

## CHAPTER XIX Miscellaneous

### (a) PAPERS PLACED ON THE TABLE OF THE HOUSE

Certain rules, regulations, sub-rules, bye-laws, etc issued under the rule-making powers delegated to the Government by Acts of Parliament and the State Legislature and also by the Constitution are required to be placed on the Table of the Assembly or before both Houses of the Legislature as the case may be. Other important documents like Short Reviews of the working of Government Departments, White Papers, etc., issued by the Government and which are considered useful to the Legislators are also laid on the Table of the Legislature.

Under rule 21(5) of the Madras Legislative Assembly Rules, a paper shall be deemed to have been placed on the Table of the Assembly or laid before the Assembly on the date on which a note to that effect is entered in the list of business for that day or is found in the proceedings of the Assembly. Copies of all such papers are made available to the Members. If the Assembly is in session, such papers are actually laid on the Table of the Assembly and in the case of non-meeting days, they are circulated to the Members by post. In regard to such papers an entry will be made in the Agenda for the first day of the following meeting.

During the period of the Second Assembly, altogether 2,263 papers were placed on the Table of the Assembly under Statutory provisions, Statistical information regarding the papers laid on the Table of the Assembly year-wise and Session-wise is given in Section II - [Table No. XXXI](#).

Besides the papers placed under statutory provisions, a number of other papers, for instance, statements with reference to assurance by Ministers in answer to questions, etc were placed on the Table.

In the following instances amendments were moved by Members to the Rules or Regulations laid on the Table of the Assembly:-

(1) Amendments to the Madras Cultivating Tenants Protection Rules, 1955, and the Madras Cultivating Tenants (Payment of Fair Rent) Rules, 1956 (Laid on the Table of the House on 29th April 1957) - On the 7th May 1957, Sri.M.Kalyanasundaram moved certain amendments to the Madras Cultivating Tenants Protection Rules, 1955 and the Madras Cultivating Tenants (Payment of Fair Rent) Rules, 1956. The amendments were taken up for consideration on 27th June 1957, but were deemed to have been withdrawn as the Member was not in his seat at that time.

(2) Modification to Regulation 13 issued under the Madras Village Panchayats Act, 1950 (Laid on the Table of the House on 10th March 1959) - On the 25th March 1959. Sri.V.K.Kothandaraman moved an amendment to Regulation 13 of the Regulations relating to the classification methods of recruitment, conditions of service, pay and allowances and discipline and conduct of Executive Officers of Panchayats issued under the Madras Village Panchayats Act, 1950 (Madras Act X of 1950) The amendment was put and lost..

(3) Amendment to the Madras Money Lenders Rules, 1959 (Laid on the Table of the House on 1st September 1959) - On the 11th September 1959, Sri.K.Sattanatha Karayalar

moved an amendment to sub-rule (2) of Rule 4 of the Madras Money Lenders Rules, 1959. The amendment was put and lost.

(4) Amendments to the Tiruchirappalli Kaieruvaram and Mattuvaram Rules 1959 (Laid on the Table of the House on 8th December 1959) - On the 16th March 1960, Sri.K. Sattanatha Karayalar and Sir.M. Kalyanasundaram moved certain amendments to the Tiruchirappalli Kaieruvaram and Mattuvaram Rules 1959. The amendments were either ruled out of order or put and lost.

(5) Amendment to the Notification issued with G.O. No.2083, Revenue dated 16th May 1961, relating to the scope of expression "Electrical Undertakings" in the Madras State, used in Revenue Department Notification II-I No.1450 of 1960 dated the 27th September 1960 (Laid on the Table of the House on 17th August 1961) - On the 29th August 1961 Sri.M.Kalyanasundaram, moved certain amendments to the notification issued relating to the scope of expression. "Electrical Undertakings" in the Madras State used in the Revenue Department Notification II - 1, No.1450 of 1960, dated the 27th September 1960. The amendments were by leave withdrawn.

### **(b) DIVISION**

On the conclusion of the debate on a motion, the Speaker puts the question to the vote of the House and decided it by voices. If the opinion of the Speaker as to the decision of the House is challenged, he takes the vote of the House by division. The Speaker determines the method of taking votes by division. In Madras the roll call method is adopted. According to this, the Secretary calls the name of members who are standing and records in the division list their opinion. The result of the division is then announced by the Speaker and it should not be challenged by any Member.

During the life of the Second Assembly, votes were recorded by "Division" on twenty occasions, the details of which are given in Section - II - [Table No.XXXII](#).

