HYDERABAD LEGISLATIVE ASSEMBLY
DEBATES
Official Report

PART II—PROCEEDINGS OTHER THAN
QUESTIONS AND ANSWERS

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Note — In this part a star (*) at the beginning of a speech denotes confirmation not received
Thursday the 7th January 1954

The House met at Half Past Nine of the Clock

[Mr Speaker in the Chair]

Business of the House

Shri V D Deshpande (Ippaguda) As per rules there should be a non official day but no declaration has been made regarding that till now I would like to know whether a day has been fixed for this purpose or not? We may probably complete the consideration of this bill today and I propose that tomorrow be allotted for non official business

Mr Speaker I am thinking why we should not sit tomorrow from 2.30 p.m onwards to transact non official business. If we can complete this bill tomorrow morning say by 12.30 p.m we can then take up the Agricultural Income Tax Bill. We can allot the evening for non official business provided this Bill is over by then. Of course I have decided to allot a day for non official business provided we finish this Bill within the time scheduled. We may sit from 2.30 to 7.0 clock tomorrow

Shri V D Deshpande It would not be a full day then.

Mr Speaker We shall sit till 8 p.m if necessary

The Hyderabad Tenancy and Agricultural Lands (Amendment) Bill 1953

Chief Minister (Shri B Ramakrishna Rao) I wish to move some formal amendments in view of the amendments suggested by Shri K V Rama Rao to clause 2 I beg to move

(a) After clause 88 of the bill
Add the following new clause namely

89 In sub section (2) of Section 89 of the said Act for the words figures letter and brackets ‘ Hyderabad Civil
The following words, figures and brackets shall be substituted namely:

(a) After clause 42 of the Act (as so renumbered) insert the following new clause namely—

18 In section 98 of the said Act for the words figures letter and brackets Hyderabad Limitation Act (II of 1822) the following words, figures and brackets shall be substituted namely—

Indian Limitation Act (IX of 1908)

(b) Re number consequentially original clauses 42 49 44 45 and 46 as clauses 44 45 46 47 and 48 respectively

Mr Speaker Amendment moved

Shri B Ramakrishna Rao I beg to move

(a) After clause 48 as 48 (1)

(b) After sub clause (1) (as so renumbered) add the following new sub clause namely—

(2) In sub section (2) of the said Act for the words Hyderabad Criminal Procedure Code the following words, figures and brackets shall be substituted namely— Code of Criminal Procedure (Act V of 1898)

Mr Speaker Amendment moved

The House has already discussed these amendment. Is further discussion necessary?

Shri V D Deshpande I do not think so Sir

Shri B Ramakrishna Rao These came in another form as amendments to clause 2 but the Speaker suggested to
bring them while discussing the relevant clauses and that is the reason why I am bringing these amendments.

**Mr Speaker** I would now put these amendments to vote.

The question is

(a) After clause 38 of the Bill add the following new clause namely—

89 In sub section (2) of section 89 of the said Act if the words figures letters and brackets "Hyderabad Civil Procedure Code (No III of 1823)" the following words figures and brackets shall be substituted namely—

Code of Civil Procedure (Act V of 1908)

(b) Renumber consequentially clauses 89 40 and 41 as clauses 40 41 and 42 respectively.

The motion was adopted.

**Mr Speaker** The question is

(a) After clause 42 of the Bill (as so re numbered) add the following new clause namely—

48 In section 98 of the said Act for the words figures letters and brackets "Hyderabad Limitation Act (II of 1822)" the following words figures and brackets shall be substituted namely—

Indian Limitation Act (IX of 1908)

Renumber consequentially clauses 42 43 44 45 and 46 as clauses 44 45 46 47 and 48 respectively.

The motion was adopted.

**Mr Speaker** The question is

(a) Renumber the existing clause 48 as 48 (1)

(b) After sub clause (1) (as so re numbered) add the following new sub clause namely—

(2) In sub section (2) of the said Act for the words "Hyderabad Criminal Procedure Code" the following words figures and brackets shall be substituted namely—

Code of Criminal Procedure (Act V of 1898)
The motion was adopted.

Mr. Speaker: Now clause 39 would become clause 40. But we shall proceed in old order because after all it is a question of renumbering clauses.

Shri B Ramakrishna Rao: It will be done later. Sir

Clause 39

Shri Abdul Rahman rose in his seat.

Mr. Speaker: I am glad to find the hon Member in the House. (Laughter)

Shri B Ramakrishna Rao: Yesterday we heard a bad news about the hon Member and I was shocked to know of it.

Mr. Speaker: That is true. I have seen him in the morning in the House at 11 30 am.

Shri V.D. Deshpande: It means that he will live for a hundred years. (Laughter)

Mr. Speaker: Not only a hundred years but a hundred years in addition to his present age. (Renewed laughter)

Shri Abdul Rahman (Malakpet): Thank you, Mr. Speaker. Sir, for what all you have said about me. I beg to move.

For the clause substitute the following:

89 For section 90 of the said Act, the following Section shall be substituted, namely—

90 Notwithstanding anything contained in this Act, the jurisdiction to exercise all the powers under this Act shall be vested in the Civil Courts in accordance with the provisions of the Code of Civil Procedure (Act V of 1908).

Mr. Speaker: Amendment moved.

Shri Annajirao Gavane (Paithan): I beg to move.

Omit the proviso to sub section (1) of Section 90 of the Act proposed to be substituted by the clause.
Mr Speaker. According to this amendment only the proviso would be omitted and the subsection will be retained. Is it so?

Shri Annajao Gevare. Yes Sir. Only proviso should be omitted.

Mr Speaker. Amendment moved

Shri K Vivek Rama R (Chennakulam) I beg to move:

After subsection (6) of section 90 of the Act proposed to be substituted by the clause add the following—

Explanation. The word inter in order used in this section includes the stay order and to maintain the status quo and attachment before the judgment of any agricultural produce or land in case of emergencies to protect the rights of tenants.

