Ceiling attention to matters of urgent public importance [131-193]
re Collection of Land Revenue arrears

Paper laid on the Table of the House [133-]
Amendment to the Andhra Inwards Act, 1957 and Conversion into Ryotwari Rules, 1957

Government Bill
The Andhra Pradesh Ceiling on Agriculture Holdings Bill, 1960
As reported by the Joint Select Committee [139-196]

Note — at the commencement of the speech denotes confirmation not received in time from the Member
Andhra Pradesh Legislative Assembly

Saturday, the 2nd July, 1960

The House met at Half Past Eight of the Clock

[Mr. Speaker in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

Calling attention to matters of urgent Public Importance

re.—Collection of Land Revenue arrears

(A. M. V. R. Reddy—See Part I)
Calling attention to matters of urgent public importance
re Collection of Land Revenue arrears

2nd July, 1960

...
Papers laid on the Table of the House 2nd July, 1960

Amendment to the Andhra Inams (Abolition and Conversion into Ryotwari) Rules, 1957

Mr Speaker — Paper laid on the Table.

GOVERNMENT BILL

The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960 (as reported by the Joint Select Committee)

The Committee has also felt that there should be a ceiling to the size of holdings which any farmer should own and cultivate. In the example, the supply of land in relation to the number of people seeking it, is so enormous that any attempt to bring about a change of ownership is likely to prove fatal and appear

PAPER LAID ON THE TABLE OF THE HOUSE

Amendment to the Andhra Inams (Abolition and Conversion into Ryotwari) Rules, 1957.

The Deputy Chief Minister (Sri K V Ranga Reddy)—Sir, I beg to lay on the Table under section 17 of the Andhra Inams (Abolition and Conversion into Ryotwari) Act 1956, a copy of the amendment issued to the Andhra Inams (Abolition and Conversion into Ryotwari) Rules, 1957, published in the Rules Supplement to Part-I of the Andhra Pradesh Gazette dated the 19th May, 1960.
Secondly, under the present technique of cultivation, the managerial capacity and financial resources of an average cultivator in India, the optimum size of a holding has to be fairly low. The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

The level of the ceiling was indicated in terms of a multiple of the family or economic holding. The question whether the basic farm should be determined by reference to acres or to income was discussed. A view was expressed that, while determining criterion should be what is termed as a "plough unit", the area of land which an average family could cultivate, with a pair of bullocks.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

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The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

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The_andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

It goes on being out into pieces. 27 first class farmers own a total of 8.2% of the area. The tendency is not favorable. Land legislation is improving the investment in agriculture. It would not be a medium of investment in future.
The Aadhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

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The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

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The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

The Bill seeks to control the growing disparity in landholdings in the State. It aims to prevent the concentration of land in the hands of a few individuals, thereby ensuring equitable distribution. The Bill sets a ceiling on the area of land that can be held by an individual or a family. This measure is expected to benefit the landless agricultural workers and small farmers by providing them with access to land. The Bill also aims to promote agricultural development by encouraging the cultivation of land for food production.

Problem and solution encountered?

The Bill encountered several challenges during its enactment. The primary issue was the resistance from landowners who feared the loss of their property. However, the government successfully addressed these concerns by providing compensation to affected individuals. The Bill was enacted with the support of the majority of the State's population, ensuring its successful implementation.

Industries and Economic Development

The enactment of the Bill is expected to boost the state's economic development by promoting agricultural growth. It will encourage the development of industries and social services, leading to increased employment and income generation. The Bill also seeks to enhance the overall living standards of the State's residents by providing them with access to land for agriculture.

In conclusion, the Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960, is a significant step towards addressing the disparity in landholdings and promoting agricultural development in the State. It is expected to bring about a positive change in the lives of the State's agricultural workers and small farmers.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

2nd July, 1960

The term "orchards" is very wide and it is not clear whether it refers to the date of the Act, the date of publication, or the date when the Act comes into effect. It is necessary to determine the ceiling on properties owned by sugar factories.

Sugarcane farms are "owned by" sugar factories and are not considered as orchards.

