

# The Journal of Parliamentary Information

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VOLUME X

1964/1886 SAKA

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**LOK SABHA SECRETARIAT  
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JAWAHARLAL NEHRU  
[November 14, 1889—May 27, 1964]



## Parliament Pays Homage to Nehru

As Parliament assembled for its special session on May 27, the first news it was to receive was of the sudden and grave illness of the Prime Minister, who had returned only the previous evening from a brief holiday in Dehra Dun specially to attend the session. A listless Parliament went about its business mechanically. And, just past 2.15 in the afternoon, Minister Subramaniam interrupted the proceedings, first in Lok Sabha and then in the other House, to break the news that the Prime Minister was no more, that the light was out. Stunned and dazed, both Houses of Parliament adjourned immediately.

A sorrowing Parliament reassembled in gloom the day after the funeral to pay its homage to the most beloved son of the nation. No words of appreciation, no tribute could indeed ever be adequate to the memory of this man—to all that he was and all that he did during his life-time, to one who had filled the horizon of India for so many years, one whose vision embraced the entire humanity and who felt an ache in his mind and heart for the ills of all mankind.

In a speech that would be remembered for all time Jawaharlal spoke of a tryst with Destiny. Perhaps no man had deeper faith than he in his country's future and saw more clearly the means that could accomplish the cherished goal. He chose the democratic path and remained consistently loyal to it. With him, his belief in democracy was an article of faith. He believed in the democratic way because to him it was the right means to achieve ends, because it was peaceful, and because in the final analysis it promoted the growth of human beings and of society. He attached the greatest value to individual freedom, to the

creative and adventurous spirit of man. "We do want high standards of living", he once said, "but not at the cost of man's creative spirit, his creative energy, his spirit of adventure; not at the cost of all those fine things of life which have ennobled man throughout the ages".

Nehru's respect for the parliamentary institution was as deep-rooted as his faith in the democratic process. With his historic sense he saw in the Parliament of India an institution behind which lay 'not only fifteen years or so of history, of concentrated history of India, but also the long traditions, some even of this country and some of other countries representing parliamentary government'. Parliament symbolised for him the ultimate sovereignty of the people, and he was ever zealous of guarding its dignity. "When an injury has been done to this House, when it has been wronged, that wrong-doing should be punished" he once insisted, one who normally was only generous to a fault. He was moved to near-anguish when a motion of no confidence was brought up against the Speaker. "There is some element of tragedy in this", he said. "Sometimes things are done which cannot be undone. If you break a precious porcelain vase you cannot put it together". Nobody challenged the right of any Member to bring forward the motion, he said; the point was not the legal right, but the propriety, the desirability of doing it. "This matter affects the Speaker, of course but it affects the high dignity of this House as Parliament" he reminded. So vivid was his sense of the honour, the dignity, and the prestige of Parliament.

It was to this man that Parliament was paying its tribute of tears. Jawaharlal Nehru belonged to all mankind,

said Nandaji, who had taken over as Prime Minister, in Lok Sabha. To Nehru, India's problems and aspirations were part of mankind's struggle for freedom, for peace, for social justice, for human values and the dignity of man. His own labours in India were part of the larger aim of building up a liberated humanity. For Nehru, national freedom and independence, he said, were but a fragment of a larger vision for the future. So this great leader of the freedom struggle, Nandaji said, became the great architect of Free India. He gave new content and direction to the national purpose, pursuing through every storm and stress the truth which Gandhiji had taught that right means shall triumph to the very end.

It was the model parliamentarian that came uppermost to his mind as Sardar Hukam Singh rose to pay his tribute to the late Prime Minister. "It was a pleasure to see him enter the Lok Sabha" said the Speaker. He recalled how Nehru would walk to his seat with elegance, show the utmost respect to the Chair; how he would be the first to rush to the House when the quorum or the division bell was rung; how he was always eager to give the fullest information to Parliament; how he could listen to criticisms with patience and tolerance and reply without rancour. Pandit Nehru kept certain standards and has left many wholesome traditions in democracy, he said. History yields no parallel of a life of such immense significance. In his person Nehru symbolised the country's past greatness, its present struggle and its future ambitions and aspirations. In his fearless pursuit of a world free from war and fear he has served all humanity, said the Speaker.

Paving his tribute in Rajya Sabha Shri M. C. Chagla, Leader of the House, spoke of Nehru as 'a stout champion in the cause of freedom and in the struggle against colonialism and the greatest exponent of the art of living together, as between man and man and nation and nation'. Nehru was essen-

tially a man of culture, he said, with a deep sense of tolerance and understanding, which in the domestic sphere made him the greatest protagonist of secularism and in the international sphere led him to pursue the policy of non-alignment, which would always be associated with his name.

The Chairman Dr. Zakir Hussain described the late Prime Minister as 'a rock on which we built our faith in ourselves'. An aristocrat by birth and temperament, Pandit Nehru had committed himself totally and unequivocally to democratic ideals, democratic institutions and democratic procedures, said Dr. Zakir Hussain. The aristocrat in him sought to make his whole life and activity an expression of all that was gracious and noble. The democrat in him made him the courageous fighter for people's rights.

Almost the same thoughts, same sentiments were on the lips of members from all sections in both Houses as they made touching references to this unique man who commanded the respect and affection of one and all. He was a gem of a man, of grace and culture, who never stooped to pettiness, who brought more than the breath of poetry and of historic vision to the tasks of politics, one who consciously chose and consistently remained loyal to democratic processes, a passionate champion of peace, one who fought, as no man in his time had fought, for sensibility and neighbourliness at home and abroad.

Both Houses passed a resolution expressing "profound anguish and grief" over the passing away of the beloved leader and declaring "firm resolve to strive for the ideals of world peace and progress and national unity, solidarity and prosperity to which he dedicated himself throughout his life".

No man in politics was perhaps so universally loved as Pandit Nehru. Messages of condolence poured in from within the country and abroad and spontaneous tributes were paid in parliamentary assemblies all the world over.

# Working of Parliamentary Democracy in India

## SARDAR HUKAM SINGH'S ADDRESS TO PRESIDING OFFICERS

*[The Twenty-ninth Conference of Presiding Officers of Legislative Bodies in India was held at Patna on January 6 and 7, 1964 presided over by Sardar Hukam Singh, Speaker of Lok Sabha. What follows is a substantial reproduction of the Chairman's Address on the opening day of the Conference.—Editor.]*

FRIENDS,

It is with great pleasure that I join hands with our hosts in extending a warm welcome to all of you assembled here this morning. Every time we meet like this, I get a feeling of a family gathering, of a happy re-union, an occasion for renewing many old bonds and forging new ones. Since we met last, a new State—the State of Nagaland has come into being and legislatures have been formed and popular governments set up in Himachal Pradesh, Manipur, Tripura, and Goa, Daman and Diu. In Pondicherry, in place of the Representative Assembly, a regular Legislative Assembly has now been elected. I extend my special welcome to the Presiding Officers from these new legislative bodies. I also extend my hearty welcome to the new Speaker of the Jammu and Kashmir Assembly.

We met last in an atmosphere of gloom, with the threat of war still hanging over us. Providentially, that threat has now been contained. It still remains, but has receded somewhat. The sudden betrayal of trust by an erstwhile friend, no doubt shocked

us—but it also came as a timely reminder that mere faith and good intentions are not enough in this world and, now as ever, unremitting vigil is the price of freedom. In that hour of darkness we drew silent comfort from much of what we then saw—the spontaneous drawing together of the people and the vast resources of inner strength that skimmed to surface then. Some of us even felt that the moments of anxiety were not lived in vain and probably it was the way of Providence that the nation should find its feet through adversity.

### GROWING PRESTIGE OF PARLIAMENT

As I look around, there is one cheering phenomenon from which I take heart. That I would describe as the growing prestige of Parliament. When the country became free, the accidents of history as well as some elements in our own native genius dictated the parliamentary system of government as our obvious choice. And we have taken to representative institutions as if to the manner born. We have learnt to use the democratic apparatus with a measure of success. The events at home on the political scene over the years are enough to point to the emergence of the corporate personality of Parliament as a decisive factor in Indian politics. Nothing of importance happens in the country without its echoes and reverberations inside the walls of the Legislature. In other words, people have now come to place faith in Parliament and the State

Legislatures and look upon them as their natural forum and instruments of popular will. That is an immense gain, so far as it goes.

#### HABIT OF DEMOCRACY SHOULD GROW

While we have learnt to handle the democratic machinery efficiently, I am constrained to say, the habit of democracy has still to grow among the people. Democracy, as you know, is not a preoccupation with a particular form of government. It is a way of life in itself, a particular temper, habit of thought and way of functioning. If it has to endure, it must be founded on discipline, self-restraint, mutual goodwill and a spirit of willing accommodation to the requirements of the over-all public good. It also pre-supposes, above everything else, a homogeneity of outlook in the appreciation of end-purposes, however much individual means may vary. Unfortunately, in the country today, we hear a babel of voices, each clamouring for attention. I do not suggest that there should be dead conformity and no dissent. No one can claim a monopoly of right judgment and in a vast country like ours there must be room for all schools of honest thought. But we must not work at cross purposes, and clash and cancel out each other. It engenders confusion and insecurity in the public mind. What I mean is that tolerance should grow. The country's future cannot be bartered away in the market place. We may differ and disagree among ourselves, and even vitally, but we can do so without acrimony or bitterness. Grace and good temper need not be sacrificed in our daily dealings with our fellowmen. In the dust and heat of political life the common man should not be forgotten. Legislatures should cease to be looked upon as mere political gameboards and become instruments of social regeneration. As Presiding Officers we have a special responsibility in ever seeing

that the right precedents are laid down and correct conventions developed in the early years so that the habit of true democracy is cultivated and representative institutions established in public esteem.

I am sure most of you must have read with concern the news of repeated disorders in some of the State Legislatures and even in Lok Sabha. In one of the State Assemblies, I remember, on one occasion a number of members had to be suspended for defying the Speaker and creating disorder. On a few occasions the Chair had to adjourn the House to restore order. In such situations the Speaker is often the saddest person. But, it must be appreciated that parliamentary institutions cannot go on unless the members conduct themselves with orderliness and co-operate with the Chair.

Disorderly conduct within a Legislature is in itself indecorous, but when it happens in the presence of the Head of the State and on such solemn occasions as at the time of his address to both Houses of Parliament, it assumes an altogether different character. It is a matter of deep regret that such an occurrence should have happened last year. In February last year, when the President started reading in English his address to both Houses of Parliament, a few members (four from Lok Sabha and one from Rajya Sabha) rose to interrupt him and suggest that he should read his address in Hindi. The polite assurance of the President that a Hindi version would be read subsequently and even his appeal in the name of 'good sense and dignified behaviour' went unheeded. When the Speaker rose to restore order, all but one of these members who interrupted walked out of the Central Hall where the address was taking place. Later, on that day, when the matter regarding the interruptions and walk-out was

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ruised in Lok Sabha, all sections of the House were unanimous in condemning the action and the Speaker was requested by the House to convey to the President its regret over the happening. A Committee was later appointed to investigate the matter which found the conduct of the members undesirable, undignified and unbecoming of a Member of Parliament and contrary to the usage and derogatory to the dignity of the occasion. As you must be knowing, in the case of two members the Committee considered that expression of disapproval of their conduct would adequately meet the ends of justice and in the case of the remaining three recommended that they be reprimanded. And, punishment was meted out accordingly. As I said, it was very unfortunate that this incident should have happened. A Committee was appointed and all the action that we did take in this case was taken because it was happening for the first time and we felt that if it was allowed to go without any strong expression of disapproval, it would mean a bad day for our democratic institutions, especially when the State Legislatures which look up to Parliament as their model would be affected by what was done by us at the Centre.

### **PROCEDURE RE. ALLEGATIONS**

Talking of decorum, it is very necessary that even where a member has to make any allegations he should follow a proper procedure. We have always insisted in Parliament that a member before making any such allegations should realise his responsibility as a member and first make sure of the correctness of the information in his possession. During the last Budget Session, however, a case arose in Lok Sabha where a Member made certain serious allegations against a Minister on the basis of a photostat copy of what he described as "auditor's objections". The Minister denied the existence of

any such "auditor's objections" and when the Member was asked to explain to the House, it turned out that what the Member had in his possession was no more than a voucher sent to the Minister for repair charges in respect of his car. Since the Member by his carelessness had made baseless allegations and thereby created unnecessary confusion, it was felt that he should be asked to apologise to the House for his conduct. This the Member later did and the matter was treated as closed.

The position is, however, different when allegations are made by one side on the basis of certain information in its possession and the other side refutes them on the strength of the material it possesses. Such a case arose in Lok Sabha in the last Budget Session. The Minister of Home Affairs made certain allegations against two Parties which were challenged by the latter in the House. The Minister later showed (outside the House) the information in his possession to the leaders of those Parties, who were not convinced that the allegations were justified on the basis of the material shown to them. Leaders of both the Parties were then allowed to make statements in the House, at the end of which the Minister also made a statement explaining his position. And the matter was left there. In such matters the House did not act as a court of enquiry. Both versions of the facts were there before the House for the members to draw their own conclusions.

On another occasion, a Member wanted me to institute an inquiry into certain "defamatory" statements made against him by two members inside the House. It was pointed out to him that under the existing rules the Speaker could not on his own institute such an inquiry, that all the statements made in the House were on record, and it

was for any member to introduce a motion on the subject.

#### PARLIAMENT AND POLICY STATEMENTS

Under a parliamentary system of government it is only proper that Parliament is consulted and kept informed in all policy matters. Accordingly, we in Parliament insist that when the House is in session all policy statements by Ministers should first be made in the House. Sometimes, however, peculiar situations arise. In one particular instance, allegations had appeared in the Press against a Minister and the Minister had made a statement before his Party to clarify his position regarding these allegations. Exception was taken in the House by some members in regard to the conduct of the Minister in making the statement before his Party. I had to clarify that unless it involved some important statement of public policy to be followed by the Government, there was nothing improper in making statements.

#### REVISIONS IN STATEMENT OF OBJECTS AND REASONS IN A BILL

Despite popular belief to the contrary, we cannot say at any time that parliamentary procedure has been fully or finally settled. Peculiar points of procedure always arise from day to day. For instance, I now find a question raised as to the powers of expunction of the Speaker in respect of the Statement of Objects and Reasons in a Bill. Normally the occasion for such expunction or revision arises only in the case of Private Members' Bills. We have accordingly a provision in our Rules in regard to such Bills which empowers the Speaker to make the necessary revision in a Bill before its introduction in the House. As a matter of practice, whenever major changes are found necessary, the member is consulted, but even if a member does

not agree to a change, the Speaker has the power under the rule to make the necessary corrections. That is before introduction of the Bill. When a Bill is introduced, it comes in the possession of the House, and so ordinarily changes are not made then. However, in one case, that is the Banaras Hindu University (Amendment) Bill, 1958, a Government Bill, on the request of the Ministry concerned, a change was made in the Statement of Objects and Reasons of the Bill after introduction, after the Minister had informed the House about the change. A corrigendum was also published in the Gazette of India. Strictly speaking, the Statement of Objects and Reasons does not form part of the Bill. Therefore, even if a change is to be made in the Statement of Objects and Reasons after the introduction of a Bill, it does not appear to be necessary to move a motion in the House for the purpose. It would, of course, be necessary to inform the House of the changes sought to be made and the reasons therefor.

#### POSITION OF MEMBER BEFORE TAKING SEAT IN HOUSE

I may now refer to another point of procedural interest that arose in Lok Sabha, which relates to the position of a member before taking his seat in the House. A member wanted to make a submission to the House before making and subscribing the oath or affirmation. I then ruled that before taking his seat in the House a member had no right to make any submissions to the House. Later, when a member who had taken his seat in the House rose to move a motion standing in his name, objection was raised on the ground that notice of the motion had been given by the member before taking his seat in the House. I ruled that a member had the right to table notices before taking his seat in the House but he could ask a question, or

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move a motion or resolution, or otherwise participate in the proceedings of the House, only after he had taken his seat.

### INTRODUCTION OF NEW MINISTERS

It may be of interest to you to know that there is now a settled practice in Lok Sabha that whenever a new Minister assumes office, he is presented to the Speaker and the House by the Prime Minister. Already there is a convention that when a member returned in a bye-election takes his seat, the Minister of Parliamentary Affairs formally introduces him to the House.

### LANGUAGE IN PARLIAMENT

I do not know if the question of language poses any problem in any of your Legislatures. Off and on, it arises in Lok Sabha. As you all know, under the Constitution the proceedings of Lok Sabha are to be conducted in Hindi or English. If a member is unable to express himself in either of these languages, he is allowed to speak in his mother tongue. When a speech is to be made in any other language, under a Direction issued by the Speaker, the member concerned has to submit a Hindi or English translation of the intended speech in advance.

There are certain members in Lok Sabha who want that important statements etc. by Ministers should be made in Hindi while there are others who would have them made in English. There are also some members who do not know either Hindi or English and wish to ask supplementary questions in their mother tongue. This poses a peculiar problem because when a member asks a supplementary in a language other than Hindi or English, the Speaker is not in a position to

follow it and therefore unable to decide whether the question is in order or not.

To overcome these difficulties, we have decided upon a scheme of simultaneous translation in two languages—Hindi and English—of the speeches made in the House. In addition, we have also agreed upon the following procedure:

(i) Whenever statements in response to Calling Attention notices are made, if the first signatory had tabled the notice in Hindi, the statement should, as far as possible, be made in Hindi. If it is made in English, arrangements should be made to have the Hindi version read out in the House. If the first signatory had tabled the notice in English, the statement may be made in English but a few copies of the Hindi translation thereof should be furnished by the Minister for being kept in the Parliamentary Notice Office and the Library. This however would not apply to statements made at short notice. In that case the Minister may make his statement either in Hindi or English according to his choice. A few copies of the statement in the language other than the language in which it is made should however be furnished later for being kept in the Parliamentary Notice Office and Library.

(ii) Where an important statement is made *suo motu* by a Minister in English, a few copies of the Hindi translation thereof should be furnished by him for being kept in the Parliamentary Notice Office and the Library.

(iii) As regards supplementary questions, if it is found that the num-



ber of members who do not know either Hindi or English will be small and if the Speaker thinks it feasible, in exceptional cases, they may be allowed to ask supplementary questions in their mother tongue and then another member might translate it into Hindi or English for the benefit of the Minister and the House.

(iv) Hindi speeches which are reproduced in the verbatim edition of the Debates shall be translated into English in the same manner as English speeches are translated into Hindi, and printed in the volume of Debates containing translations.

#### P.A.C.—ACTIVITIES IN NEW DIRECTIONS

The importance of the financial committees in the scheme of Parliamentary control can never be over-emphasised. Last time, I was referring to the activities of the Public Accounts Committee in some new directions. I informed you then that the Committee were for the first time, undertaking examination of the Finance Accounts of the Government of India. The Committee since presented two Reports, one on the Revenue and Debt position, and another on Audit of Revenue Receipts. The Comptroller and Auditor General after his test audit had brought to light various irregularities in the assessment and collection of receipts. The Comptroller and Auditor General has since extended his test audit further in the field of Customs, Central Excise and Income-Tax, and has submitted to Parliament a separate Report on Audit of Revenue Receipts bringing out a large number of irregularities in assessment and collections. The Committee will now be going into this important aspect of Government accounting more extensively.

In respect of the Commercial Undertakings of Government also, the Comptroller and Auditor General has submitted a separate Audit Report, covering a number of undertakings. Considering the huge amount of money invested in them and the complex nature of these organisations, the Public Accounts Committee have been devoting special attention to them. The Committee are simultaneously considering the Annual Reports of these organisations and the comments of the Comptroller and Auditor General given under the provisions of the Companies Act. They have in addition examined Annual and Audit Reports of some autonomous bodies also.

The Public Accounts Committee of 1962-63 examined in detail the question of fixing a limit for new works which could be executed only after obtaining parliamentary approval. The Committee agreed that, subject to certain safeguards, Ministries should have the power to re-appropriate funds available within a sanctioned grant in such cases as civil works, P. & T. works, roads, and communications and civil aviation works, which were estimated to cost less than Rs. 25 lakhs each, provided they did not constitute a 'new form of service'. Cases of works in these categories estimated to cost above this limit, they laid down, should be undertaken after obtaining a supplementary grant or an advance from the Contingency Fund. As one of the safeguards the Committee suggested that in all cases of re-appropriation of Rs. 10 lakhs and more the prior approval of the Ministry of Finance should be obtained. The Committee also suggested for strict observance the golden rule that new works, which were novel or contentious, or which, while small at the outset, were likely to involve heavy liabilities in future years, should not,



save in very exceptional circumstances, be undertaken without previous authority of Parliament. In the interests of proper parliamentary control of expenditure, the Committee have also suggested that a detailed report should be made to Parliament regarding new works estimated to cost Rs. 10 lakhs or more each, which were not included in the original Budget but sanctioned during the course of the financial year. The detailed observations of the Committee on this subject will be found in the 10th Report of the Committee presented to Parliament in April last year.

#### PARLIAMENTARY CONTROL OVER PUBLIC UNDERTAKINGS

The working of public undertakings and the question of their control has been engaging public attention for some years now. These autonomous bodies take different forms. For example, there are (i) the statutory corporations created by Acts of Parliament like the Damodar Valley Corporation; (ii) Government companies registered under the Indian Companies Act like the Hindustan Steel Ltd.; (iii) statutory bodies created by Acts of Parliament like the University Grants Commission; and (iv) Commodity Committees and Boards like the Indian Central Cotton Committee, Indian Lac Cess Committee, Tea Board, Rubber Board and the like.

In the case of statutory bodies like the University Grants Commission) and the Commodity Boards, which do not carry on industrial or commercial activity and which are financed by grants or grants-in-aid from Parliament or other incomes like cess etc., the Comptroller and Auditor General as the 'agent of Parliament' has been exercising audit control and presenting his report in the normal course. On the other hand, the scope and form

of control for statutory corporations (like the Damodar Valley Corporation) is determined by the individual Acts of Parliament under which they are set up, while the Government companies are governed in this respect by the provisions of the Companies Act and their respective Memoranda and Articles of Association.

These apart, Parliament has been exercising control over all statutory bodies, irrespective of the nature of their set up, through certain common means such as questions, debates and discussions and through its Public Accounts and Estimates Committees. Members had opportunities for raising discussion on the working of public undertakings when the rules and regulations framed under the Acts relating to the statutory corporations, or annual reports of individual public undertakings, were laid before Parliament as also at the time Government laid before Parliament a report on the working of Industrial and Commercial Undertakings of Central Government.

#### COMMITTEE ON PUBLIC UNDERTAKINGS

Although all these opportunities existed, it was all along felt that sufficient time could not be devoted for a systematic appraisal of the working of public undertakings on the floor of the House. This to some extent was taken care of by the two Financial Committees—Committees on Estimates and Public Accounts—and since May 1959, the Estimates Committee has been examining the working of the public undertakings through a special standing Sub-Committee on Public Undertakings. In view of the growing importance of these public undertakings it was felt necessary that a separate Parliamentary Committee to exclusively look into the affairs of Public Corporations and Government Companies should be set up on the lines

of the Select Committee on Nationalised industries in the U.K. The proposal has been there ever since 1953 and in 1961 a motion for the setting up of such a committee was also brought before Parliament. This, however, had to await a propitious time. A motion has now been adopted. The Committee will consist of ten members from Lok Sabha and five from the Rajya Sabha. Besides examining the annual reports and accounts of public undertakings, it will perform functions hitherto vested in the Public Accounts Committee and the Estimates Committee in respect of the undertakings. The new Committee, it is hoped, will go a long way in ensuring better accountability of public undertakings to Parliament.

#### TOURS BY PARLIAMENTARY COMMITTEES

I may also refer to tours by Parliamentary Committees. I dealt with it at some length last year. As I pointed out then, the Standing Committees on Bills or the Public Accounts Committee of the British Parliament do not undertake tours. Even here in India it is a rule in Lok Sabha that sittings of Parliamentary Committees, whether formal or informal, should invariably be held within the precincts of Parliament House, where they can function in an atmosphere befitting their dignity as parliamentary committees. It is not the duty of the Committees to seek information by travelling from Delhi to other places in India or meet the possible witnesses or persons and find out from them as to what their reactions were. I would reiterate my view that Parliamentary Committees, including the Estimates Committee and the Public Accounts Committee, should not normally undertake tours. If a Committee has to make a study of any particular matter, project or undertaking, the Committee should formulate the precise terms of reference and send a

select sub-Committee consisting of a few members who are interested in the study of the particular subject and ask them to make a report to the Committee.

#### SPEAKER AND HIS PARTY

Before I conclude I wish to refer to the question of the relationship that should subsist between the Speaker and the political party to which he belonged prior to his election to the office of the Speaker. This subject has come up before us several times in the past. The position in a nut-shell is this. In the United Kingdom where the office enjoys great prestige, the principle "once a Speaker always a speaker" obtains. Upon his elevation to the high Chair the Speaker there severs all his connections with his party, and his impartiality is further secured by the convention of his unopposed return and election to the office so long as he wishes to serve. This convention, though ideal, is not easy to establish. Public opinion should develop and political parties should co-operate before we can have it here. And until it is established, it is not realistic to expect of Speakers to snap their party membership or spurn the party ticket at the elections. It is at the same time vital that a Speaker should be above suspicion. Upon the implicit faith and confidence which all sections of the House repose in him lies his authority and power. So a *via media* has to be found. When the question came up before the 1947 Conference Speaker Mavalankar gave his own personal views which, to my mind, offers a fair solution. The real point, he said, was as to how the Speaker should behave in the House. All public activities outside the House need not be given up altogether, but it was necessary that they should not associate themselves with any activities of a controversial character which were likely to come up for discussion in the House. This would extend not

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only to political activities but to other things also, such as discussion on a piece of social legislation and the like, which was likely to come up before the House. As for himself, Shri Mavalankar said that although he continued to be a member of his Party, ever since his election as Speaker he ceased to attend any of the party meetings because he felt that if he did so there was always the danger of developing an unconscious bias. I think this is not asking too much of the Speakers in the existing context. It would, of course, be ideal to have a convention as in Britain. In this connection, I

may recall the resolution unanimously adopted at our Conference in 1951 which was in the following terms:

"This Conference is of opinion that it is desirable in the interests of the development of free democratic institutions in this country that following the practice in the British House of Commons a convention should be established to the effect that the seat from which the Speaker or the Chairman stands for re-election should not be contested in the elections that are held from time to time. The necessary corollary of the full establishment of this convention would be that the Speaker or Chairman would not take part in party politics. The Conference feels that such a convention is a healthy one and its growth should be encouraged.

*A government in a democratic society is a reflection of the will of the people and it should continue to be a reflection of this all the time.*

JAWAHARLAL NEHRU

# Portrait of Dr. Rajendra Prasad Unveiled in Central Hall

The portrait of the late Dr. Rajendra Prasad, the first President of the Indian Republic, was unveiled in the Central Hall of Parliament House by the President, Dr. Radhakrishnan, on May 5, 1964. The portrait, painted by artist Shri H. S. Trivedi, was presented by the late Prime Minister Shri Jawaharlal Nehru on behalf of the Congress Parliamentary Party, and was accepted, on behalf of both Houses of Parliament, by the Speaker of Lok Sabha, Sardar Hukam Singh.

Late Prime Minister Pandit Jawaharlal Nehru, Sardar Hukam Singh and Dr. Radhakrishnan spoke on the occasion.

**PRIME MINISTER (SHRI JAWAHARLAL NEHRU):** Mr. President and Friends, a number of portraits have been put up in this Hall, portraits of our leaders and elders who have shaped modern India. It is in the fitness of things that we put up here a portrait of Dr. Rajendra Prasad, our ex-President.

All of you have known Rajen Babu; we all have known him very well. He was our first President, and, before that, he was the President of the Constituent Assembly which deliberated in this very Hall. All of you are well acquainted with his long years of service and the manner in which he rendered it. For many long years he was associated and had worked with Gandhiji. His life was dedicated to service, right from the time when Gandhiji started his mission in India to the period when, after Gandhiji's death, he functioned as the President of India. It is proper, therefore, that we put up his portrait in this Hall in order to remind the future generations of his great life. He will, of course, be remembered by his deeds, but a picture would help to revive the memory.

It is particularly appropriate that his portrait is put up in this Hall, because here it was that he made his contribution to the deliberations of the Constituent Assembly and, later, he often addressed Members of Parliament in this very Hall. I now present his portrait on behalf of the Members of Parliament belonging to the Congress Party and on behalf of Shri Trivedi who has prepared this portrait. I hope you will accept this portrait and it will remain in this gallery of our elders to remind us of his great achievements and of our own duties.\*

**SPEAKER (SARDAR HUKAM SANGH):** Mr. President, Mr. Vice-President, Mr. Prime Minister, on behalf of both Houses of Parliament, I express our gratitude to the Leader and the Members of the Congress Parliamentary Party for presenting us this portrait to be put up in this Hall. This has been prepared by Shri H. S. Trivedi, a renowned artist of Bombay. I am told that the portrait recaptures the noble qualities of character associated with Dr. Rajendra Prasad. I congratulate the artist on his achievement.

This Hall is associated with many historic events. It was in this Hall that our representatives, framed the Constitution under the able guidance and inspiration of Dr. Rajendra Prasad. Those of us who had the good fortune of working with him in the Constituent Assembly can still recall the dignity with which he occupied the Chair on this dais.

It was only two years ago that he retired from his high office of President, cheerfully vacating his chair for his newly elected successor. The incidents of the life of dedication lived by Dr. Rajendra Prasad as a devoted lieutenant of Mahatma Gandhi in the forefront of the freedom struggle, the part played by him during the campaign at Champaran and during the days of non-co-operation and the Quid India Movement, the repeated arrests he courted in the national

\*Translated from the speech delivered in Hindi.

## Portrait of Dr. Rajendra Prasad Unveiled in Central Hall

struggle, the memorable relief work so efficiently organised by him during the Bihar earthquake, his high legal acumen, rare mental balance, unruffled temperament and his great devotion to the golden mean of compromise and conciliation have all become part of the glowing annals of this land.

✓ As the first President of India, Dr. Rajendra Prasad enriched and embellished the office and left behind him inspiring traditions. [His unostentatious grace, his utter simplicity, charity of outlook, deep humility, broad humanity, absolute sincerity and his fraternal care for all sections of the people had won for him the confidence and allegiance of the entire country.] His choice as the first President of the Republic of India was an eloquent expression of the nation's gratitude to this unassuming leader who had given the best years of his life to the national cause. He occupied that office for twelve years with dignity and with grace.

✓ When Dr. Rajendra Prasad retired in May, 1962, the Parliament and the people consoled themselves in the thought that he would after all be there and continue to guide and inspire them for many many years to come. But that was not to be. Dr. Rajendra Prasad passed away not long thereafter. The nation paid a soulful tribute to his memory. He had come to be regarded throughout the length and breadth of the country as a personification of all that was good, noble and lofty in the Indian tradition.

[It is but natural and proper that we always try to keep green the memory of those whom we have followed and succeeded, and pay homage to the founders of our national life today. As time passes on, we and the succeeding generations are apt to forget as to who laid these foundations of our national life. It is, therefore, necessary to have these beacon-lights constantly before our eyes, to remind us of our path to the present state and of our responsibilities to the future generations.] It is, therefore, in the fitness of things that the portrait of Dr. Rajendra Prasad should adorn one of the panels here. Though he is not with us in flesh and blood, his spirit will guide us from day to day. The putting up of this portrait in this Hall is a token of our remembrance and our respect for him.

I have no doubt, Mr. President, that the portrait which you will presently unveil will remind generations of our countrymen of the great life of Dr. Rajendra Prasad, a life of noble renunciation, service, sacrifice, and above all patriotism.

May I request you, Mr. President, now to unveil the portrait?

THE PRESIDENT (DR. S. RADHAKRISHNAN): Friends, I am delighted to be here and unveil the portrait of Dr. Rajendra Prasad. It is the good fortune of this country that in the formative period of our Republic, immediately after the establishment of the Republic, Dr. Prasad was elected the President and he guided the destinies of our country for over twelve years. He was the embodiment of what is best in Indian culture. The peaks of our achievement are symbolised by service, renunciation and sacrifice. These qualities were embodied in him. His life throughout, from the time he entered the national struggle down to the last day of his life, was devoted to the service of this country.

It was in this Hall that he presided over the Constituent Assembly and drew up the Constitution. He was presiding over it and he gave us a Constitution which is democratic and progressive in its outlook. Democracy is never fully established. It is always on the move. There are ever so many things which are incompatible with a true democratic outlook, but the ideal of democracy is still there beckoning to us from afar, asking us to go forward, to move forward. Every step must realise this democratic outlook on our part.

It is true that he took a leading part in so many other activities also, but here we are concerned with his work for the development of the Constitution and the work which he did for human fellowship. The last address which he gave in this city of Delhi was in the Anti-Nuclear Convention. He made out, as a true disciple of Gandhiji, that we should try to avoid every kind of violence, we should struggle to establish peace and friendship among nations. And he formulated a proposition for unilateral nuclear disarmament. Even though it appeared to be utopian when he formulated it, it is the ideal which the whole world look forward to. It is in his lifetime that nuclear developments arose. There were methods of the past, some kind of battles,

violent struggles etc.; but, when these things took place, we could still survive and they appeared only to affect parts of our world, not the whole of our world. Nuclear armaments and nuclear warfare meant the destruction of all the civilized values for which we stood.