### **(C) PETITIONS TO THE ASSEMBLY**

Rule 225 of the Madras Legislative Assembly Rules provides that any Member may present a petition to the Assembly after obtaining the previous consent of the Speaker on any day after questions and before the other business for the day is entered upon.

A petition to the Assembly must be addressed to the Members of the Assembly and relate to some matter which is within the competence of the Assembly to consider. It should be dated and signed by the petitioner be in respectful and temperate language and must not propose expenditure of public moneys or the imposition of any charge on public revenues.

A Member presenting a petition to the Assembly should confine himself to a statement of the parties from whom it comes of the number of signatories and of the material allegations contained in it and to the reading of the prayer of the petition. There will not be any debate or speech in the Assembly on any petition.

During this period only two petitions were presented, one by Sri.A.Govindaswamy, on 12th February 1958 from the ryots of Valavanur and other villages in South Arcot district about the supply of water for irrigation from Santhanur dam, and the other by Sir.K/Sattanatha karayalar, on 20th March 1961 about the grievances of hospital workers in the State.

## CHAPTER XX

### Official Report of the Proceedings of the Assembly

An Official report of the day to day proceedings of the Assembly is published under the supervision of the Secretary and is made available to every Member and to Government Departments and National Libraries. The reports are exchanged with the other Legislatures on a reciprocal basis.

The Legislative Assembly met on the whole for 305 days spread over ten sessions. The Official report of the proceedings of these days was published in 49 volumes as shown below:-

Session (1)	Dates (2)	Volumes (3)
1	29th April 1957 to 27th July 1957 (32 meeting days)	I to IV
2	25th October 1957 to 16th November 1957 (20 meeting days)	V to VII
3	10th February 1958 to 10th April 1958 (36 meeting days)	VIII to XIII
4	3rd September 1958 to 5th November 1959 (27 meeting days)	XIV to XVI
5	5th February 1959 to 30th March 1959 (35 meeting days)	XVII to XXII
6	20th April 1959 to 30th April 1959 ( 9 meeting days)	XXIII
7	31st August 1959 to 12th September 1959 (12 meeting days)	XXIV & XXV
8	5th December 1959 to 30th April 1960 (39 meeting days)	XXVI to XXXII
9	8th August 1960 to 10th September 1960 (19 meeting days)	XXXIII to XXXVI
10	20th January 1961 to 15th December 1961 (76 meeting days)	XXXVII to XLIX

Under Rule 61 of the Madras Assembly Rules, the business of the Assembly shall be transacted in English provided that any Member may address the Assembly in any recognized language of the State or in Hindi, and provided further that the Speaker may permit any Member who cannot adequately express himself in any of the aforesaid languages to address the Assembly in his mother-tongue. Tamil, Telugu, Malayalam, Kannada and Hindustani have been recognized as languages of the State. During the period under review the proceedings were mostly in Tamil and speeches in English were few. Details of speeches made in Tamil and English are given in Section - II - [Table XXXIII](#).

If the Speaker is of opinion that a word or words has or have been used in debate which is or are defamatory or indecent, or unparliamentary or undignified, he may, in his discretion, order that such word or words be expunged from the official report of the proceedings of the Assembly, and all consequential alterations made in such report. An announcement is also made in the Assembly of the fact of his having made such an order. It also sometimes happens that a Member draws the attention of the Speaker to certain unparliamentarily expressions used in the course of the debate and the Speaker orders that

such expressions be expunged from the proceedings. Sometimes the Leader of the House also moves that certain objectionable words or language used be expunged from the proceedings. On the motion being carried the Speaker orders the expunction of the portion objected to. The portion of the proceedings of the Assembly so expunged are marked by asterisks in the printed proceedings with a foot-note to the effect: "Expunged as ordered by the Chair".

During the lifetime of the Assembly such expunctions have been ordered on seven occasions as shown below:-

(i)	20th July 1957	..	..	..	During Question Hour.
(ii)	10th March 1958	..	..	..	Debate on the Memorandum submitted by the Government of Madras on the Report of the Official Language Commission.
(iii)	9th August 1960	..	..	..	Discussion on the Governor's Address.
(iv)	12th August 1960	..	..	..	Discussion on the Report of the Joint Select Committee on the Madras Buildings (Lease and Rent Control) Bill, 1959.
(v)	8th September 1960	..	..	..	During Question Hour.
(vi)	23rd January 1961	..	..	..	Discussion on the Governor's Address.
(vii)	9th March 1961	..	..	..	Discussion on the Police Demand relating to the Budget.