Mr Speaker. Amendment moved.
Is there any amendment to this amendment?

At any rate, there is no amendment before me.

(Pause)

In the meantime, I call upon Shri Annajuao Gavali to speak on his amendment.
The Hyderabad Tenancy and Agri Lands (Amendment) Bill 1958

July 15th, 1954

This Act may be called the Hyderabad Tenancy and Agri Lands (Amendment) Bill, 1958.

Nowhere in the Act is there a definition of the word "Ordinance."
The Hyderabad Tenancy and Agricultural Lands (Amendment) Bill 1953

Mr. Speaker: His amendment is—Omit the proviso to sub-section (1) of section 90 of the Act proposed to be substituted by the clause. Does it mean that sub-section (1) will remain as it is and that only the proviso should be deleted?

Shri Annagao Gavane: Yes Sir.

Shri Abdul Rahman: Sir, I beg leave of the House to withdraw my amendment—

اس نوپر نر سی اپنا اسماعل واس لا هون-
The amendment was by leave of the House withdrawn

Mi Speaker Since we are coming to the end of this Bill (Laughter)

Shri B Ramakrishna Rao Yes Sir That is in keeping with the spirit of the change

The amendment was by leave of the House withdrawn
The Hidudal ed Tenancy an Agr Lands (Amendment) Bill 1958

Mr. Speaker, there is another amendment of Shri K. Venkatrama Rao.

Therefore I beg leave of the House to withdraw my amendment.
The amendment was by leave of the House withdrawn

Mr Speaker No 1 not moved No 2 withdrawn Nos 3 & 4 accepted by the Chief Minister and No 5 withdrawn

The question is

Clause 39 as amended stand part of the Bill

The motion was adopted

Clause 99 as amended was added to the Bill

Clause 40

Mr Speaker Let us proceed to clause 40

Shri Annajuio Gavane Sir I beg to move

In line 1 of section 90A of the Act proposed to be inserted by the clause between the words may and after insert the following words—

On his own motion or on application made in this behalf by any party to the proceedings

Mr Speaker Amendment moved

Mr Speaker So Shri Annajuio Gavane’s amendment has been accepted

The question is

Clause 40 as amended stand part of the Bill

The motion was adopted

Clause 40 as amended was added to the Bill

Clause 41

Mr Speaker Let us proceed to clause 41

Shri Annajuio Gavane Sir I beg to move
In line 1 of section 91 of the Act proposed to be substituted by the clause omit the words District He. This is a consequential amendment.

Mr Speaker: Amendment moved

Mr Speaker: Amendment moved—

Mr Speaker: The question is

The motion was adopted

Mr Speaker: The question is

The motion was adopted

Clause 41 as amended was added to the Bill
The Hyderabad Tenancy Act

Agr Lands (Amendment) Bill 1958

Clauses 42 to 45

Mr Speaker: The question is

Clauses 42 to 45 still part of the Bill

The motion was adopted.

Clauses 42 to 45 were added the Bill

Clause 46

Shri Ramrao Aurgaonkar (Geona): I beg to move

(a) After sub clause (1) add the following sub clause—

(2) In the proviso to clause (a) of section 102 of the said Act for the words ‘Inams and such other substitute the words such

(b) Renumber the existing sub clause (2) as sub clause (3)

(c) After the sub clause so renumbered add the following new sub clause—

(4) Add the following clause (f) to section 102 of the said Act namely

(f) to a landholder having a holding not exceeding one basic holding

Mr Speaker: Amendments moved

Shri V D Deshpande: Mr Speaker Sir I wish to move an amendment to the amendment of Shri Ramrao Aurgaonkar viz—

At the end of the amendment add the following—

(d) Delete clause (d) of section 102 of the said Act

Hon Leader (of the Opposition): Mr Speaker—Shri A Ambedkar फ्री आमदनी केसरी अमीरात द्वारा दी एम्प्रेस के (Original Act) के क्लास (डी) को विलोट किया जाय।

Delete clause (d) of section 102 of the said Act
To inams held by religious charitable institutions

Nothing in this Act shall apply

(a) to lands leased or granted alienated or required in favour of by Government a local trust or voluntary society

Provided that nothing in this clause shall apply to inams and such other lands as may be prescribed

In the proviso to clause (a) of section 102 of the said Act between the words Inams and and the following words shall be inserted namely—

lands dealt with under Chapter VI

Mr Speaker: But the amendment to the amendment is to delete clause (d) of section 102 of the original Act

Shri V D Deshpande: Yes I want to further amend the amendment but before I do so I wish to know the significance of the amendment suggested by the Select Committee
That relationship will be governed by the Hyderabad Tenancy and Agricultural Lands Act.
The amendment is that lands dealt with under Chapter VI are to be excluded. That is the object of the amendment.

I want to know whether this Act will apply or not to mams as far as rent resumption and other matters are concerned.

It does not apply. It is obvious. I will just clarify one point before the amendment to the amendment is discussed.

So the hon Member wishes to withdraw his amendments (a) and (b)?

Consequently his other amendment will read as follows:

After sub clause (2) add the following new sub clause—

(8) Add the following

to mams held by religious or charitable institutions

The amendment is that lands dealt with under Chapter VI are to be excluded. That is the object of the amendment.

I want to know whether this Act will apply or not to mams as far as rent resumption and other matters are concerned.

It does not apply. It is obvious. I will just clarify one point before the amendment to the amendment is discussed.

So the hon Member wishes to withdraw his amendments (a) and (b)?

Consequently his other amendment will read as follows:

After sub clause (2) add the following new sub clause—

(8) Add the following

to mams held by religious or charitable institutions
Nothing in this Act shall apply—to immovable religious and charitable institutions.

