ANDHRA PRADESH LEGISLATIVE ASSEMBLY DEBATES

Official Report

PART II - Proceedings other than Questions and Answers.

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ANDHRA PRADESH LEGISLATIVE ASSEMBLY

Thursday, the 18th February, 1960.

The House met at Nine of the Clock.

(Mr. Speaker in the Chair).

[Questions and Answers]

(See Part I)

PAPERS LAID ON THE TABLE.

(i) Amendment to the Madras Public Service Commission Regulations 1950.

*The Chief Minister (Sri D. Sanjivayya): I lay on the Table a copy of notification issued with G O. Ms. No. 1753 General Administration (services-A) dated the 10th December, 1959 making an amendment to the Madras Public Service Commission Regulations, 1950 as adapted in Andhra Pradesh in accordance with Clause (5) of Article 320 of the Constitution.

Mr Speaker: Papers laid on the Table.
The Hyderabad Agricultural Debtors Relief
Rules, 1959


Mr Speaker: Papers laid on the Table.

Calling attention to matters of urgent public importance re: Police Firing in Ayanambakam

Mr Speaker: The hon. Member Sri P Gopalu Reddy wants to draw the attention of the hon. Minister for Home Affairs, under Rule 74 of the Assembly Rules. It reads as follows:

"That it is seen in Andhra Prabha Daily dated 13-2-60 of an incident of firing in Ayanambakam village of Nagari Police Station limits by the Sub-Inspector against the villagers during his visit to the said village on 3rd night at 11 p.m. for investigation and arresting of some of the villagers involved in a prohibition offence and that the injured persons are admitted in the District Head quarters Hospital at Chittoor."

If the hon. Chief Minister is ready, I shall ask the hon. Member to say a few words.

Sri D. Sanjivayya: I am ready.
Calling Attention to 18th February 1960
Matters of Urgent Public Importance re: Firing in Ayanambakam

In the attention of the public, it is brought to our notice that on the 18th February 1960, there was an incident involving firing in Ayanambakam. We request the appropriate authorities to investigate the matter forthwith.

The incident involved Sections 147-221 of the IPC, and it is necessary to investigate the matter immediately in order to find the third accused. The investigation should be carried out under the guidance of the third accused, and we request the concerned authorities to ensure that the investigation is conducted in a proper manner.

The incident involved round fire, and we request the authorities to ensure that no harm is caused to any individual during the investigation.

We request the appropriate authorities to take immediate action to ensure the safety and security of the individuals involved in the incident.

GOVERNMENT BILL

The Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959

Mr. Ranga Reddy: Sir, I beg to move:

"That the Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959, be read a second time."

Mr. Speaker: Motion moved.

(Pause)

Mr. Speaker: The question is:

"That the Madras Estates Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959, be read a second time."

The motion was adopted.
Clause 2.

Mr. Speaker: The question is:

“That Clause 2 do stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.

Sri K. V. Ranga Reddy: Sir, I beg to move:

“In: new section 9-A inserted by this clause in the opening paragraph delete the words ‘was or’.”

In clause (b) of new section 9-A delete the words ‘Decision and’.”

In sub-section (b) of new section 9-A inserted by this clause for the words ‘second Amendment’ substitute the word ‘Amendment’.

In sub-section (b) of new section 9-A for the figure ‘1959’ substitute the figure ‘1960’.

Mr. Speaker: Amendments moved.

Mr. Speaker: The question is:

“In new section 9-A inserted by this clause in the opening paragraph delete the words ‘was or’.”

In clause (b) of new section 9-A delete the words ‘Decision and’.”

The amendments were adopted.

Mr. Speaker: The question is:

“In sub-section (b) of new section 9-A inserted by this clause for the words ‘second Amendment’ substitute the word ‘Amendment’.”
The amendment was adopted.

Mr. Speaker: The question is:

"In sub-section (b) of new section 9-A for the figure '1959' substitute the figure '1960'."

The amendment was adopted.

Mr. Speaker: The question is:

"Add the words 'or such further time as the tribunal may in its discretion allow' after the words 'against the decision and finding within two months' in clause 3 (b)."