## **CHAPTER XXI**

### **Election by Members**

#### **(i) PRESIDENTIAL ELECTION**

Under Article 54 of the Constitution of India, the President of the Indian Union is to be elected by the members of an electoral college consisting of the elected members of both the Houses of Parliament and elected members of the Legislative Assemblies of the States. The second Presidential election was held in May 1957 and the election was conducted according to the provisions of the Presidential and Vice-Presidential Elections Act, 1952, and the rules made thereunder. The Secretary, Legislative Assembly Department, acted as Assistant Returning Officer and the poll was taken on the 6th May 1957. Elected members of the Legislative Assembly and Members of Parliament elected from Madras polled their votes at Madras. Some Members of Parliament elected from other States also polled their votes here on special permits issued by the Election Commission.

#### **(ii) INDIRECT ELECTIONS TO THE COUNCIL OF STATES AND LEGISLATIVE COUNCIL**

##### **(a) Council of States**

Under Article 80 of the Constitution of India, the Council of States is to consist of 12 members to be nominated by the President and not more than 238 representatives of the States who shall be elected by the elected members of the Legislative Assemblies of the

States in accordance with the system of proportional representation by means of single transferable vote.

At the beginning of 1957, the total number of members in the Council of States representing the Madras State was 17. But this was increased to 18 in April 1960 consequent on the additional seat allotted to Madras State under the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Act No.56 of 1959).

(1) Biennial elections - As one-third of the members have to retire every two years, the President issues a notification under Section 12 of the Representation of the People Act, 1951, on such date as recommended by the Election Commission calling upon the elected members of the Legislative Assembly to elect persons to fill seats of members retiring on the expiry of their term of office. The elections are conducted by this Department. The Secretary and Deputy Secretary or one of the Assistant Secretaries of the Legislative Assembly are usually appointed by the Election Commission as Returning and Assistant Returning Officer respectively for conducting the biennial elections. A list of elected members of the Assembly in the prescribed form is maintained by the Returning officer and copies of this list are available for sale. During the period under review, two biennial elections were conducted to the Council of States, one in 1958 and the other in 1960. The Election Commission had fixed the following programme of dates for the biennial elections held in March 1958:-

- 1) 17th February 1958, as the date for the issue of notice of election in Form I;
- 2) 27th February 1958, as the last date for making nominations;
- 3) 1st March 1958, as the date for scrutiny of nominations;
- 4) 4th March 1958, as the last date for withdrawal of candidatures;
- 5) from 9.00 a.m. to 12 noon on 24th March 1958, as the time and date on which a poll shall, if necessary, be taken.

For the above election, seventeen candidates had filed their nominations. Out of these, six candidates withdrew their nominations, leaving eleven candidates to contest for six seats. The following candidates were declared duly elected:-

- 1) Sri T.S. Avanashilingam Chettiar
- 2) Sri.G. Rajagopalan
- 3) Sri H.D. Raja
- 4) Sri S. Chattanatha Karayalar
- 5) Sri.B. Parameswaran
- 6) Sri N.M. Lingam

The following programme of dates was fixed by the Election Commission for the biennial election held in March 1960:-

- 1) 23rd February 1960, as the date for the issue of notification;
- 2) 4th March 1960, as the last date for making nominations;
- 3) 7th March 1960, as the date for the scrutiny of nominations;
- 4) 10th March, as the last date for withdrawal of candidatures;
- 5) 10 a.m. to 4.00 p.m. on 24th March 1960, as the time and date on which a poll shall, if necessary, be taken.

For the above election thirteen candidates had filed their nominations. Out of these, 4 candidates withdrew their nominations leaving 9 candidates to contest for six seats. The following 6 candidates were declared duly elected:-

- 1) Sri N.M. Anwar
- 2) Sri Thomas Srinivasan
- 3) Sri T.S. Pattabiraman
- 4) Srimathi Parthasarathy
- 5) Sri N. Ramakrishna Iyer
- 6) Sri P. Ramamurthi

(2) Bye-elections - Bye-elections to the Council of States are also conducted by this Department and the same procedure adopted for the biennial elections is followed for these elections except that the notification calling on the elected members to fill the vacancies is issued by the election Commission, instead of by the President. The following three bye-elections were conducted by this Department during the period under review:-