Nothing in this Act shall apply—

To immovable religious and charitable institutions.
1066

Tth January 1954

The Hyderabad Tenancy and
Agric Lands (Amendment)
Bill 1951

دوسرے ولادئوں کو قانون مل رہا تھا وہان دووں جاموں میں سوسائٹی کے ولاد

کی روہ کے مسلسلہ میں فدا حاصل کر گیا تھا اور زیر نمبر کا حاصل کے

مہینہ کے وہ رہوئے نسب کے کسی بھی احتمال دی رہی ہے اس لیے

ہیں۔ روہ کے کانٹر کا نظام کے لئے گھرگیڑھ کے نصاب کا کل تین گھرگیڑھ کے

مسلسلہ میں حد نہ اوگا تا۔ اس کا کام معاون کے احتمال حاصل نہ ہوگا۔ پس وہ نہیں

تیار ہوگیا دوسرے دیوانی میں اہم صورتحال موجود ہے۔ اس

کے علاقوں میں تجربہ کو یہ جوہر کر گیا ہوئی کے یہ کام ہے۔ اس لے وہان ہو

من اہمیت کی نگاہ میں مسلسلہ کے مارد نے دبائی کی مسلسلہ میں اعلامی

رہنے کے ولادئوں کی حیات۔ کیہ یہ ستاری گا مسیلے کا ہے۔ موسلا حاکی

ا انک

ا تو لکھا رکا مسلسلہ بھی کہ یہ کی وولادئوں اور یہ ہوئی کہ اس دیو اور دری لی

بے ابل کر اہوں کہ اس مسلم ہے اور ہوئی سے م=? کا اس کو مول کوئے

شری کے یہ یہ رام راز ائہ دیہ (ی) دیو میں سوس کی گا ورہی

کے اہمیت کی نگاہ میں وہ جوہر کیا ہے خوش میں دوکا نہ ہو اس میں دیہ (بن) بھی نہ

لگا مسلسلہ کمی میں کامیا بہ مہ میں دیہ (ی) وہی سی کی

وگہرہ حسی کے وہ میں وہ موجود ہوئی لگا بن (ی) سے اہم امرات کو میسی کر کے

کہ بن کھلا، لگا میں سے موجود ہوئے بن سے مسلسل کمی میں کامیا بہ مہ

میں دیہ میں

انک

نات (ی) کے کہا جو امرات کورس ہو کا حکمران کے کام میں اہوں

ہیں۔ بن میں سیل سیاح مستقل ہے۔ گو جو امارت کا مہم کاہکی ہے کر کے

میں کاہکی بن کل کہ وہ اہمیت کو اہم کرکے میں کیتا کیا کہ کوئے

کسچی بن کا کہ اہمیت کو اہم کرکے ہے کہ کوئے کیتا کہ کیتا کہ

ہی۔ لوک میں جوہر اور سیاحہ ہیں اہمیت کا نئی کریگا کیہ لین

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The Hyderabad Tenancy and Agri Lands (Amendment) Bill 1958

Substantial Law (Pro) Anticipate (Agni Lands (Amendment) Bill 1958) religious visions

Delete (charitable institutions) statement

Endowment (religious institutions) (Endowment) (the opinion)

Endowment Dept (nominal rent)
1068 7th January 1934
Agr. Lands (Amendment) Bill 1938

The House of Commons was sitting without a sense of the influence of the
Influential (Amendment) Bill.

The bill provided for a maximum rent of

(Maximum Rent)

(Religious or Charitable Institutions)
The Hyderabad Tenancy and Agriculures Amendment Act, 1958

7th January 1954

Sir,

I have had the honor to submit the following amendments to the Hyderabad Tenancy and Agriculures Amendment Act, 1958:

1. In Clause 17, delete the words "tenants pay" after "institution".
2. In Clause 18, delete the words "institutions gain" after "tenants pay".
3. In Clause 19, delete the words "institution" after "paying institutions gain"

I am, Sir, your obedient servant,

Anand Rao

Shri J Anand Rao

On a point of information, Sir,

I would like to know whether the amendments I have submitted are acceptable to you.

Yours faithfully,

Anand Rao
1070

11th January 1954

The Hyderabadi Tenancy and Agr. Lands (Amendment) Bill 1953

Deputy Administrator

Executive Orders (Delete)

Spirit (Public Purposes)

Co-operative Societies

Land

Rules (Commission)

(Include) (Implementation) (Protection)

Basic Holding

Resumption (Order)
50 A  Nothing in this Chapter shall apply to

(a) The sale of Agricultural land in accordance with the provisions of Chapter IV

(b) A landholder who owns lands not exceeding a basic holding

Nothing in this Chapter shall apply to

(a) The sale of Agricultural land in accordance with the provisions of Chapter IV

(b) A landholder who owns lands not exceeding a basic holding
Omit para (b) of section 50 A of the Act proposed to be inserted by the clause

The Hyderabad Tenancy and Agr Lands (Amendment) Bill 1958

Omit para (b) of section 50 A of the Act proposed to be inserted by the clause.
Shri Ramrao Aurgaonkar

Sir, I beg leave of the House to withdraw parts (a) and (b) of my amendments.

The parts of the amendment were by leave of the House withdrawn.
The amendment was by leave of the House, withdrawn

Mr Speaker Does Shri Aurangaonkar want his amendment (c) to be put to vote?

Shri Ramana Aurangaonkar Sir I beg leave of the House to withdraw my amendment (c)

The amendment was by leave of the House withdrawn

Mr Speaker The question is
Clause 46 stand part of the Bill

The motion was adopted
Clause 46 was added to the Bill

Mr Speaker The question is Short title commencement and preamble stand part of the Bill

The Motion was adopted

Short title commencement and preamble were added to the Bill

Shri B Ramakrishna Rao Sir I beg to move
That a Bill No I of 1958 the Hyderabad Tenancy and Agricultural Lands (Amendment) Bill 1958 be read a third time and passed.

