



THE TAMIL NADU LEGISLATIVE ASSEMBLY

FIFTH ASSEMBLY – TENTH SESSION – FIRST MEETING

(17th to 30th January 1974)

RESUME

**GOVERNMENT OF TAMIL NADU
1974**

**Legislative Assembly Department
Fort. St. George, Madras-9**

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**RESUME OF WORK TRANSACTED BY THE TAMIL NADU LEGISLATIVE
ASSEMBLY FROM 17TH TO 30TH JANUARY 1974**

I. PROROGATION

The Ninth Session of the Fifth Tamil Nadu Legislative Assembly was prorogued with effect from the 27th December 1973.

II. SITTINGS OF THE ASSEMBLY

The Tenth Session of the Fifth Tamil Nadu Legislative Assembly which commenced its sittings on the 17th January, 1974 was adjourned sine die on the 30th January 1974.

The Legislative Assembly met for 11 days from the 17th to 30th January 1974 and in terms of hours, it sat for forty hours and nine minutes.

III. GOVERNOR'S ADDRESS

Thiru K.K. Shah, Governor Tamil Nadu, addressed the Members of both the Houses of the Legislature assembled together in the Legislative Assembly Chamber, Fort St. George, Madras at 10a.m. on Thursday the 17th January 1974.

The discussion on the Governor's Address took place in the Assembly for seven days on the 19th, 21st to 25th and 28th January, 1974. 75 Members took part in the discussion. The Hon. Chief Minister replied to the debate. Thiru N. Veerasamy moved the motion of thanks to the Governor's Address and Thiru A.M. Raja seconded. Amendments were moved to the Motion of Thanks on 19th January 1974 and they were either put and declared lost or deemed to have been withdrawn on 28th January, 1974.

The Motion of Thanks to the Governor's Address was adopted on the 28th January, 1974.

IV. CONDOLENCE RESOLUTION

On the 18th January, 1974, Hon. Dr. V.R. Nedunchezhiyan, Minister for Education and Tourism moved the following Condolence Resolution which was passed nem-con and the House adjourned for the day as a mark of respect to the deceased.

“நமது தமிழகத்தின் ஒப்பற்ற தனிப்பெருந் தலைவரும், தந்தை பெரியார் என்று மக்களால் அன்புடன் அழைக்கப்பெற்றவரும், இந்திய நாட்டு விடுதலை இயக்கத்தின் தளபதிகளில் ஒருவரும், சாதியற்ற சமுதாயத்தை அமைக்க வேண்டுமென்று பாடுபட்டவரும், சுயமரியாதை இயக்கத்தின் தந்தையும், சமூகத்தின் மூட நம்பிக்கைகளைக் களைய தன் வாழ்நாள் முழுவதும்

பணியாற்றியவரும் தமிழ்ச் சமுதாயம் மேன்மையடைய வேண்டுமென்று தியாகங்கள் பல செய்தவருமான பெரியார் திரு. ஈ.வெ. இராமசாமி அவர்கள் மறைவு எய்தியமைக் குறித்து இம்மன்றம் தனது ஆழ்ந்த இரங்கலையும் ஆறாத் துயரையும் தெரிவிப்பதோடு பெரியார் மறைவால் வருந்தும் அவரது துணைவியார் மணியம்மையார் அவர்களுக்கும், குடும்பத்தினருக்கும் தனது ஆழ்ந்த இரங்கலை தெரிவித்துக் கொள்கிறது.”

V. OBITUARY REFERENCES

On the 18th January 1974, the Hon. Speaker announced to the House above the demise of the following persons on the dates noted against each:-

- (1) Thiru Mohammed Abdul Salam, Ex.M.L.A. – 5th December 1973.
- (2) Thiru Abdul Rahman, Ex.M.L.A. – 8th December 1973.
- (3) Thiru K. Vinayagam, Ex.-M.L.A. – 8th January 1974.
- (4) Thiru G.D. Naidu, Scientist – 4th January 1974.

The House stood in silence for a minute as a mark of respect to the deceased.