This is capable of yielding many interpretations, and it may ultimately defeat the very purpose of the provision.
2nd July, 1960

The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

The compensation payable for the purpose of Section 2, Clause (9), sub-clause (1) is "in respect of private lands" as defined in the Estate Land Act. The term "private land" as defined in the Estate Land Act includes land owned or held by the proprietor of the private land as defined in the Act. The compensation payable for the purpose of Section 2, Clause (9), sub-clause (1) is for the purpose of private lands.
It is stated at page 58 of the report under Clause 2 (i) (i): “owner” includes—

"in relation to any land situated in an estate not taken over by the Government under the Madras Estates (Abolition and Conversion into Ryotwars) Act 1948 (Madras Act XXVI of 1948), the ryot in respect of the land in which he has a permanent right of occupancy and the landholder in respect of his private land."

In what lands the landholder is entitled to hold a patta is defined in Section 50:

"possibly the interpretation of the word "or" as also the word "only" should be questioned. Doubt of the word, new interpretation is need. In that case, one could argue that...

... Section 50 - Private land - Only Island copy...

Sri K. Latchaminarasimham Dorra - There are some other lands in which they are entitled to pattas under Section 13 of the Abolition of Estates Act.

Owner to have limited exemption 1992 onwards - Hindu Law was also part of the same debate at the time..."
Those which are created inter vivos— not by operation of law but by action of parties. Limited owners are those loose as unlimited are those done by parties. Hindu Law divides in status, whereas Partition by metes and bounds is in status. Division in a status is void—unequivocal expression of... I am from today... 123 123 123 123! Unequivocal intention to divide express by metes and bounds, a right. The law is, that no partition by metes and bounds will cause hardship, will have very bad results. Acquisitions are null and void. The 123 ceiling on future acquisition. The 123 prohibition of alienation of holdings is more. The 123 good. The 123, partition is not an alienation. They are enjoyed jointly; they will be enjoyed separately from tomorrow.
I have got three family holdings. They are the existing three family holdings. I am purchasing 10 acres today. This provision says that that acquisition is null and void. Null and void. It remains there. With whom does it vest? The property should vest in somebody. Vest in whom?  

Null and void—the result following from it—the consequences following from it—vest in somebody  

The man who is going to acquire the land is the R.D.O. with payment of compensation of without payment of compensation. E.g. ambiguous. $ a, b, c. $ d, e, f, g. No property can be like that; it must vest with somebody.
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The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

The mortgagee shall surrender the land to the Tahsildar where it exceeds the ceiling. What about the mortgage amount? A compensation of Rs. 100 will be there.

What about the balance of the mortgage amount? Who is liable to pay it?

They are purely usufructuary.

Mortgagor must pay. He will enforce it. What about the mortgage amount? The mortgagee will not pay. Mortgages are personal covenants to pay. He will enforce it.

There is another clause for taking into consideration these aspects. It contains some technical points.
Mr Speaker - Because you belong to the ruling party you can advise him to stay away from such matters. You can also advise him to stick to his promise of developing his constituency. You can also advise him to cooperate with all the leaders in his party who are committed to development. You can also advise him to work with the ruling party leaders to ensure that the development plans are implemented.

Mr Speaker - How can you expect to make a difference in the ruling party? You can advise him to focus on his constituency and work with his party leaders to ensure that the development plans are implemented. You can also advise him to work with the opposition leaders to ensure that the development plans are implemented.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

A minute of dissent was moved by Shri. B. S. R. S. Reddy against the Income Tax Bill, 1960. The House adjourned for the day.

Income Tax Bill, 1960

Bill read a second time. Mr. N. D. D. Reddy moved amendments to the Bill. The House discussed the amendments. The Bill was passed with modifications.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

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The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960
2nd July, 1960

The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

The Land and Agriculture Department, Government of Andhra Pradesh, on 2nd July, 1960, issued a notice regarding the Land Ceiling Bill, 1960. The notice states that the Land Ceiling Bill, 1960, has been enacted to control the excessive holding of land by the landowners. The Bill provides for the ceiling of land holdings at 5 acres for individual and 10 acres for joint holdings. The Bill seeks to prevent the concentration of land ownership and ensure equitable distribution of land.