Shri V D Deshpande: Sir, I would like to speak for a couple of minutes.

Mr Speaker: Under Rule No 188 (8) (a) of the Assembly Rules only verbal amendments or amendments consequential to the amendments made in the Bill can be moved at the time of the 3rd reading.

The rule runs as follows —

188 (8) (a) On the motion for the third reading of a Bill only verbal amendments or amendments consequential to the amendments made in the Bill when the Bill was read clause by clause may be moved.

Mr Speaker: No general discussion please.

Shri V D Deshpande: It is relevant.

Mr Speaker: But it must be relevant also.

Shri V D Deshpande: It is relevant.

Mr Speaker: Relevant to the Rules.

Shri V D Deshpande: Yes, of course to the Rules. Rules do not debar any discussion on a motion which comes up before the House. Of course I can't move any amendment and as such I am not moving.

मे यह कहूँ रहा था कि पिछले दो साल के अर्थाने बाद भारत यह निव हास्य के सामने धीरीरत मतभा रीतिक के फिल्म शा रहा है। यह निव रीत्तीवर निव के फिल्म ही भाषित नहीं रहता बस्ता जैसा
द बांगलादेश मुख्य अधिकार के दिन ने भारत से गल की (Land Legislation ) के तीन सबसे अधिकार विधि के लिए यदि त्रिपुरा की विधि भी है तब तक पता चलता है और मुख्य अधिकार के तीन सबसे अधिकार समाप्ति भी है। प्रोपितामुखी (Planning Commissions ) ने जिसके दर्शन में समय तय कर यदि हिंदुस्तान की शुभ मोती भी चीफ मिनिस्टर ने विश्वविद्यालय में उद्देश्य तक हो सके रहा है। जिन प्रकार तब कलेक्टर (Collective end) के तीन पर यह विषय हुंगरी सामान भी रहा है, और पूरे हिंदुस्तान की अर्थशास्त्रिय विचार विभाग की तरफ देख रही है। मुख्य मालूम हुआ है कि हमारे प्रदेश कमेटी की रिपोर्ट ने कार्यालय तात्त्विक विस्तारित है। यह अवश्यमत का तीन पवित्रता का तीन सबसे अधिकार के साथी भारत तय है रहा है। गुरु पहुंच सक्रिय है कि जिस विभाग की तरफ और पूरे हिंदुस्तान की विचार विभाग की तरफ देखने के दो अंश (Views) विभाग हुआ। उन्होंने अब तक यह जान सकता है तब तक हुसून नुसेबादर से तीन विधि की तरफ देखना जान सकता है। हमारे प्रदेश जान देखने का सबसे सबसे के फ्रेंक के श्रेणी सत्ता हुंगरी पास नहीं है श्रृंखला किसी से हुना भाव विचार विभाग की तरफ और चींट पौलियों के तरफ देखना जरूरी हो जाता है। जिन हुंगरी में जो जिन हुंगरी समझते जा है यह जान जान तो अपने पूर्ववर्तियों का इतिहास शुरू कर देखते तब तक जान के संशोधन संबंधी जीवन और समस्त तीन के लिए सत्ता देखने उपलब्ध कर सकते हैं। उन्हें मुख्य अधिकार के देखने पर हमें सिद्धांत उन्हें देख। हूँ कि उन्हें फिसान अगल छुप्स के चर्चा फिसान के विकास छुप्स है जिन्हें नवीन सबसे और जब तक, जैसी कि अन्तर्गत मुख्य अधिकार विषय के तीन ने पुरातात्विक कार्यशास्त्र (Material interestedness ) फिसान विधान सदन भरोसे विधि में पैदा नहीं कर सकते तब तक जान के संशोधन में रोजशाही, मास्टर और समस्त के लिए सत्ता देखने हमें सब्जेक्ट सिद्धांत करने के सभी नर हुई नहीं कर सकते। उन्हें मुख्य अधिकार में फिसान अन्तर्गत छुप्स नहीं कर सकता। फिसान की नवीन हुआ छी। वहा और युगुल पास घुम नाइ सकता कर सकते हैं। फिसान की नवीन हुआ छी। वहा सकता कर सकते हैं। चाहे युगुल पास घुम नाइ सकता कर सकते हैं। फिसान की नवीन हुआ छी। वहा सकता कर सकते हैं।
The Hyderabad Tenancy and Agricultural Lands (Amendment) Bill, 1958

7th January, 1954

The following Bill passed by the Assemblies of the States of Hyderabad and Mysore respectively was laid before the Assembly of the State of Mysore on the date mentioned above:

The Hyderabad Tenancy and Agricultural Lands Bill, 1958

This Bill aims to provide for the tenancy of agricultural lands and to regulate the relations between landlords and tenants. It seeks to ensure fair tenancy conditions and to protect the interests of both landlords and tenants. The Bill also provides for the consolidation of landlords and tenants' rights, and for the settlement of tenancies.

The Bill covers a range of provisions, including:

1. Amendment to the Tenancy Act, 1950 to provide for the protection of tenants against unlawful eviction and to regulate the terms of tenancy agreements.
2. Provision for the establishment of tenancy rehabilitation boards to adjudicate disputes between landlords and tenants.
3. Protection of tenants from arbitrary increase in rent.
4. Provision for the settlement of tenancies through negotiation or arbitration.
5. Regulation of tenancy terms, including period, rent, and security deposits.

The Bill is designed to bring about a fair and just tenancy system, ensuring security of tenure for tenants and the orderly management of agricultural lands.
The Hyderabad Tenancy and Agricultural Lands (Amendment) Bill, 1958

Mr. Speaker, there should be no repetitions. This is not the time to make lengthy speeches.