	Serial number and nature of vacancy (1)	Name of member elected (2)	Date of declaration (3)
1	Death of Sri V.M. Obaidullah Sahib	Sri Abdul Rahim	29th march 1958
2	Death of Sri H.D. Rajah	Sri R. Gopalakrishnan	12th March 1960
3	Additional seat allotted to Madras State under the Andhra Pradesh and Madras (Alteration of Boundaries) Act., 1959	Sri K. Santhanam	18th April 1960

### (b) Legislative Council

Under Article 171 of the Constitution of India, the total number of members in the Legislative Council shall not exceed one-third of the total number of members in the legislative Assembly of the State; and of the total number of members of the Legislative Council, as nearly as may be, one-third shall be elected by the local authorities Constituencies, one-twelfth shall be elected by the Graduates' Constituency, one-twelfth by the Teachers' Constituency, one-third by the members of the Legislative Assembly and the rest shall be nominated by the Governor. At the beginning of 1957, there were 50 members in the Legislative Council. The total number was increased to 63 consequent on the enactment of the legislative Councils Act, 1957 (Act No.37 of 1957).

(1) **Biennial elections** - In the biennial election to the Madras legislative Council, all the members of the Assembly including the nominated members, if any, are entitled to vote.

The notification calling on the members of the Legislative Assembly to fill the seats of the retiring members is issued by the Governor. The same procedure as in the case of indirect elections to the Council of States is followed for this election. Two biennial elections to the legislative Council were conducted in March 1958 and April 1960.

The Election Commission had fixed the following programme of dates for the various stages of the biennial election held in 1958:-

- 1) 17th February 1958, as the date for the issue of notification.
- 2) 27th February 1958, as the last date for making nominations
- 3) 1st March 1958, as the date for the scrutiny of nomination
- 4) 4th March 1958 as the last date for the withdrawal of candidature
- 5) 9 a.m. to 12 noon on 24th March 1958, as the time and date on which poll shall, if necessary, be taken.

For the above election, 16 candidates had filed their nominations. Out of these, 4 candidates withdrew their candidatures leaving 12 candidates to contest for 7 seats. The following were declared duly elected:-

- 1) Sri T.M. Kannappan
- 2) Sri L.S. Karayalar
- 3) Sri A. Gajapathy Nayagar
- 4) Sri V.M. Surendra Ram
- 5) Sri B.K. Nallasamy
- 6) Sri N. Nallasenapathy Sarkarai Manradiar
- 7) Sri R. Venkataraman

The following dates were fixed by the Election Commission for the various stages of the biennial election held in 1960:-

- 1 10th March 1960, as the date for the issue of notification;
- 2 21st March 1960, as the last date for making nominations;
- 3 23rd March 1960, as the date for the scrutiny;
- 4 26th March 1960, as the last date for the withdrawal of candidature
- 5 10 a.m. to 3 p.m. on 8th April 1960, as the time and date on which poll shall, if necessary, be taken.

For the above election, 11 candidates had filed their nominations. Out of these three candidates withdrew their nominations leaving eight candidates to contest the seven seats. The following were declared duly elected:-

- 1) Sri N. Annamalai Pillai
- 2) Sri T.S. Arunachalam
- 3) Sri A. Kuppuswami Mudaliar
- 4) Sri A. Subramaniam
- 5) Sri K.R. Ramaswamy
- 6) Sri K.V. Ramaswamy Gounder
- 7) Sri M. Rajagopal Pillai

(2) **Bye elections** - For bye-elections to the Legislative Council, notification calling on the members of the Legislative Assembly to fill the vacancy is issued by the election Commission instead of by the Governor and the same procedure adopted for the biennial election is followed for this election also. The following bye-elections to the legislative Council were conducted during the period under review:-

Serial No.	Nature of vacancy	Name of member elected	Date of declaration
(1)	(2)	(3)	(4)
1	Resignation of membership on 7th July 1959 by Sri A.M.Allapichai consequent on his appointment as member, Madras Public Service Commission	Sri Abdul Hameed Khan	24th August 1959
2	Death of Sri A. Kuppuswami Mudaliar	Sri K. Ramakrishna Achari	7th March 1961
3	Death of Sri N. Annamalai Pillai	Sri E. Janakirama Mudali	10th August 1961

**(iii) Other Elections to Committees, to the Senate of the Annamalai University by the Legislative Assembly and Nominations by Hon. Speaker:**

1. Election of two members to the Board of Industries - (i) Under Section 3 (1) (b) of the Madras State Aid to Industries Act, 1922 (Madras Act V of 1923), which was enacted to give power to the State Government to assist the establishment and development of industries in this State and rule XXII (2) of the Madras Small Scale and Cottage Industries Loans and Subsidy Rules, 1956 made there under, two members of the Assembly are to be elected to the Board of Industries for a term of three years.