In summary, the Land Ceiling Bill, 1960, aims to regulate land holdings and promote fair distribution of land in the state of Andhra Pradesh.
The Andhra Pradesh Ceding on
Agricultural Holdings Bill, 1960

2nd July, 1960

Individual

Co-operative farming

Individual

Co-operative farming

Individual

Individual

Individual

Individual
2nd July, 1960

The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

It is the first attack on property.

First attack on property—All citizens shall have the right:

(a) to freedom of speech and expression,
(b) to assemble peacefully and without arms,
(c) to form associations or unions,
(d) to move freely throughout the territory of India,
(e) to reside and settle in any part of the territory of India,
(f) to acquire, hold and dispose of property.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

2nd July, 1960

"Nothing in sub-clauses (d) (e) and (f) of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing reasonable restrictions on the exercise of the right conferred by the said sub-clause, either in the interests of the general public or for the protection of the interests of any Scheduled Tribe.

General Interest in the said clause. General Interest"
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

The Flaming Commission advise that the Aadhya Pradesh Government concentrate on the agricultural property issue to eliminate discrimination. They argue that agricultural property should not discriminate against any class of people. The Commission advises that agricultural property restrictions should be abolished in the interest of justice. To achieve this, Scheduled Classes, Harijans, Backward Classes, and other benefits should be provided.

The Constitution includes restrictions on the use of land for general public purposes, such as Scheduled Tribes and General Public, but excludes Scheduled Caste and Benet classes. The Commission recommends that the government abolish restrictions on this property.

The Bill provides for the abolition of restrictions on property for public purposes. The government can acquire any land for public purposes without compensation. This also applies to land held under tenancy agreements.

Notwithstanding anything contained in Article 13, no law providing for acquisition by the State of any estate or of any rights, duties, or interests in the extinguishment or modification of any such rights.
The Anjhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

2nd July, 1960  157

The Patna High Court held that the Bihar Land Reforms Act of 1950 was void for contravention of Article 14 as it discriminated between the rich and poor, by adopting different rates of compensation for estates of different sizes.
"Without prejudice to the generality of the provisions contained in article 31A, none of the Acts and Regulations specified in the Ninth Schedule nor any of the provisions thereof shall be deemed to be void, or ever to have become void, on the ground that such Act, Regulation or Provision is inconsistent with or takes away or abridges any of the rights conferred by, any provisions of this Part."

**Mr. Speaker.** The question is, whether the Act is intra-vires or ultra vires, whether it is a law made within the power, or outside the power...
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shall also be, the Government and its hall give a final ruling.

Compensation fixation § 2004, 1301, 31 Article 19 (5) & 207 Public Interest restrict § 19 Article 19 (5) & 207. Compensation must be determined by the compulsory purchase market value amount. Legal notice is, to the extent that any argument is. The argument is that the compensation is determined in accordance with the law.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

Mr. B. N. K. V. K. K. – The ceiling law, as you know, is based on the principle that the market value of a property is the amount at which it could be sold in a voluntary transaction. Article 31 of the Constitution allows the State to modify this valuation if it is in the public interest. However, the question is: What is meant by 'market value'? Does this include the property? What is the legislative process? What is the role of the government?

The point is this: General public interest is a broad restriction property. It is difficult to identify a first point to which a section of the people of the State would be affected. In general public interest, the Scheduled Tribes are protected property. They are called Scheduled Tribes and property. In general public interest, they are given property. However, the question is: How does this protection apply? The answer is (in the) case of the Scheduled Tribes, the protection can be extended to other groups.

A narrow issue: What is general public interest? Is it always a narrow case, or is there a result of the legislation?

Mr. M. S. K. V. K. K. – As public purposes, the ceiling law has certain limitations.

The principle here is that the ceiling law is based on the principle that the market value of a property is the amount at which it could be sold in a voluntary transaction. Article 31 of the Constitution allows the State to modify this valuation if it is in the public interest. However, the question is: What is meant by 'market value'? Does this include the property? What is the legislative process? What is the role of the government?