Shri V. D. Deshpande. I shall finish within five minutes.

"Nothing in this Act shall apply—

(a) to lands leased, granted, alienated or acquired in favour of or by Government, a local authority or a cooperative society;"

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"Nothing in this Act shall apply—

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The Hyderabad Tenancy and Agri Lands (Amendment) Bill, 1958

अधिकरण में यह बताया गया है कि गौतम भौतिक और जीवित होने के लिए एक अत्यधिक महत्वपूर्ण चौकी देखने की आवश्यकता है। इसमें स्वास्थ्य और रोकथाम का महत्व है। यह स्वास्थ्य और रोकथाम के लिए कुछ स्वास्थ्य और रोकथाम का उपयोग करने के लिए भी महत्वपूर्ण है। यह स्वास्थ्य और रोकथाम का महत्व है जो कि न्याय और वाणिज्य का सही रूप करता है। इसके अलावा, यह स्वास्थ्य और रोकथाम का महत्व है जो कि न्याय और वाणिज्य का सही रूप करता है।
Mr Speaker Su I do not think this is an opportunity for any hon Member to make any remarks

Shri Udhav Rao Patil A permanent alienation or transfer of agricultural lands made with the previous permission of the Collector or any non agricultural use
The Hyderabad Tenancy and Agr. Lands (Amendment) Bill 1958

Shri B Ramakrishna Rao

Permanent alienation or transfer of agricultural lands made with the previous permission of the Collector for any non-agricultural use.

(Misprint)

Shri Udham Rao Patil

Clause 80

In clause (b) for the words five times the words three times shall be substituted.

In sub clause (1) of clause 12 of the Bill as amended by the Select Committee (original Clause 18) the word under should be inserted before the words figures and brackets sub section (2) of section 28.

Under

 Expect
The Hyderabad Tenancy and Agric Lands (Amendment) Bill 1958

Assemblies (Dissatisfied)

A. K. [Represent]

[A copy of the above petition is enclosed.]

God speed

The Hyderabad Tenancy and Agricultural Lands (Amendment) Bill, 1958

On 7th January, 1954

Enactment

The Hyderabad Tenancy and Agricultural Lands (Amendment) Bill, 1958, was introduced in the Legislative Assembly of the Hyderabad State on 7th January, 1954. The Bill was an amendment to the Hyderabad Tenancy Act, 1956, and was designed to address certain issues arising from the implementation of the Act.

Jitendra (JNA)

The Bill sought to provide for the rectification of any errors or omissions that might have occurred during the drafting of the original Act. It also aimed to address any disputes or disagreements that had arisen between the landlords and tenants.

Function

The Bill was introduced with the aim of ensuring a fair and just resolution of disputes and differences that had arisen between landlords and tenants. It sought to provide a framework for the resolution of disputes, including differences of opinion, in a manner that was fair and just.

Difference of opinion

The Bill addressed issues of difference of opinion, including almost irreconcilable differences, between landlords and tenants. It sought to provide a mechanism for resolving such disputes in a manner that was fair and just.

Landlord consolidation Bill

The Bill was introduced with the aim of consolidating the land holdings of landlords, ensuring that they were treated equally and fairly.

Tenant Eviction Bill

The Bill was introduced with the aim of providing protection to tenants, ensuring that their rights were upheld and that they were not evicted unfairly.

Ayes and Noes

The Bill was introduced with the aim of providing a mechanism for voting on the Bill, allowing for a clear indication of support and opposition.
I must be thankful to the Leader of the Opposition for small mercies such as this.
The Hyde abad Tenancy and Agi Landi (Amendment) Bill 1953

7th January 1954

The Honourable Mr. Justice (Peasant Proprietorship)

Dispassionate criticism

Judge

Exaggerate

Proprietor
The Hyderabad Tenancy and Agr Lands (Amendment) Bill 1958

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Material interestedness, Environ, Cattle breeding, Industrial Sector, Agricultural Sector, Side business, Limited Sense, Fundamental contradictions.
The Hyderabad Tenancy and Agr Lunds (Amendment) Bill 1953

7th January 1954

The Hyderabad Tenancy and Agricultural Lands (Amendment) Bill 1953

Agrarian policy

Agrarian policy

Social objective

Create

Agricultural pattern

Conception

Realism

Criticism

Proposals

The Hyderabad Tenancy and Agricultural Lands (Amendment) Bill 1953

Agrarian policy

Social objective

Create

Agricultural pattern
This is not a last word in agrarian legislation

...
The question is

L A Bill No I of 1958, the Hyderabad Tenancy and Agricultural Lands (Amendment) Bill, 1958, as amended be read a third time and passed.

The motion was adopted.

Loud Applause

Business of the House

Mr Speaker: Now, only 80 minutes are left before we use for lunch. If the hon. Members like we may take up the other Bill for consideration now.

Shri V D Deshpande: Anyhow, we are meeting again in the evening. Let us therefore adjourn now and meet again in the evening then we shall take up the consideration of other Bills.

Mr Speaker: I think what Shri V D Deshpande suggests is better. Let us adjourn till 8 P.M.

The House then adjourned for lunch till Three of the Clock.

The House re assembles after Lunch at Three of the Clock.

[Mr Speaker in the Chair]

The Hyderabad Agricultural Income Tax (Amendment) Bill 1953

The Minister for Finance and Statistics (Dr. G. S. Melkote): Mr Speaker, Sir, I beg to move:

That L A Bill No XXX of 1958, the Hyderabad Agricultural Income Tax (Amendment) Bill, 1958, be read a first time.