So the methods of the past cannot be regarded as applicable to the problems of the present. So even though we may consider that the method was utopian—what he suggested, that is the only thing that can give to this human community stability, poise and balance. We cannot merely ask for nuclear disarmament; we must remove the causes which cause wars. Those causes are mutual fear, distrust, animosities and insecurity of nations. If we are to survive in this world as peaceful nations, these causes which make for wars, require to be removed. Human beings must feel that humanity is one whole, irrespective of the caste or community, class or race to which its members may happen to belong. We must try to increase the field of their understanding, advance their knowledge, grow in grace, and feel that when one individual in one part of the country suffers, the world suffers, others do suffer. So, he, as a faithful disciple of Gandhiji, argued for human fellowship. It is one of the things that is inscribed in our Constitution. He argued for political justice and freedom, fraternity and fellowship also. That is there as one of the remarkable features of the objectives of our Constitution. We cannot reach it unless step by step we advance towards it. Many of the things we do may appear to be insane from the practical point

of view today, but ultimately it is these steps which may seem to be impossible it is the push of the impossible—that makes the world a living place, something in which we can live with some kind of amity and friendship.

Rajen Babu, therefore, had this ideal, and the last address he gave to the Dehi people, to the country at large and the world at large, was this address of unilateral nuclear disarmament—not that it is going to be realised tomorrow or the day after, but he knew for certain that if this world is to become a happy home, if people are to live together in amity and friendship, that is the only way. We must cease to hate each other, and try to develop understanding with one another. It is that idea that possessed him, and he put out that proposition even though he was certain that many in his audience would not accept the rationale of it.

Therefore, I would like to say that he was a faithful disciple of Gandhiji, he was a believer in democracy. Democracy, he thought, was a progressive one. What exists today in the name of democracy cannot be regarded as satisfactory. It is something which is perpetually moving forward. If it does not move forward, it is not democracy; and it must go on until it embraces the whole world and makes it into a happy human community.

I, therefore, have great pleasure in unveiling this portrait, and I hope that all those who see it will understand the great ideals for which he stood, for which he lived, for which he died.

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*The ultimate claim of a democratic government to authority is that it permits dissent and survives it.*

—CHARLES FRANKEL in *The Democratic Prospect*

# Calling Attention Notices

S. L. SHAKDHER

*Secretary, Lok Sabha*

NOTICE to call the attention of a Minister to a matter of urgent public importance and to ask him to make a statement thereon is a formidable weapon in the hands of a member to introduce an uncheduled item of business in the list of business for the day which has been previously fixed. The Speaker's power to allow or disallow such a notice is uncontrolled, but he exercises his discretion with care in arriving at his decisions. If he allows a notice the matter comes up before the House at once, and the Government's ability to collect facts at short notice, present them in an assimilated form and withstand the onslaught of questions in the House is severely tested. The procedure is convenient to Government often, but not always, to explain the position on an important matter which they may otherwise hesitate or omit to bring before the House.

The concept of introducing calling attention notices in the Rules of Procedure of Lok Sabha is purely of Indian origin. It is an innovation in the modern parliamentary procedure, if one may call it so. It combines the asking of a question for answer with supplementaries and short comments in which all points of view are expressed concisely and precisely, and Government has adequate opportunity to state its case. Sometimes it gives opportunity to members to criticise the Government, directly or indirectly, and to bring to the surface the failure, or inadequate action, of Government on an important matter. The main feature of the procedure is that it begins suddenly, lasts a short

while and leaves in its trail consequences of varied character.

The rule regarding the calling attention notices was written into the Rules of Procedure and Conduct of Business in Lok Sabha in 1954. The rule reads as follows:

"197. (1) A member may, with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.

(2) There shall be no debate on such statement at the time it is made.

(3) Not more than one such matter shall be raised at the same sitting.

(4) In the event of more than one matter being presented for the same day, priority shall be given to the matter which is, in the opinion of the Speaker, more urgent and important.

(5) The proposed matter shall be raised after the questions and before the list of business is entered upon and at no other time during the sitting of the House."

The Rules Committee while considering the above rule recorded in its minutes as follows:

*"New rule regarding calling attention to matters of general public importance: It was explained that there*

was considerable feeling that at present no precise procedure was available to private members to raise at short notice important matters. The procedure of bringing an adjournment motion which was in the nature of a censure motion was restricted in its scope in the present constitutional set-up. It was therefore considered that some procedure must be devised whereby members shall have an opportunity of bringing important matters to the attention of the Government. It was considered necessary to make provision that a member might with the previous permission of the Speaker call the attention of a Minister to any matter of urgent public importance and the Minister might make a brief statement or ask for time to make a statement at a later hour or date. The Committee accepted this new rule."

During the remaining two years of the First Lok Sabha, it worked fairly well, though members were not enthusiastic to take to it frequently. It did not give them the satisfaction that was desired because the notices were not generally put down on the day they were given. A member was required only to make a request to the Minister to make a statement and he was not permitted to make his observations or to ask<sup>1</sup> any question after the Minister had made the statement. In the initial stages when the potentiality of the procedure could not be envisaged fully, the Speaker proceeded with caution and enforced the rule strictly so much so that on one occasion he did not permit the Prime Minister to make a second statement in response to a calling attention notice.<sup>2</sup>

During the Second Lok Sabha, not much head way was made. On the con-

trary, the procedure fell more and more into disuse. There were several reasons for this: the decisions on the notices were taken leisurely and even if a notice was admitted the convenience of the Minister to make a statement was ascertained and the Minister took his own time in giving a date. When the statement was made the urgency of it had already vanished. The member might have lost interest in it and if he still had any, he was not allowed to ask questions. Members felt sceptical of the usefulness of this procedure, and although there was a feeling that it was a potent weapon, the ability to use it was circumscribed by so many restrictions and conditions that it lost its force.

It was at the beginning of the Third Lok Sabha that the procedure received the vitality and importance that it has now achieved during the last two years and more. The Speaker realized that the desire of the members to resort to tabling notices of adjournment motions arose from the fact that the members had no real procedural opportunity to raise a matter of urgent public importance immediately it came to their notice and they had no other means of compelling the Government to state their position on the matter there and then. Even though the members felt that in raising a number of matters on adjournment motions they had no desire to censure the Government and wanted only a statement from them as to the action that was being taken, they nevertheless resorted to it as it enabled them to force the attention of the Speaker and the Government to urgent and important matters which were agitating their minds. The procedure of adjournment motions was consequently being slowly and steadily used for a purpose for which it was not intended in the new constitutional set-up. During

<sup>1</sup>L.S. Deb. 7-9-1957, c. 12509.

L.S. Deb. 17-3-1958, c. 5191-92.

L.S. Deb. 12-9-1958, c. 6207.

L.S. Deb. 17-12-1959, c. 5638.

<sup>2</sup>H.P. Deb. (II) 15-4-1954, c. 481.



## Calling Attention Notices

the Second Lok Sabha the procedure was somewhat like this: A member would raise a matter on a motion for adjournment; the Speaker would ask him how the matter was admissible, and under cover of admissibility the member would make his observations or raise the substance of the matter of the notice and the Government, in order to oppose the admissibility of the motion, gave facts and in the nature of things a miniature irregular debate followed in which the members and the Government would state their respective positions under the cover of technical submissions to the Chair for admissibility or inadmissibility of a motion and after that was over the Speaker would declare that he had not given his consent to the adjournment motion. A sort of satisfaction was derived: that while the members had their say and the Government had given the facts, adjournment motions were not proceeded with. But everybody felt or seemed to say that there was something unreal about the procedure. The Speaker felt keenly that that was not a correct procedure, and he took the earliest opportunity, after his election to his office, to study the psychological urge of the members and the needs of the situation, and hastened to take a decision. At a meeting of the Leaders of the Groups he outlined his thoughts thus: he said that if members were given an opportunity to raise urgent matters of public importance quickly, preferably on the same day, and also were given an opportunity to ask for further information or to make comments in the form of questions, after the Minister had made a statement, it should satisfy a large number of members who tabled the motions for adjournment merely for that purpose. He proposed to give life and content to the rule regarding calling attention notices and promised

to make an effort to make it workable to the satisfaction of members as far as possible. The members, though sceptical, agreed to the procedure in order to see how it would meet the wishes of the members and work in practice.

The last two years have evidenced a phenomenal confidence in the vitality of this procedure to achieve the purpose in view. The tremendous fall in the number of motions for adjournment and the increasing number of calling attention notices during this period have demonstrated that the procedure has given satisfaction all round. Three things have contributed to this:

- (1) the decisions are taken instantly and urgent and important matters are brought before the House the same day;
- (2) if there be unavoidable urgency, more than one such matter is brought on the same day; and
- (3) the members who have tabled notice of the matter are each allowed to ask one question.

It should be noted that the restrictions which have been strictly imposed by the Speaker have equally contributed to the strengthening of the procedure. The two restrictions that only those members who have given notice in writing before the commencement of the sitting would be permitted<sup>3</sup> to ask questions and that one member would be allowed to ask one question have helped a great deal in keeping the procedure tidy and the members alert in bringing forward really important matters.

Any private member may give a calling attention notice. A blue form

<sup>1</sup>L.S. Deb. 20-11-1963, c. 648.

<sup>2</sup>L.S. Deb. 3-12-1963, c. 2741-44.

<sup>3</sup>L.S. Deb. 3-8-1963, c. 3611.

<sup>4</sup>L.S. Deb. 13-9-1963, c. 6009.

is provided by the Notice Office and on that a member is required to write down the matter on which he would like to ask the Minister to make a statement and his name and division number and sign it. The notice may be in Hindi or English. The member is required to make out four copies—one addressed to the Secretary of the House, second to the Speaker, third to the Minister concerned and the fourth to the Minister of Parliamentary Affairs. All copies are given in the Notice Office. If a member gives or sends his notices before 10 A.M., he drops them in a box outside the Notice Office. At 10 A.M., the box is opened and all notices are collected from it. After that, members give notices at the counter of the Notice Office in person or through their messengers. The Notice Office arranges the notices in order of the time of receipt. Where two or more notices are received at the same time or before 10 A.M. (they are all deemed to have been received at 10 A.M.), the Notice Office ballots them and fixes priority. Thereafter the notices are each allotted a number and the time of receipt is noted on each notice. The notices intended for the Ministers are sent to the room of the Minister of Parliamentary Affairs from where the copies of notices intended for the concerned Ministers are despatched to them immediately.

The members' chief source for tabling the calling attention notices is the daily newspapers. Sometimes they may be based on the private information of a member or on the correspondence between him and his constituents, but such notices are fewer in number.

There is no limit on the number of notices that a member may table. There is no limit on the number of

members who may table notices on the same subject. It has happened that sometimes a large number of notices have been received on a particular day on a number of subjects. It has also happened that a number of members, sometimes thirty to forty, have given notices on the same subject. Notices may be signed by one member or by several members. They may be signed by members of one parliamentary group or members belonging to several parliamentary groups. Members of the ruling party as well as opposition groups can table notices—may sometimes sign the same notice. There is no restriction of any kind. The subject may be of a few words or a few lines. So long as the subject is clearly expressed, no notice is rejected on the ground of form. The member may give the source of his information, say, name of the daily paper in which the matter has appeared, or reference to his private correspondence, or say that he has got it from his constituency. There is no compulsion on the member to indicate the source, though of course, if a matter is not within the common knowledge and the Speaker is doubtful, he may call upon the member to indicate the source on which his notice is based.

As a rule, the notice must be given on the same day on which a matter has arisen or becomes publicly known. If it is given a little later, the notice may be rejected on the ground that it was not raised at the earliest opportunity. The matters selected for admission are taken up the same day provided a calling attention notice is not already fixed for the day in the list of business. In that case, depending upon the urgency of the matter, the Speaker may allow another notice to be taken up at the appointed time after question hour or at the end of the day.<sup>5</sup>

L.S. Deb. 17-12-1963, cc. 5162-66 & 5284-95.

## Calling Attention Notices

The notices for Secretary and Speaker are collected up to 10.30 A.M. or a little later, arranged subject-wise and priority-wise and placed before the Speaker. Usually fifteen to twenty notices are received, but some days the number is as high as fifty, and the average is nearly twenty notices per day. The Speaker goes through these notices one by one within the fifteen minutes available to him before the commencement of the sitting of the House and gives his decisions briefly. This is a period of intense action. The Speaker's mind and attention are concentrated on these notices. He listens to the advice that is given to him, makes a brief comment, and gives his decision, concise and clear. No one is required to record the reasons for his decision and no reasons are communicated to the members. The Speaker is not bound by any precedents strictly, although he has laid down for himself such obvious rules or conventions as, for example, whether the matter falls within the cognizance of a Minister of the Central Government, whether the matter is trifling, involves argument or is vague or general or whether it can be appropriately dealt with by other parliamentary procedure. These are rules of thumb and no one need point out to the Speaker that he has not followed these tests strictly in every case. Admission of a notice is not a precedent for a similar matter in another context may be disallowed. It is the feeling, the judgment of the Speaker, and the surrounding circumstances in the context of the information available to him on the day the notice is received, that are vital in determining whether a notice is admissible or not. Sometimes a matter may have just started and no significance may be attached to it. A few days later further developments may take place

and it may become important and urgent and the Speaker may admit it then. The Speaker is ever watchful, sensitive to the atmosphere around him and keeps his mind flexible and receptive. No doubt he discharges this heavy responsibility alone, but everybody has to submit to his decision and there is no appeal against it. The Speaker admits or selects a notice purely on the importance and the urgency of the matter raised therein. He is not concerned with who has tabled the notice and whether such a matter would embarrass the Government or not. Although sometimes he judges the importance of a matter by the number of members who are interested in it or by the national interest behind it, but these are factors like others, which he takes into consideration; by themselves they are not conclusive.

Members whose notices are disallowed often enquire from the Speaker in the House the reasons for which the notices have been disallowed. The Speaker has firmly and resolutely declined to give reasons or to enter into argument with the members in the House<sup>6</sup>. He once told members that his reasons might be right or wrong, his decision had to be accepted. There should be no occasion when an argument between a member and the Speaker should develop in the House and if the Speaker has to give reasons in the case of one notice, he would be expected to give reasons in the case of other notices that he has disallowed. The Speaker has, however, stated it so often and reminded the House time and again that it was open to the members to meet him privately in his Chamber to convince him of their point of view and he was prepared to review his orders on good and sufficient grounds<sup>7</sup>. If they convince him of their point of

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<sup>6</sup>L.S. Deb., 5-8-1959, cc. 661-62.

L.S. Deb. 17-2-1961, c. 611.

L.S. Deb. 21-2-1961, cc. 1100-01.

<sup>7</sup>L.S. Deb. 3-5-1962, cc. 2457-68.

view or bring to his notice some new or additional facts of which he may not be aware, the Speaker may reconsider his decision. He does so in very exceptional circumstances because his original decisions are given after careful consideration on good grounds and generally the members do not succeed in shaking him from his position.

After the notices have been considered by the Speaker and his decisions given a parliamentary official gets into touch with the Minister concerned or his principal officials and the members concerned and informs them of the Speaker's decisions. This is a period of intense activity as there is barely an hour available during which the Minister must be contacted and he must prepare a statement on the facts of the case. The parliamentary official does this work by personal contact and orally and not by writing letters, memoranda and the like. An entry is also prepared which is given to the member to read and the Minister is informed of the precise position in the list of business at which the matter will be taken up. The Ministers on their part are generally aware of such notices as the members have previously sent copies to the Ministers concerned through the Minister of Parliamentary Affairs. It has, however, happened in some cases that the Minister received his copy of the notice after the matter came up for discussion in the House.<sup>8</sup> This shows that there is scope for improvement in the prompt despatch of these notices to the Ministers concerned.

By now the Ministers and senior officials of the Government are familiar with the type of subjects which may be raised in the House and on which they

may be required to make a statement. Telephones, wireless teleprinters and telegraph lines keep buzzing and humming throughout the morning or since the previous evening to enable the officials and the Ministers to get the latest and accurate information on matters which may have suddenly arisen. India being a vast country, much of the information has to be obtained from the State Governments and local offices of the Central Government or local Military Commanders from far flung places. It is remarkable that in most cases the information is collected in the shortest possible time and officials and Ministers of the Government are in readiness to give it to the House if they are called upon to do so. As it turns out it is only a few matters that are called the same day and much of the information that is available and is in the possession of the Ministers is not required to be given to the House but in cases where they are required to make statements, the Ministers are in a position to face the House.

When a member is called by the Speaker to call the attention of the Minister to a matter of public importance, the member rises in his place and makes a formal request to the Minister to make a statement on the matter which he reads briefly. The Minister may make the statement there and then if he has got all the facts of the case, or he may give such information as is in his possession and request<sup>9</sup> that he may be given time to give further information later. The Speaker usually grants this request. The Minister, if he is not ready with the statement, may straightaway ask for time to collect the information<sup>10</sup> and give it to the House

<sup>8</sup>L.S. Deb. 27-2-1964, cc. 2779-82 & 2825-28.

<sup>9</sup>L.S. Deb. 26-11-1963, cc. 1472-73.

L.S. Deb. 29-11-1963, cc. 2222-28.

<sup>10</sup>L.S. Deb. 25-2-1963, c. 259.

L.S. Deb. 27-2-1963, cc. 1201-05.

L.S. Deb. 19-8-1963, cc. 1210 & 1341.

L.S. Deb. 17-9-1963, cc. 6506.

L.S. Deb. 30-3-1964, c. 8111.

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either later in the day or next day or a few days later as the case may be. Such requests are sparingly made, but when they are made, they are granted. If the statement is short, the Minister usually reads it out to the House and then and there follow questions on that statement by the members who have tabled the notice and answers by the Minister. But if the statement is long and the Speaker asks the Minister to lay it on the Table of the House, then the usual practice is for the members to study the statement and then to ask the questions at a later hour, usually at the end of the day, if so fixed by the Speaker, or on the next working day.<sup>11</sup> It has happened in one or two cases that after the Minister made a statement the members voluntarily refrained from asking the questions, as they thought<sup>12</sup> that the matter was delicate and the Minister should not be pressed to give further information. If the questions become complicated or involve a high level policy of Government, Prime Minister may intervene, and give an authoritative opinion of Government or promise further consideration of the matter or even give such further information which the Minister may have felt unable to give on the ground of secrecy, or partial knowledge of the matter or for fear that other Ministers are concerned with the matter.

If a notice is received in Hindi, it is usually the practice that the statement should be made in Hindi,<sup>13</sup> and if the Minister concerned does not know Hindi, arrangements are made to get it read by some other Minister. This is followed by a translation in English. Sometimes when a notice is received in English and the statement is made in English, some members may desire that

in view of the importance of the matter, a Hindi translation may be given. Arrangements are made to give a gist of the statement in Hindi if no actual Hindi translation of the statement is available at the moment. Questions on the statement can be asked either in English or in Hindi and the Minister does his best to answer them.

The subjects on which Ministers may be called upon to make statements may cover matters like disturbance in any part of India. Although the subject of law and order comes within the sphere of the State responsibility under the Constitution, the responsibility of the Centre may sometimes be cleverly attracted by a skilful member connecting the matter with the protection of a minority community, employment of armed forces, damage done to a public undertaking and so on. Other matters on which statements may be requested may include subjects like border troubles, for example, incursions into our territory by foreign armed forces, migration of refugees from Pakistan, accidents on railways, shutting down of a public undertaking, movement of Naga hostiles, judgments by law courts in which observations affecting Ministers or officers of the Central Government are involved, violation of air space by enemy aircraft, strikes involving the harbours, ports, air companies, railways and other public utility services, position of Indians Overseas—and this shows the wide range of subjects which are covered by the calling attention notices. The subjects have been broadly classified here but the notice relates to a specific incident or matter which has arisen suddenly and created some apprehension in the minds of the members.

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<sup>11</sup>L.S. Deb. 26 & 27-8-1963, cc. 291

L.S. Deb. 24-3-1964, c. 7508.

<sup>12</sup>L.S. Deb. 23-3-1964, c. 6913

<sup>13</sup>L.S. Deb. 20-11-1963, cc. 661-62

Generally speaking, the House does not recommend to Government any action to be taken on the basis of a calling attention notice, but sometimes the questions are in the form of suggestions and the Government indicate in their replies whether they are in a position to accept them or not. An instance comes to my mind. Recently in the case of plight of Indians in Burma<sup>14</sup> following the nationalization of business controlled by Indians in Burma, the members insisted that officials of the External Affairs Ministry should be sent to investigate into the grievances of Indians there and plead with the Government of Burma to agree to their repatriation in an orderly manner, and this was accepted by the Government. Sometimes the heat generated by the discussion of a matter on a calling attention notice is sufficient to create an urgency in the mind of the Government to tackle the situation with vigour and clarity. Often it has happened that the statements made by the Government in response to calling attention notices have given the lie to sensational reports appearing in the newspapers which had no basis in fact and this has resulted in stopping promptly a rumour which would have

otherwise filled the papers and the minds of the people unnecessarily.

The procedure has thus enabled Parliament to keep the Government on its toes, to call for their explanation immediately a vital matter of importance to the public has taken place, and enabled the Government to state the facts or its decision or to deal effectively with the matter with the knowledge and the feeling that it has the support of the House. It is a short and swift method of raising, dealing with and bringing to a conclusion an important matter in which members who have given notices are entitled to take equal part without any party whip and without coming to the painful determination by dividing on a formal or a specific motion. No specific conclusions are recorded. Only the atmosphere is surcharged with feeling on all sides of the House and each member is free to interpret the short discussion in his own light and to come to his own conclusions.

In the end, the country gains, Parliament gains and the Government is stronger for the action that it contemplates to take.

*The quality of democracy will depend not upon the rules for election or the rules of conduct of business etc. but upon the spirit and attitude of those who are called upon to function as members of the democratic legislatures.*

—G. V. MAVALANKAR

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<sup>14</sup>L.S. Deb. 28-4-1964.

# Origin and Growth of the Legislature in Uttar Pradesh

P. S. PACHAURI

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What now is Uttar Pradesh has not been an administrative, legislative or judicial unit in its present territorial dimensions for much length of time. Even during the British period parts of the present territory of U.P. have been governed by different laws at the same time in civil, criminal and revenue spheres according to exigencies of treaties, contracts, annexations or the very uncertainties of jurisdictions. A study of development of law-making authorities in the various slices of territory now forming U.P. would not only need space but would be delving into details which are not perhaps of much interest for our present purposes.

During the Mughal period the present territory of U.P. was divided into what may be called certain governorships or divisions for the purpose of collection of taxes and administering justice, both civil and criminal. The laws applied by the Courts of these Chiefs of divisions were personal laws of the litigants in matters of inheritance, marriage etc. and the principles of Muslim jurisprudence, contained in Aurangzeb's Fatwa-i-Alamgiri, in matters of crime and punishments etc. Other laws applied depended on the discretion of the judge and the exigencies of the situation. The main divisions existing at that time were Agra, Allahabad, Oudh, Banaras, Rohilkhand and Bundelkhand. Most of these areas were under the dominion of the Mughals with a few under independent

Rajahs who had acknowledged the sovereignty of the Mughals.

There were also certain pockets which were governed by the English equity and common law. For example, in 1618 the East India Company had a factory at Agra and all those who lived in the compound of the factory and those who had trade dealings with the factory were governed by the bye-laws made by the Company. More often than not even the personal disputes between those living within the compound of the factory as well as outside were voluntarily brought before the English Factors who were in charge of factories for settlement. Thus began the application of the English laws to a pocket of what is now U.P.

However, the legislative powers of the East India Company did not extend in the area of present U.P. further till 1773 when the districts of Ghazipur and Banaras (excluding the territory under the Maharaja of Banaras) were legally transferred to the Company by the Mughal Emperor. At that time, under the Regulating Act of 1773, these districts had as their legislature the Governor-General's Council at Calcutta which had powers to make regulations for all the territories under the Company including the territories comprised in the Presidencies of Bengal, Madras and Bombay.

The dawn of the 19th century saw the British influence spread towards the west. Allahabad, Gorakhpur and portions of Rohilkhand were taken from the Nawab of Oudh by the Company in 1801 for meeting the expenses of the troops stationed by the Company in Oudh. The Maharattas had by 1805 lost all powers in the territory now western U.P. The entire province of Bundelkhand was under British influence and part of it under British rule. Agra soon after became the headquarters of the British for its north-western territories. The Himalayan territory of present U.P. now comprising the districts of Naini Tal, Almora, Garhwal and Dehra Dun were ceded by Nepal to the British in 1816 after the Nepalese Wars through a treaty. In this way a much larger territory of present U.P. became amenable to the laws made by the Governor-General and his Council.

Upto this time all the territories in Northern India were part of the Bengal Presidency and governed by the laws made by the Governor-General and his Council at Calcutta along with other personal laws and laws framed by Parliament of U.K. for India and also by equity and common law of the U.K. But the expansion of the British power further away from Bengal made it necessary that the western territories under the British be made into a separate administrative and legislative unit like those at Bombay and Madras. The Act of 1833, therefore, provided for the establishment of a separate Presidency at Agra, though this provision never came into operation and was suspended in 1835. But a new province, called the North-Western Province, under a Lieut. Governor was created.

Thus a part of present U.P., the North-Western Province, came into being in 1835 with its legislature in Calcutta. The other part of the U.P.,

*viz.*, Oudh, was still under the Nawab of Oudh and the laws of the legislature at Calcutta did not apply to it. This distinction between North-Western Province and Oudh was described by calling the former as a Regulation and the latter as non-Regulation province. In 1854 the Company acquired the territory of Jhansi under the doctrine of lapse and in 1856 annexed Oudh to bring an end to the lawlessness and maladministration that had now reached its limits. Still, Oudh was not amalgamated with the North-Western Province but was administered as a separate unit as a non-regulation province like the Punjab, Sindh, and the Central Provinces.

With the passing of the Government of India Act, 1858, the Government of India became a part and parcel of the Government of the United Kingdom and all the branches of the Government of India, the executive, the legislature as well as the judiciary parts of Her Majesty's Government.

In 1861 was passed the Indian Councils Act which conferred on the Governor-General powers to establish Legislative Councils in Bengal, North-Western Province and the Punjab. By virtue of this power a Legislative Council was established for the North-Western Province and Oudh in 1886. This Legislative Council was not a mere expansion of an executive body, unlike Councils at the Centre and in the Presidencies of Bombay and Madras as the Lieut. Governors' provinces had no Executive Councils at all.

The Council consisted of nine nominated members three of whom were officials. The Lieut. Governor who was its President was the tenth member. In the absence of the Lieut. Governor, the senior-most member was entitled to preside, though during the period of that Legislative Council only the Lieut. Governor presided at



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all its meetings. The first meeting of the first Legislative Council for what now is Uttar Pradesh was held on the 8th of January, 1887.

As the Legislative Council was a purely legislative body and not a parliamentary body in any sense there was no statutory obligation on the Lieut. Governor to call it at any fixed intervals. Moreover, the legislative jurisdiction of the Council had extended then only to a few local matters and a good deal of Civil and Criminal law had already been codified or enacted by the Central Legislative Council. So neither any spectacular work could be expected from nor was any done by it. During its life of about six years it held only 15 meetings and did not meet at all from the 14th of November, 1887 to the 16th of February, 1891. It passed only five bills, the first being the North-Western Province and Oudh General Clauses Bill, 1887: The other four related to municipal and local affairs.

The legislative procedure in this Council was much the same as obtains now, with slight differences. All the bills after introduction were referred to Select Committee consisting of four to five members. Two major points of procedural interest in that Council are worth mentioning. As soon as leave was granted to a member to introduce a bill and the bill was introduced by him, another official member would also introduce the same bill and move for its reference to a Select Committee. The second point of difference in procedure was that after the report of the Select Committee had been presented and a motion made for consideration of the report and the bill as amended, members would move their amendments, beginning with the preamble of the bill, and the amendments to clauses of bills were disposed of one by one.

When all the amendments were disposed of a motion would be made that the bill, or the bill as amended by the Council, be passed. In this way the main motion for consideration of the bill and amendments to clauses were disposed of simultaneously.

The proceedings of the Council were not taken down verbatim. Only an abstract report of each meeting signed by the Lieut. Governor was maintained. The Council could meet anywhere in the province and the meetings of the Council were actually held at Allahabad, Lucknow and Bareilly.

One important point having a bearing on the legislative jurisdiction of the Legislative Council which emerged was that the Council had powers to amend Central Acts in their application to the Province on subjects which were within its legislative jurisdiction.\* Which shows that the present constitutional position of concurrent legislative jurisdiction had obtained since the first day of the establishment of the local and central legislatures in India, though regular concurrent legislative list emerged only in 1935.

The Indian Councils Act of 1892, which may well be called the starting point of elected element in the Legislatures both at the Centre and the Provinces, raised the maximum strength of the Legislative Council of the North Western Province and Oudh from 9 to 15. Of these, 9 were to be nominated, out of whom not more than 7 were to be officials. Of the 6 elected members 2 were to be elected by two groups of Municipal Boards, 2 by two groups of District Boards in the Province, one by the Allahabad University and one by the Upper India Chamber of Commerce. The Council also got the right of discussing the Annual Financial Statement and asking questions on a limited scale without, of

\*This was hinted at by the Governor General while giving his assent to the North Western Province and Oudh General Clauses Bill, 1887.

course, either the right of dividing on any of these subjects or moving independent resolutions or asking supplementary questions.

The first meeting of the re-constituted Legislative Council under the Act of 1892 was held on the 6th of December 1893 at Lucknow. From the abstract of speeches during the discussion on the budget in the Council, it appears that the members took a very keen interest in financial affairs and the reply to the criticism by members given on behalf of the Government was painstakingly responsive and probably, because of the absence of the right to supplementaries, replies to questions were exhaustive, clear and elaborate, instead of being matter-of-fact and cryptic. During the period of 16 years the Council worked under the Act of 1892 it held a total of 46 sittings. Its working, however, was not regular. In 1896 it did not meet at all, in 1898 and 1902 only for one day, while the maximum number of days it met in a year was six in 1899.

With the formation of the new North-Western Frontier Province in 1901, the name of the North Western Province was changed to the United Provinces of Agra and Oudh, since when the province has retained its present territorial dimensions with the difference that the erstwhile Indian States of Tehri Garhwal, Rampur and Banaras (which were then beyond the jurisdiction of the provincial Legislative Council) now came under the jurisdiction of the local legislature.

The Indian Councils Act of 1909 further increased the size of the central as well as the local Legislative Councils.

The Regulations made under the Act fixed the strength of the Council in the U.P. at 48 which consisted of 26 nominated members (out of whom not more than 20 were to be officials), 2 nominated experts who may be officials or non-officials, 4 elected by large municipalities in rotation, 8 elected by district boards and smaller municipalities in rotation, 1 elected by the Allahabad University, 2 by land-holders 4 by Mohammadans and 1 by the Upper India Chamber of Commerce.

Under the said Act and the Rules of Procedure made thereunder by the Governor General for the Central Council and adopted almost wholly by the Lieut. Governor of U.P., the Council could now not only discuss the Annual Financial Statement for more than one day but could also move resolutions and divide the Council or them. Resolutions in the form of recommendations to Government\* could also be moved for discussion and vote of the Council on matters of public importance. The Rules also provided for the right of supplementaries, limited to the member who had asked the original question. It was also provided that the President could order that answer to a question which had been withdrawn be given in public interest.

The Legislative Council in U.P. met fairly regularly during the currency of the Act of 1909. The Council constituted under it met on the 5th of January, 1910, and during its working of 11 years under that Act it met 98 times. There was no year in which it did not meet. The largest number of days it

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\*The following observation in paragraph 57 of the Government of India letter No. 21 of October 1, 1908, to the Secretary of State is of interest :—

“We think that the resolutions should be in the form of recommendations to the Government because this form expresses the constitutional position more precisely, and emphasises the fact that the decision must in any case rest with the Government and not with the Council”.

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met was 15 in 1915, and the smallest was 7 in 1911, 1914, 1915 and 1917.

The Government of India Act of 1919 for the first time made provision for classification of subjects (for legislation and administration) between the central and local (provincial) governments and for devolution of powers from the Centre to the Provinces. The devolution rules (made by the Governor-General with the sanction of the Secretary of State in Council) classified the subjects in more or less the same way as it appears in Lists I and II of Schedule VII to the Constitution of India. The Central list contained 47 items and the provincial list 52 items, though many items in the latter were subject to Central legislation. In case of doubt as to in which jurisdiction any matter fell, the decision of the Governor-General was to be final.

The Act also introduced a system of dyarchy in the Provinces.\* There were certain subjects earmarked as "transferred subjects" which were administered by the Governor on the advice of non-official Ministers who were responsible to the Legislature; and there were others known as 'reserved subjects' which were administered directly by the Governor through departmental Secretaries not responsible to the Council. There were other limitations as well. For example, bills relating to religion of the British subjects, constitution or function of any University, construction of any light or feeder railway or affecting the land revenue were to be reserved by the Governor for the assent of the Governor-General unless previously sanctioned by the Governor-General. If the Governor

recommended to the Council a Bill affecting his special responsibility in relation to a reserved subject and the Council refused leave to its introduction or failed to pass a bill in the form in which it had been recommended the Governor could certify it in the form in which it had been recommended to the Council. The Governor could also certify that any bill or any amendment to it affected the safety and tranquility of the Province and no proceedings could take place in the Council after such certification by the Governor.