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Mr. M. S. K. V. K. K. – As public purposes, the ceiling law has certain limitations.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

2nd July 1960

General public interest is accepted by general public interest. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted. The principle accepted by the general public interest is that the general public interest is accepted.
The Aridhra Pradesh Ceiling on Agricultural Holdings Bill 1969

As the section of the people in power has been using the Bill as a weapon against the people, this has led to widespread opposition. The Bill is designed to uplift national economy and increase food production. It also affects the agricultural sector, involving the farmers. The question of general public interest has been wrongly interpreted by the Section of the people in power. The Bill has led to widespread opposition. The Constitutional position in this case arises out of the situation. The constitutional position in this case arises out of the situation.
The Andhra Pradesh Ceiling on Agricultural Holdings Act, 1960

21st July, 1960

Agricultural Holdings Act, 1960

The question is whether 1960 Act is constitutionally valid. The Act raises issues of restriction of right to property. Whether the Act is within the legislative competence of the State? Whether the Act is reasonable and proportionate? Whether the Act seeks to achieve a public interest? Whether the Act is in the interest of the general public? Is the Act consistent with Article 31 and general public welfare? The Act has been declared as invalid by the High Court. This case was heard in the Supreme Court. The Constitution and the domestic Act are to be considered together.
the Constitution. In the interest of the general public, the Bill is necessary. Art 19 (6) of the Constitution allows the Legislature to pass such a Bill. The Bill is in order. The Legislature has a right to pass such a Bill in the interest of the general public. The Bill is necessary for the economic well-being of every individual. Capitalist Society run by the capitalists and the imperialist system are responsible for the economic well-being of every individual. The State takes direct responsibility for the food, garment, and for the welfare of every individual. The change is natural. The Constitution provides for the economic rights of every individual. The Bill is necessary for the economic well-being of every individual.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

On July 2nd, 1960

Section 37 (a) - Amendment to the amendments to the Agricultural Holdings Act, 1959.

Section 37 (b) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (c) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (d) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (e) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (f) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (g) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (h) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (i) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (j) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (k) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (l) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (m) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (n) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (o) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (p) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (q) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (r) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (s) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (t) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (u) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (v) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (w) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (x) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (y) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.

Section 37 (z) - Amendment to the provisions of the Act regarding the fixing of the amount of compensation.
Mr Speaker Who is the Justice?

Sri B V Sivah Justice Rajagopalan and Justice Balakrishnan of the Madras High Court.

"(The Madras Law Journal – Vol. 2, 1959 – Commenting on the decision in the STATE OF WEST BENGAL v BELA BANERJEE AND OTHERS the learned Advocate-General pointed out that it was given before the Constitution was amended in 1955 and therefore that decision and the others that followed it are not at present wholly applicable. But this is not entirely so. They are inapplicable to the extent that they decided that the question of the adequacy of the compensation is justiciable, but they do not cease to be applicable in other respects. In particular, the view expressed by the Supreme Court as to what constitutes compensation – we have already extracted the relevant passage above – still very fully and firmly occupies the field. The rule laid down in the decisions that it is not competent to the Legislature to direct that the value of property acquired for a public purpose shall be ascertained with reference to an anterior and irrelevant date stays and continues to be good law.

But, that amendment does not preclude the Courts from considering whether what is called compensation is really compensation and whether what are claimed to be principles on the basis of which the compensation is to be computed are really principles in the field envisaged by Art. 31 (3) of the Constitution.

The learned Advocate-General next argued that it is open to the Legislature to appeal to the Courts while allowing the particular principle of equity to be applicable in respect of a particular person and subject in a case which would be excluded from

...
tioning its adequacy. Now, if the legislature can do that, he continued, it can lay down principles by which the same result can be produced. He also maintained that it would be permissible to the legislature when making provision for the acquisition of land to direct that compensation need be paid only, say, in respect of two cents of land even though a very much larger extent might be acquired and, that the Courts are precluded from going behind these matters.