The amendment was negatived.

Mr. Speaker: The question is:

"That clause 3, as amended, do stand part of the Bill."
Clause 4.

*Sri Vavilala Gopalakrishnayya:  Sir, I move:

"Add the following at the end of clause 4.

'and collected after 3 years of the enjoyment of the benefit'."

Mr. Speaker: Amendment moved.

"And collected after 3 years of the enjoyment of the benefit’.

"Notwithstanding anything in clause (a), in the case of wet lands whose irrigation facilities are improved by an irrigation scheme executed by the Government, they may levy additional wet assessment on such lands at such rate as they may, by order, determine having regard to the cost incurred by them in respect of such irrigation scheme and collected after 3 years of the enjoyment of the benefit."
define 48th 18th February, 1960

The Madras Estates (Abolition and Conversion into Ryotwari)
(Andhra Pradesh Second Amendment) Bill, 1959

Settlement final 18th 1960

Land Revenue rules betterment tax mortgagor 1st 10% construction

Local rules 15-15 15-15 declaration 15-15

Restore improve restore 100 100
additional assessment schemes additional assessment schedule prepare schemes "restored" "improved" restoration schemes. The bill provides for schemes which aim to improve the existing schemes. These schemes will be implemented in the Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill 1959.
The Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bills, 1959

...
The Madras Estates (Abolition and Conversion into Ruvotwari) (Andhra Pradesh Second Amendment) Bill, 1959

...determine having regard to the cost incurred by them in respect of such irrigation scheme...
The Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959

Notwithstanding anything in clause (a), in the case of wet lands whose irrigation facilities are improved by an irrigation scheme executed by the Government, they may evict additional wet assessment

additional assessment i.e. additional assessment that is levied on estates' land, is based on the principle of taxation. The additional assessment is levied on projects executed by the Government.

additional assessment is levied when the value of irrigation projects is increased.
principle that tax should be equitable. A serious
settlement cannot be materially affected by an
additional assessment. Where the settlement is
over automatically the Act applies. Where the assessment
of the settler is materially affected by an additional
settlement the Act applies. Where the assessment
of the settler is not materially affected by an additional
settlement the Act does not apply. In such cases
the Estates Abolition Act and the Rent Reduction Act
apply.

Certain provisions which are not
applicable to the estates in Andhra
Pradesh have been deleted by the
Andhra Pradesh Estates Abolition
and Conversion into Rotten (Andhra
Pradesh Second Amendment) Act, 1959.

Survey and settlement
assessment is made as is reasonable.
additional assessment is made as
is reasonable. Additional assessment
is made by the surveyor and settlement
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is made by the surveyor and settlement
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surveyor.
18th February, 1960

The Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959

Settlement projects and additional assessment

Mr. P. S. V. Subramanyam, M.P. said that in the settled land area, there were projects involving additional assessment. He pointed out that in his constituency, there were projects involving additional assessment. He requested the Government to review these projects and take appropriate action.

Mr. G. P. Ramachandran, M.P. said that the assessment under the Principal Act was based on the market value of the land. He suggested that the assessment should be based on the revenue derived from the land.

Mr. V. R. Sharma, M.P. said that the assessment under the Principal Act was based on the market value of the land. He suggested that the assessment should be based on the revenue derived from the land.
The Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959

...
18th February, 1960

The Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959

...
On a point of order, Sir, do you agree that the next stage in the legislation is for the Government to levy a cess for the use of water supplied for irrigation purposes, based on the increased profits derivable from lands irrigated by such works. Should the Government be able to levy this cess?
increased profits derived or derivable by ryots from lands irrigated by such works.