P II- 6
Dr. G. S. Melkote  

Mr. Speaker, Sir, in the year 1857, an Act came into force in Hyderabad called the Hyderabad Income Tax Act No. VIII of 1857. In that Act, the income from non-agricultural sources was also included, but in the year 1950, according to the Constitution of India, the income from non-agricultural sources was excluded—this is a central subject—and as such an Act called the Hyderabad Agricultural Income Tax Act (XIII of 1950) was enforced by the then Government of Hyderabad which included only the agricultural income. According to the said Act, the rates of agricultural income tax were fixed, and there was a provision that every year from 1951 onwards, an Act called the Hyderabad Finance Act would be passed, and the Act should be regularised. The Government did not bring out such an Act, and even today, the Hyderabad Finance Act will not be brought forward for the simple reason that this is the only Act that has got to be enacted under the Hyderabad Agricultural Income Tax Act 1950. This has simply been copied from the Central Government, and there is no such Act in force in any of the States. That is one reason. The second reason is that the Assembly itself did not meet till 1952. Somehow or other, this escaped the notice of the Finance Department and was detected very recently. Hence, we are bringing in this amendment when we bring in another amending Bill, we consider the question whether the amount of Rs. 10,000 that has been fixed in the Schedule was correct. The matter is still under examination by this Government and as well as the Taxation Enquiry Commission.

In one of the amendments—I am not speaking on all the amendments—one of the hon. Members has actually suggested that the income from both agricultural as well as non-agricultural sources should be included but the assessment should be only on agricultural income. I am of the view that this will amount to taxing the person twice because, in the first place, income tax itself has to be paid once and secondly, the rate of tax on both again will have to be paid by him. We wanted to reduce the rate but the Tenancy Bill has to a certain extent come in our way. We did not exactly know what shape it would take.

Keeping all these things in view, the Government is examining the whole position and possibly in the next Session,
we may ourselves come forward with certain amendments to the whole Act. That is the reason why we have not brought anything more now. We are merely validating the whole affair.

Thank you

*Shiv V D Deshpande  Mr Speaker Sir The hon Finance Minister has rightly anticipated what I am going to say in the matter. I feel that especially after the passing of the Tenancy Bill, it is absolutely necessary that the taxable limit on agricultural income should be reduced and it should therefore be possible for the Government to collect some amounts from the big Estates. Some of the hon Members earlier while speaking on the Tenancy Bill had said that it might not be possible to accomplish this because we are taking certain surplus land but permit me to point out Sir that under Section 58 C we are going to allow such landlords who have compact areas and because of that certain Estates in various parts of the State are likely to emerge—and they are already there—and thereby it should be possible for the Government to collect certain amount from these Estates. While it may be that this procedural or validating Amendment Bill has come up before this House because of certain lacuna or certain acts of commission and omission at the same time we do expect the Government in view of the limit of maximum income having been fixed as Rs 8,600/- in the Tenancy Bill it may be that the total may come to Rs 7,200/- or Rs 5,000/- to reduce the taxable limit. There is an amendment to that effect from an hon Member from this side of the House and it should be worthwhile for the hon Finance Minister to consider that.

It is our considered view that as far as agriculture is concerned, it should not be the policy of the Government to tax certain rent from agriculture as such but it should be treated in due course on the same basis as we treat other industries in which investment is made and where the income is taxed over and above the profit. Therefore we should take to graded agricultural income tax and probably the taxable limit should be brought down still further from Rs 5,000. Of course this has to come in due course if the Government decides as such. Nevertheless if not in this Session at least in the coming Budget Session I wish it should be possible for the Government to bring down the present high level of taxable limit and thereby collect some more amount than what we will be able to collect now.
As this Bill is a procedural one involving as it does no major principle we have no objection to support this Bill.

With these few words I resume my seat. Thank you.
The Hyderabad Agri Income tax 7th January 1954

(Procedural) 1958

The Hyde) abatfAgri Income tax 7th January 1954 1098

The Government itself is considering what amendments they should bring in to this Act. The Government fully appreciate the points of view expressed by the Members of the Opposition, namely that Rs 10 000 would not escape from this agricultural income tax. This measure is intended to remedy that situation and validate the Ordinance already passed.

The Taxation Enquiry Commission themselves had suggested certain points for our consideration. This Government also are thinking on the same lines as those expressed by the Members of the Opposition, namely that Rs 10 000/
is rather a high margin and it should be reduced. The points placed before the House by the hon. Members of the Opposition would certainly be appreciated. We would take all these points into consideration and as early as possible Government will bring forward an amending Bill incorporating all these suggestions. This is intended only to validate the Ordinance in order to regularise whatever amounts we have collected so that Government may not lose this revenue. That is why this Bill has been brought up before this House and I am sure the House will pass this Bill without much discussion.

Mr Speaker Since this is a Money Bill I would like to know whether the recommendation of the Rajpramukh has been obtained.

Dr G S Melhote Yes the recommendation of the Rajpramukh has been obtained.

Mr Speaker But it has not been stated anywhere in the Bill. It would have been better if the Minister had stated that the recommendation of the Rajpramukh had been obtained for this Bill.

Dr G S Melhote We shall do it in future.

Mr Speaker The question is:

L A Bill No XXX of 1958 a Bill to amend the Hyderabad Agricultural Income tax Act 1950 be read a first time.

The motion was adopted.

Dr G S Melhote I beg to move:

L A Bill No XXX of 1958 a Bill to amend the Hyderabad Agricultural Income tax Act 1950 be read a second time.

Mr Speaker The question is:

L A Bill No XXX of 1958 a Bill to amend the Hyderabad Agricultural Income tax Act 1950 be read a second time.

The motion was adopted.

Clause 2

Shri Ankushrao Ghare (Parivar) I beg to move.

Dr G S Melhote Mr Speaker Sir I submit that I have made the position very clear and I have stated that the Gov
eriment is examining the whole situation. I would appeal to the hon. Members of the Opposition not to move the amendments and allow the Government to come forward with whatever amendments they might have at a future date before this House.