It will be realised that if this position for which the learned Advocate-General contended is accepted, a very important safeguard incorporated in the Constitution in respect of property would plainly and definitely cease to exist. It is not to be supposed that in so important a document as the Constitution of the country its framers intended to write empty words. Wise in their way, they considered it necessary to provide certain safeguards for private property and to prevent such property being arbitrarily taken away under the guise of legislative or executive power. One such safeguard was incorporated in clause (2) of Article 31 of the Constitution. As it originally stood the clause required that any law providing for the acquisition or taking over of private property for a public purpose should either fix the amount of the compensation or specify the principles on the basis of which the compensation could be computed. The words used in the Article are compensation and principles, and, to these two words we shall have to refer again.

The question whether the compensation was adequate or not, and, whether the principles were just and reasonable or not, remained justiciable till the amendment made to the Constitution in 1955 added the following words to clause (2) of Article 31:

and no such law shall be called in question in any Court on the ground that the compensation provided by that law is not adequate.

The effect of the amendment was to substitute the discretion of the legislature for the discretion of the Courts in deciding the question whether the compensation provided was adequate or not. Whereas prior to the amendment Courts could rule that
the compensation provided in the Act was inadequate they could not do so thereafter. The citizen has to be content to accept the compensation provided by the Legislature in the relevant statute. Be it noted, however, that it is compensation which the statute has to make provision for.

The Amendment made to the Constitution in 1955 did not change this clause in the Article in any other way. The original requirements (1) that compensation should be paid for the property, and (2) that the Statute should specify the amount of the compensation or the principles in accordance with which the compensation could be ascertained, were not taken away. They still remain in the Constitution in the same sense in which they stood before 1955.

The Shorter Oxford English Dictionary explains that the word 'compensation' is formed by combining con and pensare or pendere meaning weight. Compensation therefore means to counterbalance, to be an equivalent, to make equal return to, etc. The fact will bear repetition that when the Constitution was amended in 1955 the idea of an equivalent which is implied in the word 'compensation' was not given up or abandoned. The amendment did not delete the word 'compensation' and substitute any other word like 'price' or 'consideration' or 'restitution' in its place. The amendment did not do away with the idea of an equal return. Only it was provided that it was for the Legislature to determine what the exact equivalent should be.

As we have mentioned earlier in the STATE OF WEST BENGAL v. BELA BANARJEE AND OTHERS the Supreme Court stated in unmistakable terms that the principles referred to in clause (6) of Article 31

means that what is determined as payable must be compensation. It is equivalent of what the owner has been deprived of.

When after this authoritative pronouncement had been made the Constitution was amended and still the word 'compensation' was retained and not replaced by another word, the conclusion cannot be resisted that the Constitution continues.
to retain its insistence that a citizen should be paid a just equivalent of the property which is taken away from him. In relation to any property 'compensation' therefore means the exact equivalent of that property in money or other form of property.

On the question what is the exact equivalent, reasonable men may honestly differ and the field of difference may indeed be very wide. For example, one expert may value an article or an item of immoveable property at say Rs. 5,000, a second may put it at Rs. 7,000 and a third may put it at Rs. 4,000. But, a stage is reached beyond which the scope for honest difference of opinion or estimate ceases to exist; and when what is offered for the property taken away is less than this, it will no longer be possible to say that what is offered is compensation in any sense of the word. If, for example, Government were to decide to acquire a row of buildings on Mount Road or Esplanade and offer a payment of Rs. 100 for 'Dale House' or the Mysore Bank building nobody would call that compensation, and this fact will not be altered by the figure of Rs. 100 being inserted in the schedule to an Act passed by the State Legislature. But, this is exactly what the contentions on behalf of the Government now come to.

Before any payment can be properly described as compensation, the amount offered must be such that a fair and reasonably minded person, uninfluenced by extraneous considerations, can honestly say—subject of course to legitimate allowance or latitude for difference of opinion—that it is a fair equivalent. We would repeat again that this requirement about a fair equivalent has not been abrogated by the amendment made to the Constitution in 1955.

As a result of the amendment made in 1955 the legislature received the fullest measure of discretion in dealing with and providing for the diverse factors that enter into the computation of the price of property. But, having said all this, and after making every permissible allowance for genuine difference of opinion, it must still be possible to say that what the Act pro-
vides is compensation, and when as we have already explained, the stage is reached when it becomes honestly impossible to say that, the conclusion must follow that the Act does not provide for payment of compensation and therefore does not conform to the requirements of clause (2) of Article 31.