The Province of U.P. had now attained the status of a Governor's province with the result that the Governor now had also an Executive Council, besides a Legislative Council. The strength of the Legislative Council was raised to 118 which by rules could be further raised; and the percentage of elected members was to be at least seventy and of nominated members not more than twenty. The Governor was also authorised to nominate to the Council during the consideration of any bill not more than two additional members from persons who had special knowledge or experience of the subject-matter of the bill. Under the Rules made under the Act the Legislative Council consisted of 100 elected members† and 23 nominated members.‡ The qualifications for voting in the non-Mohammadan and Mohammadan constituencies differed widely, those for the former being higher. Females were disqualified from voting but this disqualification could be removed by a resolution of the Legislative Council

\*At the Centre all subjects were 'reserved' ones directly administered by the members of the Governor-General's Executive Council who were not responsible to the Central Legislature.

†Made up as follows: Non-Mohammadan urban 8, rural 52, Mohammadan urban 4 rural, 25; European 1; by the Taluqdars of Oudh 4; Land-holders of the Province of Agra 2; Upper India Chamber of Commerce 2; U.P. Chamber of Commerce 1; Allahabad University 1.

‡Of these 16 were to be officials; at least 3 to represent the Anglo-Indian, the Indian Christian and the depressed classes; and the remaining to be nominated as the Governor deemed fit.

and this in fact was done by a resolution passed by the Council on February 1, 1923.

The Governor was no longer a part of the Legislative Council and could not preside over its meetings as hitherto but had the powers to summon, address, prorogue or dissolve it. The term of the Council was three years though it could be extended by the Governor by notification. The first President of the Legislative Council was to be appointed by the Governor for four years not necessarily from among its members and the subsequent Presidents were to be elected by the Legislative Council from among its members subject to the approval of the Governor. The Deputy Presidents were throughout to be elected by the Legislative Council out of its members.

For the first time the Legislative Councils of the Provinces also got the statutory privilege of freedom of speech and vote and immunity from being proceeded against in a court of law for anything said in the Council or for any vote given. This freedom of speech and vote was subject to rules affecting the Council. These privileges extended not only to members but to petitioners or witnesses who appeared before them.

The Budget, or a statement of the estimated annual revenue and expenditure, was required to be laid before the Council in respect of every year and the Council had powers to reduce or refuse to assent to any demand for grants. But the Governor had powers to restore any grant or cut in the case of reserved subjects and also to authorise expenditure in cases of emergency for safety and tranquillity of the province or for carrying on of any department.

The Governor was authorised to make standing orders for the conduct of business in the Legislative Council which could be amended by the Council with the assent of the Governor. The Governor was also authorised to

make rules for regulating certain matters *e.g.*, quorum, questions and discussion of other matters etc. But any standing order repugnant to the rules made by the Governor became void to the extent of the repugnancy.

These Rules and the Standing Orders made by the Governor and the latter as amended from time to time by the Council contained few changes from the earlier rules. The members, however, now got a right of making motions for adjournment to discuss a matter of urgent public importance, some days could be allotted in a session by the Governor for non-official resolutions and bills, questions were to be divided between starred and unstarred ones, all the members could ask supplementary questions and all the members were to be provided with copies of answers to starred questions before the commencement of the sitting of the Council. Under the Electoral Rules the members now had to take an oath or make an affirmation of allegiance to the Crown.

Another feature in these Rules and Standing Orders worth mentioning was a provision for constitution of the Finance and Public Accounts Committees of the Council. The Finance Committee had been constituted by the Lieut.-Governor of U.P. even before the new Legislative Council had come into being under the Act of 1919. Its function was to go through all new proposals for expenditure before they were included in the next year's budget estimates. Almost all its recommendations were accepted by the department concerned, but no mention of its recommendations could be made in the Council. The Committee on Public Accounts (with two-thirds of its members elected by the non-official members of the Council and one-third nominated by the Governor) had the same function as its successors in the modern day and its reports were discussed in the Legislative Council on a motion of the Finance Member.

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In short, it could be said that the Legislature established in this Province in 1921 under the 1919 Act was a legislature in every sense of the term though with limited powers in every field of its activity.

The next step forward in the growth of the legislature in U.P. was ushered in by the Government of India Act of 1935. The provincial legislatures constituted under the Act enjoyed larger powers and were more representative in character. The Legislature constituted for U.P. was bicameral. The Governor was a part of it, as heretofore. The Legislative Assembly consisted of 228 members and the Legislative Council 60 members. The composition of the Legislative Assembly was on the same lines as before except that there were to be no nominated members in the Legislative Assembly. Out of its 228 members, 140 were to be elected from general constituencies (20 reserved for Scheduled Caste candidates); 64 from Mohammadan constituencies, and the remaining 24 as follows: Anglo Indian—1, European—2, Indian Christians—2, Commerce and Industry—3, Land-holders—6, Universities—1, Labour—3 and Women Constituencies—6 (4 General and 2 Mohammadan). Of the Legislative Council seats 34 were General, 17 Mohammadan, 1 European and eight were to be nominated by the Governor. The qualifications for voting for elections to the Legislative Assembly were on the same pattern as before but lower so that about one-third of the adult population could now exercise the power of voting. Educational qualification was also prescribed. The qualification for voters for the Council was much higher and they had to be payers of taxes or holders of property. The qualifications for being a voter were differently laid down for different provinces, though residence in the Province was a common requirement.

The term of the Legislative Assembly was five years while the Legislative Council was a permanent body not subject to dissolution, one-third of its members retiring every three years.

The division of legislative as well as administrative subjects between the federal and provincial governments was almost the same as under the Act of 1919 with the difference that out of the two lists a third was carved out in respect of which both the federal and provincial legislatures and executive had concurrent jurisdiction.

The provincial executive was to consist of the Governor and a Council of Ministers who had to be members of either House of the Legislature. The Council of Ministers was to aid and advise the Governor except in certain matters in which he was to act 'in his discretion'. In certain other matters he was to exercise his 'individual judgement'. The Governor was the final authority as to what fell within his 'discretion' or his 'individual judgement'. The Ministers were responsible to the Legislature insofar as the Governor was to act on their advice, though there was no provision to this effect in the Act. As all the Ministers appointed by the Governor after the coming into operation of this Act were from the majority party in the Legislative Assembly, it could be said that an almost fully responsible Legislature had come into being in U.P. in 1937.

The Act of 1935 marked an advance also in the field of Privileges inasmuch as the Legislatures could now by law define their privileges. There was however the major handicap that they could not exercise the power to punish the offenders. So the enforcement of privileges under this Act was always to remain in the hands of the Judiciary.

With the break-down of constitutional machinery in the State, on November 3, 1939 the Legislature was suspended and the Council of Ministers was dismissed under Section 93 of the 1935 Act. The Legislature remained suspended till April 1, 1946, when the operation of the aforesaid Section 93 was cancelled. The Legislature as constituted under the 1935 Act continued to function under the Indian Independence Act, 1947, till its reconstitution in 1952 under the new Constitution of India. Since the enforcement of the Indian Independence Act, however, the restrictions on the two Chambers of the U.P. Legislature regarding putting of questions or moving of resolutions on matters in which the Governor was to act in his discretion or in his individual judgement were abolished and it became a fully responsible legislature in its limited provincial sphere. Its territorial jurisdiction also became wider with the merger in 1949 of the three Indian States of Tehri Garhwal, Rampur and Banaras in the Province.

After the commencement of the Constitution, there have not been many changes so far as the Legislature in U.P. is concerned. Nor have there been any territorial changes in this State, which had changed its name from the United Provinces of Agra and Oudh to that of Uttar Pradesh at

the time of the commencement of the Constitution. Only, after the advent of the Constitution the strength of the U.P. Legislative Assembly rose to 431 members, all but one being elected by adult franchise, with certain reservations for the Scheduled Castes. One member was nominated by the Governor to represent the Anglo-Indian Community in the State. The Legislative Council now had 72 members, elected or nominated in accordance with the provisions of Article 171 of the Constitution, representing teachers, graduates, local bodies, the State legislative Assembly and nominations of the Governor. The strength of the Council was raised to 108 in 1958 without any change in the method of its constitution.

A major gift of the Constitution was that it bestowed on the Houses, Committees and members of the Union as well as State Legislatures the privileges, powers and immunities of the House of Commons. The Legislatures have now also the power to add to these privileges by law. The Constitution has raised the status of the Legislature, both at the Centre and in the States, also by making provision in Articles 98 and 187 for independent secretariat for the Legislature. This provision has not, however, been implemented fully in U.P. so far.

*The best of all government is that which teaches us to govern ourselves.*

—GOETHE

# The 'Ombudsman' in Various Countries\*

The Scandinavian countries—Sweden, Finland, Denmark and Norway—and New Zealand among the Commonwealth countries, have each an officer of Parliament commonly known as the Ombudsman,<sup>1</sup> whose job is to investigate complaints from citizens about the way they have been treated by government officials, and, when he finds it necessary, to recommend remedial action.<sup>2</sup>

The Ombudsman is established as an instrument of Parliament for the supervision and control of the administration. He is both in form and in practice independent of the Government; he is also in fact independent of Parliament in the performance of his duties. Parliament is only entitled to lay down general rules for his activities. His position as a sort of people's tribune, drawing authority from the people's elected representatives, invests him with great authority.

The U.N. Seminar on Judicial and Other Remedies Against the Abuse of Administrative Authority, held in June 1962, in Stockholm, Sweden listed

the following features of the Ombudsman institution:—

- (i) The Ombudsman was not only an instrument of Parliament for supervising the administration, but also a protector of the rights of the individual. The institution not only afforded a fulfilment of the sense of justice and fair play inherent in every individual, but also provided supervision on behalf of the people of the day-to-day activities of their government even if the government were elected by the people at specified periods.
- (ii) There was the principle of impartial investigation by an authority entirely independent of the administration.
- (iii) An investigation could be started by the Ombudsman not only on a complaint by an individual but also on his own initiative as a result of information he might acquire from inspections, press reports or other sources. Courts, on the other hand, were seized of a case only upon complaint of the interested parties.
- (iv) The investigations of the Ombudsman were conducted informally. In investigating complaints, the Ombudsman had free access to all the files of the administration and he could demand explanations from the officials or authorities concerned. Administrative tribunals and courts, on the other hand, were bound by formal rules in hearing cases and had more limited powers of inspection.

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\*Prepared by the Research Branch of Lok Sabha Secretariat.

<sup>1</sup>The word 'Ombudsman,' according to the 'Swedish-English Dictionary' by O. R. Reuter means 'Solicitor'. According to "Danish-English Dictionary" by Madsen and Vinterberg, 'Ombud' means 'Public duty.' In Swedish public law, however, Ombudsman or *Justitie Ombudsman* means an appointee of the Parliament of Sweden for the supervision of the administration. The expression "Riksdagens Justitie Ombudsman" has been translated in English language publications, if not with complete, at least with sufficient accuracy, as Parliamentary Commissioner for Civil Administration. Finnish name for Ombudsman is often translated as Solicitor-General or Solicitor of the Diet.—Report by Justice: *The Citizen and the Administration, The Redress of Grievances* by Sir John Whytt: London, Stevens & Sons Ltd. 1961, pp. 45-46 and *Constitution of Form of Government of Finland*, 1919, Article 49—Peaslee's *Constitutions of Nations*, Vol. I, 1950, p. 783.

<sup>2</sup>Donald C. Rowat: *The Parliamentary Ombudsman: Should the Scandinavian Scheme be Transplanted?*—*International Review of Administrative Sciences*, Vol. XXVIII, No. 4, 1962, (pp. 399-405), p. 399.

The office of the Ombudsman was first created by Sweden in 1809. Finland established it in 1919, Denmark in 1953 (appointed in 1955), Norway in 1961, and New Zealand in 1962.



(v) The Ombudsman had considerable flexibility in the form of action which he could take in a given case. Various forms of action were open to him. If after investigation he found that an official had handled a case wrongly or unjustly or made an erroneous or improper decision, the Ombudsman could demand that proceedings be instituted against such an official or he might administer a reprimand and include the case in his report to Parliament. His intervention might also take the form of persuasion instead of a critical report.<sup>5</sup>

#### SIMILARITIES AND DISSIMILARITIES

The competence and practices of the Ombudsman are much the same in the various countries. All of them can receive and investigate any written complaint, which can be submitted in a sealed envelope without reference to any superior authority. All can initiate investigations and make tours of inspection, without having first received a specific complaint (except in Norway and New Zealand). All can call upon government agencies to give reports and all have the power to demand departmental records and documents. All are appointed by Parliament, are entirely independent of the executive, and report annually to a special committee of Parliament.<sup>6</sup> All can comment critically on official actions in their annual reports, and all can make a report on an urgent matter at any time.<sup>5</sup>

When the Ombudsman finds that a complaint is justified in the less serious cases he makes critical comments directly to the officers of the depart-

ment or agency concerned. But the Ombudsman's conclusions on important cases are given wide publicity and exert a profound influence on future administrative practice. Moreover, on questions of principle arising from cases investigated, the Ombudsman can propose amendments in the regulations or the law. The matters investigated by the Ombudsman range all the way from official misbehaviour and outright illegality to less serious complaints of tardiness, inefficiency, or negligence. It is in the latter type of cases that the Ombudsman comes into his own, for it is here that the biggest gap occurs in the systems of administrative control.<sup>6</sup>

Despite these similarities there are some significant differences in the powers of the Ombudsman in the various countries. The jurisdiction of the Swedish and Finnish Ombudsman is more extensive than that of their Danish, Norwegian and New Zealand counterparts.<sup>7</sup>

In Sweden and Finland the Ombudsman supervises not only the administration but also the courts. The Danish Ombudsman's task is first of all to supervise all State administration. This is not the task of the Norwegian Ombudsman. He may investigate, on his own initiative, any administrative case. But his principal task is to deal with complaints from individual citizens only. He can make no administrative decisions and has no authority to give instructions, general or particular.<sup>8</sup> In New Zealand the Ombuds-

<sup>5</sup>U.N. Seminar, *Judicial Remedies*, 1962, p. 17.

<sup>6</sup>Parliament can give directions for the Ombudsman's work, but it can give him no instructions in regard to the cases under his consideration.

<sup>7</sup>Rowat, *op. cit.*, p. 400.

In the Commonwealth countries, the position of the Auditor-General as an officer of Parliament is a close parallel, except of course that the Auditor-General checks financial transactions rather than administrative decisions.

<sup>8</sup>*Ibid.*

<sup>1</sup>*Ibid.*, p. 400. Also see the New Zealand: The Parliamentary Commissioner (Ombudsman) Act, 1962.

<sup>2</sup>Terje Wold: *The Norwegian Parliamentary Commissioner for Civil Administration: Journal of the International Commission of Jurists*, Vol. II (1959-60) No. 2, (pp. 23-29), p. 27.



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man is empowered to investigate any administrative decision, recommendation (including any made to a Minister or Crown), act or omission of any Department or organisation under the purview of the Ombudsman, or of an officer, employee, or member thereof if it affects any person or body of persons in his or its personal capacity. He has not to be concerned with the question of illegality which is for the courts, nor of policy which is for Parliament; his jurisdiction is confined to the acts of omission and stops at the recommendation made to the Minister, or the Prime Minister and lastly to Parliament.<sup>9</sup>

In case an official is guilty of abuse, error or neglect in the performance of his duties, the Ombudsman is empowered to institute proceedings against him. This is true of Swedish, Danish and Finnish Ombudsman. The Swedish Ombudsman himself initiates criminal proceedings against a civil servant if he finds that a breach of law has been committed. The Danish Ombudsman can in the same circumstances demand that criminal or disciplinary proceedings be initiated, while in Norway and New Zealand he may only recommend this.<sup>10</sup>

For a long time, Finland was the only country in which the Ombudsman supervised local government authorities, but Sweden and Denmark have extended this jurisdiction in 1957 and 1961 respectively. In Norway and New Zealand the local authorities do

not come under the jurisdiction of the Ombudsman.<sup>11</sup>

In Sweden and Norway, there is one Ombudsman to supervise the civil administration and the judiciary, and another the military authorities. In Finland, Denmark and New Zealand, supervision of both civil and military authorities is entrusted to a single Ombudsman.<sup>12</sup>

The Swedish Ministers are not, either collectively or individually, directly responsible for the individual acts of civil servants outside their relatively small Ministries and do not come under the purview of the Ombudsman. In Finland the Ministers are, in contrast to the position in Sweden, subject to surveillance by the Ombudsman. The Danish Ombudsman's jurisdiction comprises Ministers, as also others in the service of the government.<sup>13</sup> Ministers in Norway and New Zealand do not come under the jurisdiction of the Ombudsman.

The judicial authorities come under the supervision of the Ombudsman in Sweden and Finland, but not so in Denmark, Norway or New Zealand.<sup>14</sup>

Another significant difference is in cases where administrative authorities have been given discretionary power. In Sweden, as also in Finland, the Ombudsman has no specific right to criticise the wisdom of a decision and rarely does so, while in Denmark he has been given the right to do so if he

<sup>9</sup>J. F. Northey : A New Zealand Ombudsman, *Public Law*, Spring 1962, pp. 43-51, New Zealand Act, 1962, *op. cit.*

<sup>10</sup>U.N. Seminar 1962, *op. cit.*, p. 14; Northey, *op. cit.* and Terje Wold, *op. cit.*

<sup>11</sup>U.N. Seminar 1962, *op. cit.*, p. 14, Rowat *op. cit.*, p. 400. New Zealand Act 1962, *op. cit.*

Norway is expected to extend the jurisdiction of the Ombudsman to the local government authorities.

<sup>12</sup>*Ibid.*

Military Ombudsman (Militieombudsman) in Sweden and Norway date from 1915, and 1952 respectively. Since 1959, West Germany also has an Ombudsman for military affairs only.

<sup>13</sup>U.N. Seminar, 1962, *op. cit.*

<sup>14</sup>*Ibid.*, pp. 13-14.

considers the decision to be unreasonable. In New Zealand the Ombudsman has power to investigate cases where discretionary power has been exercised for an improper purpose or on irrelevant grounds. In Norway, he has no power to deal with complaints against discretionary decisions unless it appears that the decision has been so abused as not to amount to a genuine exercise of discretion; where the discretion exercised is "clearly unreasonable".<sup>16</sup>

#### CONSIDERATIONS: FOR AND AGAINST

Several countries are now becoming more interested in the institution of the Ombudsman. Canada and Greece are seriously considering the possibility of establishing one. In Netherlands, the matter is engaging attention. In the Philippines a Complaint Committee has been appointed to receive and investigate complaints against official actions. In Singapore, a Central Complaints Bureau, has been set up on July 1, 1962 to investigate public complaints against officials.<sup>16</sup>

Institutions akin to the office of the Ombudsman, but with restricted powers and functions, exist in many countries. In the U.S.S.R., Czechoslovakia and Yugoslavia, for instance, there is the institution of the Procurator; in Spain, the Commission of Legislative Control and the office of the Fiscal; and in Austria, there exists a Court of Accounts (*Rechnungshof*), an organ on behalf of Parliament to exercise control over the administration similar to that of the Ombudsman.<sup>17</sup>

The argument for the Ombudsman derives from the fact that all democratic countries in the twentieth century have represented a shift from the *laissez-faire* to the positive State. The accompanying tremendous growth in the range and complexity of government activities has brought with it the need to grant increasing powers of discretion to the Executive; and Dicey has warned, "wherever there is discretion, there is room for arbitrariness". In this age of the Welfare State, thousands of administrative decisions are made each year, and if some of these decisions, it is said, are arbitrary or unjustified, there is no easy way for the ordinary citizen to gain redress.<sup>18</sup> In the preface to the Whyatt Report, Lord Shawcross expressed the situation in the following words:

The general standards of administration in this country (U.K.) are high, probably indeed higher than in any other. But with the existence of a great bureaucracy there are inevitably occasions, not insignificant in number, when through error or indifference, injustice is done—or appears to be done. The man of substance can deal with these situations. . . . . But too often the little man, the ordinary humble citizen, is incapable of asserting himself. . . .<sup>19</sup>

It is argued that the ordinary courts have lost their flexibility and are no longer an effective instrument for remedying the wrongs of modern administrative action. The courts are too costly, cumbersome and slow. Generally, they review an administrative decision only on a question of legality and refuse to review its content, wis-

<sup>16</sup>Rowat, *op. cit.*, p. 400. New Zealand, Act, 1962. Northey, *op. cit.*, Terje Wold, *op. cit.*

The importance of these differences in the investigation of discretionary powers by the Ombudsman, need not be exaggerated, however, because the Danish Ombudsman has used this power sparingly, while the Swedish Ombudsman has usually managed to intervene on grounds of illegality where a decision was patently unreasonable.

<sup>17</sup>S.M. Huang : Control of the Executive Officers of Government, *Journal of the Indian Law Institute*, Vol. 5, No. 2, April-June 1963, p. 184; Indian Law Institute: Ombudsman, The Third All India Law Conference, New Delhi, August 1962; and Rowat, *op. cit.*, pp. 401-402.

<sup>18</sup>U.N. Seminar, *op. cit.*, pp. 16-18.

<sup>19</sup>Rowat, *op. cit.*, p. 402. See also An Ombudsman Scheme For Canada by D. C. Rowat, *Canadian Journal of Economic and Political Science*, Vol. 28, No. 4, November 1962, pp. 543-556.

<sup>20</sup>Whyatt Report, *op. cit.*, p. xiii.

The Parliamentary Commissioner (Ombudsman)

dom, or even reasonableness. For these reasons, in most common-law countries special administrative appeal bodies have been created, to which an aggrieved citizen may take his case. But these bodies cover only a small portion of the total field of administrative action, and the vast majority of administrative decisions carry no formal right of appeal.<sup>20</sup>

The right to complain to one's Member of Parliament does not meet the problem, because of the cumbersome process involved in getting a redress. Moreover, while Parliament does exercise general control of administration, particularly in matters of wide public interest, it is considered doubtful whether it can play a really effective role in affording redress to individuals in specific cases. The work of Parliament in modern times has become increasingly complex, and in some countries legislators, it is said, do not have either the time or the means to examine individual complaints and see if any abuse has been committed by civil servants."

In view of the shortcomings of all these traditional protections against administrative arbitrariness, the office of Ombudsman, in the words of the Whyatt Report, has a number of desirable characteristics which argue for its adoption:

First, there is the principle of impartial investigation. If a citizen makes a complaint against the conduct of a civil servant, the matter is investigated and reported upon by the Ombudsman, who is an impartial authority entirely independent of the Administration. Secondly, the impartial authority acts on behalf of Parliament although he is also protecting the interests of the individual complainant. Thirdly, the investigation is conducted openly.... Fourthly, the method of submitting

complaints and the investigation of complaints is very informal.<sup>21</sup>

At the U.N. Seminar, referred to earlier, the Scheme of Ombudsman was fully discussed. While participating countries considered that the Ombudsman had proved to be an effective safeguard in the Scandinavian countries against misuse or abuse of power by administration, many of them felt that the introduction of the institution in their own countries was not necessary or appropriate to local conditions. It was also felt that there would be many difficulties which would arise if the Ombudsman was adopted in a federal State. There would be needed, apart from the Ombudsman with jurisdiction over federal matters, an Ombudsman for every canton or province. There was a possibility of conflict of opinion among the various Ombudsmen, which would result in confusion and detract from the value and effectiveness of the institution."

The working of the Ombudsman successfully in a large country with a heterogeneous population is considered doubtful. While the essence of the supervision of the Ombudsman is its personal nature, in a large country there is no surety that this feature could be maintained. Besides, complaints will be numerous and it might not be possible for the Ombudsman to attend personally to most of them. Also, the office is too personal and much too dependent upon one man's integrity, understanding and daily time; and the nature of the office demands for its success a virtual impossibility—finding exactly the right man for the job, in particular, one who combines a profound knowledge of the law with wide

<sup>20</sup>Rowat, *op. cit.*, p. 402.

<sup>21</sup>*Ibid.*, p. 402-403. U.N. Seminar, 1962, *op. cit.*, pp. 14-16.

<sup>22</sup>Whyatt Report, *op. cit.*, p. 52.

<sup>23</sup>U.N. Seminar, 1962, p. 16.

In Denmark, a federal country, the institution of Ombudsman has been working effectively.

experience in various types of administration. These arguments have been met by others equally substantial:

- (i) Too much has been made of Ombudsman's personal touch. The principle of impartiality is far more important than the personal touch. Certainly citizens need to know that there is an independent authority to which they can turn for an impartial investigation, but this objective can be achieved without the paternalism inherent in a personal office.
- (ii) There are good grounds for the view that important and complex cases of a judicial nature should not be decided by a single person. In fact they are not so decided under the Ombudsman Scheme. Although the Ombudsman deals with all important cases personally he and his expert staff discuss all such cases before he reaches a final conclusion, so that in effect they work as a group.
- (iii) The field of supervision of the office should be divided between several Ombudsmen, as in Sweden and Norway, where there are separate offices for military affairs.
- (iv) The nature of cases which the Ombudsman has to handle should be restricted; he should not have to deal with all administrative complaints likely to arise; and
- (v) Other resources should be opened to the citizens to have their complaints heard and their grievances redressed.<sup>24</sup>

Doubts have also been raised regarding the ability of an Ombudsman to discharge his functions without getting involved in political questions. To be effective, he must keep himself above political controversies. It is, however, doubtful whether that is possible, particularly in a country where a two-

Party System and Government exist and the principle of ministerial responsibility prevails.<sup>25</sup>

It has, however, been pointed out by Rowat that the office of Ombudsman itself cannot be considered as panacea for administrative ills:

The age-old problem of the individual is far too complex to be solved by one simple scheme. We need a whole variety of controls over administrative action, and the Ombudsman Scheme must be accompanied by a number of other reforms that are needed to plug the gap in our systems of control. Otherwise, the Scheme may fail because we are trying to make it do too much. We must remember that in Nordic countries the Scheme only supplements a battery of other effective controls and New Zealand is adding this Scheme to an already well-developed parliamentary grievance system.

On the other hand, the danger in setting up a network of controls is that if the administration is surrounded with too many controls it will be unable to move. This is the danger in extending court review too far or in judicializing the administrative process too much.... What we need is a fence along the administrative road, not a gate to cross it. The great virtue of the Ombudsman Scheme is that the weapons are publicity and persuasion rather than cumbersome controls; it is in the category of the fence rather than the gate.<sup>26</sup>

#### POSITION IN INDIA

In India the idea of an Ombudsman has been gaining interest following the publication of the Whyatt Report in Britain. The institution of the office has since been recommended at various seminars and conferences.<sup>27</sup>

<sup>24</sup>*Ibid.*, Rowat, *op. cit.*, pp. 404-405.

<sup>25</sup>*Ibid.*

<sup>26</sup>Rowat: The Parliamentary Ombudsman, *op. cit.*, p. 405.

<sup>27</sup>The institution of Ombudsman was recommended at the Seminars on Ombudsman held by the Third All India Law Conference, New Delhi in August 1962; and Madras Provincial Bar Association, Madras, in October 1963, and discussed at the Third All India Law Ministers Conference. In his Convocation Address at the Indian Institute of Public Administration, on July 15, 1963, Chief Justice P. B. Gajendragadkar recommended the institution of Ombudsman in this country. He said:

As in the case of the administrative law, so in the case of Public administration in general the confidence of the public is the main asset and it may well be that if an Ombudsman or an authority corresponding to him is appointed in this country, citizens would feel that their grievances against corrupt officials can be speedily ventilated before such an authority. As the experience of the Scandinavian countries shows, once the Ombudsman begins to function, his existence turns out to be more a source of strength to the Public servants than a source of weakness.

## The 'Ombudsman' in Various Countries

The question of appointing a Parliamentary Commissioner on the pattern of Ombudsman in Scandinavian Countries was discussed in Lok Sabha on April 3, 1963, during the debate on the Demands for Grants of the Ministry of Law. It was observed that such an institution could possibly be the real solution for the various problems which arise in respect of injustices done in particular cases. In his reply, the Minister for Law, *inter alia*, stated:

There are various points of view to be considered, and all that can be said is that this matter should be kept under consideration. And Parliament may discuss it from time to time... In this country, to make it effective, a constitutional provision should be made, as for the office of the Election Commissioner or the office of the Comptroller and Auditor-General. So, there are many things which have to be considered. All that I can say is that—my view on the legal side of the matter is that we have to amend the Constitution to set up any such office and define its functions and possibly even the procedure which it has to follow.<sup>29</sup>

In 1962 Rajasthan Government appointed an eight-member Committee under the Chairmanship of Shri H. C. Mathur to suggest administrative reform. In its report to the Government presented in September 1963, the Committee recommended for the State the appointment of an Ombudsman, or a Commissioner to inquire into complaints against high officials, including ministers.

The Committee said that the Ombudsman should be appointed by the President on the recommendation of the Chief Justice of India and should have the status of the Chief Justice of a High Court and be responsible to the State Legislature, to whom he should

submit annual reports. He should be removable only by a two-thirds majority vote of the legislature. He should hold office for three years. The principal functions of the Ombudsman would be to keep a watch over executive actions and investigate cases in which action taken by Government agencies was either illegal, unjust, or arbitrary. He would not, however, be required to inquire into any matter that lay within the purview of law courts.<sup>30</sup>

While addressing the A.I.C.C. on the working of the Kamaraj Plan, at Jaipur on November 3, 1963, Prime Minister Jawaharlal Nehru emphasised that he was seized seriously of the problem of combating corruption in administration, for it was not enough for those in authority to be incorruptible but they must be known to be so. Only a clean and efficient administration would be in a position to deliver the goods and help in ushering in the new social order based on equity and justice and opportunity for all citizens. In this connection, he said that the system of Ombudsman fascinated him for the Ombudsman had overall authority to deal with charges, even against a Prime Minister, and commanded respect and confidence of all. But he felt that in a big country like India that system might not be the right solution.<sup>30</sup>

In pursuance of the recommendations of the Committee on Prevention of Corruption (known as Santhanam Committee), the Government of India appointed a Central Vigilance Commission (with Shri N. Srinivasa Row, Retd. Chief Justice of Mysore High Court as the First Central Vigilance Commissioner), to deal expeditiously with cases of corruption in Central and All-India Services.<sup>31</sup>

<sup>29</sup>Lok Sabha Debates, Vol. XVI, dated the 3rd April, 1963, cc. 7592-93.

<sup>30</sup>Statesman, September 23, 1963.

<sup>31</sup>Hindustan Times & Statesman, November 4, 1963.

<sup>32</sup>Statement laid by the Minister of Home Affairs on the Table of Lok Sabha and Rajya Sabha on December 16, 1963.

Explaining the scope of functions of the Commission, the Home Minister in his statement laid before Parliament, said:

The importance and urgency of providing machinery for looking into the grievances of citizens against the administration and for ensuring just and fair exercise of administrative powers, is fully recognized. But it is considered that this problem is big enough to require a separate agency or machinery and that apart from this the Central Vigilance Commission would be overburdened if this responsibility were to be placed upon it, and the Commission might as a result be less effective in dealing with the problem of corruption.

The Government have, therefore, decided that for the present action should be taken only on such of the recommendations of the (Santhanam) Committee as relate to prevention of corruption and maintenance of integrity in the public services. Accordingly, the Commission will not have a Directorate of General Complaints and Redress. The question of evolving a machinery for dealing with the grievances of citizens against the administration is being separately examined, and the Department of Administrative Reforms, which is contemplated, will work out the details of such a machinery.<sup>22</sup>

In constituting the Commission the Government had kept in view that the functions of the Commission should be fitted into the constitutional structure and Ministers' responsibilities and their accountability to Parliament should remain unaffected. It was pointed out that the existing vigilance arrangements under which each Ministry, Department or Undertaking is responsible for preventing corruption and maintaining integrity in its sphere of activity would continue and there is to be centralization of powers and responsibilities in the Central Vigilance Commission only to the extent necessary to make it effective. For the rest the Commission is to have the reserve power to intervene when it considers it necessary to do so and the Commission is to be kept fully in the picture by the Ministers and others so as to enable it to exercise that power.<sup>23</sup>

The appointment of 'an Officer of Parliament to be known as the People's Procurator (Lok Ayukta), broadly analogous to the institution of Ombudsman in Sweden, Denmark and New Zealand . . . . for the purpose of providing effective and impartial investigating machinery for public grievances, for eradicating corruption at all levels, for redressing administrative wrongs and excesses, for securing the liberties of citizens, and generally for strengthening the basic foundations of Parliamentary democracy as a system of government' was again urged on a private Member's resolution by Dr. L. M. Singhvi in Lok Sabha. Expressing agreement with the objects of the Resolution, the Minister of State in the Ministry of Home Affairs (Shri Jaisukhlal Hathi) said that the question only was as to what type of machinery it should be. The Central Vigilance Commission was already performing the functions of the Ombudsman in respect of corruption among public servants and the Department of Administrative Reforms to be set up would be considering the question of evolving a suitable machinery for dealing with the grievances of citizens against the administration. The Report of the Santhanam Committee was there, whose recommendations, the Minister said, could be considered and a suitable machinery evolved. In view of the reply, the resolution was withdrawn.<sup>24</sup>

Vigilance Commissions on the lines of the Central Vigilance Commission now function in the States of Andhra Pradesh, Maharashtra, Gujarat, Madhya Pradesh and Rajasthan. Kerala, Mysore, Orissa, Assam, Nagaland and Punjab have also decided to set up such Commissions, while the Government of West Bengal is considering the question. Madras, Bihar, Jammu & Kashmir and Uttar Pradesh have organizations 'differing in some respects' from the Central Vigilance Commission.<sup>25</sup>

<sup>22</sup>Ibid.

