Japan.						
36 Stoves	21,382	51,474	12,992	35,402	10,841	32,372
United Kingdom. Austria.						
Sweden. Japan.						
Germany. United States of America.						
37 Other sorts	..	14,57,468	..	14,79,157	..	10,56,007
38 Cutlery	..	2,42,420	..	2,49,624	..	2,48,363
United Kingdom. France.						
Hongkong. Switzerland.						
Canada. Czechoslovakia.						
Germany. Japan.						
Netherlands. United States of America.						
39 Machinery and mill work (including railways) ..	..	1,56,05,229	..	1,67,01,737	..	2,20,23,146
United Kingdom. Norway.						
Aden. Poland.						
Denmark. Ceylon.						
Germany. Straits Settlements.						
Netherlands. Hongkong.						
Belgium. South Africa.						
France. Kenya.						
Spain. Portugal.						
Canada. Switzerland.						
Australia. Italy.						
Austria. Finland.						
Hungary. Sweden.						
Czechoslovakia. Iraq.						
Java. Iran.						
China. Japan.	..		..		..	
Egypt. United States of America.						

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40 Carriages and carts not mechanically propelled and parts thereof (excluding railway carriages, trucks, etc.).	..	1,42,422	..	1,52,163	..	1,37,596
United Kingdom. Straits Settlements. Hongkong. Germany. Belgium. France. Java. Japan. China. United States of America.						
41 Cycles (other than motor cycles) and parts thereof and accessories.	..	17,09,778	..	15,84,466	..	20,42,350
United Kingdom. Belgium. Germany. France. Italy. Netherlands. Japan. United States of America.						
42 Mechanically propelled vehicles and accessories (excluding railway locomotives and tractors).	..	60,46,215	..	59,00,398	..	56,33,419
United Kingdom. Sweden. Aden. Germany. Netherlands. Ceylon. Belgium. Straits Settlements. France. Federated Malay States. Switzerland. Hongkong. Italy. South Africa. Austria. Kenya. Hungary. Canada. Czechoslovakia. Australia. Turkey. Iraq. Iran. French Indo-China. Japan. Egypt. United States of America.						

தமிழ்நாடு சட்டமன்றப் பேரவை TAMIL NADU LEGISLATIVE ASSEMBLY வாய்மையே வெல்லும் TRUTH ALONE TRIUMPHS


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