Section 1 of the said Act says: "Whenever water is supplied or used for purposes of irrigation from any river, stream, channel, tank or work belonging to, or constructed by or on behalf of, the Government, and

(b) whenever water from any such river, stream, channel, tank or work, by direct flow or percolation irrigated any land under cultivation, and in the opinion of the Revenue Officer empowered to charge water cess, subject to the control of the Collector and the Board of Revenue, such irrigation is beneficial to, and sufficient for the requirements of, the crop on such lands,

It shall be lawful for the State Government before the end of the revenue year succeeding that in which the irrigation takes place to levy at pleasure a separate fee for such water (hereinafter referred to as the water cess), and the State Government may prescribe the rules under which, and the rates at which, such water cess shall be levied, and alter or amend the same from time to time:

Provided that where a Zamindar or inamdar or any other description of landholder not holding under ryotwari settlement is by virtue of engagements with the Government entitled to irrigation free of separate charge, no water cess under this Act shall be imposed for water supplied to the extent of this right and no more;

Provided further that x x x x x

Here are two main things.

Section 1-A (1) of the Madras Irrigation Cess Act, says:

"In respect of water supplied or used for the irrigation of land included in an estate the water cess due under this Act shall, notwithstanding anything contained in the Madras Revenue Recovery Act, 1864, be leviable in accordance with such rules as the State Government may after previous publication, prescribe in that behalf."
Mr. Speaker: According to Section 3 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, with effect on and from the notified date, the following Acts will apply:

(1) The Madras Revenue Recovery Act, 1864
(2) The Madras Irrigation Cess Act, 1865, and
(3) All other enactments applicable to ryotwari areas shall apply to the estate.

Mr. Speaker: It is all a question of equity. Suppose the Government says, 'according to the cost'. I am not speaking of the Ministers or the Opposition. It is a question of the rights of the Legislature.

Is it ultra vires or intra vires. That is the point. Save otherwise, expressly provided. Is it ultra vires or intra vires. That is the point.

Section 3 says: "The land revenue payable to the Government with effect on and from the notified date shall,
until a ryotwari settlement effected in pursuance of Section 22 has been brought into force in the estate, be calculated as follows:

(i) where the rent payable to the landholder immediately before the notified date has been determined under the Madras Estates Land (Reduction of Rent) Act, 1947, the rent so determined;

(ii) x x x

Notwithstanding anything in clause (a), in the case wet lands whose irrigation facilities are improved”......

But the Government is not asking us to give power where they converted dry land into wet land by improved schemes and other things that they should be given this power also. The actual wording is not in this way: “In converting dry land into wet land...”
But the clause says:

"Notwithstanding anything in clause (a), in the case of wet lands whose irrigation facilities are improved by an irrigation scheme executed by the Government, they may levy additional wet assessment on such lands at such rate as they may, by order, determine having regard to the cost incurred by them in respect of such irrigation scheme. It is not betterment levy tax. It is increase in wet rate". How is the original wet assessment on the lands which the Government has taken over comes under the basis of Madras Irrigation Cess Act?

—not on the basis of cost which the Government has incurred.

The Preamble to the Madras Irrigation Cess Act reads: "Whereas, in several districts of the Madras Presidency, large expenditure out of Government funds has been and is still being incurred in the construction and improvement of works of irrigation and drainage, the great advantage of the country and of proprietors and tenants of land; and whereas it is right and proper that a fit return should, in all cases alike, be made to Government on account of the increased profits derivable from lands irrigated by such works..."
the additional profits derived by the tenants or ryots, but on the basis of the additional cost incurred by the Government."

As such, the new principle enunciated in these clauses go to the root of the fundamental principle contained in the Irrigation Cess Act. As such it qualifies "notwithstanding anything in Clause (a). . ." of the Abolition Act as well as anything contained in any Act made so far. It does not qualify the Irrigation Cess Act itself.

It does not qualify the Irrigation Cess Act itself. When the Irrigation Cess Act does not qualify the additional wet assessment, they can calculate on the basis of the principles laid down in the said Act (Irrigation Cess Act). But my contention is that with the clause as it stands they cannot increase additional wet assessment on the basis of cost. Only with reference to additional benefits derived they may do so. They are enunciating an entirely different principle of wet assessment which goes against the Irrigation Cess Act itself. We know that betterment levy is determined on the basis of the costs and the benefit derived by each land, the value of the land having increased. Here it is wet assessment. As such the clause as it stands is a fallacious clause and is in conflict with the existing law and in its present form cannot be passed. That is the actual position. It is different if the Government wants to change the clause in a different way. It is for you, Mr. Speaker, Sir, to decide whether, at this late stage, Government can come in with another amendment to change the clause to be in consonance with the existing law. You may allow it or you may not; it is for you to decide, but the clause as it exists is irregular. We are not clear about the legal implications. The Government may propose an amendment and if they do propose such an amendment, I request you, Sir, in the name of equity and justice, that the Government should not get the benefit of your ruling and
that the Government should not be allowed to bring in a new amendment here and now. I hope the Government will see the reasonableness of the argument which I am putting forward and if they insist on the clause the only way for us is to point out the legal difficulties and the faults in the clause. I take it, Sir, that you are convinced about my point of view. You should not allow the Government to come in with a proper amendment to the clause at this stage. Let the Government think it over and come in with a proper amendment in the next session.