<sup>23</sup>L.S. Deb., 22-4-1964, cc. 12406-16.

<sup>24</sup>Vide Reply to SQ No. 357 in Lok Sabha on September 23, 1964.

<sup>25</sup>Ibid.

# Informal Consultative Committees of Members of Parliament\*

## ORIGIN

Standing Committees composed of members of the Legislature, constituted in respect of the various Departments of the Government of India for the first time in the year 1922,<sup>1</sup> were a feature which continued from year to year right up to the coming into being of the First Parliament under the Constitution in 1952. When the First Lok Sabha met and the Government did not move for the constitution of these Committees, some members raised the matter (on July 4, 1952) during the debate on the Appropriation (No. 2) Bill, 1952. Announcing the decision of the Government to discontinue these Standing Committees, the Prime Minister (Shri Jawaharlal Nehru) *inter alia* observed:

... These Standing Committees were formed, in 1922 or thereabouts I think, under very special circumstances which obviously no longer exist. I am not aware of any country having parliamentary institutions having Standing Committees of that type. That does not mean, of course, that we should not have them or something like them. But if hon. Members think that these Standing Committees took part in the day-to-day administration of the various Ministries, as some Members said, they are mistaken—they do nothing of the kind. They met, roughly—except for the Standing Finance Committee which met more frequently—two or three times a year and they met

to consider certain projects which they recommended or passed to the Finance Committee or whatever it was. There was hardly any real insight into the administration, any opportunity for that. It was a formality and a certain check, if you like, on the previous Government that we used to have. Now, as we function today, that particular type of Standing Committee has no meaning; it was an advisory committee, now it has no meaning whatsoever....

I am not talking of co-operation in this House but actual consultations etc. in regard to important matters. I am perfectly prepared to consider any proposal. But I do think that this old system of Standing Committees as they were is completely out of place. It does not give that real co-operation, give those real opportunities, and it was a relic of the old British days which has no place today. Therefore, we decided to do away with it, but not to do away with the possibility of consultation or co-operation.<sup>2</sup>

After the abolition of the old Standing Committees, the Government continued to consider the question of association of members of Parliament with the activities of the Government with a view to giving them adequate knowledge of the working of the Government in its various Departments and providing them with opportunities for discussion of the broad policies of the Government in an informal manner. And, in the year 1954 in pursuance of

\*Prepared by Committee Branch of Lok Sabha Secretariat.

<sup>1</sup>Standing Advisory Committees were for the first time constituted in August, 1922, as a consequence of the following resolution moved by Shri K. C. Neogy, a private member, and adopted by the Central Legislative Assembly on January 19, 1922 :

"This Assembly recommends to the Governor General in Council that Standing Committees, elected by the Members of the Legislature, be associated with the different Departments of the Government of India other than the Army and the Foreign and Political Departments."

—L.A. Deb. 19-1-1922, pp. 1755—1789.

<sup>2</sup>H.P. Deb. Pt. II, 4-7-1952, cc. 3261-62.



a decision of the Cabinet, Informal Consultative Committees consisting of Members of Parliament were set up. Instead of having formal Committees of Parliament, it was felt, Ministers might meet and discuss informally with Members of Parliament matters of general importance concerning their respective Ministries and this would promote contacts between members and Ministers and also help closer understanding by members of the principles, problems and working of Government policies and public administration.<sup>3</sup>

#### COMPOSITION

Initially the informal Consultative Committees consisted of 30 to 40 members each drawn from all the parties and from both Houses of Parliament. They contained members from Lok Sabha and Rajya Sabha in the ratio of 2:1 and from the various parties in approximate proportion to their strength in Parliament. In the year 1956 these limitations were relaxed and since then members have been allowed to join these Committees according to their interests and preference and also to serve on more than one Committee, if they so liked. At present, membership of these Committees is based upon the preference indicated by members of Parliament who are invited, soon after taking oath, to inform the Department of Parliamentary Affairs of their choice of the Committee or Committees in the order of their preference. Attempt is made to nominate members on the basis of their first two preferences unless it leads to overcrowding in any particular Committees in which case members are nominated on subsequent preferences.<sup>4</sup> The membership of these Committees now varies widely—from 152 in the case of the

Committee for Central Railway to 20 in the case of the Committee in respect of the Department of Atomic Energy (Vide Appendix).

#### FUNCTIONS AND MODE OF WORKING

Informal Consultative Committees differ from the earlier Standing Committees attached to different Ministries/Departments of Government in so far as their functions and mode of working are concerned. The earlier Standing Committees had no administrative power and had no right or access to information which Government did not want to supply. The main purpose of those Committees was to "familiarise the elected members with the process of administration" and to "assist in the political education of India".<sup>5</sup> They were elected by the House every year and they functioned in a formal way. Although their functions were merely of an advisory character, they recorded for the consideration of Government their opinions on matters of policy, new schemes involving expenditure above a fixed limit and on the annual reports of the Departments to which they were attached.

Informal Consultative Committees, on the other hand, are not expected to take decisions or functions on the basis of any formal agenda, proceedings or conclusions. They serve as a forum for informal discussion between members and Ministers and senior officers of the Ministries concerned on the principles and problems of Government policy and the working of the administrative departments in a manner not possible on the floor of the House. No rigid rules of work govern their working. Ministers are left free to decide how they would like to share with members their information on questions and

<sup>3</sup> Report of the Department of Parliamentary Affairs (1956-57), p. 5, para 16.

<sup>4</sup> *Ibid.*, p. 6, para 17; and also Report of the Department of Parliamentary Affairs (1958), pp. 4-5, Para 13.

<sup>5</sup> The Montague-Chelmsford Report (1918) on the Indian Constitutional Reforms, para 285; Reports of the Department of Parliamentary Affairs (1959-60), p. 5, para 15; 1961-62, p. 6, para 18.



## *Informal Consultative Committees of Members of Parliament*

problems concerning their Departments.<sup>6</sup> For instance, in one or two cases, Members have been taken round installations and projects for first hand appreciation of problems. The members of the Consultative Committee for the Ministry of Works, Housing and Supply were invited to attend and participate in the Housing Ministers' Conferences held in the years 1957—1961. Members of the Consultative Committee for the Ministry of Irrigation and Power were taken to the Bhakra Nangal Project in 1958. Invitation was extended to the members of the Consultative Committee for the Ministry of Steel, Mines and Fuel for the inauguration ceremony of the first Blast Furnace at Durgapur and the commissioning of Billet Mills at Bhilai in 1959. In the same year, members of the Consultative Committee for the Department of Atomic Energy upon invitation visited the Atomic Energy Reactors at Trombay.<sup>7</sup>

To start with, there were 17 or 18 Committees—constituted for the various Ministries or Departments. Later, these Committees came to be appointed also for the various Zonal Railways and P. & T. Circles.

Special Consultative Committees<sup>8</sup>, have also sometimes been constituted to consider specific matters. For example, a special Consultative Committee consisting of representatives of various parties and groups in Parliament was formed in 1958 to discuss the Food problem. A special small Consultative Committee was set up in 1959 to consider questions connected with the formulation of the Third Five Year Plan. In 1959 the Informal Consulta-

tive Committee for the Ministry of Community Development and Corporation created four sub-committees for closer study of the subjects of Panchayats and Democratic Decentralisation, training and education, cooperation and community development. An Informal Consultative Committee was constituted in 1961 to consider the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1959-60, which was laid before Parliament on April 24, 1961.

Sittings of the Consultative Committees are usually held during sessions, at an average of between one and three sittings per Committee. In 1963-64 in all 149 sittings of these Consultative Committees were held.<sup>9</sup>

Though there is no formal agenda, quite often matters for discussion at a meeting are specified in advance by the Ministries or members. It is not also unusual for Ministries sometimes to invite members to suggest subjects for discussion. Background material on the points to be discussed is circulated by the Ministries through the Department of Parliamentary Affairs. The Ministers concerned preside at these sittings. The proceedings are held in private although gist of some of these discussions have appeared in the press. The proceedings are not recorded or published. Similarly, neither are minutes of the sittings of these Committees prepared nor any report drafted. Only, officers of the Ministries attending these meetings keep some notes. Some of the Ministries at times circulate to the members brief records of the discussions held.<sup>10</sup>

<sup>6</sup>Reports of the Department of Parliamentary Affairs (1956-57), p. 5, para 16; (1958), pp. 4-5; para 13; (1959-60), pp. 7-8, para 21.

<sup>7</sup>See Reports of the Department of Parliamentary Affairs (1957), (1958), (1959-60) and 1961-62).

<sup>8</sup>See Reports of the Department of Parliamentary Affairs (1958), (1959-60) and (1961-62).

<sup>9</sup>Report of the Department of Parliamentary Affairs, 1963-64, para 22.

<sup>10</sup>Reports of the Department of Parliamentary Affairs (1958), p. 5, para 13; and (1959-60), p. 7-8, para 21.

*Journal of Parliamentary Information*

The Department of Parliamentary Affairs works as a coordinating agency between the members and the Ministries. The meetings of these Committees are arranged by the Department of Parliamentary Affairs after consulting the convenience of the Ministers

concerned. The papers desired to be circulated to members by the Ministries are prepared by the Ministries and circulated through the Department of Parliamentary Affairs.

**APPENDIX**

*Statement showing the membership of the Informal Consultative Committees of Parliament in 1963-64.\**

Ministry	No. of Members
1. Department of Atomic Energy . . . . .	20
2. Defence . . . . .	81
3. Education . . . . .	113
4. External Affairs . . . . .	79
5. Finance . . . . .	52
6. Food & Agriculture . . . . .	123
7. Health . . . . .	44
8. Home Affairs . . . . .	135
9. Industry . . . . .	75
10. Information & Broadcasting . . . . .	62
11. International Trade . . . . .	78
12. Irrigation & Power . . . . .	100
13. Labour & Employment . . . . .	68
14. Petroleum & Chemicals . . . . .	86
15. Steel, Mines & Heavy Engineering . . . . .	119
16. Transport . . . . .	104
17. Works, Housing & Rehabilitation . . . . .	47
18. Planning Commission . . . . .	95
19. Department of Community Development . . . . .	115
20. Department of Co-operation . . . . .	53
21. Deptt. of Posts & Telegraphs . . . . .	104
22. Central Railway . . . . .	152

\*Report of the Department of Parliamentary Affairs (1963-64). pp. 11-12, para 24.

## *Informal Consultative Committees of Members of Parliament*

Ministry	No. of Members
23. Eastern Railway . . . . .	95
24. Northern Railway . . . . .	136
25. North-Eastern Frontier Railway . . . . .	50
26. North-Eastern Railway . . . . .	81
27. Southern Railway . . . . .	128
28. South-Eastern Railway . . . . .	79
29. Western Railway . . . . .	103
30. Delhi P & T Circle . . . . .	104
31. Bihar P & T Circle . . . . .	67
32. Assam P & T Circle . . . . .	34
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# Estimates Committee of Lok Sabha

## A REVIEW OF REPORTS PRESENTED BY THE COMMITTEE DURING THE PERIOD 1950-57-(6)\*

[This is the sixth instalment of the Review of the Reports of the Estimates Committee during the period 1950-57, serialisation of which commenced with Vol. VII of the Journal. The Review, it may be recalled, is in six parts: (i) Economy and Efficiency; (ii) Financial Matters; (iii) Staff; (iv) Stores; (v) Certain Important Matters including Policy; and (vi) Miscellaneous. The current instalment, which completes the third Chapter of the Review, deals with such Staff matters as Cadres, Discipline, Staff Welfare, Indianisation and other general matters.—Editor.]

### III STAFF

#### E. CADRES

In several of their Reports the Committee have recommended the formation of separate services or cadres for belonging to particular fields working in several Government Departments and organisations. Some of the recommendations made by the Committee are given below:—

#### Special cadre of Trade Commissioners

In their First Report on the Ministry of Industry and Supply the Committee recommended a special cadre of Trade Commissioners.<sup>1</sup> In this connection they observed:

We were informed that the Trade Commissioners and Commercial representatives were selected from persons who had qualified for Indian Foreign Ser-

vice. We feel that since the functions of the Trade Commissioners are mostly technical and specialised in a particular activity of the Government, it is necessary that they should have the requisite training and calibre to carry out those functions. We, therefore urge that the possibility of appointing persons with business experience as Trade Commissioners should be explored and a suitable cadre formed from which properly trained persons might be forthcoming for the better discharge of their duties and responsibilities.

In the Third Report, reiterating<sup>2</sup> this recommendation, the Committee said:

We recommend that not only such persons as have special knowledge of trade conditions and industries both in this country and abroad be appointed to the integrated commercial-cum-diplomatic cadre but those already in service should be so trained as to discharge the trade functions in the best interests of the country. One of the important functions assigned to the Trade Missions abroad is to work for the promotion of the country's export trade. A close watch should therefore be kept after the integration of the two functions to see that the export trade is not affected adversely. The question of creating a special service for trade and industries on the lines of the Indian Administrative Service for the purpose of recruiting persons to serve in Trade Missions abroad should also be considered by Government.<sup>3</sup>

Government in their reply stated that the Indian Foreign Service was designed to include a sufficient number of the type of officers recommended by the Estimates Committee.<sup>3</sup>

\*Prepared by the Estimates Committee Branch of Lok Sabha Secretariat.

<sup>1</sup>1R (EC-1LS) para 34, p. 16.

<sup>2</sup>3R (EC-1LS) para 71, p. 31.

<sup>3</sup>35R (EC-1LS) p. 6 and 37R (EC-1LS) p. 13.

### Central Engineering Service

While dealing with multipurpose river valley projects the Committee in their Fifth Report recommended that a Central Engineering Service consisting of Irrigation Engineers should be started so that all the trained engineers could be pooled together and employed on jobs which arise in connection with such schemes.<sup>4</sup>

Government accepted the recommendation and stated that an All India Service of Irrigation and Power Engineers was being formed.<sup>5</sup>

### Cadre of Technical Officers in Dairy Research Institutes and Farms

In their Tenth Report while dealing with the Cattle-cum-Dairy Farm, Karnal, the Committee observed that the posts of Scientific Officers and Dairy Farm Specialists in the Dairy Research Institutes and Farms of the Government of India were treated as separate entities and that there was no organised cadre or regular lines of promotions. Consequently, occasions had arisen when vacancies in essential posts could not be filled for considerable lengths of time, and less qualified men had had to be appointed to important posts when posting of more experienced and highly qualified men would have been desirable. The Committee recommended that proper cadres of Technical Officers with well defined channels of promotion should be constituted early.<sup>6</sup>

Government in their reply stated as follows<sup>7</sup>:—

The question of setting up a Central cadre of Animal Husbandry Service to group together all senior scientific personnel working in Central Government depart-

ments concerned with animal husbandry, dairying and allied fields is under the consideration of the Government. The matter is, however, beset with certain practical difficulties mainly on account of the specialised nature of the scientific posts at the different centres calling for different sets of qualifications. The N.D.R.I. is the only Institution of its kind in India and with the exception of a few minor posts, all the others require personnel with special qualifications and experience who may not ordinarily be found in other Government Departments, Dairy Farms and allied institutions.

### Cadre of Information Service

In their Eleventh Report on the Ministry of Information and Broadcasting the Committee recommended<sup>8</sup> that a Cadre of Information Service should be formed laying down definite rules for recruitment, promotion etc. They suggested that such a cadre should be interlinked with the cadres of other officers in the Ministry so as to give an opportunity to all officers to work on the various Divisions. This, the Committee felt, would also add to the efficiency of the Ministry as a whole as the various activities of the Ministry could be carried on in a coordinated and uniform manner. The Committee further said:—

Staff working in the various organisations of the Ministry are treated as being in separate cadres with the result that Officers essentially engaged on the same nature of duties, work in three or four water-tight compartments. Besides the effect that the consequent monotony of work has on the psychology of the staff, this also results in staff in one section not knowing what is being done in the other sections. Consequently there is lack of co-ordination in the publicity efforts. The Committee consider that there should be an integration of [the various cadres and

<sup>4</sup>5R (EC—1LS) para 129, p 66.

<sup>5</sup>49R (EC—1LS) p. 50.

<sup>6</sup>10R (EC—1LS) para 23, pp. 10-11.

<sup>7</sup>58R (EC—1LS) p. 7.

<sup>8</sup>11 (BC—1LS) para 64, p. 21.

that officers should be periodically transferred from one post to another. This will result in a more thorough understanding of the problems of the Ministry as a whole by all the officers.<sup>9</sup>

Government in their reply stated that a News and Information Cadre was being constituted shortly.<sup>10</sup>

#### *Non-programme Staff of All India Radio*

Dealing with staff matters in their Twelfth Report on All India Radio the Committee recommended that all posts whose duties were not in any way connected with the programme should be brought on the regular cadre of the All India Radio.<sup>11</sup>

Government accepted this recommendation and stated in their reply that it was being implemented.<sup>12</sup>

#### *Research Organisation of the Railways*

In their Thirty-third Report on the Railways, the Committee while referring to the Research Organisation on the Railways observed that they had been informed that difficulty was being experienced in getting staff for the research centres as the railway officers selected were apprehensive of losing their chances of promotion on the Railways. The Committee recommended that to overcome this difficulty, the Research Organisation should consist of men engaged permanently in research work and they should be given reasonable avenues of promotion in the organisation itself.<sup>13</sup>

Government in their reply stated as follows:—

In connection with the reorganisation and enlargement of the Research organisation, which is already engaging the attention of the Railway Board, the question is being examined of prescribing scales without any break to a person engaged in research work to enable him to start on the time scale and finish at an appropriate level corresponding to what he would have received on the comparable cadres on the Railways. This should meet the Committee's objective of ensuring reasonable avenues of promotion for those employed permanently on research work.<sup>14</sup>

#### F. DISCIPLINE

##### *Disciplinary action against Government servants*

Dealing with the problem of taking disciplinary action against Government servants, the Committee in their Ninth Report remarked that the plea that Article 311 of the Constitution was responsible for the absence or slowness of action was unacceptable.<sup>15</sup> They suggested that in such cases action should be taken soon and the process expedited and decisions arrived at without delay. The Committee in this connection further said:—

If there is a defect or cumbrousness in the procedure which has been laid down by Government under Article 311 of the Constitution, it is time that it is simplified and improved considerably so that punishments are awarded as quickly as possible. The Committee are anxious that officials who are found inefficient, corrupt or irresponsible are punished at the earliest opportunity and punished adequately to serve as a deterrent to others and thereby improve the general tone of administration. If evils in the services are not punished or eradicated quickly, they are sure to eat into the whole system and in turn make energetic and efficient Officers inefficient and lax.

<sup>9</sup> 11R (EC—1LS) para 107, p. 34.

<sup>10</sup> 66R. (EC—1LS) pp. 57-58 and 68.

<sup>11</sup> 12R (EC—1LS) para 145, pp. 50-51.

<sup>12</sup> 31R (EC—2LS) p. 37.

<sup>13</sup> 33R (EC—1LS) para 9, pp. 2-3.

<sup>14</sup> 91R (EC—2LS) pp. 77-78.

<sup>15</sup> 9R (EC—1LS) para 49 pp. 36-37.

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Government in their reply stated that they agreed with the views of the Committee and that instructions had already been issued to ensure speedy disposal of disciplinary cases.<sup>16</sup>

The Committee also suggested that in cases where there was a growing suspicion against the integrity and honesty of an Officer, he should be either suspended or transferred at the earliest possible opportunity so that he is checked in his evil practices quickly.<sup>17</sup>

Government however stated that while it was agreed that in suitable cases officers under suspicion might be transferred elsewhere, it would not be desirable to suspend an officer in similar circumstances.<sup>18</sup> Suspension would be justified only when there was a *prima facie* case or where the investigation was likely to be hampered unless the officer was suspended.

### *Appeals to Courts of law against Government decisions in disciplinary cases*

As regards the right of officials to appeal to the court of law against Government's decisions, the Committee felt that in order to infuse confidence in the public services, it was but right that they should have an opportunity of appealing to Courts against the decisions of the Executive. If the administration had behaved honestly and according to the procedure, there was no reason why the Courts would not uphold their decisions. The Committee went further to say:—

In any case, if the Government are convinced that an amendment is required in Article 311 of the Constitution the Committee feel that it should be examined and introduced, as early as possible, so that the integrity, efficiency and competence of the public services are maintained at the highest level.

<sup>16</sup>57R (EC—ILS) p. 7.

<sup>17</sup>9 R (EC—ILS) para 49, p. 37.

<sup>18</sup>57R (EC—ILS) p. 28.

The Committee also recommended<sup>19</sup> that the Organisation and Methods Division of the Government should analyse cases that arose and where action could not be taken for lack of evidence and the reasons therefor and cases which went up to the Courts and which were decided against Government. The Division should then point out what the defects in the present system were and suggest remedies for the future.

Government agreed with the views expressed by the Committee and stated that the O and M Division was taking action as suggested.<sup>20</sup>

### *Discipline on the Railways*

In their Twenty-fourth Report the Committee dealt<sup>21</sup> with problems of discipline amongst the Railway staff. On the question of discipline in general the Committee's remarks were:—

In any Government department, the term 'discipline' is taken to mean strict adherence to rules and regulations. Surprisingly enough, the dictionary meaning of this term is 'mental and moral training' and in the last analysis, this is what it really means. Sense of discipline cannot be imposed on a person merely by the severity of a law or by the amount of punishment imposed. It has to be inculcated by understanding and appreciating the human values.... The stress should be more on creating of frame of mind that will voluntarily follow the recognised rules of conduct than on enforcing such rules by creating a fear-complex.

It is true that there has been a lowering in the standard of discipline amongst Railway staff in recent years, but this tendency is not peculiar to Railways alone. It is one facet of the general deterioration of discipline in other walks of life, for instance, in educational institutions and other government and private services. Its causes must therefore, be looked for elsewhere than entirely in the sphere of the Railways. Confining themselves to the slackening of discipline in the Government departments, the Committee feel that there are two main causes for this state of affairs, viz.

<sup>19</sup>9R (EC—ILS) para 49, p. 37.

<sup>20</sup>57R (EC—ILS) p. 8.

<sup>21</sup>24R (EC—ILS) paras 113-114, p. 80.

- (i) conditions created during the War and
- (ii) change in the conception of the idea of discipline due to the transition from Law and Order State to the Welfare State.

Government in their reply stated:—

The views of the Estimates Committee are being communicated to the Education Ministry for consideration and also, at the same time, brought to the notice of the Railways.<sup>22</sup>

### Change in Concepts of discipline

The Committee also observed<sup>23</sup> that following Independence the old narrow concepts of discipline had changed, though many departmental rules and regulations were not modified. The Committee recommended that suitable modifications should be made in the rules and regulations wherever necessary and that a somewhat liberal conception of the term discipline was necessary. They proceeded further to observe:—

One of the reasons offered by the Ministry of Railways for the lowering in the standard of discipline amongst the Railway Staff in recent years was the impracticability of enforcing discipline in accordance with the ideas and rules that were in force in a Law and Order State.

This is a frank admission and it indicates the necessity of revising such ideas and rules as stand in the way of enforcing discipline. The old concept of discipline, as something superimposed from an outside agency under fear of punishment, will have to be modified. It will have to be replaced by a new idea of discipline, which should mean a proper mental and moral training making the adherence to recognised rules of conduct voluntary and spontaneous. It is also necessary to review the existing rules and regulations in force carefully with a view to bring them in harmony with the idea of a Welfare State.

Government in their reply stated<sup>24</sup> that the recommendations were in consonance with Government's views on the subject.

### Provision of a forum for ventilating grievances

In the same Report the Committee observed that one of the causes of indiscipline could be traced to the existence of some discontent.<sup>25</sup> Government felt that in the interest of discipline Railway employees should not be given the feeling that, if they wanted anything to be done to their personal advantage, they could bring pressure to bear somehow upon the Officers and thereby get what they wanted. In this connection Committee observed:—

The Committee feel that there are two aspects of the problem, *viz.*, (i) employees feel that through normal channel there is never any possibility of getting justice and (ii) employees bring to bear outside influence on matters which should be left to be settled through normal channels. Both these aspects have got to be dispassionately studied and a solution found out to ensure that the sense of security and justice prevails among the services avoiding the necessity for them to go outside to secure any justice. Further justice should not merely be done, but should appear to be done.

The Committee, therefore, recommend that—  
(a) there should be no delay in the disposal of representations, a time limit should be laid down during which such representations should be disposed of at all levels;

(b) whatever is due to a man should be given as early as possible;

(c) the Railway Minister, Members of the Railway Board, General Managers and Heads of Departments should set apart some time to give a hearing to persons, who might like to represent their cases and draw attention to matters which might not otherwise reach them.

Government in their reply stated<sup>26</sup> as follows:—

(a) *above*: The need for expeditious disposal of representations has been stressed on the Railways, etc. They have also been advised that such representations should be finalised within a reasonable time, say, two months. With a view to ensure that action is taken promptly

<sup>22</sup> 29R (EC—2LS) p. 24

<sup>23</sup> 24R (EC—1LS) paras 115—117, pp. 40-41.

<sup>24</sup> 29R (EC—2LS.) p. 24.

<sup>25</sup> 24R (EC—1LS) paras. 118-121 pp 41-42.

<sup>26</sup> 29R (EC—2LS) pp. 82—85.



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in such cases it has also been laid down that every authority should be asked to prepare a statement regarding the number of representations from staff that are received during each quarter and time taken in his office for disposing of each case and send his return to the next higher authority who should see that there has been no undue delay by the lower authority in disposing of the representations.

(b) above: The instructions referred to in (a) above apply to all types of representations including those relating to payment.

(c) above: Although no specific instructions have been issued to the General Managers, etc., to set apart some time to give a hearing to the representationists, the aggrieved persons are given the facility of hearing by officers at all levels where considered necessary.

### Education of staff in the matter of discipline

The Committee also recommended<sup>27</sup> that it was necessary for the improvement of discipline amongst Railway staff that a proper scheme should be chalked out in the matter of discipline through lectures and by publishing literature on the subject in regional languages. They further remarked:

The Committee are glad to learn from the representative of the Railway Ministry that the Railway Board would be introducing (a) Railway Servants' Conduct Rules as a subject of training in all the Railway training institutions and (b) course of instruction relating to the Ministry of Railways' Establishment Rules and Procedure in the curriculum of Staff College, Baroda for the guidance of probationary officers.

Government in their reply stated<sup>28</sup> that instructions in establishment rules were already being given in the Staff College, Baroda and other training institutions. The Railway Servants' Conduct Rules was also being introduced as a subject in all training institutions.

<sup>27</sup> 24R (EC-1LS) para 122, p. 42.

<sup>28</sup> 29R (EC-2LS) p. 25.

### Proper employer-employee relations in the Railways.

The Committee also pleaded<sup>29</sup> for proper employer-employee relations in the Railways and in this context observed:

The Committee feel that on the Railways, which employ the largest labour force under one management, there is a great necessity for cordial relations between the executive and the staff and that this can be done only by properly appreciating the human values by mutual understanding and closer contacts. The Committee, therefore, suggest that the Railway Officers on tour should contact all the staff desirous of meeting them, study their problems and grievances in a sympathetic manner and guide them as to what is reasonable and what is unreasonable in their demands. The Committee also suggest that there should be greater amount of contact amongst Railway Officers and their staff. By close and informal contacts with the staff working under them, the Railway Officers should inspire them with a new spirit of enthusiasm for the task allotted to them and create an *esprit-de-corps*.

Government in their reply stated<sup>30</sup> that suitable instructions issued in this regard were already in force on the Railway administrations.

### Discipline in Ordnance Factories

In their Fifty-fifth Report the Committee made the following observations<sup>31</sup> regarding discipline in the Ordnance Factories:

The Committee consider it necessary that the disciplinary aspect of the labour problem in the Ordnance Factories also needs to be given due attention and that acts of indiscipline should be sternly dealt with. One suggestion which was made for improving discipline in all such Defence installations was that the Army Acts and Laws should be made applicable to the employees working therein. Another suggestion was that it shall be made unlawful for anyone in the Defence installations to participate

<sup>29</sup> 24R (EC-1LS) para 131, p. 45.

<sup>30</sup> 29R (EC-2LS) p. 27.

<sup>31</sup> 55R (EC-1LS) para 48, pp. 24-25.

in any strike as is believed to be the position in U.S.A. A third suggestion was that trade-unionism itself should be prohibited in Defence Industries and installations. The Committee were informed by the Ministry that the question of simplifying the procedure for disciplinary proceedings in the case of civilians in the Defence installations was under consideration as a result of the decision of three High Courts that they were governed by Art. 310 and not 311(2) of the Constitution. While hoping that a decision on this question will be expedited the Committee recommend that this question should be comprehensively examined in the light of the remarks made earlier in consultation with Law, Labour and Home Ministries as well as Labour representatives and Members of Parliament well-versed with the problem so as to evolve for the employees in Defence installations a satisfactory disciplinary Code which would take into account the peculiar security considerations attached to them and yet meet in some measure the legitimate aspirations of labour.

Government in their reply stated<sup>32</sup> as follows:—

In the rules and instructions relating to discipline of civilian employees of Defence installations adequate provisions already exist to bring them under proper discipline and to punish them effectively for acts of indiscipline of all types. Measures are also being devised for further intensification of effective discipline. The procedures prescribed for imposing minor penalties are already simple enough. The question of simplifying the procedure prescribed for imposing major penalties is also under active consideration. The existing procedure, however, conforms to the principles of natural justice and requirements of Article 311 of the Constitution and follows the pattern of rules obtaining in respect of civilian employees in other Ministries.

#### *Discipline of Civilian Staff in Army Installations*

In their Fifty-sixth Report on Army Stores the Committee dealt<sup>33</sup> with the question of discipline of the civilian personnel serving in military installations and remarked that any deterioration in discipline among them might have serious consequences. The Committee recommended that the matter should be considered carefully and

necessary steps taken to bring the civilian personnel under proper discipline.

Government in their reply stated<sup>34</sup> that in the rules and instructions relating to the discipline of civilian employees of Defence installations, there were already adequate provisions to bring them under proper discipline and to punish them effectively for acts of indiscipline of all sorts. Measures were also being devised for further intensification of effective discipline.

#### G. WELFARE

The Committee have in several of their Reports stressed the need for providing proper amenities to staff working in Government Offices and organisations whether it be in the big cities of India or in remote places where Government Research Institutes, Farms or Factories are situated. Some of the important recommendations relating to welfare of staff are given below.

#### *Amenities for staff in Ministries*

In their Second Report the Committee recommended<sup>35</sup> that a senior officer should be made responsible in each Ministry to see that the office was kept clean and that the staff possessed good manners and etiquette. They also recommended that there should be arrangements for cheaper refreshments to the staff and various amenities in the nature of Library etc. should also be provided. The Committee felt, that these would promote better relations among themselves and with the officers.

Government in their reply stated<sup>36</sup> that departmental canteens for the supply of wholesome and cheap refreshments to the Secretariat staff

<sup>32</sup>42R (EC-2LS) pp. 35-36.

<sup>33</sup>56R (EC-1LS) para 107, p. 39.

<sup>34</sup>40R (EC-2LS) pp. 43-44.

<sup>35</sup>2R (EC-1LS) para 19, p. 11.

<sup>36</sup>36R (EC-1LS) pp. 10-11 and 49-52.

had been opened in several Government Offices. In pursuance of the Estimates Committee's recommendation, a Secretariat Staff Welfare and Amenities Committee was constituted in 1953 to organise literary, social and recreational activities for the staff of the Government offices in New Delhi so as to promote healthy relations between the various grades of staff. Sports Boards were also constituted to conduct inter-Ministry sports and tournaments and to take all possible measures to promote general interest in games.

#### *Amenities for staff in River Valley Projects*

While dealing with the Bhakra Nangal Project in their Fifth Report, the Committee observed<sup>87</sup> that the labourers employed in the Project had to work under great handicaps. The existing facilities in respect of boarding and lodging were inadequate and required considerable improvement. The Committee recommended that in the interest of efficiency it was essential that all legitimate facilities, such as proper accommodation in healthy surroundings, were provided to the labourers. Government in their reply stated<sup>88</sup> that the recommendation had been implemented.

In the same Report, while dealing with multi-purpose river valley schemes in general, the Committee recommended<sup>89</sup> as follows regarding provision of amenities for staff of such Projects:—

The staff employed in the various projects should be given legitimate facilities insofar as their boarding, lodging and other amenities are concerned.

Government in their reply stated<sup>40</sup> that this was accepted and that the

staff employed in the various projects would be given reasonable facilities and amenities.

#### *Recreational facilities for staff of Forest Research Institute*

While dealing with the Forest Research Institute in their Sixth Report, the Committee said<sup>41</sup> that they were informed that Government provided facility and assistance to social or recreational clubs attached to the Institute whose membership was confined exclusively to employees belonging to a particular class, and pointed out how it was necessary that such facilities and assistance should be extended to all classes of officials.