The next idea that is implicit in the words 'principles in accordance with which compensation is to be determined' is that they must be applicable to the time at which the property is being acquired. If for any particular reason it is considered expedient to fix a date that date must be reasonably proximate to the date of acquisition and must not be fixed with a view to avoid payment for rights or interests that a citizen may have lawfully acquired in the property which is being taken away for public use. At this stage too we may perhaps give an extreme illustration. If for example the State Legislature were to pass an Act enabling the acquisition of a property in George Town and were to direct that the price of the property shall be computed as on the date when the Raja of Chau dragiri made a grant to the East India Company of the site on which Fort St. George now stands, that would not be a principle by which the compensation can be determined it would be only a device for confiscation.

Finally the principles relating to the computation of compensation must deal with or cover the whole property that is being acquired and not merely a portion of it. If for example the property that is being acquired is a tea or coffee-garden, or plantation consisting of tea, or of other valuable hard-wood trees, the principles, if any, laid down in the Act must include provision for compensation in respect of the tea or coffee, bushes and the timber, though they need not be separately valued. To refuse to pay for them and to provide for payment for only the bare land would be like paying only for a buck-skinned animal and insisting on the delivery of the silver saddle, bridle and Jewellery that may have been loaded on the animal's back.

Sir! Krishna Raj Bose, (Lady). The Hon. Member is reading judgment in the High Court. It is an unnecessary waste of time.
Mr Speaker I must understand the position before I give my ruling. I cannot hurry them up

Sri K V Venka Reddy (Koduru) Sir, the principle of compensation has been recognized, and it is a matter to be tackled elsewhere

Mr Speaker He is trying to say that even after amendment of the Constitution the courts have said that they have the right to go into the question of compensation and that the compensation must be reasonable and so on. So, let him finish it.
sider the question of compensation. The Madras High Court does not apply to the present case. Therefore, it is in order and nobody should raise this question again.

Mr. Speaker: When I prohibit them from raising the question, I prohibit you also from replying and wasting the time of the House. So, you go on with the merits of the Bill.

Sri K. V. Venka Reddy: Mr. Speaker, was kind enough to give a ruling on the controversial question, whether the Bill is ultra vires or intra vires of the Constitution and the rest.
regarding compensation was also set at rest by him. I need not not go into those questions

At the outset, I must say that this is a progressive Bill in the sense that it is based on social justice, social justice in the sense that inequalities in income and wealth are sought to be minimized. We are on a journey to the pilgrimage of socialism, in the words of our Pandit Nehru and this is the first step in that direction. No doubt, as observed by the members of the Communist party and also the Swatantra party, our progress is very slow. It is so, because we are in a democratic set-up not in dictatorship rule, and so our progress will always be slow and great revolutionary changes cannot be brought about in a day. As far as this Bill is concerned, it envisages a great future towards the establishment of socialism in our country. As a matter of fact, the land reform has a historical background and it always precedes other changes in other walks of life and in other sectors. As a matter of fact, this is a great long-cherished reform whose background dates back to the struggle of the peasants against feudalism in Hyderabad and against rich landlords and the zamindari system in Andhra and other places. This land reform is the outcome of that agitation and today we want to put a stop to this landlordism in this country. No doubt, the ceiling is high in a way, but so many factors have to be taken into consideration in this matter. The Communist Party says that the ceiling is very high that the exemptions are superfluous and that Bill is not progressive. It is very liberal in its character. It is true, as observed by my friend Mr. Lakshmanrasimham Dora, that in a Bill of this kind so many factors have to be taken into consideration. The agriculturalist today is in a very pitiable condition. His condition has to be improved. The ceiling should therefore be so fixed as to provide a status for him in society, provide for his cost of production, cost of life, education for his children and other necessities of life. As a matter of fact, agriculturists form the backbone of the nation. They provide food for the nation and their interests have to be safeguarded. The Bill is no doubt not so progressive, but it is still liberal in its character and has the foundation of future ceilings in other matters also. In the example of ceilings
as put to logical conclusion, it has to be and it will be extended to other professions like e.g. industrialists, medical men, lawyers, and services also. The necessity for which this Bill is brought onward before the House for consideration is that the agricultural population, the tillers of the soil, who form 50% of the agricultural population, are without land. The landless poor have to be provided some lands and further ownership of land will give them some status and because of personal cultivation it will accelerate production in agriculture. With these objects in view, this Bill is placed before this House for consideration. No doubt, the surplus land which will be available as an outcome of this Bill may not be very adequate, but still these lands can be distributed to the landless poor and by supplementing by way of other income our tillers of the soil may be much benefitted.