Mr. Speaker: The Preamble of the Irrigation Cess Act says:

"Whereas in several districts in Madras Presidency large expenditure out of Government funds has been and is still being incurred in the construction and improvement of works of irrigation and drainage..."
...whereas it is right and proper that a fit return should be made to Government on account of the increased profits derived from lands irrigated by such works...

"power to levy water cess in addition to assessment of land"

...
The Madras Estates (Abolition and Conversion into Ryothwari) (Andhra Pradesh Second Amendment) Bill 1959

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The principle of settlement is the return of land to the ryot. The sources of sources and the principle of ryotwari. P.W.D. defined the principle of ryotwari. The return of land to the ryot. Return of land to the ryot in the new settlement and the source of settlement as return of land to the ryot.

The principle of settlement is the return of land to the ryot. The sources of sources and the principle of ryotwari. P.W.D. defined the principle of ryotwari. The return of land to the ryot. Return of land to the ryot in the new settlement and the source of settlement as return of land to the ryot.

Preamble — "On account of the increased profits derived from lands irrigated by such works" shall be added as the last line of the preamble. The amendment is as follows:

"Cost incurred and additional benefit derived by the people" shall be added as the last line of the preamble.

Mr. Speaker: So, I give time to add those two words also. The amendment shall be added. The amendment shall be added. The amendment shall be added. The amendment shall be added.

On a point of order, Sir. The amendment shall be added. The amendment shall be added. The amendment shall be added.

It is only adding the words.
The Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959

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The word 'benefit' being defined as any financial benefit accruing to the estate, financial implications arise in the definition. The word 'backward' area is defined with reference to cost implications.

I. The word 'cost incurred' is defined as contradictory to the word 'return'.

II. The word 'return' is defined as the returns from the estate. The word 'backward' area is defined with reference to cost implications.

III. Irrigation sources

IV. The word 'benefit' is defined as financial benefit.

V. As may be prescribed by Rules.
So, you want the clause to be amended as follows:

"......at such rate as they may be order determine having regard to the cost incurred by them in respect of such irrigation scheme as well as the additional benefit derived by the people."

Mr. Speaker: ".......they may levy additional wet assessment on such land at such rate as they may, by order, determine having regard to the cost incurred by them and the benefit derived by the ryot in respect of such irrigation scheme."
Mr. Speaker, Sir, I move:

"In clause 4, sub-clause (c) after the words 'incurred by them', add the words 'and the additional benefit derived by the ryot'.”

Mr. Speaker: Amendment moved.

Mr. Speaker: The question is:

"In clause 4, sub-clause (c) after the words 'incurred by them', add the words 'and the additional benefit derived by the ryot'.”

The amendment was adopted.

Sri Vavilala Gopalakrishnayya: Sir, I move:

"Add the following at the end of clause 4:

'And collected after three years of the enjoyment of the benefit'.”

Mr. Speaker: Amendment moved.

Mr. Speaker: The question is:

"Add the following at the end of clause 4:

'And collected after three years of the enjoyment of the benefit'.”

The amendment was negatived.

Sri P. Sundarayya: I demand a poll, Sir.
The House divided: Ayes 21: Noes 64.

The amendment was negatived.

Sir, I move:

"In line 5 of clause 4 after the words ‘improved by an irrigation scheme executed by the Government’, insert the words ‘after they had taken over the Estates’.”

Mr. Speaker: Amendment moved.