VI. PANEL OF CHAIRMAN

On the 19th January, 1974, the Hon. Speaker announced the names of the following members as Panel of Chairmen nominated by him under rule 6 (1) of the Tamil Nadu Legislative Assembly Rules:-

1. Thiru K. Kamatchi
2. Thiru A. Parandaman
3. Thiru N. Rajangam
4. Thiru K.P. Gopal
5. Thiru A.K. Subbiah
6. Thiru V.M. Abdul Jabbar.

VII. QUESTIONS

During the period, 270 Starred Questions were answered on the floor of the House. Answers to 10 Unstarred Questions were placed on the Table of the House.

VIII. ANJOURNMENT MOTIONS

The under mentioned notices of motions for adjournment of the business of the House were brought before the House and the Hon. Speaker withheld his consent to raise the same.

<i>Serial Number and date</i> (1)	<i>Name of the member</i> (2)	<i>Subject</i> (3)
1. 21 st January , 1974	Thiruvallargal V.M. Abdul Jabbar, M.A., Latheef, K.A. Wahab, S.Mohammed Kother Mohideen, K.T.K. Tangamani and G.R. Edmund.	To discuss about the reports rape and consequent death of Mrs. Fathima Begam in Salem district and the consequent unrest in and around Kumarapalayam.
2. 29 th January, 1974	Thiru K.T.K. Tangamani	To discuss about the murder of the Deputy Tahsildar in Thanjavur District.
3. 20 th January 1974	Thiruvallargal B. Venkataswamy, A.R.Marimuthu and K.T.K. Tangamani.	To discuss about the damage done to Gandhi Statue at Usilampatti.
4. 30 th January 1974	Thiruvallargal K.T.K. Tangamani and A.R. Marimuthu	To discuss about the interference of police against cultivating tenants in Vilur Village, Thirumangalam taluk, Madurai district.
5. Do.	Thirumathi Jothi Vencatchalam, Dr. H.V. Hande and K.T.K. Thangamani	To discuss about the strike in Stanley Medical College following the assault of the Warden and unrest among the students.

IX. STATEMENT UNDER RULE 41 OF THE ASSEMBLY RULES

On the 30th January, 1974, Thiru P. Soundarapandian called the attention of the Hon. Minister for Health to the outbreak of Cholera and serious type of Dysentery in the districts of Kanyakumari, Tirunelveli and Tiruchirappalli during the last few months and the necessity to take steps to prevent the same. The Hon. Minister for Health made a statement in regard thereto.

X. STATEMENT UNDER RULE 82 OF THE ASSEMBLY RULES

On the 22nd January 1974, the Hon. Dr. V.R. Nedunchezhiyan, Minister for Education and Tourism made a statement under rule 82 of the Assembly Rules, correcting his answer to a Supplementary Question answered on the 21st January, 1974.

XI. LEGISLATIVE BUSINESS

The following Bills were introduced, considered and passed on the dates noted against each:-

<i>Serial No.</i>	<i>Name of the Bill</i>	<i>Date of Introduction</i>	<i>Date of Consideration and passing</i>
(1)	(2)	(3)	(4)
1.	The Tamil Nadu Occupants of Kudiuiruppu (Conferment of Ownership) Amendment Bill, 1974 (L.A. Bill No. 1 of 1974).	21 st January 1974.	29 th January 1974.
2.	The Madras city Municipal Corporation and Tamil Nadu District Municipalities (Amendment and Extension of Term of Office) Amendment Bill, 1974 (L.A. Bill No. 2 of 1974).	Do.	Do.
3.	The Tamil Nadu Public Men (Criminal Misconduct) Amendment Bill, 1974 (L.A. Bill No.3 of 1974).	24th January 1974.	29th January 1974.
4.	The Tamil Nadu Essential Articles Control and requisitioning (Temporary Powers) Amendment Bill, (L.A. Bill NO.4 of 1974). (Replacement of Tamil Nadu Ordinance No.1 of 1974).	23rd January 1974.	Do.
5.	The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Bill, 1974 (L.A. Bill No. 5 of 1974).	25th January 1974.	Do.
6.	The Essential commodities (Tamil Nadu Amendment) Bill, 1974 (L.A. Bill No.6 of 1974).	29th January 1974.	..