Shri Ankush Rao Ghare The amendments will be withdrawn if necessary at the appropriate time. But there are certain points which I have to be brought to the notice of the Government. I shall therefore proceed with the moving of my amendment. I beg to move.

Renumber the clause as 2 (2) and insert the following as 2 (1).

2 (1) In clauses (a) and (b) of Section 5 of the Hyderabad Agricultural Income Tax Act 1950 for the figure 10,000 the figure 5,000 be substituted.

Mr Speaker Amendment moved.

Shri B. D. Deshmukh (Bakhtawar General) I beg to move.

Renumber the clause as 2 (1) and add the following as sub clause (2) namely—

(2) In clause (b) of section 5 of the Hyderabad Agricultural Income tax Act 1950 for the figure 10,000 substitute the figure 5,000.

Provided that for the years till the commencement of this Amendment Act the total income mentioned in this sub section shall be deemed Rs 10,000 only.

Mr Speaker The first paragraph is similar to the amendment of Shri Ankushrao Ghare and as such it need not be moved only the proviso is an addition and it can be moved.

Shri B. D. Deshmukh Yes.

Mr Speaker Amendment moved.

Shri Uddhavarrao Pawar I beg to move.

(a) Renumber the clause as 2 (1) and insert the following as 2 (2) namely—

(2) In clauses (a) and (b) of section 5 of the Hyderabad Agricultural Income Tax Act, 1950, for the words Agricultural
The Hyderabad Agricultural Income Tax (Amendment) Bill 1953

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Agricultural Income the words income from agricultural source and non agricultural source shall be substituted

(i) At the end of section 6 of the Hyderabad Agricultural Income tax Act 1950 add the following proviso namely

Provided that the Agricultural Income tax shall be levied on the income from agricultural source only'

Shri Gopal Rao Ekbote (Chaderghat) Mr Speaker Sir
I have an objection to this amendment. Section 6 of the Act cannot be amended to include income from other sources because it falls under Income tax which is a Central subject. The amendment should confine itself to Agricultural Income tax and not income from other sources.

Mr Speaker Section 6 says that Agricultural Income tax shall be payable
The Hyderabad Agr. Income Tax (Amendment) Bill 1953

Shri Udhav Rao Patil: I agree with it, we are taxing only agricultural income.

Mr Speaker: The hon Member does not propose to tax other income?

Shri Udhav Rao Patil: I agree with it, we are taxing only agricultural income.

Mr Speaker: Is it not outside the scope?

Dr G. S. Melhote: I personally feel that there is a good deal of force in the arguments advanced by the hon Member. Whereas the income of 5 or 5 thousand rupees from non-agricultural sources is taxed an agriculturist who has an income from both sources agricultural and non-agricultural even if he makes up to 18 thousand rupees is not taxed. I think…
equity demands that even such person also should be taxed as others. Government is examining the whole issue and we intend to come with an amending Bill shortly. We have not examined the whole matter as yet. As I pointed out earlier this Bill is only for validating the ordinance issued already.

Mr Speaker The hon Minister has stated that Government is examining the position. Does the hon Member want to move the amendment?

Shri Udhas Rao Patil As the Member in charge of the Bill has accepted the principle I do not want to move the amendment.

Mr Speaker What about amendment (b)?

Shri Udhas Rao Patil Both portions are correlated I do not move entire amendment.

*Shri Ankush Rao Ghare The Member in charge of the Bill has stated that the Government is considering the whole matter. I do not therefore think there is any need for me to stress this any further. But in moving this amendment I was having in view the tenancy legislation that has been passed today. The limit of agricultural income would naturally be reduced but intensive cultivation could give returns up to 15 thousand rupees and therefore Government in due time would bring an amendment. But in moving this amendment I had a different view and that was the working and the methods adopted by the Agricultural Dept at the present time. What the Agricultural Department does is that it only issues notices without verifying whether the actual income or the capacity of those to whom the notices are issued are taxable or not. There is only one Central office at Hyderabad and therefore agriculturists who reside far off places from the capital find it difficult to come over to Hyderabad and engage a pleader. It often happens that the tax the agriculturist pays is less than what he has to pay to the pleaders. Therefore I think the basis of assessing the tax should have some principle behind it. We should have a certain base and multiples should be definite. There should be some definiteness in assessment and the convenience of the agriculturist should also be kept in mind. In moving this amendment I have no other intention than to bring to the notice of
the Member in charge of the Bill the practical difficulties felt by those who have to pay the taxes

The Hyderabad Agri Income Tax (Amendment) Bill 1958

Income Tax 7th January 1954

Principles

Exempt

(c) Legislative

Intensive

Management

Rich Peasant

Cultivation

Assume
The Hyderabad (Agr. Income tax (Amendment) Bill 1958

1100 7th January 1954

So we say that the said income of the assessee is exempt income under Section 11(5) of the Income-tax Act, 1957.

Section 11(5) defines exempt income as including any income derived from the assessment of the income of a person or company.

The income tax authorities have notified the exemption under this section, and it is applicable to the assessment year 1958-59.

The exemption applies to the income from agricultural land owned by the assessee and used for agricultural purposes.

The notification is issued under Section 23(1)(b) of the Income-tax Act, 1957.

The notification is applicable to the assessment year 1958-59.

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The notification is applicable to the assessment year 1958-59.

The notification is issued under Section 23(1)(b) of the Income-tax Act, 1957.
The Hyderabad Agricultural Income Tax (Amendment) Bill 1958

Dr. G. S. Melkote: I am grateful to the hon. Members for withdrawing their amendments. I felt that possibly they would go a step further as I want to go. If I understand correctly, the tax leviable on income from non-agricultural sources is Rs. 4,200—not even Rs. 5,000. From that point of view and also from the point of equity, we should bring it to Rs. 4,200. I want to go a step further. That is why I said the whole matter is under the consideration of the Government.