SrI G. Yellamanda Reddy: In the Statement of Objects and Reasons, the Government have stated thus:

“This clause therefore amends section 23 of the Abolition Act, so as to enable the Government to levy during the said period additional wet assessment in all cases where the Government had, after they had taken over the estates, either constructed new irrigation sources or improved the existing sources so as to provide additional facilities of water supply to the ryots.”

Andhra Pradesh Second Amendment) Bill, 1959
In line 5 of clause 4 after the words 'improved by an irrigation scheme executed by the Government', insert the words 'after they had taken over the Estates'."

The amendment was negatived.

Mr. Speaker: The question is:

That clause 4 do stand part of the Bill."

The motion was adopted.

Clause 4 as amended, was added to the Bill.

Clause 5.

Section 27. (4) reads thus: “One-third of the average net annual miscellaneous revenue derived from all other sources in the estate specified in section 3, clause (b) but not including lands in respect of which the landholder is entitled to a ryotwari patta, as ascertained under section 30;”

Therefore, I move:

“Add the following proviso to clause 5:
"Provided there shall not be any enhancement of the basic quantum of compensation because of clause 5."

Mr. Speaker: Amendment moved.

Basic annual sum calculation as per section 27 (iv) is as follows: "One-third of the average net annual miscellaneous revenue derived from all other sources in the estate specified in section 3, clause (b) but not including lands in respect of which the landholder is entitled to a ryotwari patta, as ascertained under section 30;

including water-cess not consolidated with the assessment under section 22 as per section 27 (iv). Basic annual sum as per section 27 head 27 (iv) is calculated as follows. The deduction specified therein under section 28 (2): The deductions referred to in section 27, clause (i) and (ii), shall be—

(a) five per cent of the gross annual ryotwari demand as computed above in respect of the lands referred to in the said clause (i) or (ii), as the case may be, on account of establishment charges, deficiencies in collection and the like; and

(b) three and one-third per cent of such gross demand on account of the maintenance of irrigation works in the estate."
and Conversion into Ryotwar (Andhra Pradesh Second Amendment) Bill, 1959

Mr. Speaker: Clause 5 reads: 'In section 27 of the Principal Act, in clause (iv), after the expression 'all other sources in the estate specified in section 3, clause (b) ...' Clause (iv) of Section 27 of the Principal Act reads: 'One-third of the average net annual miscellaneous revenue derived from all other sources in the Estate specified in section 3, clause (b) ...'

including water-cess not consolidated with the assessment under section 22.' Is that so?

Maintenance charges 3%, revenue collections 5%. Miscellaneous separate head 8 1/3%.
Mr. Speaker: ‘In the case of a Zamindari Estate, the basic annual sum shall be the aggregate of the sum specified below.’ There are four sub-clauses. Sub-clause (iv) reads: ‘One-third of the average net annual miscellaneous revenue derived from all other sources in the Estate specified in Section 3, clause (b).’ As a result, “Including water-cess not consolidated with the assessment under section 22.” As a result, the basic annual sum describes the calculation.
The Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959

...computation...Taxes...computation...tax...assessment...section...Consolidate...basic...sum...compensation...water...cess...consolidated...assessmen...22...amendment...Government...increase...compensation...other...water-tax...collecting...land revenue...include...calculation...sum...intention...Law Department...said...wishes...Government...Zamindars...done...to...right...you...do...it...
The Statement of Objects and Reasons in relation to clauses 5 and 7 reads: 'As water rate which the land-holders were deriving by Theerva-Jasti and Fasli-Jasti prior to the notified date in their estates would not form a component part of the settlement dry rate introduced under section 22; the water rate cannot be taken into account for calculation of the basic annual sum under clauses (i) and (ii) of section 27 or under clauses (i) and (ii) of section 31 of the Abolition Act. As, however, such water rate formed part of the miscellaneous revenue derived by the landholders from the estates concerned prior to the notified date within the meaning of sections 27 (iv) and 31 (iv) of the Abolition Act, the Government consider it equitable to take into account such water rate for the computation of the basic annual sum and compensation payable to the landholders.'
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Section 43 of the major portion of the Estates Act provides that water cess shall be paid as compensation for the major estates of 150 acres and above. The major portion of the estates of 150 acres and above shall be subject to water cess. Major estates are those estates of 150 acres and above. Water cess is a cess charged on the major estates of 150 acres and above. The major estates of 150 acres and above shall be subject to water cess. The major estates of 150 acres and above shall be subject to water cess.