Government in their reply stated<sup>42</sup> that recreational facilities for the subordinate staff was a matter to which they would have to subscribe themselves. Government would provide them with decent premises for this purpose.

#### *Houses for staff of Central Potato Research Institute*

In their Seventh Report while dealing with the Central Potato Research Institute, Patna, the Committee had this to say<sup>43</sup> regarding provision of residential accommodation to the staff of the Institute:

There are no residential quarters for the subordinate staff with the result that they have to pay as much as 20 to 25 per cent. of their pay as rent for private houses. This is highly unsatisfactory. The Committee recommend that residential accommodation for non-gazetted staff should be provided at reasonable rents without delay.

Government in their reply stated<sup>44</sup> as follows:—

With the shifting of the headquarters of the Institute from Patna to Simla the requirements of

<sup>87</sup>5R (EC-I LS) para 95, p. 53.

<sup>88</sup>49R (EC-I LS) p. 10.

<sup>89</sup>5R (EC-I LS) para 111, p. 61.

<sup>40</sup>49R (EC-I LS) p. 17.

<sup>41</sup>6R (EC-I LS) para 21, p. 15.

<sup>42</sup>52R (EC-I LS) p. 39.

<sup>43</sup>57R (EC-I LS) para 58, p. 36.

<sup>44</sup>53R (EC-I LS) p. 13.

Residential accommodation at Patna station will be considerably reduced. Government are considering a building programme under which sufficient residential accommodation will be provided to meet the needs of the Institute staff. The rent charged for Government accommodation is regulated under rules in this behalf. Government agree with the Committee that accommodation should be provided to the non-gazetted staff at reasonable rents.

### Staff Welfare on the Railways

In their Twenty-fourth Report on the Railways, the Committee made<sup>45</sup> the following observations regarding the importance of staff welfare:

The Committee attach considerable importance to the question of Staff Welfare. The Rege Committee had observed that welfare included anything done for intellectual, physical, moral and economic betterment of the worker whether by employer or the Government or any other agency over and above what was laid down by law or what was normally expected as part of contractual benefit for which the workers had bargained. Thus the aims of welfare may be summarised into, three (i) humanitarian: to enable the worker to enjoy a richer and fuller life; (ii) economic: to improve efficiency, create contentment and better relations between the employer and the employees; and, (iii) civic: to create a sense of responsibility and make the worker a useful citizen by recreational, technical and educational facilities.

### Houses for Railway Staff

They observed<sup>46</sup> that a provision of Rs. 30 crores had been made by the Railways for construction of staff quarters during the second Five Year Plan. This meant about 60,000 quarters. A sum of Rs. 5 crores had also been earmarked for the townships and colonies of new or expanded Railway Workshops. The Committee noted that the number of quarters to be built during the Second Five Year Plan would however be fewer than the requirements and remarked in this connection:

The Committee appreciate that due to limited funds at the disposal of the Railways, it may not be possible at this stage to allot any additional money on this account. They, however, suggest that the question of the allotment of Funds for staff

Quarters be reviewed every year, and more funds allotted as and when possible.

Government in their reply stated<sup>47</sup> that the position in regard to the allotment of funds was being reviewed every year and while preparing the Budget as much as possible was being allotted for the construction of staff quarters.

### Schools for Children of Railway Employees

In the same Report the Committee observed<sup>48</sup> that it had been represented that young children of Railway employees had sometimes to go without education or had to attend schools at considerable distance from their houses and that hardship was being caused on this account. The Railway Administrations had undertaken survey of all large railway colonies to find out where suitable facilities did not exist and to impress upon the State Governments the desirability of opening primary Schools at such places. Where the State Governments were not prepared to do so, the Railway Administrations would consider the feasibility of opening schools with grants-in-aid from State Governments. For this purpose, certain educationists were also being appointed by the Railway Ministry to submit a detailed report in consultation with the recognised unions. The Committee recommended that this work should be expedited and the Railway Ministry should make a comprehensive assessment of the requirements of educational facilities for the children of Railway employees and frame concrete proposals to fill up the gap between the requirements and the existing facilities. The Committee further said<sup>49</sup>:

Though the provision of educational facilities is the constitutional responsibility of the State

<sup>45</sup>. 24R (EC-1LS) para 133, p. 47.

<sup>46</sup>. *Ibid* para 135, p. 48.

<sup>47</sup>. 29R (EC-2 LS) p. 30.

<sup>48</sup>. 24R (EC-1 LS) para 149, pp. 50-51.

<sup>49</sup>. *Ibid* para 150-151, p. 51.

Governments, the Committee are of the opinion that the Railway Ministry should continue to take interest in the matter of educational facilities for the children of Railway employees and see that the same are made available through private agencies, through the State Governments or by opening the schools themselves. The Committee also suggest that the children of outsiders may be admitted in the Railway schools to the extent of vacancies available, after admitting the children of Railway employees.

The Committee also endorse the recommendation of the Railway Corruption Enquiry Committee that the scheme for the provision of subsidised hostels at educational centres for accommodating the school-going children of Railway employees working at smaller stations should be finalised without delay, that, to begin with, at least one subsidised hostel should be provided on each zone, and that the scheme should be progressively expanded. The Committee would like to go a step further and suggest that a subsidised hostel should be provided on each division of the Railways.

Government in their reply stated<sup>50</sup> that a survey of the existing facilities for primary education in the Railway colonies had been made. In places where such educational facilities were not adequate, the Railway administrations had been asked to impress upon the State Governments the need for opening new schools. If the State Governments were not prepared to open the required schools in any area the Railway Administrations were to consider the feasibility of opening schools with grants-in-aid from the State Governments. The Railway Administrations were already taking action to implement the above decision of the Railway Board, and their final recommendations were awaited. Government wrote<sup>51</sup> further as follows:—

Generally, the policy in force at present is in accordance with the recommendations of the Estimates Committee and the Ministry of Railways have appointed a team of educational advisers to survey and report on the existing facilities with a

view to effecting such further improvements as may be necessary. . . . The Board have at present under active consideration the question of setting up one subsidised hostel on each railway zone. The Estimates Committee's recommendation to set up one subsidised hostel on each division of a Railway has been noted by the Board for consideration as the second phase in the provision of hostels.

#### *Holiday Homes for Railway Employees*

In their Twenty-fourth Report the Committee mentioned<sup>52</sup> about the provision of holiday homes, rest houses etc. for Railway employees. Rest homes had been set up at Kurseong on the North-Eastern Railway, at Mussoorie and Barog on the Northern Railway and at Ranehi on the South-Eastern Railway. Proposals for setting up rest homes on the remaining railways were under consideration. The Committee recommended that these proposals should be finalised soon and that proper publicity should be given about these facilities through Railway gazettes and Magazines and staff encouraged to take full advantage of the same.

Government in their reply<sup>53</sup> stated that there were 11 Holiday Homes on the Railways in 1958. Further expansion of Holiday Homes would be planned to keep pace with the demand and patronage of such facilities.

#### *Staff Benefit Fund for Railway Employees*

The Committee also referred<sup>54</sup> to the allocation of expenditure from the Staff Benefit Fund of the Railways and recommended that such allocation should be left entirely in the hands of the representatives of the railway staff with the guidance of the General Manager, or the Senior Deputy General Manager.

<sup>50</sup>. 29R (EC-2LS) pp. 59-61.

<sup>51</sup>. *Ib* p. 33.

<sup>52</sup>. 24R (EC-1LS) para 157, p. 53.

<sup>53</sup>. 29R (EC-2LS) pp. 34-36.

<sup>54</sup>. 24R (EC-1 LS) para 171, pp. 54-55.

Government in their reply stated<sup>55</sup>:

The recommendation has been accepted and instructions issued to Railways that officers nominated as members of the Staff Benefit Fund Committees should not vote on proposals (except that the Officer Chairman may exercise a casting vote when necessary), and that all majority decisions of the Committee should be acted upon except where they are contrary or at variance with the objectives of the Staff Benefit Fund.

#### *Amenities for workers in Government enterprises*

In their Thirty-second Report the Committee while dealing with the Chittaranjan Locomotive Works recommended<sup>56</sup> that proper amenities should be provided to workers in all Government enterprises. In this connection they observed:

The Committee are favourably impressed with the facilities afforded to the workers at Chittaranjan. In order to raise the standard of living of the people the Government have accepted the policy of rapid industrialisation. Care will, however, have to be taken to see that in our enthusiasm to build up large-scale industry rapidly the factor of labour exploitation, usually associated with rapid large-scale industrialisation, does not creep in. The old patterns of unhygienic and insanitary conditions of living for the workers and the slum areas must not be repeated. The Committee, therefore, recommend that the living conditions and amenities provided at Chittaranjan should be accepted as the basic minimum for workers in all the Government enterprises in future.

Government in their reply stated<sup>57</sup> as follows:—

The two Sub-Committees set up under Secretaries' Standing Committee on Welfare Standards are required to lay down standards of Welfare facilities to be given to workers in the public sector for enabling that sector to become in course of time a model employer for the private sector to follow. While laying down standards of welfare facilities there is no likelihood of going below any existing standards obtaining at Chittaranjan.

#### *Leave for staff for Lighthouses*

In their Forty-seventh Report on Lighthouses the Committee recommended<sup>58</sup> that lightkeepers and head lightkeepers should be encouraged to take leave periodically to relieve the monotony of their jobs. Adequate leave reserve should also be provided to ensure that there was no hardship in getting leave when required.

Government in their reply stated<sup>59</sup> that in the Madras and Calcutta Lighthouse Districts, the staff were usually encouraged to take leave. In the remaining two Districts, leave was invariably granted as and when applied for by the Lightkeepers. After the proposed leave reserve had been sanctioned in all districts, matters would be facilitated further.

#### *Scholarships to Children of Staff of Lighthouses*

In the same Report the Committee observed<sup>60</sup> that the Class III and Class IV Lighthouse personnel were entitled to an education allowance of Rs. 15 p.m. and Rs. 10 p.m. respectively for each school going child below the age of 18 years, subject to a maximum of three children, provided that no suitable school was available within a distance of 3 miles of the light-station and the child had to be sent away for education. The Committee suggested that the question of giving suitable scholarships to children of low-paid employees of the department and arranging hostel accommodation for them should be sympathetically considered.

Government in their reply stated<sup>61</sup> the pay structure and other amenities

<sup>55</sup>. 29R (EC-2LS) p. 62.

<sup>56</sup>. 32R (EC-1LS) p. 22.

<sup>57</sup>. 74R (EC-2LS) p. 7.

<sup>58</sup>. 47R (EC-1LS) para 59, p. 21.

<sup>59</sup>. 41R (EC-2LS) pp. 5-6.

<sup>60</sup>. 47R (EC-1LS) para 62, p. 22.

<sup>61</sup>. 41R (EC-2LS) p. 15.

to the staff would be considered after the Pay Commission had submitted their Report.

#### Housing for staff of Calcutta Port

In their Forty-eighth Report on Major Ports, the Committee dealt<sup>42</sup> with staff welfare measures and observed that the Port Commissioners of the Calcutta Port had provided free quarters to about 50 per cent of their 23,645 Class IV employees. A sum of Rs. 1.35 crores was provided for construction of 3000 units of quarters for Class IV employees in the First Five Year Plan and these quarters when completed would house about 66 per cent. of the Class IV employees. In the Second Five Year Plan one crore had been provided for construction of quarters for Class IV and Class III employees. The Committee made the following remarks regarding this matter:—

The Sub-Committee during their visit noticed that the old one-roomed hutments at Kiddepore Docks had insufficient accommodation without any separate provision of kitchen, latrine and bath. The newly constructed quarters at Taratolla though one-roomed, had provision for kitchen, latrine and bath and were neat and clean, with provision for recreation of children and parks. It is understood that 1500 new quarters have been constructed and 12000 employees have been provided with quarters so far out of a total number of 23,000 employees. The Committee recommend that in future the minimum standard of accommodation for a family should be at least a two-roomed tenement.

Government in their reply stated<sup>43</sup> as follows:

The Calcutta Port Commissioners will keep this objective in view. Due to shortage of quarters however, in the first instance each family will be allotted a single-roomed tenement with individual kitchen but with a semi-detached W.C. and bath which would be shared by two families. It will therefore, be possible at a later stage to allot two rooms with individual W.C. and bath to each family.

<sup>42</sup>. 48R (EC-1LS) para 110, p. 37.

<sup>43</sup>. 67R (EC-2LS) p. 9.

#### Housing for Staff of Bombay Post

In the same Report while dealing with the Bombay Port the Committee referred<sup>44</sup> to the housing facilities given to the staff of the Port:

The total number of residential quarters provided by the Trust for Port Trust employees and their families (excluding officers, the maximum of whose scale of pay is above Rs. 500) is 2,576. In addition, about 1150 are accommodated in dormitories. The percentage of employees (excluding dock casual mazdoors) housed to the total number of staff as on 31-12-1954 was only about 10%. In 1955 the following constructions have been sanctioned :

1. 290 flats for clerical staff at an estimated cost of Rs. 40.5 lakhs.

2. 120 flats for railway gangmen at an estimated cost of Rs. 13.9 lakhs.

On suggestion of the Government of India, to a target of 40 per cent, for housing the staff during the Second Five Year Plan, the trustees in May, 1955 provided a block allotment of 4 crores for the construction of quarters for the various categories of staff. The Committee strongly recommend that suitable steps should be taken to ensure that allotment of Rs. 4 crores is fully utilised for the construction of staff quarters during the Second Plan period. The Committee also reiterate their earlier recommendation that the minimum standard of accommodation for a family should be a two-roomed tenement.

Government accepted<sup>45</sup> this recommendation and stated in their reply that efforts would be made to ensure that the provision of Rs. 4 crores for housing the staff of the Bombay Port Trust was utilised as far as possible during the Second Five Year Plan period. As regards the minimum standard of accommodation for a family, the Bombay Port Trust Board had considered the question of constructing two-roomed tenements. In fact, certain quarters constructed at Wadala measure 443 square feet and comprise two living rooms, a kitchen, bath and W.C., fully enclosed and self-contained. It was however found

<sup>44</sup>. 48R (EC-2LS) para 136, p. 46.

<sup>45</sup>. 67 R (EC-2LS) pp. 9-10.



that the accommodation was being misused as it was sublet on a wide scale to outsiders. The Port Trust labour leaders also agreed that it was desirable to have as large a number of quarters constructed as early as possible by reducing the scale of accommodation. The Port Trust had therefore decided that each unit should consist of a living room, a kitchen, a bath room and W.C. covering an area of 270 square feet. This compared favourably with the scale adopted by several other authorities locally.

### *Staff Welfare in Ordnance Factories*

Dealing with welfare arrangements for the staff of Ordnance Factories, the Committee observed<sup>66</sup> that in the Factories, while gazetted and non-gazetted staff were provided with quarters to the extent of 80 per cent, the workers were provided with houses only to the extent of 25 per cent in ten factories. The Committee commented on this as follows:—

The Committee regard this state of affairs as not very satisfactory. They consider that accommodation for this category of staff, especially the low paid staff, should have been provided to a greater extent than at present as in their opinion, production cannot be maintained at proper levels, if adequate residential accommodation is not provided for the staff, particularly because in most cases alternative accommodation within reasonable distance of the Factories, which are generally situated far away from cities, is not available.

Government in their reply stated<sup>67</sup> that the suggestion had been noted and was already being given effect to as far as possible.

Dealing with educational facilities for the children of the staff of Ordnance Factories, the Committee noted<sup>68</sup> that the Factories had provided schools

in thirteen places. In other places the State Governments had been approached to put up schools, which was generally done. The Committee observed as follows regarding this matter:—

They would like to emphasise that it should be ensured that adequate educational facilities exist for the children of the employees of Factories at all places, particularly those liable to transfer from one Factory to another and that the same are not neglected on the plea that education is the responsibility of the States. They recommend that buildings may, wherever possible, be provided by Factory authorities for being used as schools by the State Governments to facilitate matters.

Government in their reply stated<sup>69</sup> that the recommendation had been noted.

### *Residential accommodation for staff of Central Road Research Institute.*

While dealing with the Central Road Research Institute, the Committee in their Fifty-ninth Report observed<sup>70</sup> that they had been informed that research work in the Institute had been much hampered in the previous years owing to the shortage of residential accommodation for the staff within reasonable distance from the Institute. Most of the research staff resided at a distance ranging from 9 to 12 miles from the Institute. Within the limited grant allotted for the construction of staff quarters, 32 small type quarters were recently constructed adjacent to the Institute. Efforts were being made to acquire a suitable plot of land near the Institute and construct some quarters during 1956-57. The Committee made the following recommendation in this regard:—

The Committee hope that this work would be expedited. They recommend that in future whenever a scheme of this nature is drawn up, provision of staff quarters (in the vicinity of the area should also be incorporated as a part of the scheme).

<sup>66</sup>. 55R (EC-1LS) para 51, pp. 26-27.

<sup>67</sup>. 42R (EC-2LS) p. 15.

<sup>68</sup>. 55R (EC-1LS) para 54, p. 27.

<sup>69</sup>. 42R (EC-2LS) p. 16.

<sup>70</sup>. 59R (EC-1LS) para 182, p. 56.



Government in their reply stated<sup>71</sup> as follows:—

A suitable plot of land has been acquired near the Central Road Research Institute, New Delhi, for the construction of quarters for the staff and the layout plan has been prepared by the Central Public Works Department. A sum of Rs. 8 lakhs has been provided for expenditure on this work during 1959-60 and 1960-61. Necessary estimates for the work are being prepared and the work is expected to be started early next financial year.

The general recommendation of the Estimates Committee that, in future, whenever a scheme of research is drawn up, provision for staff quarters should be included in the scheme, has been brought to the notice of the Ministry of Scientific Research and Cultural Affairs who are primarily concerned with the matter.

### *Welfare of Indian seamen*

In their Sixty-second Report on Shipping, the Committee while dealing with the welfare of seamen observed<sup>72</sup> that the Seamen's Welfare Officer at Bombay was also required to arrange sea passage for Government Officials and others to every part of the world. This entailed large correspondence with shipping companies, Ministries of the Government of India, Departments of the State Governments, Customs, Income-tax etc. In this connection the Committee observe:

The Committee do not regard this as a legitimate function of the Welfare Officer, and suggest that it should be taken away from him and transferred to some other officer. The social and economic condition of Indian seamen is very much below the standard of their counterparts in other countries, and the Welfare Officer will have ample work to do, if he does his job with true devotion.

Government in their reply stated<sup>73</sup> that the recommendation had been accepted and that steps were being taken to transfer the work connected with the booking of passages from the Principal Seamen's Welfare Officer, Bombay, to an officer in the Directorate-General of Shipping, as early as possible.

The Committee had this to say<sup>74</sup> regarding the Seamen's Employment Offices which had been set up in Bombay and Calcutta:—

The establishment of the Seamen's Employment Offices has resulted in the rationalisation of the available employment opportunities to the waiting seamen on an equitable basis. The Committee understand that prior to the establishment of these offices, the seamen had to undergo a lot of hardship and become victims of corrupt practices for securing jobs. Chances of such mal-practices have now been considerably reduced. The Subcommittee of the Estimates Committee which visited Seamen's Employment Office at Bombay were favourably impressed with the working of that office. The action of the Ministry in the setting up of these offices is commendable. The Committee suggest that the feasibility of setting up similar offices at other major ports should also be examined.

Government replied<sup>75</sup> that it was only very rarely that seamen were recruited from Madras, Cochin and Kandla. As such Government felt that the seamen's employment offices set up at Bombay and Calcutta provided all the necessary machinery to regulate employment of seamen in India and that there was no other major port in India where a Seamen's Office need to be set up for the time being.

In the same Report the Committee referred<sup>76</sup> to the hard life of seamen which was due to the unstable social and economic conditions in which they had to live. There was no steady income and they had to leave their families for long spells of time. They were often in financial difficulties and the conditions of service on the ships were also strenuous and full of hazard. Having regard to all these factors the Committee urged:—

It is, therefore, the moral responsibility of the society to improve the socio-economic conditions of the seamen in such a way that our youngmen can take the career of sea-life without any handicaps and privations. Provision of a few seamen's hostels at important ports should not be regarded as adequate for this purpose.

<sup>71</sup>. 66R (EC-2LS) pp. 36-37.

<sup>72</sup>. 62R (EC-1LS) para 67, p. 16.

<sup>73</sup>. 53R (EC-2LS) p. 3.

<sup>74</sup>. 62R (EC-2LS) para 73, p. 17.

<sup>75</sup>. 53R (EC-2LS) pp. 13-15.

<sup>76</sup>. 62R (EC-1LS) paras 115-116, pp. 30-31.

In 1947-48, the United Kingdom brought into operation the Merchant Navy Establishment Service Scheme after terminating the war time pool arrangements. This scheme, which covers a large proportion of seamen, provides for continuity of service to seamen irrespective of whether they are at sea or not. In the absence of any parallel scheme in India, it is difficult to offer employment to seamen on a continuous basis without any interruption. The Committee consider that the introduction of a scheme on the same lines as in United Kingdom is necessary to improve the hard lot of Indian Seamen.

Government in their reply stated<sup>77</sup> that Government was fully alive to the question of improving the socio-economic conditions of seamen. The activities of Government were not confined only to putting up a few seamen's hostels at important ports but other effective steps had been taken to improve their lot. Seamen's Welfare Officers had been appointed at Bombay and Calcutta. In Madras this duty was performed by the Principal Officer, Mercantile Marine Department. A regular office with a seamen's welfare officer had also been opened at Sydney. Similarly three Seamen's Welfare Officers were working in U.K. to look after the welfare of Indian Seamen. 12 months following their discharge, seamen were provided with free medical treatment. Employment offices had been set up in Bombay and Calcutta. To bring about more improvement in this matter a National Welfare Board for Seamen had been established to advise Government on all matters relating to welfare of seamen.

As regards continuity of employment, Government stated<sup>78</sup> as follows:

This Ministry is in full agreement with this recommendation and have, in fact, already made substantial progress in this direction by setting up the seamen's employment offices at Bombay and Calcutta. The new scheme being worked in terms of the I.M.S. (S.E.O. Bombay/Calcutta) Rules 1954 has to a very great extent ensured reasonable 'regularity of employment' to the seamen.

Each of them can expect further employment after a waiting period of about 3 to 4 months. The 'continuity of employment' as visualised by the Merchant Navy Employment Service is not possible at present. The existing demand and supply position would not permit any such arrangement. The total number of seamen registered at Bombay and Calcutta is 63223 as against 39109 jobs. It may be mentioned here that the special sub-committee appointed by the National Welfare Board to investigate into the various problems pertaining to welfare of seamen in ports is also examining the possibilities of having 'continuity of service' for seamen. The problem would be re-examined in the light of the recommendations received on the subject from the National Welfare Board.

#### *Amenities for staff of Military Dairy Farms*

Referring to amenities provided to the staff of the Military Dairy Farms the Committee in their Sixty-fourth Report observed<sup>79</sup> as follows:—

There is an Amenity Fund in the Military Farms. There is also a sports fund. In certain places, there are schools and also small hospitals. The Committee were informed that Government formerly paid a contribution to the Amenity Fund, but that it has now been discontinued. In needy cases, expenditure is said to be met from the Regimental fund, to which also there is no Government contribution. The Committees feel that the desirability of contributing to the Amenity Fund by Government should be examined so as to give an incentive to the employees to increase their own contribution to the fund.

Government in their reply stated<sup>80</sup> as follows:—

The 'Amenity Fund' referred to in the report is the 'Labour Welfare Fund' constituted in 1948-49. Government contributions to this fund were limited to a period of five years initially. They were subsequently sanctioned for the 6th, 9th and 10th years also. It is learnt that the question of making the contributions for the 7th and 8th years is under consideration. Grant for the 11th year i.e. 1958-59 has been recently agreed to by the Government.

<sup>77</sup>53R (EC-2LS) pp. 16-20.

<sup>78</sup>*Ibid* pp. 32-33.

<sup>79</sup>64R (EC-1LS) para 62, p. 24.

<sup>80</sup>35R (EC-2LS) pp. 25-26.

## H. INDIANISATION

The Committee have on several occasions pointed out the desirability of appointing Indians in posts where foreigners were employed. Where Government had stated that adequately trained or experienced Indians were not available the Committee have recommended that suitably qualified Indians should be recruited and given adequate training by sending them abroad or appointing them as understudies to the foreigners. Some of the recommendations made by the Committee are given below.

### *Tea broking*

While dealing with the Central Tea Board in their Third Report the Committee remarked<sup>81</sup> as follows regarding the employment of Indians in the tea industry.

Though India is the world's biggest producer of tea, the industrial sides of it, namely, tea-tasting, blending, broking and shipping are mostly in non-Indian hands. We were informed by the Ministry of Commerce that recently two Indian firms have been admitted as brokers of the Calcutta Trade Association. This number is quite inadequate in a major industry like tea and we therefore urge upon Government to take effective steps to train and associate Indians in an increasing number in all the spheres of the industrial side.

Government in their reply stated<sup>82</sup> that Indians were being trained in tea broking by the four non-Indian tea broking firms in Calcutta and that up to 30-6-55, twenty five Indians had been trained by the four firms. The total number of foreigners employed by these four firms as on 30-6-55 was 30 out of which 11 were directors of the firms.

### *River Valley Projects*

In their Fifth Report on multi-purpose river valley projects, the Committee recommended<sup>83</sup> that whenever non-Indians had to be appointed to any

post in the projects for any reason whatsoever the appointment must be made only after full facts justifying such appointment had been brought to the notice of the Central Government and their approval obtained. In all cases it must be stated why an Indian was not available and why one could not be trained in a reasonable period of time to man the job. The Committee also recommended that whenever it was decided to appoint a non-Indian, it should be ensured that he was appointed for the minimum period necessary and invariably an Indian should be put as an understudy to him to take over from him in due course.

Government in their reply stated<sup>84</sup> that the recommendation had been accepted and would be given effect to in the projects administered by them. Government also stated that the recommendation had also been brought to the notice of all project authorities for implementation.

### *Bombay Port Trust*

In their Forty-eighth Report on Major Ports the Committee observed<sup>85</sup> that there were 6 Europeans and 160 Pakistani nationals working as officials in the Bombay Port Trust. The Committee recommended that the Ministry should devise measures to replace them by Indian nationals, wherever possible, at an early date.

Government in their reply stated<sup>86</sup> as follows:—

There are at present two Europeans and 148 Pakistani nationals employed in the Bombay Port Trust. One of the two Europeans will retire this year and the other early next year on attaining the age of superannuation.

As regards the Pakistanis, the Government of India accept the desirability of progressive employment of more Indian nationals.

<sup>81</sup>3R (EC-1LS) para 85, p. 36.

<sup>82</sup>37R (EC-1LS) p. 17.

<sup>83</sup>5R (EC-1LS) para 112, p. 61.

<sup>84</sup>49R (EC-1LS) p. 17.

<sup>85</sup>48R (EC-1LS) para 135, p. 46.

<sup>86</sup>67R (EC-2LS) pp. 61-52.

**Ordnance Factories.**

In their Fifty-fifth Report on Ordnance Factories the Committee referred<sup>87</sup> to the foreigners employed in these factories. There were 24 foreigners in all, out of whom 14 were pre-war or war time employees and were permanent in regular Ordnance Service. The other ten were originally employed in connection with the work of setting up new factories with the assistance of the Swiss firm, Messrs. Oerlikons. On the expiry of the agreement with the firm, these persons were engaged on contract for specified periods.

The Committee's observations in this connection were:

The Committee learn that the permanent foreign employees will be replaced by suitable Indian Officers when the former retire from service. As regards the foreign technicians engaged on contract, arrangements are stated to have been made to post suitable Indian Officers as understudies to them so that they may acquire knowledge and experience under the guidance of these technicians and may ultimately replace them on expiry of the term of their engagement. The Committee were told that by 1960, the Swiss experts, employed on contract are expected to be replaced by Indians if the understudies progress well but that the other foreigners might not be able to leave by then.... The foreign technical personnel were to be replaced by Indians within a period not exceeding 36 months. It would have been quite legitimate to expect that all the foreign technicians would have been replaced by Indians long back as this agreement was signed in May, 1949. The reasons for re-engagement of these personnel were stated to be that experience had shown that Indian Officers did not have the necessary experience for performing the functions of these foreigners (e.g. weapon and machine tool design. Principal of the Artisan Training School pattern making instructor etc.) and would not have it adequately for many years to come and that it was in the interest of the Government to retain these technicians in their service. The Committee regret to observe that the replacement of these technicians would not be possible before 1960, i.e. eight years beyond the scheduled time. They hope that there would be no further delay in this matter and that what is more important, that a sufficient number

of Indians will be fully trained and given necessary experience for this by that time.

Government in their reply stated<sup>88</sup> as follows:—

There are at present only 4 foreign technicians serving in the Machine Tool Prototype Factory Ambarnath, whose contracts will expire from 19-2-58 to 30-11-59. Suitable Indian Officers have already, been attached as understudies to these officers. There are, however, certain trades, the technique and know-how of which available in this country is still in the state of infancy and expert knowledge of these trades cannot be acquired except by prolonged application over many years. Further, the design and development of prototypes of Service armaments or of machine tools are highly specialised subjects. It will perhaps be unrealistic to expect replacement of all foreign technicians engaged on these items in a short period... This is borne out by the fact that a large number of foreign technicians are engaged both in public and private undertakings in India. It will, therefore, be possible to replace only those technicians by 1960 where their understudies are able to adequately replace them. Otherwise the contracts of some of these foreign technicians may have to be extended beyond 1960.

**I. GENERAL**

*Appointment of technical persons to administrative posts*

In their First Report the Committee were critical<sup>89</sup> of the appointment of technical persons to administrative posts. On this they said:

It has been noted that in many cases Scientists, Technicians, Research Scholars and Educationists etc., are drafted to administrative appointments on one pretext or the other. Till recently a Scientist was employed as a Director General under the Ministry of Industry and Supply. This post could easily have been filled up by an Officer of the Administrative Service. In our opinion Scientists, Technicians, Research Scholars and the like should be employed on their technical duties only and not appointed to administrative posts. This leads to waste of trained technical men, who are at present in great scarcity in our country. We, therefore, urge upon Government to bear this point in mind when making appointments in future.

Government in their reply stated<sup>90</sup> that the recommendation had been

<sup>87</sup>. 55R (EC-1LS) paras 20-22 pp. 8-9.

<sup>88</sup>. 42R (EC-2LS) pp. 28-30.

<sup>89</sup>. 1R (EC-1LS) para III, p. 54.

<sup>90</sup>. 35R (EC-1LS) p. 16

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noted and that it would be borne in mind when selections were made for appointment to administrative posts under the Central Government.

In their Fifth Report also the Committee dealt<sup>91</sup> with the same subject and observed that P.As., in the rank of Executive Engineer or Assistant Engineer were sanctioned for higher categories of Engineers to look after office work. The Committee considered this a waste of talented manpower on a comparatively non-technical job. They proceeded further to say:

The technical men as far as possible should be put on the technical side of the work and office work could as well be attended to by ordinary administrative personnel. Government should review the whole organisation on the light of this observation and replace the technical men by administrative service personnel wherever the former are performing office or administrative work as distinguished from technical work.

Government in their reply stated<sup>92</sup> as follows:—

The term 'Personal Assistant' is a misnomer when applied to those officers who are really attached to technical Officers. Their designations have been changed suitably to correspond with their functions.

### *Conditions of service of staff artists of All India Radio*

In their Twelfth Report the Committee recommended<sup>93</sup> that the conditions of service of the staff artists of All India Radio should be improved. They observed as follows:—

The conditions of service of the staff artists often gave them a sense of lack of security. The Committee feel that the conditions of service of these staff artists should be improved by providing (a) security of tenure (b) incentives for improvement or specialisation; (c) amenities after a specified term of approved service, like medical attendance, Government accommodation and other privileges admissible to Government servants. Regular ser-

vice books and confidential rolls should be maintained for each of them. In case of termination of contract, the Committee would suggest that, as far as possible, the papers connected with the person's career should be examined by the Directorate before final orders are passed.

Government in their reply stated<sup>94</sup> as follows:—

As far as possible, conditions of service of staff artists have been assimilated to those of regular Government servants especially in the matter of leave, gratuity, medical attendance, accommodation, etc. It is, however, not possible to grant to them security of tenure of the same character as regular Government servants enjoy because the very basis of the system of staff artists is that the AIR should have the opportunity of drafting into its service the best possible material available at any one time. Consistent with that principle, security of tenure is being given by making the initial contract of the duration of three years. The contract is renewable on the basis of the person's record. Regular service books and confidential rolls are being maintained and services are not terminated excepting on a very careful scrutiny by the Directorate of the person's record.

### *Conditions of service of staff doing work connected with the Railways*

In their Twenty-fourth Report on Railways the Committee recommended<sup>95</sup> that the conditions of service of those who were employed not directly by the Railways, but by others connected with the Railways for works connected with the Railways (e.g., the staff working in dining cars managed by contractors) should be examined with a view to giving them proper relief and rest.

Government in their reply stated<sup>96</sup> that the forms of contract prescribed for catering, loading and unloading of goods and parcels, etc., contained a clause according to which the contractor would be responsible for compliance with the provisions of the Hours of Employment Regulations in respect of the staff employed by him in the manner that might be decided upon by the appropriate authorities. As regards works contracts, generally

<sup>91</sup>. 5R (EC-1LS) para 72, p. 41.