Shri V. D. Deshpande: Hon. the Finance Minister should note that what he is saying is being recorded.

Dr. G. S. Melkote: The whole tax structure is under consideration and I would request hon. Shri B. D. Deshmukh also to withdraw his amendment.

Mr. Speaker: I shall now put the amendments to vote.

Shri Ankush Rao Gheare: I beg leave of the House to withdraw my amendment.

The amendment was by leave of the House withdrawn.

Shri B. D. Deshmukh: I beg leave of the House to withdraw my amendment.

The amendment was by leave of the House withdrawn.

Mr. Speaker: The question is.

That Clause 2 stand part of the Bill.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 8

Dr. G. S. Melkote: I beg to move.

After Clause 8, add the following new Clause namely:

Repeal of Hyderabad Ordinance I of 1958

The Hyderabad Agricultural Income Tax (Amendment) Ordinance 1958 is hereby repealed.
Mr Speaker Amendment moved

(Pause)

What Dr G S Melkote has moved is not an amendment clause 3 but it is an addition of new clause that is clause 4. I shall first put clause 3 to vote and then put this amendment to vote.

The Question is

That Clause 3 stand part of the Bill

The Motion was adopted

Clause 3 was added to the Bill

Clause 4

Mr Speaker The Question is

After the clause add the following new clause namely

Repeal of Hyderabad Ordinance X of 1953. 1 The Agricultural Income tax (Amendment) Ordinance No 1 of 1958 is hereby repealed.

The motion was adopted.

Mr Speaker The question is

That Clause 4 stand part of the Bill

The motion was adopted

Clause 4 was added to the Bill

Mr Speaker The question is

That the short title commencement and Preamble stand part of the Bill

The motion was adopted

The Short title commencement and Preamble were added to the Bill

Dr G S Melkote Sir I beg to move

That L A Bill No XXX of 1958 the Hyderabad Agricultural Income tax (Amendment) Bill 1958 be read a third time and passed

Mr Speaker The question is

That L A Bill No XXX of 1953 the Hyderabad Agricultural Income tax (Amendment) Bill 1958 be read a third time and passed

The motion was adopted
The Hyderabad Agricultural Income Tax (Validity of Notices) Bill 1953

Dr G S Melkote I beg to move

That L A Bill No XXXII of 1958 the Hyderabad Agricultural Income Tax (Validity of Notices) Bill 1958 be read a first time

Mr Speaker Motion moved

Dr G S Melkote This again is a Bill to validate certain notices issued under the Agricultural Income Tax Act. The Act itself contemplates that time for issuing notices should not be less than thirty days but in the notices printed and sent it has been mentioned as within thirty days. Some of these cases are pending in the Courts of Hyderabad. In one case the Supreme Court gave a ruling to the effect that it should not be less than thirty days. As the forms of notice issued so far under the relevant Rules do not give the required full thirty days time they have to be brought in conformity with the law. In order that these notices may not get invalidated I have brought this Bill just to validate the issue of notices. I request the House to pass the Bill

Mr Speaker I do not think the hon Minister will give a reply

Dr G S Melkote No sir

Mr Speaker The question is

That L A Bill No XXXII of 1958 the Hyderabad Agricultural Income Tax (Validity of notices) Bill, 1958 be read a first time

The motion was adopted

Dr G S Melkote I beg to move

That L A Bill No XXXII of 1958 the Hyderabad Agricultural Income Tax (Validity of Notices) Bill, 1958, be read a second time
Mr Speaker  The question is

That L A Bill No XXXII of 1953, the Hyderabad Agricultural Income tax (Validity of Notices) Bill 1958, be read a second time

The motion was adopted

Clause 2

Dr G S Melkote  I beg to move

At the end of para (d) of the clause add the word or and after the clause (d) add the following new para namely

(e) under or purporting to be under or in pursuance of any other provision of the said Acts requiring the submission of return of income

Mr Speaker  Amendment moved

Dr G S Melkote  I personally feel that as it is it is all right but in view of the different Acts if in future, any case comes up before a court of law to avoid complications it is felt that this clause should be added in order to safeguard the interests of the Government. Hence, this amendment

Mr Speaker  The question is

At the end of para (d) of the clause add the word or and after clause (d) add the following new para namely —

(e) under or purporting to be under or in pursuance of any other provision of the said Acts requiring the submission of return of income

The motion was adopted

Mr Speaker  The question is

That Clause 2 as amended stand part of the Bill

The motion was adopted

Clause 2 as amended was added to the Bill

Clause 8

Mr Speaker  The question is

That Clause 8 stand part of the Bill
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The Motion was adopted

Clause 8 was added to the Bill

Mr Speaker The question is

That the Short Title Commencement and Preamble stand part of the Bill

The motion was adopted

The Short Title Commencement and Preamble were added to the Bill

D G S Mellote I beg to move

That L A Bill No. XXXII of 1953 the Hyderabad Agricultural Income Tax (Vidacity of Notices) Bill 1958 be read a third time and passed

Mr Speaker The question is

That L A Bill No. XXXII of 1953 the Hyderabad Agricultural Income Tax (Vidacity of Notices) Bill 1958 be read a third time and passed

The motion was adopted

Business of the House

Mr Speaker When shall we meet for Private Members

Shri V D Deshpande At 2 30 P. M. tomorrow

Mr Speaker 2 30 P. M. or in the morning?

Shri B Ramachandru Rao 2 30 P. M. tomorrow as announced by you this morning Sir

Mr Speaker From 2 30 P. M. up to what time?

Shri V D Deshpande As usual till 8 o'clock That is the full day Private Members business takes the full day

Shri B Ramachandru Rao I have no objection I suggest to the hon. Leader of the Opposition to curtail the time by one hour

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