*Note: The settlement area is the key point of the classification.*

The classification of the settlement area is as follows: 75% classification of the settlement area is the key point. Classification of the settlement area is the key point. The classification of the settlement area is the key point. Classification of the settlement area is the key point.

"Statement of objects and reasons. As however such water rate formed part of the miscellaneous revenue derived by the landholders from the estates concerned prior to the notified date within the meaning of sections 27 (iv) and 31 (iv) of the Abolition Act, the Government consider it equitable to take into account..."
Mr. Speaker: One third of the average net annual miscellaneous revenue derived from all other sources in the estates specified in section 3, clause (b) of the Act, doubtlessly belong to the category. Sub-clause (b) of communal lands, porambokes, other non-ryotwari lands, waste lands, pasture lands, lanka lands, forests, mines, minerals, quarries, rivers, streams, tanks and irrigation works. Rivers and streams, tanks and irrigation works, claim the river, stream, tank or irrigation works, and clear the same, does the point arise?

Sir: The 3, 300 and 2: Clear the question as the point arises.

Mr. Speaker: Rivers and streams, tanks, and irrigation works claim the river, stream, tank or irrigation works, and clear the same, does the point arise? Additional question is cleared. Explain clearly.
Point of clarification, Sir. As clarification is with regard to compensation in the event of conversion, it appears that the conversion of Ryotwari system into the Ryot system is not in the scope of the Bill. Law Department has advised that the average water rate is 1/3 of the existing water rates. A point of clarification on the rate of compensation and the water rate was sought. Law Department has advised that the average water rate is 1/3 of the existing water rates. Law Department has advised that the average water rate is 1/3 of the existing water rates. Law Department has advised that the average water rate is 1/3 of the existing water rates. Law Department has advised that the average water rate is 1/3 of the existing water rates.
clear that the water rate by which the landholders were deriving by Thirva Jasti and Fasli Jasti prior to the notified date in their Estates, would not form a component part of the settlement of dry rate. "As water rate, which the landholders were deriving by Thirva Jasti and Fasli Jasti prior to the notified date in their Estates, would not form a component part of the settlement of dry rate." 

"As however such water rate formed part of the miscellaneous revenue derived by the landholders from the estates concerned prior to the notified date within the meaning of Sections 27 (iv) and 31 (iv) of the Abolition Act, the Government consider it equitable to take into account such water rate for the computation of the basic annual sum and compensation payable to the landholders."
miscellaneous Revenue derived by the landholders from the Estates concerned prior to the Notified date within the meaning of Sec. 27 (4) and Sec. 31 (4). Government consider it equitable to take into account such water rate for the computation of the basic annual sum and compensation payable to the landholders.

If you want you may press it. But I have nothing to say about this.

Mr. Speaker: As a lawyer I must tell you that this is a doubtful matter.
Mr. Speaker:- There is no confusion. But it is a question of clarification of a point which is already there.
Mr. Speaker: No. Please take your seats. We have talked sufficiently over this matter. I have come to the conclusion that this is a clarification. "excluding" and "including" are synonymous. We have to understand its meaning properly. Therefore, I demand a division. Let us have a more clear understanding.

Mr. Speaker: The question is:

"Add the following proviso to clause 5:

'Provided there shall not be any enhancement of the basic quantum of compensation because of clause 5.'"

The amendment was negatived.

Sri P. Sundarayya: I demand a division, Sir.

The House divided.

Ayes 19, Noes 40.

The amendment was negatived.

Mr. Speaker: The question is:

"That Clause 5 do stand part of the Bill."

The motion was adopted.

Sri Pillalamarr Venkateswarlu: I demand a division, Sir.

The House divided.

Ayes 39, Noes 20.

The motion was adopted.