XII. RESOLUTIONS

(1) Official

On the 29th January, 1974, Hon. Thiru S. Madhavan, Minister for Industries moved the following Resolution:-

"WHEREAS the Central Government has introduced quota system for export of Semi-finished hides and skins which has resulted in the closure of almost all small tanneries rendering lakhs of workers unemployed and creating economic crisis in industry,

WHEREAS there is necessity to put up finishing units with machineries requiring investment of crores of rupees involving much foreign exchange and which will take time to put up such units,

AND WHEREAS there is immediate need to provide relief measures for lakhs of workers in small tanneries,

This House, while agreeing with the policy of the Central Government that export of semi-processed hides and skins must be reduced and the export of finished leather must be increased,

Recommends that the Central and the State Governments may jointly put up finishing units so that the small tanneries can utilise those facilities and produce finished leather, and that the Central Government may allow the small tanneries to export all their semi-finished hides and skins till they get the finishing centre facilities to produce finished leather".

The above resolution was passed unanimously.

(2) Non-Official

On the 30th January, 1974, the discussion on the following resolution which was already moved by Thiru K.T.K. Tangamani and partly discussed on 22nd November, 1973 was resumed:-

" This House recommends to the Government to take suitable steps to fix the prices of the essential commodities under the Essential Commodities Act".

The discussion on the resolution was not concluded on that day.

XIII. GOVERNMENT MOTIONS

(1) On the 29th January, 1974, Hon. Thiru S.J. Sadiq Pasha, Minister for Revenue moved the following motion:-

The following draft of certain amendments to the Tamil Nadu Land Reforms (disposal of Surplus Land) Rules, 1965, which it is proposed to make under sub-section (1) of section 94 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), be approved as required by the proviso to the said sub-section:-

DRAFT AMENDMENTS

In the said rules, -

(1) in rule 5, after sub-rule (2), the following sub-rule shall be added, namely:-

"(3) Where several persons falling under the same category apply for assignment, the Authorised Officer shall make due enquiry about the economic status of the applicants, their family commitments, etc., and select the person who in his opinion, is economically poorer or has more family commitments than others. Clear reasons shall be recorded in the order for preferring a particular person to others. Where the persons competing for assignment are more or less similarly placed and no distinction could be drawn between them, the selection of the persons, eligible for assignment shall be made by drawal of lots".

(2) in rule 7, the following shall be added at the end, namely:-

"Every such application shall be made within thirty days from the date of the publication of the notice under rule 4 in the village or town where the land is situated".

(3) in rule 11, for sub-rule (3), the following sub-rule shall be substituted, namely:-

(3) (a) Any person aggrieved by the orders of the District Revenue Officer under rule 10 may, within sixty days from the date of receipt of such order, make an application for revision to the Land Commissioner:

Provided that the Land Commissioner may, admit an application for revision up to thirty days after the expiry of the period, aforesaid, if he is satisfied that the applicant had sufficient reason for not making it within the said period.

(b) The Land Commissioner may, at any time, of his own motion, within a period of five years of the date of the order of assignment, set aside, cancel or in any way modify the order of assignment if he is satisfied that the order was grossly inequitable, or there has been a material irregularity in the procedure, or that it was passed under a mistake of fact or owing to fraud or misrepresentation or that the extent assigned together with other lands, if any, held by the assignee (other than Co-operative Society) was in excess of five standard acres".

(4) in Form B, for paragraphs 1, 2 and 3, the following paragraphs shall be substituted namely:-

"1. It is hereby notified that the land specified in the Schedule below, which has been acquired by the Government under section 18 (1) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), is available for disposal under section 94 of the said Act and the rules made there under Any person desiring to apply for the assignment of the land may present his application in person or send it by registered post to the Authorised Officer.....within thirty days from the date of the publication of this notice invillage /town where the land is situated.