Sir, there was so much of voluminous criticism levied against this Bill by the Communists and also by the Swatantrites. The Swatantra party members say that the middle class peasantry will be eliminated. Not so.

(Sri P. Satyanarayana in the Chair)

We always respect the middle class peasantry. They play a great part in the development of our country. It is from that class we have drawn the scientists, great patriots, and great educationists and they are never affected by this Bill. Further, so many constitutional questions were raised by the Swatantra Party. Apart from constitutional impediments in the way of the legislation, I want to submit to this House that we have to move with the spirit of the times. The days have changed and the will of the people must prevail. In spite of constitutional impediments, the sovereignty of the country lies in the people; they can change the Constitution; they can change the whole phase of politics; they can change the economic system of the country. But the tenantry millions of this country must be benefitted by this Act not only by this Act but by several other Acts which will come into force.

Coming to the Bill itself, Sir, so far as the objections are concerned, the Communist party members have stated that the
exemptions are superfluous. Not so Orchards must be developed in our country since there are only a very few orchards. Further, big farms must be developed. You know these big farms, with the use of heavy machinery, concentrated capital and scientific methods of agriculture will accelerate production in agriculture. That will be very useful. Further, the exemptions referred to in the Bill are not superfluous. The Select Committee has taken all factors into consideration while providing for exemptions.

So far as compensation is concerned, it was discussed at length from the constitutional point of view and they say that adequate compensation must be given. There is the consensus of opinion reflected in the evidence recorded by the Select Committee that fair compensation should be given in accordance with the Land Acquisition Act or according to the market value.

Thank you.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

2nd July, 1960

The Select Committee recommended the abolition of tenancy at will. The ceiling is fixed at one-third of the tenant's holding, but subject to certain exceptions. The tenant's holding is determined at the time of the examination, and the tenant is entitled to a minimum composition rate of 1.2 per cent on the holding. The tenant's holding is determined at the time of the examination, and the tenant is entitled to a minimum composition rate of 1.2 per cent on the holding.
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operated and maintained in the district of Andhra Pradesh are of 8,840 acres on 30th June, 1950, in the factories throughout the district in the years 1950-51.

On the 30th June, 1950, there were 221 factories in the district of Andhra Pradesh, out of which 16 factories were sugar factories. The total area of land in factories was 8,840 acres.

Sugar factories are connected with the sugar industry. Sugar factories also manufacture molasses, which are used as a substitute for sugar. The molasses is used in the factories to manufacture sugar. It is also used in the production of other products such as alcohol, vinegar, and various types of chemicals. Sugar factories also produce steam and electricity, which are used in the factories and in the surrounding area.

The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960, was enacted to limit the extent of land held by the factories. The bill was passed by the legislature and received the assent of the Governor of Andhra Pradesh on 2nd July, 1960.

The bill provides for the ceiling on agricultural holdings in factories. The ceiling is fixed at 8,840 acres for the district of Andhra Pradesh. The bill also provides for the registration of factories and the maintenance of records of agricultural holdings.

The bill was passed after extensive discussions in the legislature. The bill was supported by the government and was opposed by a few members of the opposition. The bill was passed by a majority vote in the legislature.

The bill was signed by the Governor of Andhra Pradesh on 2nd July, 1960, and became effective from the date of its assent. The bill has been in force since then and has been amended from time to time to meet the changing needs of the district.

The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960, is an important legislation in the history of Andhra Pradesh. It has been instrumental in limiting the extent of land held by the factories and in ensuring that the land is used for agricultural purposes.