Clause 5 was added to the Bill.
Clause 6.

_Sri K. V. Ranga Reddy_: I beg to move:

"In explanation I delete the words ‘fixed under Section 22’.”

_Mr. Speaker_: Amendment moved.

(Pause)

_Mr. Speaker_: The question is:

"In explanation I delete the words ‘fixed under Section 22’.”

The amendment was adopted.

_Mr. Speaker_: The question is:

"That Clause 6, as amended, do stand part of the Bill.”

The motion was adopted.

Clause 6 as amended was added to the Bill.

Clause 7.

_Mr. Speaker_: The question is:

"That Clause 7 do stand part of the Bill.”

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8.

_Sri K. V. Ranga Reddy_: I beg to move:

"In explanation I delete the words ‘fixed under Section 22’.”

_Mr. Speaker_: Amendment moved.

(Pause)
Mr. Speaker: The question is:

“In explanation I delete the words ‘fixed under section 22’.”

The amendment was adopted.

Mr. Speaker: The question is:

“That Clause 8, as amended, do stand part of the Bill.”

The motion was adopted.

Clause 8 as amended was added to the Bill.

Clause 9.

Mr. Speaker: The question is:

“That Clause 9 do stand part of the Bill.”

The motion was adopted.

Clause 9 was added to the Bill.

Clause 10.

Sri K. V. Ranga Reddy: I beg to move:

“To new section 50-A inserted by this clause, add the following proviso:—

Provided that if the amount deposited in bonds in pursuance of sub-section (1) of section 54-AA falls short of the remaining half of the amount of compensation estimated under sub-section (1) of section 54-A, an interim payment equal to a sum which bears the same proportion to the basic annual sum as the amount still remaining unpaid out of the total compensation estimated under section 54-A bears to such total estimated compensation, shall be payable from the fiscal year aforesaid.”

Mr. Speaker: Amendment moved.

Mr. Speaker: The question is:

"To new section 50-A inserted by this clause, add the following proviso:—

Provided that if the amount deposited in bonds in pursuance of sub-section (1) of section 54-AA falls short of the remaining half of the amount of compensation estimated under sub-section (1) of section 54-A, an interim payment equal to a sum which bears the same proportion to the basic annual sum as the amount still remaining unpaid out of the total compensation estimated under section 54-A bears to such total estimated compensation, shall be payable from the pasti year aforesaid."

The amendment was adopted.

Mr. Speaker: The question is:

"That Clause 10, as amended, do stand part of the Bill.

The motion was adopted.

Clause 10 as amended was added to the Bill.

Clause 11.

*Sri Pillalamarri Venkateswarlu: I beg to move:

"In line 18, of clause 11 after the words "on receipt of such application the Government" insert the words "on its own discretion."

Mr. Speaker: Amendment moved.
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Principle of the Bill is that those who have been deprived of the Ryotwar estates shall either be restored to them or be given alternative land. The Bill provides for the restoration of estates to the original owners or their descendants. If alternative land is not available, the government may exercise discretion in allocating land. The Bill also provides for developmental programmes in the area affected by the Bill.

Final award under the Payment of Bonus Scheme will be made in accordance with the provisions of the Act. Payment will be made in stages, and the amount will be determined by the commissioner. The amount will be calculated based on the number of years of service and the rate of pay. The amount will be paid in three equal installments, with the first installment to be paid within 30 days of the publication of the award, the second installment to be paid within 6 months, and the third installment to be paid within 12 months.
The question is:

"In line 18 of clause 11 after the words 'on receipt of such application the Government' insert the words 'on its own discretion'."

The amendment was negatived.

*Sri G. Yellamanda Reddy:* I beg to move:

"In sub-section (2) of section 54-AA inserted by this clause delete the words 'shall carry interest at the rate of three per cent per annum'."

*Mr. Speaker:* Amendment moved.

The question is:

"In sub-section (2) of section 54-AA inserted by this clause delete the words 'shall carry interest at the rate of three per cent per annum'."

The amendment was negatived.