2. The following persons and societies shall be eligible for the assignment of land and shall be entitled to preference in the order given below:-

(i) A person who has been cultivating the land and who is completely dispossessed of the land which is declared as surplus as a result of the provisions of the Act;

(ii) Any other person who is completely dispossessed of his holding by the virtue of the provisions of the Act;

(iii) A person whose extent of holding is reduced below three standard acres held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant by virtue of the provisions of the Act;

(iv) A landless agricultural labourer belonging to Scheduled Caste or Scheduled Tribe who contributes his own physical labour or that of any member or his family in the cultivation of the land.

(v) A person who is, or who has been, a member of the Armed Forces including persons who have served in the Indian National Army and members of the Armed Forces who retired or were disbanded before the 26th January 1950;

(vi) A landless agricultural labourer other than the landless agricultural labourer referred to in clause (iv) who contributes his own physical labour or that of any member of his family in the cultivation of the land;

(vii) A cultivating tenant who is holding land which is less than three standard acres in extent;

(viii) A repatriate from Burma or Sri Lanka who is likely to contribute his own physical labour or that of any member of his family in the cultivation of the land and who has brought to India assets not exceeding Rs. 10,000 in value;

(ix) A co-operative farming society, the members of which are landless agricultural labourers, provided that the extent of land assigned to the society together with the land, if any, already held by the society does not exceed the ceiling area.

3. The total extent of land that may be assigned to any person referred to in items (i) to (viii) in paragraph 2, together with the extent of other land, if any, already, held by such person, or if such person is a member of a family, by such family shall not exceed five standard acres".

(5) in Form 'C' for items 4 to 11, the following items shall respectively be substituted, namely:-

" (4) Whether the applicant is a person who has been cultivating the land and who is completely dispossessed of the land which is declared as surplus, as a result of the provisions of the Act.

(5) Whether the applicant is any other person who is completely dispossessed of his holding by virtue of the provisions of the Act.

(6) Whether the extent of the applicant's holding is reduced below three standard acres held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant by virtue of the provisions of the Act.

(7) Whether the applicant is a landless agricultural labourer belonging in Scheduled Caste or scheduled Tribe who contributes his own physical labour or that of any member of his family in the cultivation of the land.

(8) Whether the applicant is, or has been, a member of the Armed Forces, or has served in the Indian National Army, or a member of the Armed Forces who retired or were disbanded before the 26th January 1950.

(9) Whether the applicant is a landless agricultural labourer other than the landless agricultural labourer referred in item No. (7) above, who contributes his own physical labour or that of any member of his family in the cultivation of the land.

(10) whether the applicant is a cultivating tenant who is holding land, which is less than three standard acres in extent.

(11) Whether the applicant is a repatriate from Burma or Sri Lanka who is likely to contribute his own physical labour or that of any member of his family in the cultivation of the land and who has brought to India assets not exceeding Rs. 10,000 in Value.

(12) Whether the applicant is a co-operative farming society, the members of which are landless agricultural labourers. If so give full particulars of the members and of the lands held by him.

(13) Other particulars".

The above motion was put and carried.

2. On the same day, the Hon. Thiru A.P. Dharmalingam, Minister for Local Administration moved the following motion:-

DRAFT I

" The following draft of an amendment to the rules in Parts III and IV of schedule V to the Madras City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919) proposed to be made by the Governor of Tamil Nadu under sub-section (3) of section 347 of the said Act be approved.

DRAFT NOTIFICATION

In exercise of the powers conferred by sub-section (3) of section 347 of the Madras City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919), the Governor of Tamil Nadu hereby makes the following amendment to the rules in parts III and IV of Schedule V to the said Act:-

AMENDMENT

In the said Rules, 24 and 25 shall be renumbered as rules 25 and 26 respectively and before rule 25 as so renumbered , the following rule shall be inserted, namely:-

"24. Interest at the rate of six percent per annum shall be charged on the disallowance, surcharge or charge amount due, with effect from the day following the last date fixed for payment of the said disallowance surcharge or charge amount in the auditor's certificate referred to in sub-rule (1) of rule 21. The interest so charged on the disallowance, surcharge or charge amount overdue shall be specified in the said certificate itself in precise terms, as laid down in section 34 of the Civil Procedure Code, 1908 (Central Act V of 1908)".