In 1957 five nominations were filed, two withdrew their candidature and as three candidates contested for two seats, a poll was held on the 3rd July 1957 and the following two members were elected to the Board of industries:-

- 1) Sri C. Muthiah Pillai
- 2) Sri N.S. Sundararajan

During 1960, only three nominations were filed, but, one candidate withdrew his candidature and the following two members were declared elected to fill the two vacancies in the Board of Industries on 10th September 1960, as they were the only two candidates duly nominated:-

- 1) Sri P. Ramachandran
- 2) Sri K.R. Viswanathan

2. Election of one member to the State Library Committee :- Under Section 3 of the Madras Public Library Act, 1948 (Act No.XXIV of 1948) and rule 2 (1) (v) of the Madras Public Library Rules , 1950, a member is to be elected for a term of three years by the Legislative Assembly to serve on the Committee. As only one candidate, Sri P. Ramachandran, filed his nomination for election, he was declared duly elected to the Library Committee on 4th November 1958. His term expired on 4th November 1961 and an election to fill up the vacancy was postponed as a new Legislative Assembly would be formed in 1962 after the General Elections.

3. Election of three members to the Annamalai University Senate - (i) Under Section 15, class III, clause 3 of the Annamalai University Act (Act I of 1929), three members are to be elected to the Senate by the Madras Legislative Assembly from among its members according to the principle of proportional representation by means of the single transferable vote. In 1957, only three candidates filed their nominations and as there were only three vacancies, the following three duly nominated candidates were declared elected to fill the three vacancies in the Annamalai University Senate on 24th July 1957:-

- (a) Sri G. Vagheesam Pillai
- (b) Sri A.V.P. Asaithambi
- (c) Sri M. Kandaswamy Padayachi

During December 1959 also there was no poll in the election to fill three vacancies to the Senate of the Annamalai University and the following three members of the Assembly were declared duly elected to the three vacancies in the Annamalai University Senate as they were the only three candidates duly nominated:-

- (a) Sri G. Vagheesam Pillai
- (b) Sri A.V.P. Asaithambi
- (c) Sri M. Kandaswamy Padayachi

4. Election of three members to the Land Improvement Board - Under Section 8 (2) (f) of the Madras Land Improvement Schemes Act, 1959 (Madras Act 31 of 1959), three members are to be elected by the Members of the Assembly to the Madras Land Improvement Board according to the principle of proportional representation by means of the single transferable vote and accordingly 8th September 1960 was fixed as the date of the poll in the event of an election. As the following three candidates only filed their nominations, there were declared duly elected to fill the vacancies in the land Improvement Board on the 8th September 1960:-

- 1) Sri K.S. Ardahanareeswara Gounder
- 2) Sri D. Dasarathan
- 3) Sri G. Vagheesam Pillai

5. For the following two Standing Committees of the House a poll was held to elect Members of the Assembly:-

(i) Election of 14 Members to the Committee on Public Accounts, 1958-59 - thirty-five members filed their nominations for the election of fourteen members to the Committee on Public Accounts for the year 1958-59. Twenty members withdrew their candidature. As

the number of candidates who were nominated and who had not withdrawn their candidature exceeded the number of seats to be filled, viz., fourteen, a poll was held on 10th April 1958 and fourteen members were declared duly elected to the Committee (list of names - vide Section II - [Table No. XXI](#)).

(ii) Election of fourteen Members to the Committee on Estimates, 1960-61 - On the 6th September 1960, a poll was held to elect fourteen members to the Committee on Estimates for the year 1960-61. From out of the fifteen members who were nominated to the Committee, fourteen were declared duly elected (list of names - vide Section II - [Table No. XX](#)).

6. Nomination of two Members to the Regional Advisory Committees to assist sailing Vessels Organisations -

(i) Two Members of the Assembly have to be nominated by the Hon. Speaker to serve on the Regional Advisory Committees to assist the Sailing Vessels Organisation, one at Tuticorin and another at Madras, constituted by the Ministry of Transport and Communications, Government of India, New Delhi. On the 19th March 1959, the Hon. Speaker nominated the following two members to the above Committees:-

- a. Sri A.P.C. Veerabahu
- b. Sri K.S.G. Haja Sheriff

(ii) On the 12th October 1961, the above two members were re-nominated.