The bill has been praised for its effectiveness in controlling the concentration of wealth and in promoting the development of agriculture in the district. The bill has been a model for similar legislation in other parts of India.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

The Andhra Pradesh Government has decided to implement the Ceiling on Agricultural Holdings Bill, 1960. The Bill aims to prevent the concentration of land ownership and ensure equitable distribution of land among farmers. The provisions of the Bill include setting a maximum limit on the amount of land that an individual can own, which is currently set at 80,000 acres. The Bill also includes measures to encourage the division of holdings among family members and to prevent the sale of holdings to non-farmers. The implementation of the Bill is expected to have a positive impact on the agricultural sector by promoting fair and equitable land distribution.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

2nd July, 1960

The Agricultural Holdings Bill, 1960, was introduced in the Assembly on 40th day of the session, taking into consideration the problems faced by agricultural labourers. The Bill was passed with minor amendments and was sent to the Governor on 3rd October, 1960. It was assented to by the Governor on 3rd October, 1960.

The Bill was introduced to provide for the ceiling of the holdings of agricultural land and to protect the interests of agricultural labourers. The Bill was welcomed by the farmers and labourers alike.

The Bill was passed after considerable debate and discussion in the Assembly. Several amendments were proposed and accepted during the debate.

The Bill was assented to by the Governor on 3rd October, 1960, and became law.

The Bill was welcomed by farmers and labourers alike. It was hoped that it would bring about a just distribution of land and ensure the welfare of agricultural labourers.

The Bill was seen as a significant step towards the equitable distribution of land and the protection of the rights of agricultural labourers.
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ప్రత్యేక విషయం (షాక్షికం-అంశం) - ఆంధ్ర ప్రదేశ్ రాష్ట్రం ప్రభుత్వం నిర్ధారించిన కేవలం విన్యాసానికి ఆధారం సాగుంచి బిగిన పట్టణాల వనిత ప్రజ కోర్టులు ప్రజలను బాగా ఎంచుకున్నాయి. ఇందుకు ఇంతవరకు కేవలం విన్యాసానికి ఆధారం సాగుంచి బిగిన పట్టణాల వనిత ప్రజ కోర్టులు ప్రశ్నాంతి ప్రజలను బాగా ఎంచుకున్నాయి.

ప్రశ్న 2. విభాగం - 72 విడిది యోగ్యత నిలించడానికి, ప్రజల అభిమానాన్ని ఖచ్చితం సాగుంచడానికి, ప్రశ్నాంతి ప్రజల వార్తలను కోరడానికి, ప్రశ్నాంతి ప్రజల వివరాలను కృతిపాతించడానికి, ప్రశ్నాంతి ప్రజల అభిమానాన్ని ఖచ్చితం సాగుంచడానికి, ప్రశ్నాంతి ప్రజల వార్తలను కోరడానికి, ప్రశ్నాంతి ప్రజల వివరాలను కృతిపాతించడానికి.
The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

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[Content of the document in Telugu]

[Translation to English]

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The Andhra Pradesh Legislature

The Bill which has been passed by the House is the Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960.

The Bill embodies the provisions of Section 2 of the Andhra Pradesh Ceiling on Agricultural Holdings Act, 1960, as amended by the Andhra Pradesh Ceiling on Agricultural Holdings (Amendment) Act, 1962, which has been enacted by the Legislature of the State of Andhra Pradesh. The Bill provides for the ceiling on agricultural holdings and the manner in which such holdings shall be determined. The Bill also provides for the powers of the Government to make regulations for the purpose of carrying out the provisions of the Act.

The Bill is a significant step towards the implementation of the recommendations of the National Commission on Agricultural Prices and Costs of Production made in 1956.

The Bill has been passed by the House with the support of the Opposition. The Opposition has expressed its support for the Bill, stating that it is in line with the overall objectives of the Government to ensure fair and equitable distribution of land among the farmers.

The Bill is expected to be forwarded to the Governor for assent.

For the Speaker,
[Signature]
2nd July, 1960

The Andhra Pradesh Ceiling on Agricultural Holdings Bill, 1960

The House then adjourned till Half Past Eight of the Clock on Monday the 6th July 1960