<sup>92</sup>. 49R (EC-1LS) p. 28.

<sup>93</sup>. 12R (EC-1LS) para 148, p. 51.

<sup>94</sup>. 31R (EC-2LS) p. 38.

<sup>95</sup>. 24R (EC-1LS) para 167, p. 56.

<sup>96</sup>. 29R (EC-2LS) p. 40.

those contracts related to building work or to supply of ballast, both of which were subject to the Minimum Wages Act which ensured a reasonable amount of rest to the workers. Government stated that there was thus sufficient provision in the contracts to ensure reasonable conditions to workers engaged by contractors.

### Literacy among Railway staff

In the same Report the Committee observed<sup>97</sup> that due to lack of attention by the Railways the percentage of illiterates amongst Railway employees had not shown any improvement during the five years 1951 to 1955. The Committee in this connection said.

The Committee, therefore, recommend that a rigorous drive should be started by the Railway Ministry to reduce the percentage of illiteracy amongst Railway Staff, and action taken on the following lines :—

(a) So far as the question of literacy being made compulsory for all recruits is concerned, some check should be provided to ensure that the policy is implemented;

(b) Some lump-sum literacy bonus should be paid to the illiterate staff, who acquire literacy within a scheduled period and those who acquire literacy should be provided with simple, attractive and interesting literature, so that they may not lapse into illiteracy again and such literature should also be provided in the libraries of the Railway institutes for the benefit of neo-literates. The committee of educationists, suggested elsewhere, may also examine this point and offer suggestions;

(c) For the running of adult schools, Railways should employ teachers trained for adult education; and

(d) The persons in charge of welfare activities should be men, who are able to bring more staff into the schools for training by persuasion. While on the subject, the Committee also suggest that the adult classes run by the Railways should be thrown open to adult members of the families of Railway Staff.

Government in their reply stated<sup>98</sup> as follows:—

The Railway Board are doing everything possible to increase the percentage of literacy among the Railway staff. The position in regard to eradication of illiteracy amongst the Railway workers was reviewed early in 1955 and it was decided to continue the campaign for another 3 years i.e. 1955-56, 1956-57 and 1957-58. It may, however, be mentioned that the success of the campaign depends not only on the vigorous steps taken by the Government but also on the attitude of the staff concerned, which unfortunately, has not been very encouraging.

As regards the specific lines of action recommended by the Committee the following remarks are offered :—

- (a) Instructions have already been issued to the Railways that no person should be employed in any post, temporary, or permanent unless he is literate. The recruitment of illiterates has been made permissible only in categories like sweepers and that too only when literates are not available for employment;
- (b) The question of granting a cash bonus to all those who acquire literacy was considered by the Railway Board and it was decided that before a decision is taken, it should be ascertained what the State Governments are doing in this regard, and with what results. A reply from the Ministry of Education to a reference on this subject is awaited.

Railways have been advised that the libraries in Railway Institutes should be provided with simple, attractive and interesting literature for the benefit of neo-literates.

- (c) Necessary instructions have been issued to the Railways to ensure that only such of the Railway employees, who have had adequate training in adult education, are allowed to take the classes.
- (d) Noted. Efforts of the Welfare staff on the Railways in regard to persuading workers to join our schools have not been very encouraging due to the general apathy of the workers.

As regards the suggestion that the adult classes should be thrown open to adult members of the families of Railway staff, the suggestion is accepted and necessary instructions have been issued to the Railways.

<sup>97</sup>24R (EC-1LS) paras 169-170, pp. 57-58.

<sup>98</sup>29R (EC-2LS) pp. 63-65.

### Confirmation of temporary staff in the Railways

In their Twenty-fourth Report the Committee also mentioned<sup>99</sup> that they had noticed that in the Railways confirmation of staff officiating against temporary posts was often considerably delayed. They were informed by the representative of the Railway Ministry that the permanent cadres of staff were being reviewed and once these were suitably revised, the confirmations would be expedited. The Committee recommended that all cases of officers and staff officiating in the higher posts for more than five years should be reviewed periodically, and orders of confirmation issued expeditiously, as far as feasible.

Government in their reply stated<sup>100</sup> as follows:—

The confirmation of staff both gazetted and non-gazetted are made against the available vacancies on the Railways. Revised permanent gazetted cadres for all departments, except the Administration Department, on the Indian Railways have been finalised and confirmation of officers in the various grades is being made. As regards the confirmation of non-gazetted staff, instructions have been issued to the Railway Administrations to review the cases of staff officiating in higher posts for more than 5 years, periodically and issue the orders for their confirmation expeditiously as far as feasible.

### Fixation of strength of labour in Ordnance Factories

In their Fifty-fifth Report on Ordnance Factories the Committee dealt<sup>101</sup> with the problem of surplus labour in the factories. They felt that the existing procedure of calculating direct labour requirements in Ordnance Factories allowed ample scope for a loose and liberal computation thereof. Further, even the checks laid down to control indirect labour did not seem to be effective since the ratio of expenditure on indirect labour charges

to direct labour charges had been consistently rising during the last six years. The Committee recommended that there should be a rationalisation and streamlining of indirect labour strength in the Ordnance Factories and that the strength of the various categories of staff should be fixed on the basis of scientifically determined norms and workloads.

Government in their reply stated<sup>102</sup> as follows:—

As the Ordnance Factories had to retain surplus men whose charges were booked to idle time and reflected under 'indirect charges' there was little that could be done to reduce the ratio between direct and indirect charges. The procedure of calculating direct/indirect labour requirements was however, reasonably correct and can be judged by the fact that there has been distinct progressive fall in the ratio of direct and indirect labour charges since retrenchment took place on 15-9-56. While in October, 1956, the ratio was 1 : 1.9, it was 1 : 1.5 from January 1957 onwards, which corresponds closely to that obtaining in 1954-55. The increase in the ratio from financial year 1950-51 to 1954-55 was unavoidable owing to the liberalisation of leave rules of industrial workers, the increase in the dearness allowance, the house rent allowance etc., all of which went to inflate the indirect charges and consequently the ratio of indirect to direct labour charges.

### Works Committees in Ordnance Factories

In the same Report the Committee stated<sup>103</sup> that they understood that in actual practice the discussions of the Works Committee in Ordnance Factories were mostly confined to amenities in regard to the working and service conditions of workers and their welfare measures and that sufficient attention was not paid by the workers to suggest improvements in production matters. The Works Committees did not play any effective role in vital issues such as preventing workmen from going slow, preventing unions

<sup>99</sup>24R (EC-1LS) para 190, pp. 62-63.

<sup>100</sup>29R (EC-2LS) p. 42.

<sup>101</sup>55R (EC-1LS) para 25, p. 11.

<sup>102</sup>42R (EC-2LS) pp. 30-31.

<sup>103</sup>55R (EC-1LS) para 50, p. 26.

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from going on any unjustified and irregular strikes or stoppage of work, high absenteeism, etc. The Committee observed that the Works Committees had not been as effective and comprehensive in their working, as they were intended to be. They observed in this connection as follows:

They feel that the success of such Committees would depend largely on mutual goodwill, co-operation and understanding which could only be secured by a sympathetic approach to the problem of labour. They, therefore, considered that a

reorientation of attitude towards the employees is called for, whereby they should be made to realise that they were partners in the national development and production programmes. The Committee hope that the Government would take steps to forge the Works Committees into effective instruments of mutual consultation not merely for removing any grievance of workers but also to inculcate in them an attitude of co-operation with the management and loyalty towards their industry and the nation.

Government in their reply stated<sup>104</sup> that the suggestion had been noted and would be examined by Government in detail.

*(To be continued)*

*The first duty of a Member of Parliament is to do what he thinks in his faithful and disinterested judgment is right and necessary for the honour and safety of his country.*

—SIR WINSTON CHURCHILL



## Short Notes

### (a) *Parliamentary Events and Activities*

#### **Secretary Mukerjee passes away— Reference in Rajya Sabha**

Shri S. N. Mukerjee, Secretary to Rajya Sabha, passed away on October 8, 1963.

Shri Mukerjee had been Secretary to the House ever since its constitution in 1952. Earlier, he was associated with the Constituent Assembly where as draftsman he received fulsome praise from the Chairman of the Drafting Committee, the late Dr. B. R. Ambedkar for 'his ability to put the most intricate proposals in the simplest and clearest legal form'. From the Constituent Assembly he went over to the Ministry of Law and as principal Draftsman to the Government was responsible for some major legis-



S. N. Mukerjee

lative measures. In recognition of his services Shri Mukerjee was honoured with the award of *Padma Bhushan* in 1962.

In a feeling reference to Shri Mukerjee in Rajya Sabha when it re-assembled on November 18, 1963, the Chairman Dr. Zakir Husain said:

Occupying the Secretary's chair at the Table for nearly twelve years, Shri S. N. Mukerjee set a unique record of service, to our Parliament and assisted in maintaining high parliamentary traditions. He helped in moulding and shaping Rajya Sabha procedure in such a way that while it absorbed in it all that was good in established practice and rules, it enabled new and better conventions to develop. While he was an orthodox constitutionalist, he believed in the progressive evolution of constitutional principles and constitutional proprieties particularly where these concerned Parliament's powers and functions.

With his extreme courtesy and great humility, Shri Mukerjee made himself a friend and counsellor to every member of the Rajya Sabha who sought his help. He placed whole-heartedly at the service of this House his vast experience, good judgement and sense of fair-mindedness. He built up a loyal and efficient Secretariat which has become a living instrument in the hands of Members to enable them to fulfil their parliamentary role adequately.

... This House owes him a debt of deep gratitude for the devoted service he rendered to it.\*

Shri B. N. Banerjee, Joint Secretary, Rajya Sabha Secretariat has succeeded Shri Mukerjee.

#### **Demise of S. C. Gupta (Central Assembly Secretary)—Reference in Lok Sabha**

Reference was made in Lok Sabha on September 9, 1964 to the demise of Shri S. C. Gupta, the first Indian Secretary to the Central Legislative Assembly. He had passed away at Calcutta on September 7, at the age of 87.

Shri Gupta was Secretary to the Central Legislative Assembly during

\*cc. 84-86.

the years 1929-33. Born 1876, the eldest son of Shri Behari Lal Gupta (one time Dewan of Baroda State), Shri Satish Chandra Gupta was educated at Cuttack and Cambridge, and was called to the Bar in 1902. He practised at the Calcutta High Court for about 7 years before he was appointed as Secretary to the Bengal Legislative Council. After serving for about four years in that capacity, he came over to Delhi as Deputy Secretary in the Law Department, and was appointed Secretary when the Legislative Assembly Department was created in January 1929. Shri Gupta was Secretary during some of the momentous years of Shri Vithal-bhai Patel's presidentship of the Central Assembly.

On retirement in 1933 Shri S. C. Gupta settled down in Calcutta and lived a quiet life until his death recently. One of his sons, Shri Indrajit Gupta, is a sitting Member of Lok Sabha.

#### **Fifty-second Inter-Parliamentary Conference**

The 52nd Inter-Parliamentary Conference was held in Belgrade (Yugoslavia) in September 1963. The delegation to the Conference from India was composed of—

Shri P. Govinda Menon, M.P. (Leader).  
Shri K. K. Warior, M.P.  
Shri Vijay Singh, M.P. and  
Shri B. N. Banerjee, (then) Joint Secretary  
Rajya Sabha.

The following subjects were discussed at the Conference:—

1. The World Problem of Development:
  - (i) Equality between States as an essential basis of international co-operation and development.
  - (ii) Relations between industrialised countries, and particularly those of the European Economic Community and States in the process of development.
  - (iii) The problem of Political Institutions and Administration Structures in Developing Countries.

2. Space Law.
3. Racial Discrimination.
4. Safeguarding Peace:
  - (i) Methods of increasing the effectiveness of United Nations action in maintaining international peace and security.
  - (ii) The creation of denuclearised and limited armament zones as a first step towards general and complete disarmament.
5. The representation of economic and social interests within Parliament.

During the Conference period, meetings of the Inter-Parliamentary Council, Standing Study Committees, and Executive Committee of the Inter-Parliamentary Union were also held.

The Association of Secretaries-General of Parliaments also met in Belgrade during this period.

#### **Ninth Commonwealth Parliamentary Conference**

The Ninth Commonwealth Parliamentary Conference was held in Kuala Lumpur (Malaysia) in November last year. The Indian Delegation to the Conference led by Sardar Hukam Singh, Speaker of Lok Sabha, included:

Shri S. V. Krishnamoorthy Rao, Deputy  
Speaker, Lok Sabha;  
Shri U. M. Trivedi, M.P.;  
Kumari Shanta Vasisht, M.P.; and  
Shri S. L. Shaktiher, (then) Joint Secretary,  
Lok Sabha.

Sardar Kapur Singh, Chairman, Punjab Legislative Council, Shri K. N. Dhulap, M.L.A. Maharashtra and Shri M.P. Eswarappa, M.L.C. Mysore, also attended the Conference as delegates respectively of the Punjab, Maharashtra and Mysore Branches of the Commonwealth Parliamentary Association.

## Short Notes

The following subjects were discussed at the Conference:

1. Technical and Educational Co-operation.
2. Promotion and Expansion of Trade between Commonwealth Countries.
3. International Affairs and Defence.

Pre-Conference tours for about two weeks had been arranged by the Malaysia Branch of the Commonwealth Parliamentary Association.

### Conference of Presiding Officers of Legislative Bodies in India (Patna—1964)

The 29th Conference of Presiding Officers of Legislative Bodies in India was held for two days on January 6 and 7 this year in the Legislative Assembly Hall, Patna. Sardar Hukam Singh, Speaker of Lok Sabha presided.

The Conference opened with welcome speeches by Shri Lakshmi Narain Sudhansu, Speaker, Bihar Legislative Assembly and Shri Ravaneswar Misra, Chairman, Bihar Legislative Council. This was followed by Sardar Hukam Singh's address to the Conference. The Agenda was then taken up and the following points were discussed:—

1. The position of the Speaker/Chairman *vis-a-vis* the political party which nominated him for election to this office.
2. Whether, if any action is intended to be taken against a Speaker/Chairman in the form of a privilege motion or a resolution for his removal, the party intending to take such action should obtain the prior consent of the Speaker/Chairman?
3. Can an amendment be moved to an Appropriation Bill so as to provide for the presentation of excess demands, if any, before the Lower House within a time limit fixed by the amendment?
4. (a) Can a Bill dependent wholly or partly upon another bill be introduced and passed in the House simultaneously?  
(b) Whether one Bill can refer to another Bill as an Act even though the first Bill has not become an Act?
5. Has the Presiding Officer of a State Legislature the power to expunge offensive and

objectionable portions of the Statement of Objects and Reasons of a Bill which has already been introduced in the House?

6. Whether inter-State tours of the members of the various Committees of State Legislatures are desirable?
7. (a) What is the significance of a motion that the report of the Privileges Committee be taken into consideration?  
(b) Are both the motions (1) that the report of the Privileges Committee be taken into consideration and (2) that the House agrees with the report, necessary?  
(c) What is the scope of discussion on, and amendments to, these two motions?  
(d) What is the proper stage for moving the amendments that the matter be recommitted to the Committee?
8. When a Committee of an Assembly desires to examine a document in connection with a matter under its examination and Government claims privilege in respect of that document what attitude should the Committee adopt? Is it not desirable that a convention should be established whereby the document in question is placed before the Speaker whose decision as to whether it be produced before the Committee or not should be final?

### Conference of Secretaries of Legislative Bodies in India (Patna—1964)

The Secretaries of Legislative Bodies in India met in conference in the Legislative Council Hall, Patna on January 5, this year with Shri M. N. Kaul, Secretary of Lok Sabha in the chair. Secretaries from most of the State Legislatures attended the Conference, the eleventh to be held since its inception in the year 1953.

After the welcome to the delegates by Shri Enayetur Rahman, Secretary of the Bihar Legislative Council followed an address by Shri Kaul as chairman of the conference. Thereafter the Conference proceeded to discuss the following points on its agenda:

1. Whether it is in order for the State Government to simply make provision for

expenditure in the Appropriation Bill without bringing in a separate Bill so as to apprise and take the approval of the Legislature as to the policy of the Government necessitating the expenditure ?

2. Whether in view of Supreme Court judgment in *Pandit M.S.M. Sharma v. Dr. Shri Krishna Sinha and others*,\* it is not necessary to amend the Rules of Procedure of Legislatures in regard to the provisions relating to Committees, specially the Committee of Privileges ?
3. Whether the Committee on Subordinate Legislation is not competent to examine rules which have not been framed in pursuance of the Power delegated under any enactment but are so to say administrative ?
4. Whether it is valid for a State Government to frame rules without any statutory authority, especially when the term 'rule' has been defined in the Punjab General Clauses Act, 1888 as a rule made in exercise of the power conferred by any enactment and includes a 'regulation' made as a rule under any enactment ?

### Parliamentary Delegations from Abroad

Beginning from October 1963 parliamentary delegations from a number of countries visited India.

#### BRITISH DELEGATION

The first among these to arrive was 8-member Delegation from Britain led by Mr. Bernard Braine, M.P., which reached Delhi on October 16, 1963. The delegation stayed in the Capital for four days. The delegates visited the Parliament House on October 18, and were entertained at a dinner by the Speaker, Lok Sabha.

#### HUNGARIAN DELEGATION

In the last week of November 1963 came a 6-member Delegation from Hungary, led by Mrs. Istvan Vass, Speaker of the National Assembly of Hungary. Besides Delhi, their itinerary included Agra, Bhakra Nangal, Chandigarh and Calcutta. The delegates watched the proceedings of the

two Houses of Parliament on November 26. The Chairman of Rajya Sabha and the Speaker of Lok Sabha gave a lunch in their honour.

#### EUROPEAN DELEGATION

The next to arrive was the European Parliamentary Delegation, which reached Delhi on December 8 for a week's stay in the country. This 12-member Delegation was headed by Mr. Gaetano Martino, President of the European Parliament. The delegates were shown round some of the places of cultural and industrial importance in the country. They saw Chandigarh, Agra, Madras and Bombay. The delegates visited Parliament House on December 9 and witnessed the proceedings of the two Houses of Parliament. The delegation was entertained at a lunch jointly by the Chairman of Rajya Sabha and the Speaker of Lok Sabha.

#### AFGHAN DELEGATION

The Afghan Delegation, led by H.E. Dr. Abdul Zahir, President of the National Assembly of Afghanistan, arrived in India on December 14, 1963. During their extensive tour of the country for over a fortnight the delegation visited Bhakra-Nangal, Chandigarh, Agra, Aligarh, Banaras, Hyderabad, Bombay and Aurangabad. The delegates paid a visit to Parliament House and witnessed the two Houses in session on December 16. The Chairman of Rajya Sabha and the Speaker of Lok Sabha arranged a lunch in their honour.

#### SOVIET DELEGATION

The Soviet Delegation arrived on February 24 this year. This 14-member Delegation was led by H.E. Mr. I.V. Spiridonov, Chairman of the Council of the Supreme Soviet of the U.S.S.R.

\*The reference here is to the observations of the Court on the question as to the effect of prorogation upon business pending before a House of Legislature and Committees thereof.

In their two-week tour of the country, which took them to Bombay, Aurangabad, Bhilai, Trivandrum, Madras, Calcutta, Ranchi and Agra, the delegates had an opportunity of seeing the many faces of India—Past and Present. During their stay in the Capital the delegates watched the proceedings of Lok Sabha and Rajya Sabha on February 25, 1964. The delegates were entertained at lunch and dinner, arranged in their honour by the Chairman of Rajya Sabha and the Speaker of Lok Sabha.

### Simultaneous Interpretation in Lok Sabha

There had been a growing feeling among members of Lok Sabha for some time that some suitable arrangements should be made for simultaneous interpretation of the proceedings of the House from English to Hindi and *vice versa* so as to enable all members to follow the proceedings of the House properly. The Speaker after discussing the matter with the leaders of the various Groups and the Minister of Parliamentary Affairs announced in the House on December 2, 1963 that a system of simultaneous interpretation of speeches would soon be introduced.

Necessary equipment was got installed in the Chamber during the recess following the Eighth Session, and the requisite interpretation staff was also trained up simultaneously. And, with the commencement of the Ninth Session on September 7 this year began simultaneous interpretation of proceedings in Lok Sabha.

The Hindi and English interpreters seated in two separate booths in the House listen to the proceedings through head-phones and render English speeches into Hindi and Hindi into English. Every seat is provided with a head-phone and a language-selector switch. Turning the language-selector knob, a

Member can listen to the proceedings in the language of his choice.

### (b) Constitutional and Electoral Matters.

#### The Constitution (Seventeenth Amendment) Act, 1964

Under Article 31A of the Constitution no law in respect of the acquisition by the State of any estate or of any rights therein or the extinguishment or modification of any such rights shall be deemed to be void on the ground that it was inconsistent with, or took away or abridged any of the rights conferred by article 14, 19 or 31. The expression "estate", however, bore different definitions in different States and, as a result of the reorganisation of States, the expression had come to bear different meanings in different parts of even the same State. Further, many of the land reform enactments in the States related to lands which were not included in an 'estate' with the result that several State Acts relating to land reform had been struck down as violative of articles 14, 19 and 31 of the Constitution.

In the circumstances a need was felt to enlarge the definition of "estate" in article 31A by including therein lands held under ryotwari settlement and other lands which were normally included in land reform enactments. It was at the same time considered desirable to enjoin provision for compensation at a rate not less than the market value in all State legislations relating to acquisition of land, where such land was held within the ceiling limit and was under personal cultivation. It was also felt expedient to add in the Ninth Schedule to the Constitution certain State enactments relating to land reform so as to remove any uncertainty or doubt regarding their validity.

The Constitution (Nineteenth Amendment) Bill [enacted as the Constitution

(Seventeenth Amendment) Act, 1964] was brought forward for the above purposes.\* The Bill, which was introduced in Lok Sabha on May 27, 1964, was discussed by the House on June 1 & 2 and by Rajya Sabha on June 4 & 5, 1964. The Bill, as passed by both Houses, was assented to by the President on June 20, 1964.

Following is the text of the enactment:

Be it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

*Short title.*—

1. This Act may be called the Constitution (Seventeenth Amendment) Act, 1964.

*Amendment of Article 31 A.*—

2. In Article 31 A of the Constitution,—

(i) in clause (1), after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that where any law makes any provision for the acquisition by the State of any estate and where any land comprised therein is held by a person under his personal cultivation, it shall not be lawful for the State to acquire any portion of such land as is within the ceiling limit applicable to him under any law for the time being in force or any building or structure standing thereon or appurtenant thereto, unless the law relating to the acquisition of such land, building or structure provides for payment of compensation at a rate which shall not be less than the market value thereof.”;

(ii) in clause (2), for sub-clause (a), the following sub-clause shall be substituted and shall be deemed always to have been substituted, namely:—

(a) the expression “estate” shall, in relation to any local area, have the same meaning as that expression or its local equivalent has in the existing law relating to land tenures in force in that area and shall also include—

(i) any *jagir*, *inam* or *muafi* or other similar grant and in the States of Madras and Kerala, any *janmam* right;

(ii) any land held under ryotwari settlement,

(iii) any land held or let for purposes of agriculture or for purposes ancillary thereto,

including waste land, forest land, land for pasture or sites or buildings and other structures occupied by cultivators of land, agriculture labourers and village artisans.

3. (*Amendment of Ninth Schedule*).—In the Ninth Schedule to the Constitution, after entry 20, the following entries shall be added, namely:—

“21. The Andhra Pradesh Ceiling on Agricultural Holdings Act, 1961 (Andhra Pradesh Act X of 1961).

22. The Andhra Pradesh (Telangana Area) Tenancy Agricultural Lands (Validation) Act, 1961 (Andhra Pradesh Act XXI of 1961).

23. The Andhra Pradesh (Telangana Area) Ijara and Kowli Land Cancellation of Irregular Pattas and Abolition of Concessional Assessment Act, 1961 (Andhra Pradesh Act XXXVI of 1961).

24. The Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Act, 1959 (Assam Act IX of 1961).

25. The Bihar Land Reforms (Amendment) Act, 1953 (Bihar Act XX of 1954).

26. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 (Bihar Act XII of 1962), (except section 28 of this Act).

27. The Bombay Taluqdari Tenure Abolition (Amendment) Act, 1954 (Bombay Act I of 1955).

28. The Bombay Taluqdari Tenure Abolition (Amendment) Act, 1957 (Bombay Act XVIII of 1958).

29. The Bombay Inams (Kutch Area) Abolition Act, 1958 (Bombay Act XCVIII of 1958).

30. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Act, 1960 (Gujarat Act XVI of 1960).

31. The Gujarat Agricultural Lands Ceiling Act, 1960 (Gujarat Act XXVII of 1961).

32. The Sagbara and Mehwasli Estates (Proprietary Rights Abolition, etc.) Regulation, 1962 (Gujarat Regulation I of 1962).

33. The Gujarat Surviving Alienations Abolition Act, 1963 (Gujarat Act XXXIII of 1963), except in so far as this Act relates to an alienation referred to in sub-clause (d) of clause (3) of section 2 thereof.

\*An earlier Bill *viz.*, the Constitution (Seventeenth Amendment) Bill introduced in Lok Sabha on May 6, 1963, was referred to a Joint Committee of both Houses and on the motion for consideration of the Bill as reported by the Joint Committee failing to obtain the requisite two-third majority vote, was declared negatived.

## Short Notes

34. The Maharashtra Agricultural Land (Ceiling on Holdings) Act, 1961 (Maharashtra Act XXVII of 1961).
35. The Hyderabad Tenancy and Agricultural Lands (Reenactment, Validation and Further Amendment) Act, 1961 (Maharashtra Act XLV of 1961).
35. The Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyderabad Act XXI of 1950).
37. The Jenmikaram Payment (Abolition) Act, 1960 (Kerala Act III of 1961).
38. The Kerala Land Tax Act, 1961 (Kerala Act XIII of 1961).
39. The Kerala Land Reforms Act, 1963 (Kerala Act I of 1964).
40. The Madhya Pradesh Land Revenue Code, 1959 (Madhya Pradesh Act XX of 1959).
41. The Madhya Pradesh Ceiling on Agricultural Holdings Act, 1960 (Madhya Pradesh Act XX of 1960).
42. The Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955).
43. The Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956 (Madras Act XXIV of 1956).
44. The Madras Occupants of Kudiyiruppu (Protection from Eviction) Act, 1961 (Madras Act XXXVIII of 1961).
45. The Madras Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961 (Madras Act LVII of 1961).
46. The Madras Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Madras Act LVIII of 1961).
47. The Mysore Tenancy Act, 1952 (Mysore Act XIII of 1952).
48. The Coorg Tenants Act, 1957 (Mysore Act XIV of 1957).
49. The Mysore Village Offices Abolition Act, 1961 (Mysore Act XIV of 1961).
50. The Hyderabad Tenancy and Agricultural Lands (Validation) Act, 1961 (Mysore Act XXXVI of 1961).
51. The Mysore Land Reforms Act, 1961 (Mysore Act X of 1962).
52. The Orissa Land Reforms Act, 1960 (Orissa Act XVI of 1960).
53. The Orissa Merged Territories (Village Offices Abolition) Act, 1963 (Orissa Act X of 1963).
54. The Puniab Security of Land Tenures Act, 1953 (Punjab Act X of 1953).
55. The Rajasthan Tenancy Act, 1955 (Rajasthan Act III of 1955).
56. The Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act VIII of 1959).
57. The Kumaun and Uttarakhand Zamindari Abolition and Land Reforms Act, 1960 (Uttar Pradesh Act XVII of 1960).
58. The Uttar Pradesh Imposition on Ceiling on Land Holdings Act, 1960 (Uttar Pradesh Act I of 1961).
59. The West Bengal Estates Acquisition Act, 1953 (West Bengal Act I of 1954).
60. The West Bengal Land Reforms Act, 1955 (West Bengal Act X of 1956).
61. The Delhi Land Reforms Act, 1954 (Delhi Act VIII of 1954).
62. The Delhi Land Holdings (Ceiling) Act, 1960 (Central Act 24 of 1960).
63. The Manipur Land Revenue and Land Reforms Act, 1960 (Central Act 33 of 1960).
64. The Tripura Land Revenue and Land Reforms Act, 1960 (Central Act 43 of 1960).

*Explanation.*—Any acquisition made under the Rajasthan Tenancy Act, 1955 (Rajasthan Act III of 1955), in contravention of the second proviso to clause (1) of article 31A shall, to the extent of the contravention, be void.”.

**Membership of Legislature: Prospective Resignation Permissible: Kerala High Court Judgment**

A member of a Legislature may resign his seat from a specified future date and in that event the resignation would become operative only on the date so specified—this was what the High Court of Kerala held recently in *M. Kunjukrishnan Nadar vs. Speaker, Kerala Legislative Assembly and Others*.

*Facts of the Case*

Shri Kunjukrishnan Nadar, by a letter dated November 23, 1963, informed the Speaker of the Kerala Legislative Assembly that he would not be able to continue as a member because he wished to devote more time for meditation and religious purposes and that it might be accepted as his resignation from December 1, 1963. Later, on November 29, Shri Nadar wrote to the Speaker a second letter withdrawing his earlier letter of resignation and this was received by the Speaker on November 30, 1963. On the 5th December, Shri Nadar wrote another letter stating that on reconsideration he felt that his letter of resignation might stand and no withdrawal was called for. A notification dated December 5, 1963 was issued by the Kerala Assembly announcing the resignation by Shri Nadar of his seat in the Assembly with effect from December 1, 1963. This notification appeared in the State Gazette of December 10, 1963. Under date December 12, 1963, Shri Nadar wrote to the Speaker again stating that he had not

resigned his seat in the manner required under Art. 190(3)(b) of the Constitution and he should therefore be allowed to continue as a member.

Shri Nadar thereafter filed a writ petition for quashing the notification issued by the Kerala Assembly Secretariat.

The points at issue in this case centred on the interpretation of Art. 190(3)\* of the Constitution which reads:

If a member of a House of the Legislature of a State—

\* \* \*

(b) resigns his seat by writing under his hand addressed to the Speaker or the Chairman, as the case may be,

his seat shall thereupon become vacant.

The petitioner's contention was that a letter of resignation under Art. 190(3) must operate *in presenti* and not *in futuro* and the letter of November 23, expressed to take effect on a future date, was not a valid letter of resignation and even if it was held to be one, it had been withdrawn before the day it was to take effect.

The arguments on behalf of the Speaker were: A letter of resignation took immediate effect, the words "his seat shall thereupon become vacant" in the Article being significant. The only requisites of a valid resignation were that it should be (i) in writing (ii) under the member's hand and (iii) addressed to the Speaker. Strictly speaking, it was enough if it was shown that the letter was addressed to the

\*The corresponding Article for Parliament is Art. 101(3). So far as Lok Sabha is concerned, there is a direction by the Speaker (Dir. 47B) which clarifies that a letter of resignation will become effective only after it is received in the Lok Sabha Secretariat and that it will take effect from any date that may be specified in the letter in that behalf; if no such specific date is mentioned, from the date of the letter; and if the letter itself does not bear any date, from the date of the receipt of the letter in the Lok Sabha Secretariat.



Speaker and even its actual receipt by the Speaker was not necessary, but in this case the letter had been conveyed to the Speaker who had accepted and also announced it in the House. In the circumstances the letter had taken effect and could not be recalled.

### Judgment

Allowing the petition, the High Court ruled on the various points raised, as follows:—

- (a) The expression "addressed to the Speaker" in Article 190(3) means "conveyed to the Speaker", and not mere naming of the Speaker in the heading of the letter.
- (b) In the context of Article 190(3) 'shall thereupon become vacant' means 'shall in consequence of the resignation become vacant'. It then follows that if the letter of resignation is expressly made to take effect on a specified day the seat would consequently become vacant on such specified day only and not immediately on its receipt by the Speaker....

I do not agree with the contention that a letter of resignation to be valid must operate as soon as it is put in to the hands of the Speaker and not a moment later. It bristles with innumerable practical difficulties and is not consistent with reason or the rules made by the Parliament and the Assembly. I hold therefore that it is open to a member of the Legislature to tender his resignation on a prior date to take effect on a subsequent date specified therein. The letter of resignation has then to be construed as having been deposited with the Speaker, on the earlier date, to be given effect to only on the date specified by the Member therein.

Viewed thus, the petitioner's letter of November 23, 1963, has to be held a letter resigning his seat in the Assembly on December 1, 1963.... It remains a mute letter till December 1, 1963, when alone it can speak with effect. On November

29, 1963, the petitioner has withdrawn the letter.... It is in effect the neutralization of the latent vitality in the former letter deposited with the Speaker. The withdrawal nullifies the entrustment or deposit of the letter of resignation in the hands of the Speaker, which must thereafter be found to have become *non est* in the eye of law.

As for the subsequent letters (*viz.* those of 5th and 12th December 1963), the Court's observations were:

The subsequent letters addressed on.... December 5 and 13 contained no fresh resignation by him but only referred to his letter of November 23, 1963. If that letter has died out even before it breathed effect and was become *non est* in law, the later cannot revive or resuscitate it. It then follows that there was no valid letter of resignation on the material date, *viz.*, December 1, 1963, to be given effect to and therefore the petitioner's seat in the Assembly has not become vacant.