DRAFT II

The following draft of an amendment to the rules in Parts III and IV as Schedule III to the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971) proposed to be made by the Governor of Tamil Nadu under sub-section (3) of section 431 of the said Act be approved.

DRAFT NOTIFICATION

In exercise of the powers conferred by sub-section (3) of section 431 of the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971), the Governor of Tamil Nadu hereby makes the following amendment to the Rules in Parts III and IV of Schedule III to the said Act:-

AMENDMENT

In the said Rules, rules 23 and 24 shall be renumbered as rules 24 and 25 respectively and before rule 24 as so renumbered the following rule shall be inserted, namely:-

"23. Interest at the rate of six per cent, per annum shall be charged on the disallowance, surcharge or charge amount due, with effect from the day following the last date fixed for payment of the said disallowance, surcharge or charge amount in the auditor's certificate referred to in sub-rule (1) of rule 20. The interest so charged on the disallowance, surcharge or charge amount overdue shall be specified in the said certificate itself in precise terms, as laid down in section 34 of the Civil Procedure Code, 1908 (Central Act V 1908)".

DRAFT III

The following draft of an amendment to the rules in Part II of Schedule IV to the Tamil Nadu district Municipalities Act, 1920 (Tamil Nadu Act V of 1920), proposed to be made by the Governor of Tamil Nadu under sub-section (I) of section 305 of the said Act be approved.

DRAFT NOTIFICATION

In exercise of the powers conferred by sub-section one of section 305 of the District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), the Governor of Tamil Nadu hereby makes the following amendment to the rules in part II of schedule IV of the said Act:-

AMENDMENT

In the said Rules, rule 63 shall be renumbered as rule 64 and before rule 64 as so renumbered, the following rule shall be inserted, namely:-

"63. Interest at the rate of six per cent per annum shall be charged on the disallowance, surcharge or charge amount due, with effect from the day following the last date fixed for payment of the said disallowance, surcharge or charge amount in the auditor's certificate referred in sub-rule one of rule 60. The interest so charged on the disallowance, surcharge or

charge amount overdue shall be specified in the said certificate itself in precise terms, as laid down section 34 of the Civil Procedure Code, 1908 (Central Act V of 1908)".

The above motion was put and carried.

XIV. PRIVILEGE MATTER

On the 29th January, 1974, Thiru M. Surulivel, raised a matter of privilege against the Tamil Daily 'Makkal Kural' for its publication of the alleged distorted version of his speech in its issue, dated 23rd January, 1974. The Hon. Speaker held that there was a prima facie case of breach of privilege, and that he however, would address the Editor of the Daily and give his ruling on the matter thereafter.

XV. PRESENTATION OF REPORT

On the 30th January 1974, Thiru V. Krishnamoorthy, Chairman of the Committee on Estimates presented the Reports of the Committee on the action taken by the Government on the recommendation of the Committee contained in the Reports on (1) Forests and (2) Tamil Nadu State Electricity Board.

XVI. FELICITATIONS

On the 28th January 1974, the Hon. Speaker offered felicitations on behalf of the House and on his own to Thirumathi Jothi Vencatachellam on the conferment of "Padma Sri" on her on the Republic Day.

XVII. RETURN OF ASSETS OF MEMBERS

The Return of Assets of three members for the each period ending the 31st March, 1971 and 31st March, 1972 and of the Hon. Chief Minister and of fourteen members ending 31st March, 1973 were placed on the Table of the House on 30th January, 1974.

XVIII. PAPERS PLACED ON THE TABLE OF THE HOUSE

One hundred and twelve papers, 82 under the heading "Statutory Rules and Orders" and 30 under the heading "Reports, Notifications and Other papers", were placed on the Table of the House.

M. SHANMUGASUBRAMANIAM
Secretary