*Sri Pillalamarri Venkateswarlu:* I beg to move:

Add the following proviso at the end of sub-section (3) of section 54-AA.
Provided that the total amount paid either in the form of bonds or cash since the date of notification shall not exceed 3/4 of the amount estimated under section 54-A of the Principal Act.'

Mr. Speaker: Amendment moved.

"Add the following proviso at the end of sub-section (3) of Section 54-AA:

'Provided that the total amount paid either in the form of bonds or cash since the date of notification shall not exceed 3/4 of the amount estimated under section 54-A of the Principal Act.'"

The amendment was negatived.

Mr. Speaker: We shall now take up Government amendments.
Sri K. V. Ranga Reddy: I beg to move:

(1) "In sub-section (1) of section 54-AA inserted by this clause, after the words 'undertaking not to receive' insert the words 'or to receive a proportionate amount of'."

(2) "In sub-section (1) of new section 54-AA inserted by this clause, for the words 'Second Amendment' substitute the word 'Amendment'."

(3) "In sub-section (1) of new section 54-AA for the figure '1959' substitute the figure '1960'."

(4) "In sub-section (3) of new section 54-AA inserted by this clause for the word 'Estate' substitute the word 'person'."

(5) "In sub-section (3) of new section 54-AA for the word 'Estates' substitute the word 'persons'."

(6) "In sub-section (4) of new section 54-AA for the words 'the bonds' substitute the word 'bonds'."

Mr. Speaker: Amendments moved.

(Pause)

Mr. Speaker: The question is:

(1) "In sub-section (1) of section 54-AA inserted by this clause, after the words 'undertaking not to receive' insert the words 'or to receive a proportionate amount of'."

(2) "In sub-section (1) of new section 54-AA inserted by this clause for the words 'Second Amendment' substitute the word 'Amendment'."

(3) "In sub-section (1) of new section 54-AA for the figure '1959' substitute the figure '1960'."

(4) "In sub-section (3) of new section 54-AA inserted by this clause for the word 'Estate' substitute the word 'person'."

(5) "In sub-section (3) of new section 54-AA for the
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(6) "In sub-section (4) of new section 54-AA for the words 'the bonds' substitute the word 'bonds'."

The amendments were adopted.

Mr. Speaker: The question is:

"That Clause 11, as amended, do stand part of the Bill."

The motion was adopted.

Clause 11 as amended was added to the Bill.

Mr. Speaker: There is an amendment standing in the name of Sri M. Rajeswara Rao to Section 67 of the Principal Act. The hon. Member is not in the House.

Clauses 12 & 13.

Mr. Speaker: The question is:

"That Clauses 12 & 13 do stand part of the Bill."

The motion was adopted.

Clauses 12 and 13 were added to the Bill.
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Clause 1.

Sir K V Ranga Reddy: Sir, I beg to move:

(1) "In clause 1 delete the word 'Second'."

(2) "In clause 1 for the figures '1959' substitute the figures '1960'."

Mr. Speaker: Amendments moved.

(Pause)

Mr. Speaker: The question is:

(1) "In clause 1 delete the word 'Second'."

(2) "In clause 1 for the figures '1959' substitute the figures '1960'."

The amendments were adopted.

Mr. Speaker: The question is:

"That Clause 1, as amended, do stand part of the Bill."

The motion was adopted.

Clause 1 as amended was added to the Bill.

Preamble.

Sir K V Ranga Reddy: Sir, I beg to move:

"In the enacting formula for the word 'Tenth' substitute the word 'Eleventh'."

Mr. Speaker: Amendment moved.

(Pause)

Mr. Speaker: The question is:

"In the enacting formula for the word 'Tenth' substitute the word 'Eleventh'."
The amendment was adopted.

Mr. Speaker: The question is:

That the Preamble, as amended, do stand part of the Bill.

The motion was adopted.

The Preamble as amended, was added to the Bill.

Sri K. V. Ranga Reddy: I beg to move:

“That the Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959, be read a third time and passed.”

Mr. Speaker: Motion moved.

(Pause)

Mr. Speaker: The question is:

“That the Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Second Amendment) Bill, 1959, be read a third time and passed.”

The motion was adopted.

The House then adjourned till Nine of the Clock on Friday, the 19th February 1960.