### Bye-elections to Lok Sabha and Assemblies in States/Union Territories

Ten bye-elections to Lok Sabha and thirty-nine to the Legislative Assemblies in States/Union Territories have been held during the period of just over a year since the last report in the Journal.

Of the 10 Lok Sabha Seats, one went to an Independent candidate, 7 to Congress, and 2 to the Maharashtra Gomantak Party.

Of the 39 Assembly Seats, 4 were secured by Independents; 26 by Congress; 2 each by Jan Sangh, P.S.P. and Communists; and one each by Swatantra, Maharashtra Gomantak and Socialists.

The Tables that follow present an analysis of the results of these bye-elections:

*Journal of Parliamentary Information*

**ANALYSIS OF RESULTS OF BYE-ELECTIONS HELD TO LOK SABHA AND ASSEMBLIES IN STATES/UNION TERRITORIES FOR THE PERIOD JUNE 10, 1963 TO JUNE 30, 1964\***

**LOK SABHA**

Name of State/Union Territory in which held	Total No. of bye elections held	No. of seats won by different parties/Independents		
		Cong.	M.G.**	Ind.
1. Madhya Pradesh .	2	2		
2. Madras .	1	1		
3. Maharashtra	1	1		
4. Rajasthan	1	1		
5. West Bengal	2	1		1
6. Goa, Daman & Diu.	2	..	2	
7. Pondicherry	1	1		
<b>TOTAL</b>	<b>10</b>	<b>7</b>	<b>2</b>	<b>1</b>

**ASSEMBLIES**

Name of State/Union Territory in which held	Total No. of bye-elections held	No. of seats won by different parties/Independents							
		Cong.	Swa.	J. S.	M. G.**	Soc.	P.S.P.	Com.	Ind.
1. Andhra Pradesh .	3	2		..		..		1	
2. Assam .	1	1		..		..			
3. Bihar .	2	2		..		..			
4. Gujarat .	2	1		..	..	1			..
5. Madhya Pradesh	5	3		2	..	..			..
6. Maharashtra	4	3	..	..	..	..	..	..	1
7. Mysore .	4	2	..	..	..	..	1	..	1
8. Orissa .	1	1	..	..	..	..	..	..	..
9. Punjab .	3	3	..	..	..	..	..	..	..
10. Rajasthan .	1	..	1	..	..	..	..	..	..
11. Uttar Pradesh .	2	..	..	..	..	..	1	..	1
12. West Bengal .	3	2	..	..	..	..	..	1	..
13. Manipur .	1	..	..	..	..	..	..	..	1
14. Tripura .	1	1	..	..	..	..	..	..	..
15. Goa, Daman & Diu	1	..	..	..	1	..	..	..	..
16. Himachal Pradesh	2	2	..	..	..	..	..	..	..
17. Pondicherry .	3	3	..	..	..	..	..	..	..
<b>TOTAL</b>	<b>39</b>	<b>26</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>4</b>

\*Based on material supplied by the Election Commission of India.

\*\*M. G.—Maharashtra Gomantak Party

### C. Procedural Matters

#### Calling of troops by Magistrate in aid of civil authority in a State: Adjournment Motion Inadmissible, as no Central Responsibility Involved

On February 18, 1964 notices of adjournment motions and calling attention were received over the requisitioning of troops and imposition of curfew in Shillong. A statement about the incident was made on behalf of the Government the next day.

Members who had tabled the adjournment motions argued that in the absence of any indication that the troops had been summoned by a Magistrate, under the provisions of the Criminal Procedure Code\*, it appeared that, under the provisions of the Ministry of Defence) were utilised without any legal authority. Since in that case Central responsibility was involved, the adjournment motions were admissible.

Giving the facts as further ascertained from the State Government, the Minister of Home Affairs on the following day stated that, on a requisition by the District Magistrate, the State Government had arranged with the Army authorities in Shillong to have a company of troops to stand by as a precautionary measure so that in case the District Magistrate found it necessary to utilise their services, they might be readily available. Actually, however, the troops were not used.

#### The Speaker ruled:

If the District Magistrate thought that he should have the aid of the military, and he got it—it was given to him—that was in exercise of the powers that he had....

...I do not find there has been any occasion where Central responsibility has been fixed or

there has been any failure on the part of the Central Government, by the Magistrate summoning those troops at that moment. Therefore, I cannot give my consent to the adjournment motions.†

#### Lok Sabha: Grounds for postponement of Adjournment Motion

On February 24, 1964, a notice of adjournment motion and twelve calling attention notices were received regarding ambush of 23 Indian Police patrolmen by Pakistan troops. The Deputy Speaker informed the House that the Minister of Defence would be making a statement at 16.30 hours and till then these notices would be held over.

The Minister of Defence accordingly made a statement and thereafter the Speaker gave his consent to the moving of the adjournment motion. He asked the member concerned to move for leave of the House.

The Opposition members submitted that, as it was not known that the Speaker would give his consent to the motion and the attendance in the House was thin, the matter might be postponed till after Question Hour on the next day. The Speaker, then observed:

It is not possible on this ground to postpone it to tomorrow.... Now, the Deputy Speaker, in order to enable himself to find out whether he should give consent or not, said that the Defence Minister would make a statement. Now that the statement has been made, I have given that consent, and I have said that the Member might ask for the leave of the House....

When a member argued that under the rules it was mandatory that an adjournment motion should be taken

\*Under Cr. P.C., if it is necessary for the public security to disperse an unlawful assembly, the Magistrate of the highest rank present may cause it to be dispersed with armed forces, if it cannot otherwise be done. The Magistrate may, for the purpose, require any officer of the armed forces to disperse the assembly with the forces under his command. Any officer so called upon shall obey such requisition from the Magistrates.—(See ss. 129 & 130.)

†LS Deb. 20-2-1964, cc. 1847—55.

up in the morning after the Question Hour,\* the Speaker observed:\*\*

If the question comes up in the morning, it can be postponed to any time later in the day. hon. Member should realise that when a particular hour has been fixed for that purpose, it is the duty of hon. Members to remain present at that time. The hour was specified as 16.30 hours in the morning itself and it was the Member's duty to keep other Members present in the House.

**Advance publicity in newspaper to notices of Questions etc.: Not a breach of privilege but Improper**

On September 10, 1963, a member of Lok Sabha (Shri Prakash Vir Shastri) raised a question of privilege regarding disclosure in the Blitz of September, 7, 1963 of a short notice question tabled over raids by the police under the Defence of India Rules of the houses of certain film stars at Bombay. It was urged that the subject matter of a question could not be disclosed to the Press either by the members who tabled the question, or by the Office where notices were given, before the question was answered in the House.

**The Speaker observed:**

... the question... is... whether when a notice is given to the office... be it of a resolution or of a question or of any discussion or in any other form... it can be published in the newspapers.

... if notice of a question is given, then not only before it is admitted or disallowed, but also before it is answered in this House, it is not desirable that Publicity to it should be given in the newspapers. No hon. Member should resort to that practice. That is what has been adhered to in this House. It is a matter of propriety and desirability, and no breach of privilege is involved in this.

So far as other notices are concerned,... it is desirable that they should not be leaked out or given to the press before their allowance or disallowance has been decided by the Speaker and intimation given to the members about it. \*\*\*

\*Rule 60 lays down that if the Speaker gives consent, he 'shall, after the questions and before the list of business is entered upon', call the member concerned who shall ask for leave to move the adjournment of the House.

\*\*LS Deb. 24-2-1964, cc. 2144, 2249-64.

\*\*\*L.S. Deb. 10-8-1963, cc. 5314-20.

†Reported deployment of U.S. Seventh Fleet in Indian Ocean.

†† LS Deb. 29-12-1963, cc. 5792-93.

**Statement by Minister outside the House on a subject already fixed to be taken up in the House**

On December 18, 1963 a member alleged, in Lok Sabha, that the Prime Minister had made a statement to the press reporters and also in the other House on a subject† on which a calling attention notice had already been admitted and thereby committed a breach of privilege of the House.

The Prime Minister (Shri Jawaharlal Nehru) said that after General Taylor had met him on December 17, and he was on his way to the House some newspapermen surrounded him and he had to say one or two phrases in answer to their questions. He added that at that time he did not know that the Speaker had fixed the date for the calling attention notice. It was only afterwards that the Speaker had informed the House about taking up the calling attention notice on December 19.

**The Speaker ruled:**

I have studied all rulings upto this time not only in India but also in the United Kingdom. They are all uniform in this respect that statements by Ministers outside the House in regard to their policy matters or some such things do not constitute a breach of privilege of the House, though it is a matter of propriety, and courtesy also demands, that they would be made in the House when the House is in session.

I had the benefit of looking into decisions where really the matter had been on the agenda itself. Then too it has been held that it does not constitute in any case a breach of privilege at all.

... I am not taking notice of anything that might have happened in the other place. As regards the objection that it had been given to the press, as the Prime Minister has just now explained, the pressmen had met him before he entered this House. Therefore, there is no question of any breach of privilege in this respect so far as this matter is concerned.††

**Bills: Restriction on moving third reading motion on the same day clause-by-clause consideration is concluded: Speaker explains purpose of Rule 93 (2).**

On June 2, 1964 after the clause-by-clause consideration of the Constitution (Nineteenth Amendment) Bill was over in Lok Sabha, the Minister in charge moved the motion for the third reading. Objecting to this, a member, on a point of order, submitted that where a Bill had been amended during its second reading Rule 93(2) imposed a restriction that the third reading motion could not be moved on the same day on which the clause-by-clause consideration of the Bill was concluded, unless the Speaker allowed such a motion to be moved. The member urged that the restriction had been imposed in order to give time to members to consider the changes made in the Bill and, as such, the third reading motion should be moved only on the following day.

The Speaker, thereupon, ruled:

...“Unless the Speaker allows the motion to be made” contemplates that there might be circumstances in which the Speaker might allow the third reading on the same day. Now, I have to consider whether there are circumstances... for allowing this motion to be made today, or whether I should put it off to the next day.

...we ought to take the spirit and substance why this rule has been made. When many amendments are adopted, we have to see that the members are given time to become familiar with the changes that the Bill has undergone during the second reading, so that they might be ready to make their comments in the third reading. That is the purpose why this rule has been inserted. But then, only one amendment was accepted in this

case, and that was for the insertion of one entry. There are no substantial amendments that the Bill has undergone during the second stage. Then again,....the amendment was accepted yesterday. I think in this case I should allow this motion to be made at this moment.\*

**Demands for Grants: No Postponement of Guillotine Without Suspension of Rule**

Financial business in Lok Sabha follows a rigid schedule. Every year, soon after the Budget is presented, the House, on the recommendations of the Business Advisory Committee, adopts a time-table for the general discussion on the budget and discussion and voting of the various demands for grants. And, on the last of the allotted days, at the appointed hour, the guillotine is applied. Rule 208(2) is specific and mandatory in this regard; it lays down:

On the last day of the allotted days, at 17-00 hours, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters, in connection with the demands for grants.

During the last Budget Session, however, a somewhat unusual situation arose. On April 15, the last of the allotted days, there was a general demand in the House for a day's extension for completion of the discussion and voting on the demands for grants—in other words, for the postponement of the guillotine to the next day. This, the Speaker held, would be possible only by suspending Rule 208 (2).\*\* A motion in the following terms was then moved by the Minister of Parliamentary Affairs and adopted by the House.

\* LS Deb. 2-6-1964, cc. 682-84.

\*\*Before, however, a motion for suspension of this rule was moved, the Speaker pointed out, it was necessary also to move for suspension of Rule 338 (which prohibited raising in the same session of a matter already decided by the House), since in this case a motion for extension of time had been moved in the House the previous day and negated. A motion to suspend Rule 338 was also accordingly moved [See LS Deb. 15-4-1964 c. 11237]

That sub-rule (2) of rule 208 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the disposal of all the outstanding matters in connection with the Demands for Grants today, be suspended and the time for discussion and voting of Demands for Grants be extended till the 16th April, 1964.\*

A similar suspension of this rule was resorted to also on an earlier occasion. That was done in the year 1950 to enable the outstanding Demands being disposed of at 18.30 hours, instead of at the prescribed hour (17.00 hours), on the last of the allotted days.\*\*

### Lok Sabha: Lengthy Resolutions—Ordinarily not Permissible

With reference to a private member's resolution regarding appointment of a People's Procurator, under discussion in Lok Sabha on April 22, 1964, the Speaker observed†:

...the length of the resolution is certainly open to objection. I allowed this as a special case. Ordinarily I would not allow such a long resolution in this form††.

### Quotations from Proscribed Book: Chair Revises Expunction Orders

That certain passages quoted in the House are from a proscribed book need not *per se* be a ground for their expunction was what emerged from a recent instance in Lok Sabha. During the last Budget Session in Lok Sabha, while speaking on the Demands for Grants of the Ministry of Home Affairs, a member quoted certain pas-

sages from a proscribed book *Peking vs. Delhi* by George N. Patterson. On a point being raised over the propriety of allowing passages from a proscribed book to be read out in the House, the Deputy Speaker ordered expunction of the passages from the day's proceedings.

A point of order was then raised that the passages in question could not be expunged under Rule 380@, since they were neither defamatory nor indecent nor unparliamentary nor undignified, and there was no other provision in the rules of procedure under which the Chair could order the expunction. Some discussion ensuing, the Chair promised to look into the matter and give a decision.@@

After the House had adjourned that day, the Deputy Speaker on reconsideration decided to revise his earlier order of expunction and, consequently, the passages were allowed to stand unexpunged as part of the proceedings of the House.

### Stranger in the House

Recently in Lok Sabha, on the afternoon of May 4, a member complained of the presence of a stranger in the Chamber. The member said that it was an offence and wanted the Chair to go into the matter.¶ Another member endorsing this said that he too had noticed a stranger and on enquiry in the lobbies was informed that he was a member of Rajya Sabha.

\*L.S. Deb. 15-4-1964 c. 11238.

\*\*P. Deb. 21-3-1950, c. 1889.

†L.S. Deb. 22-4-1964, c. 12400.

††This resolution, which ran to over 500 words and opened thus: "This House is of opinion (a) that an Officer of Parliament to be known as the People's Procurator (Lok Ayukta), broadly analogous to the institution of Ombudsman in Sweden, Denmark and New Zealand, be appointed, under suitable legislation...", proceeded to detail the purposes of the office; the qualifications for appointment, powers, functions, etc.

@Rule 380 lays down that—

"If the Speaker is of opinion that words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such words be expunged from the proceedings of the House."

@@LS Deb. 14-4-1964, cc. Kindly see at Slip D.

¶Art. 104 of the Constitution imposes a penalty of Rs. 500 per day on any person who sits or votes as a member of either House of Parliament, knowing that he is not qualified to do so.

Later, towards the close of the day, the Deputy Speaker announced in the House that the Speaker had received a letter from Rajya Sabha member Shri Ajmal Khan stating that he had entered the Lok Sabha thinking it to be Rajya Sabha and immediately on realizing his mistake had left the Chamber. Since the member had also expressed his apologies, it was agreed to treat the matter as closed.

#### **Prevention of Member from entering Parliament House, by Watch & Ward Staff under Speaker's Orders**

On March 18, 1964 the Speaker informed the House that he had received notice of a question of privilege on the ground that on the previous day at about 7 P.M. a member of the House (Shri Bagri) had been prevented from entering Parliament House by the Watch & Ward staff, while on the other hand a meeting of the Congress Parliamentary Party was being held inside the building and newspaper correspondents were also allowed to enter.

After hearing the views of several members the Speaker ruled:

The first thing is whether a member has a right, of his own accord, to remain within the precincts of Parliament when Parliament is not sitting or after the time of its adjournment. . . . and how long he can stay and in what circumstances. If a member has something to do in connection with his parliamentary work, he is allowed to stay in the Parliament House for a reasonable time after the House adjourns for the day; but when a member wants to stay there for something which has no connection with Parliament and when the House is not even sitting, the Speaker has the discretion to allow him or not to allow him. . . . When Shri Bagri first expressed his desire to stay here. . . . I had allowed him to stay upto 7 p.m. . . . He had neither asked for permission to stay in after that hour nor had he any permission to enter.

Now the question is whether any discrimination was made in favour of the Congress Parliamentary

Party. The Congress Parliamentary Party had taken my permission in writing to hold a meeting. . . the two things cannot be linked up. . . .

The question of privilege does not arise at all because no member has a right to stay here without obtaining the Speaker's permission.\*

#### **Madras Legislative Assembly: Proposed burning of a Part of the Constitution by certain members—Circumstance under which a member vacates his seat and/or incurs disqualification for continuing to be a member**

In the Madras Legislative Assembly on March 15, 1964 a member sought, on a question of privilege, to enquire whether the members of the House belonging to the D.M.K. Party, who had publicly announced their policy to burn a part of the Constitution, could be allowed to function as members of the Assembly.

The Speaker (Shri S. Chellapandian) ruled that the matter did not involve breach of privilege. He *inter alia* observed:

A member can function as a member as long as he continues to be a member. Articles 190 and 191 of the Constitution provide under what circumstances a member vacates his seat and under what circumstances he incurs disqualification for continuing to be a member. Further, a member can also be expelled by the House if he has committed a contempt of the House. The proposed act of the said members does not amount to vacation of the membership under Article 190 or incurring any disqualification.

Article 188 provides that every member before taking his seat in the Assembly should take an oath or make an affirmation. Every member of Assembly belonging to the D.M.K. Party has taken his oath or made his affirmation before taking his seat in the House. These members have affirmed that they will bear true faith and allegiance to the Constitution of India. The contention of the member is that burning a part of the Constitution will be against the spirit of the affirmation made by the members. Burning of the Constitution has been made an offence under an Act of this Legislature. If anybody commits the offence, the law will take its course. The House under the circumstances cannot do anything.

\*Original ruling in Hindi—LS Deb. 18-3-1964, cc. 6076-93.

(d) *Parliamentary Committees*

**Committee on Public Undertakings**

With the constitution of a full-fledged Committee on Public Undertakings from May 1 this year, a third Financial Committee has now come into being in the Parliament. This Committee, which comprises 10 members from Lok Sabha and 5 from Rajya Sabha, will hold office for the duration of the remaining period of the third Lok Sabha.

According to the motion setting up the Committee, the functions of the Committee are:

- (a) to examine the reports and accounts of the Public Undertakings\* specified in the schedule to the motion ;
- (b) to examine the reports the Comptroller and Auditor-General may make on the Public Undertakings;
- (c) to examine, in the context of the autonomy and efficiency of the Public Undertakings, whether the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practices; and
- (d) perform such other functions vested in the Public Accounts Committee or the Estimates Committee in relation to the Public Undertakings by or under the Rules of Procedure and

Conduct of Business of Lok Sabha as are not covered by (a), (b) and (c) above and as may be allotted to the Committee by the Speaker from time to time.

The Committee is precluded by its terms of reference from examining—

- (i) matters of major Government policy as distinct from business or commercial functions of the Public Undertakings;
- (ii) matters of day-to-day administration; and
- (iii) matters for the consideration of which a separate machinery is provided by the statute under which a particular public undertaking is established.

The following is the present membership of the Committee:

LOK SABHA

Shri Panampilli Govinda Menon (*Chairman*)  
Shri Homi F. Daji  
Shri Surendranath Dwivedy  
Shri S. Hansda  
Shrimati Subhadra Joshi  
Shri Harish Chandra Mathur  
Shri Kashi Nath Pandey  
Shri Krishna Chandra Pant  
Shri N. G. Ranga  
Pandit D. N. Tiwary.

RAJYA SABHA

Shri Abid Ali  
Shri Lokanath Misra  
Shri M. N. Govindan Nair  
Shri T. S. Pattabiraman  
Shri M. Govinda Reddy.

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\*These include all Government companies whose annual reports are placed before the Houses of Parliament under sub-section (1) of Section 619A of the Companies Act, 1956 and the following seven statutory corporations *viz.*, the Damodar Valley Corporation, the Industrial Finance Corporation of India, the Indian Air lines Corporation, the Air-India, the Life Insurance Corporation of India, the Central Warehousing Corporation and the Oil & Natural Gas Commission.



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## APPENDICES

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APPENDIX I

Statement showing the activities of the Houses of Parliament/State Legislatures in India during the period of 1st January to 31st December, 1963.

Name of the House/Legislature	Session during the period	Legislation										Committees		
		Questions										Names of Committees that met during the period	No. of Committees held	No. of Reports presented
		No. of bills passed	Starred	Un-starred	Short Notice	Govt. Private Notices Admitted	Govt. Private Notices Admitted	Govt. Private Notices Admitted	Govt. Private Notices Admitted	Govt. Private Notices Admitted	Govt. Private Notices Admitted			
I	2	3	4	5	6	7	8	9	10	11	12	13		
Lok Sabha	Four Sessions :			1008	144	55	270	51	4					
	(i) <i>Third Session—Second Part</i> —from 21st January to 25th January, 1963 (5 sittings) ;										Business Advisory Committee.	12		
	<i>Fourth Session</i> —from 18th February to 7th May, 1963 (61 sittings) ;	20		9914	1171	1173	2673*	298	18		Committee on Absence of Members from the sittings of the House.	4		
	<i>Fifth Session</i> —from 13th August to 21st September, 1963 (30 sittings)	20	1	7812	801	932	2259*	208	18		Committee on Estimates	48		
											Government Assurances	4		
											Committee on Petitions.	6		
											Committee on Private Member Bills and Resolutions.	19		
											Committee on Public Accounts	70		
	<i>Sixth Session</i> —from 18th November to 21st December, 1963 (26 sittings).	14		7471	689	449	2005*	181	10		Committee on Members Salaries and Allowances	2		
											Committee on Subordinate Legislation	3		
											House Committee	2		
											Library Committee	1		
											Joint Committee on Offices of Profit	12		
											Select Committee on the Administrator - General Bill, 1962	2		

\*Includes Starred Questions admitted as Unstarred.

1	2	3	4	5	6	7	8	9	10	11	12	13					
Lok Sabha																	
										Select Committee on Companies (Amendment) Bill, 1963 . . . . .	9	1					
										Select Committee on the Major Port Trusts Bill, 1962 . . . . .	6	1					
										Joint Committee on Christian Marriage and Matrimonial Causes Bill, 1963 . . . . .	15	1					
										Joint Committee on Government of Union Territories Bill, 1963 . . . . .	5	1					
										Joint Committee on Constitution (Fifteenth) Amendment Bill, 1962 . . . . .	9	1					
										Joint Committee on Constitution (Sixteenth) Amendment Bill, 1963. . . . .	4	1					
										Joint Committee on Constitution (Seventeenth) Amendment Bill, 1963 . . . . .	6	..					
										Joint Committee on Slum Areas (Improvement and Clearance) Amendment Bill, 1963 . . . . .	4	1					
										Business Advisory Committee . . . . .	10						
										Committee to recommend draft rules of procedure under clause (1) of Article 118 of the Constitution . . . . .	27	1					
										Committee on Privileges . . . . .	5	2					
										Ad Hoc Committees :							
										Rajya Sabha Four Sessions :							
										59	1	6215	2059	632	1891*	128	20
										(i) Forty-second session from 18th February to 20th March, 1963 (22 sittings)							
										(ii) Forty-third session from 22nd April to 11th May, 1963 (17 sittings).							

(iii) Forty-fourth session from 13th August to 21st September, 1963 (29 sittings)

(iv) Forty-fifth session from 18th November to 23rd December, 1963 (27 sittings)

Andhra Pradesh Legislative Assembly.

Two sessions :

(i) Second Session from 19th February—31st March, 1963; and 22-31st July, 1963; and

Third Session from 11th November to 13th December, 1963.

## Appendices

Joint Committee on the Indian Marine Insurance Bill, 1959	30	1
Joint Committee on the Drugs and Cosmetic (Amendment) Bill 1963	30	1
Select Committee on the Major Port Trusts Bill, 1963	15	1
House Committee	7	..
Estimates Committee	34	2
Public Accounts Committee	33	1
Subordinate Legislation Committee	17	1
Committee on Government Assurances	5	1
Committee on Petitions	2	2
House Committee	3	..
Business Advisory Committee	5	..
Select Committee on the Andhra Pradesh Non-Agricultural Lands Assessment Bill, 1963	4	1
Select Committee on the Andhra Pradesh General Sales Tax (Amendment) Bill, 1963	9	1

\* Includes Starred Questions admitted as Unstarred.

† Includes 1597 Starred Questions admitted as Unstarred.





APPENDIX I

Statement showing the activities of the Houses of Parliament/State Legislatures in India during the period of 1st January to 31st December, 1963.

Name of the House/Legislature	Session during the period	Legislation										Committees						
		Questions										Names of Committees that met during the period	No. of Committees held	No. of Reports presented				
		No. of bills passed	Starred	Un-starred	Short Notice	Govt. Private Notices Ad- Notices Ad- Mem- recd. mitted recd. mitted												
3	4	5	6	7	8	9	10	11	12	13								
I	2																	
Lok Sabha	Four Sessions :			1008	144	55	270	51	4									
	(i) <i>Third Session—Second Part—</i> from 21st January to 25th January, 1963 (5 sittings) ;																	
	<i>Fourth Session—</i> from 18th February to 7th May, 1963 (61 sittings) ;	20		9914	1171	1173	2673*	298	18									
	<i>Fifth Session—</i> from 13th August to 21st September, 1963 (30 sittings)	20	1	7812	801	932	2259*	208	18									
	<i>Sixth Session—</i> from 18th November to 21st December, 1963 (26 sittings).	14		7471	689	449	2005*	181	10									
										Business Advisory Com- mittee.								
										Committee on Absence of Members from the sittings of the House.								
										Committee on Estimates								
										Committee on Govern- ment Assurances								
										Committee on Petitions.								
										Committee on Private Mem- ber Bills and Resolutions.								
										Committee on Public Ac- counts								
										Committee on Members Salaries and Allowances								
										Committee on Subordinate Legislation								
										House Committee								
										Library Committee								
										Joint Committee on Offices of Profit								
										Select Committee on the Administrator - General Bill, 1962								

\*Includes Starred Questions admitted as Unstarred.

*Journal of Parliamentary Information*

	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>Lok Sabha</b>													
Select Committee on Companies (Amendment) Bill, 1963.												9	1
Select Committee on the Major Port Trusts Bill, 1962												6	1
Joint Committee on Christian Marriage and Matrimonial Causes Bill, 1963												15	1
Joint Committee on Government of Union Territories Bill, 1963												5	1
Joint Committee on Constitution (Fifteenth) Amendment Bill, 1962												9	1
Joint Committee on Constitution (Sixteenth) Amendment Bill, 1963.												4	1
Joint Committee on Constitution (Seventeenth) Amendment Bill, 1963												6	..
Joint Committee on Slum Areas (Improvement and Clearance) Amendment Bill, 1963												4	1
Business Advisory Committee												10	
Rajya Sabha Four Sessions :	59	1	6215	2059	632	1891*	128	20					
(i) Forty-second session from 18th February to 20th March, 1963 (22 sittings)													
(ii) Forty-third session from 22nd April to 11th May, 1963 (17 sittings).												27	1
Committee on Privileges												5	2
Ad Hoc Committees :													

(iii) Forty-fourth session from 13th August to 21st September, 1963 (29 sittings)

(iv) Forty-fifth session from 18th November to 23rd December, 1963 (27 sittings)

Andhra Pradesh Legislative Assembly.

Two sessions :

(i) Second Session from 19th February—31st March, 1963; and 22-31st July, 1963; and

Third Session from 11th November to 13th December, 1963.

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## Appendices

Joint Committee on the Indian Marine Insurance Bill, 1959	30	1
Joint Committee on the Drugs and Cosmetic (Amendment) Bill 1963	30	1
Select Committee on the Major Port Trusts Bill, 1963	15	1
House Committee	7	..
Estimates Committee	34	2
Public Accounts Committee	33	1
Subordinate Legislation Committee	17	1
Committee on Government Assurances	5	1
Committee on Petitions	2	2
House Committee	3	..
Business Advisory Committee	5	..
Select Committee on the Andhra Pradesh Non-Agricultural Lands Assessment Bill, 1963	4	1
Select Committee on the Andhra Pradesh General Sales Tax (Amendment) Bill, 1963	9	1

\* Includes Starred Questions admitted as Unstarred.  
† Includes 1597 Starred Questions admitted as Unstarred.

(iii) Forty-fourth session from 13th August to 21st September, 1963 (29 sittings)

(iv) Forty-fifth session from 18th November to 23rd December, 1963 (27 sittings)

Andhra Pradesh Legislative Assembly.

Two sessions :

(i) Second Session from 19th February—31st March, 1963; and 22-31st July, 1963 ; and

Third Session from 11th November to 13th December, 1963.

## Appendices

Joint Committee on the Indian Marine Insurance Bill, 1959	30	1
Joint Committee on the Drugs and Cosmetic (Amendment) Bill 1963	30	1
Select Committee on the Major Port Trusts Bill, 1963	15	1
House Committee	7	..
Estimates Committee	34	2
Public Accounts Committee	33	1
Subordinate Legislation Committee	17	1
Committee on Government Assurances	5	1
Committee on Petitions	2	2
House Committee	3	..
Business Advisory Committee	5	..
Select Committee on the Andhra Pradesh Non-Agricultural Lands Assessment Bill, 1963	4	1
Select Committee on the Andhra Pradesh General Sales Tax (Amendment) Bill, 1963	9	1

26 .. 4456 1487 43 310 194 33

\* Includes Starred Questions admitted as Unstarred.  
† Includes 1597 Starred Questions admitted as Unstarred.



APPENDIX I

Statement showing the activities of the Houses of Parliament/State Legislatures in India during the period of 1st January to 31st December, 1963.

Name of the House/Legislature	Session during the period	Legislation										Committees					
		Questions										Names of Committees that met during the period	No. of Committees held	No. of Reports presented			
		No. of bills passed	Starred	Un-starred	Short Notice	Govt. Private Notices Ad- Notices Ad- Mem- recd. mitted recd. mitted											
3	4	5	6	7	8	9	10	11	12	13							
I	2																
Lok Sabha	Four Sessions :			1008	144	55	270	51	4								
	(i) <i>Third Session—Second Part—</i> from 21st January to 25th January, 1963 (5 sittings) ;																
	<i>Fourth Session—</i> from 18th February to 7th May, 1963 (61 sittings) ;	20		9914	1171	1173	2673*	298	18								
	<i>Fifth Session—</i> from 13th August to 21st September, 1963 (30 sittings)	20	1	7812	801	932	2259*	208	18								
	<i>Sixth Session—</i> from 18th November to 21st December, 1963 (26 sittings).	14		7471	689	449	2005*	181	10								
										Business Advisory Com- mittee.							
										Committee on Absence of Members from the sittings of the House.							
										Committee on Estimates							
										Committee on Govern- ment Assurances							
										Committee on Petitions.							
										Committee on Private Mem- ber Bills and Resolutions.							
										Committee on Public Ac- counts							
										Committee on Members Salaries and Allowances							
										Committee on Subordinate Legislation							
										House Committee							
										Library Committee							
										Joint Committee on Offices of Profit							
										Select Committee on the Administrator - General Bill, 1962							

\*Includes Starred Questions admitted as Unstarred.

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1	2	3	4	5	6	7	8	9	10	11	12	13
<b>Lok Sabha</b>												
										Select Committee on Companies (Amendment) Bill, 1963. . . . .	9	1
										Select Committee on the Major Port Trusts Bill, 1962 . . . . .	6	1
										Joint Committee on Christian Marriage and Matrimonial Causes Bill, 1963 . . . . .	15	1
										Joint Committee on Government of Union Territories Bill, 1963 . . . . .	5	1
										Joint Committee on Constitution (Fifteenth) Amendment Bill, 1962 . . . . .	9	1
										Joint Committee on Constitution (Sixteenth) Amendment Bill, 1963. . . . .	4	1
										Joint Committee on Constitution (Seventeenth) Amendment Bill, 1963 . . . . .	6	..
										Joint Committee on Slum Areas (Improvement and Clearance) Amendment Bill, 1963 . . . . .	4	1
										Business Advisory Committee . . . . .	10	
										Committee to recommend draft rules of procedure under clause (1) of Article 118 of the Constitution . . . . .	27	1
										Committee on Privileges . . . . .	5	2
										Ad Hoc Committees :		
										Rajya Sabha Four Sessions : 59 1 6215 2059 632 1891* 128 20		
										(i) Forty-second session from 18th February to 20th March, 1963 (22 sittings)		
										(ii) Forty-third session from 22nd April to 11th May, 1963 (17 sittings).		



(iii) Forty-fourth session from 13th August to 21st September, 1963 (29 sittings)

(iv) Forty-fifth session from 18th November to 23rd December, 1963 (27 sittings)

Andhra Pradesh Legislative Assembly.

Two sessions :

(i) Second Session from 19th February—31st March, 1963; and 22-31st July, 1963 ; and

Third Session from 11th November to 13th December, 1963.

## Appendices

Joint Committee on the Indian Marine Insurance Bill, 1959	30	1
Joint Committee on the Drugs and Cosmetic (Amendment) Bill 1963	30	1
Select Committee on the Major Port Trusts Bill, 1963	15	1
House Committee	7	..
Estimates Committee	34	2
Public Accounts Committee	33	1
Subordinate Legislation Committee	17	1
Committee on Government Assurances	5	1
Committee on Petitions	2	2
House Committee	3	..
Business Advisory Committee	5	..
Select Committee on the Andhra Pradesh Non-Agricultural Lands Assessment Bill, 1963	4	1
Select Committee on the Andhra Pradesh General Sales Tax (Amendment) Bill, 1963	9	1

\* Includes Starred Questions admitted as Unstarred.

† Includes 1597 Starred Questions admitted as Unstarred.

**Appendices**

(#) From 19th August to 28th August, 1963 (8 sittings).									Estimates Committee . . . . .	18	1
(##) From 17th December to 22nd December, 1963 (6 sittings).									Privileges Committee . . . . .	3	1
									Public Accounts Committee . . . . .	23	1
Bihar Legislative Assembly.									Business Advisory Committee . . . . .	6	6
Two sessions :	18	..	7601	4988	1041	968	521	377	Privilege Committee . . . . .	1	
(i) From 5th February to 25th April, 1963 (43 sittings);									Committee on Estimates . . . . .	130	4
(ii) from 10th September to 15th October, 1963 (18 sittings).									House Committee . . . . .		
									Library Committee . . . . .	4	
									Committee on Government Assurances . . . . .	9	1
									Public Accounts Committee . . . . .	15	2
									Committee on Subordinate Legislation . . . . .	44	1
									Petition Committee . . . . .		
									Rules Committee . . . . .		
Gujarat Legislature.									Estimates Committee . . . . .	6	1
Three Sessions :	54	..	3464	1681	325	325	275	163	Public Accounts Committee . . . . .	2	1
(i) From 29th February to 13th April, 1963 (41 sittings);									Assurance Committee . . . . .	3	1
(ii) From 2nd September to 5th October, 1963 (18 sittings);									Business Advisory Committee . . . . .	18	18
(iii) From 9th December to 27th December, 1963 (14 sittings).									Private Members' Bill & Resolutions Committee . . . . .	8	8

... Includes 8 Short Notice Questions admitted as Starred Questions.

*Journal of Parliamentary Information*

	1	2	3	4	5	6	7	8	9	10	11	12	13
											Privileges Committee	3	2
											Subordinate Legislation Committee	2	1
											Committee on Rules	1	1
											Select Committee on Gujarat Agricultural Produce Markets Bill, 1963	6	1
			43	4666* 4434*		146	78				Public Accounts Committee	12	2
											Committee on Estimates	16	9
											Committee on Private Member's Bills and Resolutions	9	9
											Committee on Subordinate Legislation	12	3
											Committee on Government Assurances	6	2
			29	5206 1564 2894 1321	38	7					Business Advisory Committee	3	3
											Committee on Private Members Bills and Resolutions	5	5
											Petitions Committee	6	2
											Delegated Legislation Committee	11	3
											Committee on Government Assurances	10	2
											Public Accounts Committee	8	1
											Estimates Committee	21	2

**Kerala Legislative Assembly**  
 Two sessions :  
 (i) From 4th January to 30th March, 1963 (36 sittings);  
 (ii) From 11th September to 25th September, 1963 & 21st October to 4th December, 1963 (40 sittings).

**Madhya Pradesh Vidhan Sabha**  
 Two Sessions :  
 (i) From 27th February to 5th April, 1963 (27 sittings);  
 (ii) From 3rd to 12th October, 1963 (8 sittings).

## Appendices

Committee of Privileges.	8	1
House Committee	5	4
Library Committee	1	
Rules Committee	2	
Special Committee (on privilege issue)	6	1
Select Committee on the Madhya Pradesh Ab- olition of Cash Grants Bill, 1962 (No. 10 of 1962)		
Select Committee on the Indore University Bill, 1962 (No. 30 of 1962)		1
Select Committee on the Madhya Pradesh Uni- versity for Agricultural and Allied Sciences Bill, 1962 (No. 33 of 1962).	3	1
Select Committee on the Raipur University Bill, 1962 (No. 14 of 1962).	1	1
Select Committee on the Gwalior University, Bill, 1962 (No. 31 of 1962)	1	1
Select Committee on the Madhya Pradesh An- cient Monuments and Archaeological Sites & Remains Bill, 1962 (No. 13 of 1962)	3	1
Select Committee on the Payment of Wages (Ma- dhya Pradesh Amend- ment) Bill, 1962 (No. 28 of 1962)	6	1

\*Includes Starred and Unstarred Questions

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1 2 3 4 5 6 7 8 9 10 11 12 13

Select Committee on the Madhya Pradesh Irrigation (Amendment) Bill, 1962 (No. 39 of 1962) . . . . . 6

Select Committee on the Madhya Pradesh Employment (Regulation of Minimum Working and Service Conditions) Bill, 1962. . . . . 10

**Madras Legislative Assembly.**  
Two sessions :  
(i) Second session from 28th January to 6th June 1963 (35 sittings);

(ii) Third session from 6th August to 3rd December, 1963 (16 sittings).

34 .. 3350 2617 679 679 9 9 6 ..

House Committee . . . . . 7 1

Estimates Committee . . . . . 41 7

Public Accounts Committee . . . . . 15 1

Committee on Subordinate Legislation. . . . . 19 3

Committee on Government Assurances . . . . . 14 2

Committee of Privileges (Dina Thanthi Case) . . . . . 4 1

Rules Committee . . . . . 2 ..

Joint Select Committee on the Madras Iravaram Inam Estates (Abolition and Conversion into Ryothwari) Bill, 1962 . . . . . 8 1

Joint Select Committee on the Madras Minor Inams (Abolition and Conversion into Ryothwari) Bill, 1962 . . . . . 8 1

*Appendices*

<p>Joint Select Committee on the Lease Holds (Abolition and Conversion into Ryotwari) Bill, 1962.</p>	<p>8</p>	<p>1</p>
<p>Select Committee on the Madras Additional Assessment and Additional Water Cess Bill, 1963.</p>	<p>2</p>	<p>1</p>
<p>Select Committee on the Madras Urban Land Tax Bill, 1962.</p>	<p>6</p>	<p>1</p>
<p>Select Committee on the Madras Irrigation (Levy of betterment Contribution) Amendment Bill, 1963.</p>	<p>3</p>	<p>1</p>
<p>Business Advisory Committee</p>	<p>3</p>	<p>..</p>
<p>Committee on Government Assurances</p>	<p>1</p>	<p>2</p>
<p>Accommodation Committee</p>	<p>2</p>	<p>2</p>
<p>Business Advisory Committee</p>	<p>11</p>	<p>11</p>
<p>Catering Committee</p>	<p>2</p>	<p>1</p>
<p>Committee on Absence of Members from the Sitings of the House.</p>	<p>1</p>	<p>1</p>
<p>Committee on Government Assurances</p>	<p>4</p>	<p>3</p>
<p>Committee on Private Member's Bill and Resolutions</p>	<p>11</p>	<p>11</p>

Madras Legislative Council.

Two sessions :

(i) Twenty-first Session from 28th January to 5th June, 1963 (21 sittings);

(ii) Twenty-second Session from 7th August to 3rd December, 1963 (16 sittings)

Maharashtra Legislative Council.

Three sessions :

(i) First Session from 11th February to 7th April, 1963 (24 sittings);

(ii) Second Session from 2nd September to 5th October, 1963 (15 sittings);

(iii) Third Session from 9th December to 20th December, 1963 (10 sittings)







**Appendices**

(#) From 19th August to 28th August, 1963 (8 sittings).									Estimates Committee . . . . .	18	1
(##) From 17th December to 22nd December, 1963 (6 sittings).									Privileges Committee . . . . .	3	1
									Public Accounts Committee . . . . .	23	1
Bihar Legislative Assembly.									Business Advisory Committee . . . . .	6	6
Two sessions :	18	..	7601	4988	1041	968	521	377	Privilege Committee . . . . .	1	
(i) From 5th February to 25th April, 1963 (43 sittings);									Committee on Estimates . . . . .	130	4
(ii) from 10th September to 15th October, 1963 (18 sittings).									House Committee		
									Library Committee . . . . .	4	
									Committee on Government Assurances . . . . .	9	1
									Public Accounts Committee . . . . .	15	2
									Committee on Subordinate Legislation . . . . .	44	1
									Petition Committee		
									Rules Committee		
Gujarat Legislature.									Estimates Committee . . . . .	6	1
Three Sessions :	54	..	3464	1681	325	325	275	163	Public Accounts Committee . . . . .	2	1
(i) From 29th February to 13th April, 1963 (41 sittings);									Assurance Committee . . . . .	3	1
(ii) From 2nd September to 5th October, 1963 (18 sittings);									Business Advisory Committee . . . . .	18	18
(iii) From 9th December to 27th December, 1963 (14 sittings).									Private Members' Bill & Resolutions Committee . . . . .	8	8

... Includes 8 Short Notice Questions admitted as Starred Questions.

Journal of Parliamentary Information

	1	2	3	4	5	6	7	8	9	10	11	12	13
											Privileges Committee	3	2
											Subordinate Legislation Committee	2	1
											Committee on Rules	1	1
											Select Committee on Gujarat Agricultural Produce Markets Bill, 1963	6	1
			43	4666* 4434*		146	78				Public Accounts Committee	12	2
											Committee on Estimates	16	9
											Committee on Private Member's Bills and Resolutions	9	9
											Committee on Subordinate Legislation	12	3
											Committee on Government Assurances	6	2
			29	5206 1564 2894 1321	38	7					Business Advisory Committee	3	3
											Committee on Private Members Bills and Resolutions	5	5
											Petitions Committee	6	2
											Delegated Legislation Committee	11	3
											Committee on Government Assurances	10	2
											Public Accounts Committee	8	1
											Estimates Committee	21	2

**Kerala Legislative Assembly**  
 Two sessions :  
 (i) From 4th January to 30th March, 1963 (36 sittings);  
 (ii) From 11th September to 25th September, 1963 & 21st October to 4th December, 1963 (40 sittings).

**Madhya Pradesh Vidhan Sabha**  
 Two Sessions :  
 (i) From 27th February to 5th April, 1963 (27 sittings);  
 (ii) From 3rd to 12th October, 1963 (8 sittings).

**Appendices**

Committee of Privileges.	8	1
House Committee	5	4
Library Committee	1	
Rules Committee	2	..
Special Committee (on privilege issue)	6	1
Select Committee on the Madhya Pradesh Ab- olition of Cash Grants Bill, 1962 (No. 10 of 1962)		
Select Committee on the Indore University Bill, 1962 (No. 30 of 1962)		1
Select Committee on the Madhya Pradesh Uni- versity for Agricultural and Allied Sciences Bill, 1962 (No. 33 of 1962).	3	1
Select Committee on the Raipur University Bill, 1962 (No. 14 of 1962).	1	1
Select Committee on the Gwalior University, Bill, 1962 (No. 31 of 1962)	1	1
Select Committee on the Madhya Pradesh An- cient Monuments and Archaeological Sites & Remains Bill, 1962 (No. 13 of 1962)	3	1
Select Committee on the Payment of Wages (Ma- dhya Pradesh Amend- ment) Bill, 1962 (No. 28 of 1962)	6	1

\*Includes Starred and Unstarred Questions

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1 2 3 4 5 6 7 8 9 10 11 12 13

Select Committee on the Madhya Pradesh Irrigation (Amendment) Bill, 1962 (No. 39 of 1962) . . . . . 6

Select Committee on the Madhya Pradesh Employment (Regulation of Minimum Working and Service Conditions) Bill, 1962. . . . . 10

**Madras Legislative Assembly.**  
Two sessions :  
(i) Second session from 28th January to 6th June 1963 (35 sittings);

(ii) Third session from 6th August to 3rd December, 1963 (16 sittings).

34 .. 3350 2617 679 679 9 9 6 ..

House Committee . . . . . 7 1

Estimates Committee . . . . . 41 7

Public Accounts Committee . . . . . 15 1

Committee on Subordinate Legislation. . . . . 19 3

Committee on Government Assurances . . . . . 14 2

Committee of Privileges (Dina Thanthi Case). . . . . 4 1

Rules Committee . . . . . 2 ..

Joint Select Committee on the Madras Irivaram Inam Estates (Abolition and Conversion into Ryothwari) Bill, 1962 . . . . . 8 1

Joint Select Committee on the Madras Minor Inams (Abolition and Conversion into Ryothwari) Bill, 1962 . . . . . 8 1

*Appendices*

<p>Joint Select Committee on the Lease Holds (Abolition and Conversion into Ryotwari) Bill, 1962.</p>	<p>8</p>	<p>1</p>
<p>Select Committee on the Madras Additional Assessment and Additional Water Cess Bill, 1963.</p>	<p>2</p>	<p>1</p>
<p>Select Committee on the Madras Urban Land Tax Bill, 1962.</p>	<p>6</p>	<p>1</p>
<p>Select Committee on the Madras Irrigation (Levy of betterment Contribution) Amendment Bill, 1963.</p>	<p>3</p>	<p>1</p>
<p>Business Advisory Committee</p>	<p>3</p>	<p>..</p>
<p>Committee on Government Assurances</p>	<p>1</p>	<p>2</p>
<p>Accommodation Committee</p>	<p>2</p>	<p>2</p>
<p>Business Advisory Committee</p>	<p>11</p>	<p>11</p>
<p>Catering Committee</p>	<p>2</p>	<p>1</p>
<p>Committee on Absence of Members from the Sitings of the House.</p>	<p>1</p>	<p>1</p>
<p>Committee on Government Assurances</p>	<p>4</p>	<p>3</p>
<p>Committee on Private Member's Bill and Resolutions</p>	<p>11</p>	<p>11</p>

Madras Legislative Council.

Two sessions :

(i) Twenty-first Session from 28th January to 5th June, 1963 (21 sittings);

(ii) Twenty-second Session from 7th August to 3rd December, 1963 (16 sittings)

Maharashtra Legislative Council.

Three sessions :

(i) First Session from 11th February to 7th April, 1963 (24 sittings);

(ii) Second Session from 2nd September to 5th October, 1963 (15 sittings);

(iii) Third Session from 9th December to 20th December, 1963 (10 sittings)

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1 2 3 4 5 6 7 8 9 10 11 12 13

Committee on Subordinate legislation . . . . .	4	2											
Estimates Committee . . . . .	22	7											
Library Committee . . . . .	2	..											
Public Accounts Committee . . . . .	14	3											
Joint Committee of both the Houses for framing Rules and Orders and the Bombay Legislature Members' Salaries and Allowances Act, 1956.	3												
Rules Committee . . . . .	1	..											
Accommodation Committee . . . . .	2	2											
Business Advisory Committee . . . . .	12	3											
Catering Committee . . . . .	2	1											
Committee on Absence of Members from the sittings of the House . . . . .	2	2											
Committee on Private Members' Bills and Resolutions . . . . .	16	15											
Committee on Subordinate Legislation . . . . .	4	2											
Estimates Committee . . . . .	22	7											
Library Committee . . . . .	2	..											
Privileges Committee . . . . .	1	..											
Public Accounts Committee . . . . .	14	3											

Three sessions :  
 (i) First Session from 11th February to 7th April, 1963 (37 sittings);  
 (ii) Second Session from 2nd September to 4th October, 1963 (23 sittings);  
 (iii) Third Session from 9th December to 20th December, 1963 (10 sittings).

Maharashtra Legislative Assembly.

*Appendices*

Rules Committee . . . . .	1	
Joint Committee of both the Houses for framing Rules and Orders and the Bombay Legislature Members' Salaries and Allowances Act, 1956	3	
Joint Committee on the Nagpur University Bill, 1963	5	1
Joint Committee on the Maharashtra Agricultural Produce Marketing (Regulation) Bill, 1963	5	1
Committee on Government Assurances . . . . .	4	1
Committee on Petitions . . . . .	1	1
Committee on Private Members Bills and Resolutions . . . . .	4	4
Committee on Subordinate Legislation . . . . .	14	2
Public Accounts Committee . . . . .	31	1
Joint Select Committee on the Mysore Beech Industrial Premises (Regulation of Conditions of Work) Bill, 1963 . . . . .	7	1
Joint Select Committee on the Mysore Cinemas (Regulation) Bill, 1963 . . . . .	3	1
Joint Select Committee on the Mysore Civil Courts Bills, 1962 . . . . .	4	1

Mysore Legislative Assembly :  
 One session :  
 From 19th February to 11th April; from 2nd September to 12th October, and from 2nd December, 1963, to 2nd January, 1964 (98 sittings)

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1 2 3 4 5 6 7 8 9 10 11 12 13

Joint Select Committee on the Mysore Dramatic Performances Bill, 1963 . . . . .	3	1
Joint Select Committee on the Mysore Forest Bill, 1962 . . . . .	6	1
Joint Select Committee on the Mysore land Revenue Code, 1962 . . . . .	17	1
Joint Select Committee on the Mysore Municipalities Bill, 1962 . . . . .	18	1
Joint Select Committee on the Mysore Police Bill, 1962 . . . . .	10	1
Joint Select Committee on the Mysore Small Causes Courts Bill, 1962 . . . . .	4	1
Committee on Petitions . . . . .	1	1
Committee on Subordinate Legislation . . . . .	14	2
Public Accounts Committee . . . . .	31	1
Joint Select Committee on the Mysore Beedi Industries' Premises (Regulation of Conditions of Work) Bill, 1963 . . . . .	7	1
Joint Select Committee on Mysore Cinemas (Regulation) Bill, 1962 . . . . .	3	1

Mysore Legislative Council. One session :  
 From 19th February to 11th April, 1963 ; from 9th September to 16th October and from 2nd December, 1963 to 4th January, 1964 (88 sittings).



**Appendices**

Joint Select Committee on Mysore Civil Courts Bill, 1962	4		1
Joint Select Committee on Mysore Dramatic Performances Bill, 1963	3		1
Joint Select Committee on Mysore Forest Bill, 1962	6		1
Joint Select Committee on Mysore Land Revenue Code, 1962	17		1
Joint Select Committee on Mysore Police Bill, 1962	10		1
Joint Select Committee on Mysore Municipalities Bill, 1962	18		1
Joint Select Committee on the Small Cause Courts Bill, 1962	4		1
Committee on Estimates; Accounts	18		1
House Committee	2		..
Business Advisory Committee	3		..
Select Committee on the Merged Territories (Village Offices Abolition) Bill, 1962	4		1
Select Committee on the Orissa Grama Panchayat Bill, 1962	15		1

Orissa Legislative Assembly. Two sessions :  
 (i) Fourth session from 25th February to 6th April, 1963 (27 sittings);  
 (ii) Fifth session from 2nd September to 1st October, 1963 (22 sittings).

1 2 3 4 5 6 7 8 9 10 11 12 13

Select Committee on the Orissa Agricultural House Sites Bill, 1962	2	1
Select Committee on the Orissa Grama Panchayat Bill, 1962.	3	..
Select Committee on the Orissa Vesting of Properties (in Grama Sasans) Bill, 1963	1	..
Select Committee on the Orissa Agricultural Income-tax (Amendment) Bill, 1963	1	
Committee on Government Assurances	5	1
Public Accounts Committee.	34	2
Committee on Estimates	26	3
Committee on Government Assurances	15	1
Committee on Subordinate Legislation.	18	1
Committee of Privileges.	17	1
Business Advisory Committee	9	9
House Committee	7	..
Library Committee	8	..
Hindi Regional Committee	12	6
Sub-Committee on Development and Cottage		

18 Punjab Vidhan Sabha. Two sessions :  
 (i) From 18th February to 12th April, 1963 (38 sittings);

(ii) From 9th September to 1st October, 1963 (16 sittings).

## *Appendices*

and Small Scale Industries of the Hindi Regional Committee . . . . .	6	I
Sub-Committee on Education of the Hindi Regional Committee . . . . .	5	I
Sub-Committee on Local Self-Government and Village Administration of the Hindi Regional Committee . . . . .	14	I
Sub-Committee on Co-operative Societies of the Hindi Regional Committee . . . . .	9	2
Sub-Committee on Agriculture of the Hindi Regional Committee . . . . .	6	I
Punjab Regional Committee . . . . .	11	7
Sub-Committee on Local Self-Government and Village Administration including Panchayats of the Punjabi Regional Committee . . . . .	14	I
Sub-Committee on Public Health and Sanitation of the Punjabi Regional Committee . . . . .	6	..
Sub-Committee on Agriculture of the Punjabi Regional Committee . . . . .	7	..
Sub-Committee on Livestock and Fisheries of the Punjabi Regional Committee . . . . .	1	..

	1	2	3	4	5	6	7	8	9	10	11	12	13
Punjab Legislative Council.			43	2	855	719*	72	79†	27	5			
Two sessions :													
(i) From 18th February to 11th April, 1963 (25 sittings);													
(ii) From 9th September to 9th October, 1963 (14 sittings).													
Sub-Committee on Cottage and Small Scale Industries and Development etc., of the Punjabi Regional Committee												1	..
Sub-Committee on Co-operative Societies etc. of the Punjabi Regional Committee												3	..
Committee on Government Assurances												31	1
Library Committee												3	..
House Committee												6	..
Committee on Subordinate Legislation												12	1
Select Committee on the Punjab State Faculty of Ayurvedic and Unani Systems of Medicines Bill, 1963												2	1
Joint Select Committee on the Punjab Ayurvedic and Unani Practitioners Bill, 1963												8	1
Rajasthan Legislative Assembly.			25	..	6079	4353	50	35	109	4		56	2
Two sessions :													
(i) From 25th February to 5th April, 1963 (27 sittings);													
(ii) From 19th August to 20th September, 1963 (24 sittings).												153	6
Public Accounts Committee													2
Estimates Committee													6
Committee on Subordinate Legislation.												67	1
Committee on Privileges.												2	1
Committee on Petitions.												1	1

## Appendices

Committee on Government Assurances . . .	62	1
House Committee . . .	23	..
Select Committee on the Rajasthan Pre-emption Bill, 1962 . . .	2	1
Select Committee on the Rajasthan Sales Tax (Amendment) Bill, 1962 . . .	1	1
Select Committee on the Rajasthan Noises and Music Control Bill, 1962 . . .	1	1
Select Committee on the Rajasthan Land Reforms and Acquisition of Landowners Estates Bill, 1963 . . .	5	1
Select Committee on the Rajasthan Money-Lenders Bill, 1963 . . .	6	1
Select Committee on the Rajasthan Police (Incitement to Disaffection) Bill, 1963 . . .	1	..
Select Committee on the Rajasthan Primary Education Bill, 1963 . . .	4	..
Select Committee on the Rajasthan Public Parks (Amendment) Bill, 1963 . . .	1	..

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\*Includes 8 Short Notice Questions admitted as Starred.

†Includes 14 Starred Questions admitted as Unstarred.

	1	2	3	4	5	6	7	8	9	10	11	12	13
Uttar Pradesh Legislative Assembly.			32	..	13150	8617*	365	4382**	7722	133			
Two sessions :													
(i) From 4th February to 11th July, 1963 (40 sittings); and													2 ..
(ii) From 23rd September to 26th December, 1963 (26 sittings).													43 } 7 } .7
													26 1
													5 } 75 } 2
													2 1
													22 8
													62 1
													28 ..
													16 ..
Uttar Pradesh Legislative Council.			36	..	1916	967	14	12	92	19			9 9
Two sessions :													
(i) From 4th February to 24th June, 1963 (29 sittings);													3 1
(ii) From 16th September to 27th December, 1963 (24 sittings).													2 1
													1 1
													48 2
													2 ..
													2 ..
Himachal Pradesh Legislative Assembly.			5	..	..	..	..	..	31	6			2 ..
One session :													2 ..
From 3rd October to 18th October, 1963 (12 sittings).													2 ..
													2 ..

Manipur Legislative Assembly.	One Session ; From 22nd July to 31st December, 1963 (20 sittings).	1	..	68	78†	8	9‡	22	9	Standing Committee	4	..
										Business Advisory Committee	1	1
										Rules Committee	1	..
										Committee on Estimates.	1	..
Pondicherry Legislative Assembly.	Two sessions : (i) From 20th July to 22nd July, 1963 (2 sittings); (ii) From 21st September to 4th December, 1963 (10 sittings).	5	..	18	18	3	3	4	4			
Tripura Legislative Assembly.	One session : 13 days.	1	..	3	3			14	12	Committee on Rules	1	..

\* Includes Short Notice Questions admitted as Starred  
 \*\* Includes Short Notice and Starred Questions admitted as Unstarred  
 † Includes 11 Short Notice Questions admitted as Starred.  
 ‡ Includes one Starred Question admitted as Unstarred.

## APPENDIX II

*List of Bills Passed by the Houses of Parliament and Assented To by the President during the period 1st January to 31st December, 1963.*

Sl. No.	Title of Bill	Date of Assent by the President
1	The Hindi Sahitya Sammelan (Amendment) Bill, 1963	25-1-1963
2	The Representation of the People (Amendment) Bill, 1963	25-1-1963
3	The Indian Tariff (Amendment) Bill, 1963	25-1-1963
4	The Delhi Rent Control (Amendment) Bill, 1963	8-3-1963
5	The Appropriation (Railways) Bill, 1963	18-3-1963
6	The Appropriation (Railways) No. 2 Bill, 1963	23-3-1963
7	The Appropriation Bill, 1963	23-3-1963
8	The Central Sales Tax (Amendment) Bill, 1963	23-3-1963
9	The Appropriation (Vote on Account) Bill, 1963	23-3-1963
10	The Agricultural Refinance Corporation Bill, 1963	24-3-1963
11	The Marine Insurance Bill, 1963	18-4-1963
12	The Appropriation (No. 2) Bill, 1963	27-4-1963
13	The Finance Bill, 1963	28-4-1963
14	The Super Profits Tax Bill, 1963	4-5-1963
15	The Bengal Finance (Sales Tax) (Delhi Amendment) Bill, 1963	4-5-1963
16	The Appropriation (Railways) No. 3 Bill, 1963	10-5-1963
17	The Appropriation (Railways) No. 4 Bill, 1963	10-5-1963
18	The Appropriation (No. 3) Bill, 1963	10-5-1963
19	The Official Languages Bill, 1963	10-5-1963
20	The Government of Union Territories Bill, 1963	10-5-1963
21	The Compulsory Deposit Scheme Bill, 1963	22-5-1963
22	The Export (Quality Control and Inspection) Bill, 1963	24-8-1963
23	The Indian Emigration (Amendment) Bill, 1963	24-8-1963
24	The Iron Ore Mines Labour Welfare Cess (Amendment) Bill, 1963	24-8-1963
25	The Appropriation (No. 4) Bill, 1963	31-8-1963
26	The Code of Civil Procedure (Amendment) Bill, 1963	4-9-1963
27	The All-India Services (Amendment) Bill, 1963	6-9-1963
28	The Employees' Provident Funds (Amendment) Bill, 1963	7-9-1963
29	The Institutes of Technology (Amendment) Bill, 1963	12-9-1963
30	The Customs and Central Excises (Amendment) Bill, 1963	12-9-1963
31	The Appropriation (Railways) No. 5 Bill, 1963	12-9-1963
32	The Special Marriage (Amendment) Bill, 1963	22-9-1963
33	The Indian Sale of Goods (Amendment) Bill, 1963	22-9-1963
34	The Warehousing Corporations (Amendment) Bill, 1963	22-9-1963
35	The Dramatic Performances (Delhi Repeal) Bill, 1963	26-9-1963
36	The Limitation Bill, 1963	5-10-1963



## Appendices

Sl. No.	Title of Bill	Date of Assent by the President
37	The Constitution (Fifteenth Amendment) Bill, 1963 . . . . .	5-10-1963
38	The Constitution (Sixteenth Amendment) Bill, 1963 . . . . .	5-10-1963
39	The Personal Injuries (Compensation Insurance) Bill, 1963 . . . . .	8-10-1963
40	The Major Port Trusts Bill, 1963 . . . . .	16-10-1963
41	The Industrial Employment (Standing Orders) Amendment Bill, 1963 . . . . .	2-12-1963
42	The Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1963. . . . .	2-12-1963
43	The Textiles Committee Bill, 1963 . . . . .	3-12-1963
44	The Drugs and Magic Remedies (Objectionable Advertisements) Amendment Bill, 1963 . . . . .	7-12-1963
45	The Income-tax (Amendment) Bill, 1963 . . . . .	9-12-1963
46	The Appropriation (No. 5) Bill, 1963 . . . . .	11-12-1963
47	The Administrators-General Bill, 1963 . . . . .	11-12-1963
48	The Appropriation (Railways) No. 6 Bill, 1963 . . . . .	12-12-1963
49	The Specific Relief Bill, 1963 . . . . .	13-12-1963
50	The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1963. . . . .	14-12-1963
51	The East Punjab Ayurvedic and Unani Practitioners (Delhi Amendment) Bill, 1963. . . . .	14-12-1963
52	The Indian Tariff (Second Amendment) Bill, 1963 . . . . .	20-12-1963
53	The Preventive Detention (Continuance) Bill, 1963 . . . . .	30-12-1963
54	The Unit Trust of India Bill, 1963 . . . . .	30-12-1963
55	The Companies (Amendment) Bill, 1963 . . . . .	30-12-1963
56	The Central Boards of Revenue Bill, 1963. . . . .	30-12-1963
57	The Banking Laws (Miscellaneous Provisions) Bill, 1963 . . . . .	30-12-1963
58	The Delhi Development (Amendment) Bill, 1963 . . . . .	30-12-1963

### APPENDIX III

List of Bills passed by the State Legislatures during the period 1st January to 31st December, 1963

#### ADMINISTRATION

##### *Andhra Pradesh*

- (1) The Andhra Pradesh Gram Panchayats Bill, 1962.
- (2) The Andhra Pradesh Prevention of Couching Bill, 1963.

##### *Assam*

The Assam Municipal (Amendment) Bill, 1963.

##### *Bihar*

- (1) The Bihar District Boards and Local Boards (Control and Management) (Amendment) Bill, 1963.
- (2) The Bihar Panchayat Raj (Amendment) Bill, 1963.
- (3) The Societies Registration (Bihar Amendment) Bill, 1963.
- (4) The Bihar Provincialisation of Roads and Hospitals (Amendment) Bill, 1963.

##### *Gujarat*

- (1) The Gujarat State Guarantees Bill, 1963.
- (2) The Bombay Public Trusts (Gujarat Amendment) Bill, 1963.
- (3) The Gujarat Panchayat Laws (Amendment) Bill, 1963.
- (4) The Bombay Public Conveyances (Gujarat Amendment) Bill, 1963.
- (5) The Gujarat Local Authorities (Extension of Term) (Repeal) and the Gujarat Panchayats (Amendment) Bill, 1963.
- (6) The Gujarat Panchayats (Second Amendment) Bill, 1963.
- (7) The Bombay Police (Gujarat Amendment) Bill, 1963.
- (8) The Gujarat Panchayats (Third Amendment) Bill, 1963.
- (9) The Gujarat State Guarantees (Amendment) Bill, 1963.
- (10) The Bombay Non-Trading Corporations (Gujarat Amendment) Bill, 1963.
- (11) The Gujarat Local Fund Audit Bill, 1963.

##### *Kerala*

- (1) The Kerala Police (Amendment) Bill, 1963.
- (2) The Kerala Municipalities (Second Amendment) Bill, 1963.
- (3) The Kerala Public Servants (Inquiries) Bill, 1962.
- (4) The Kerala Identification of Prisoners Bill, 1963.
- (5) The Kerala Public Service Commission (Additional Functions) Bill, 1963.
- (6) The Kerala Money Lenders (Amendment) Bill, 1962.
- (7) The Kerala Public Accountants Bill, 1962.

##### *Madhya Pradesh*

- (1) The Madhya Pradesh Panchayats (Amendment and Validation) Bill, 1963.
- (2) The Madhya Pradesh Town Improvement Trusts (Amendment) Bill, 1963.
- (3) The Madhya Pradesh Municipal Corporation (Amendment) Bill, 1963.
- (4) The Madhya Pradesh Town Area (Amendment) Bill, 1963.
- (5) The Madhya Pradesh Municipalities (Amendment) Bill, 1963.
- (6) The Madhya Pradesh Local Authorities (Postponement of Elections) Repealing Bill, 1963.

## Appendices

### ADMINISTRATION—(Contd.)

- (7) The Madhya Pradesh Local Authorities School Teachers (Absorption in Government Service) Bill, 1963.
- (8) The Madhya Pradesh Panchayats (Amendment and Supplementary) Bill, 1963.
- (9) The Madhya Pradesh Salaries and Allowances of Ministers (Amendment) Bill, 1963.

#### Madras

- (1) The Madras Home Guard Bill, 1963.
- (2) The Madras District Police (Amendment) Bill, 1963.
- (3) The Madras Municipal Authorities (Term of Office and Election of Councillors) Bill, 1963.

#### Maharashtra

- (1) The Bombay Municipal Corporation (Amendment) Bill, 1963.
- (2) The Bombay State Guarantees (Amendment) Bill, 1963.
- (3) The Hyderabad District Municipalities (Maharashtra Amendment) Bill, 1963.
- (4) The Maharashtra Local Authorities (Postponement of Elections for the Duration of the Emergency) (Repeal) Bill, 1963.
- (5) The Hyderabad District Municipalities (Maharashtra Second Amendment) Bill, 1963.
- (6) The Maharashtra Removal of Disqualifications (of Holders of Offices in Cooperative Societies) Bill, 1963.
- (7) The Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Bill, 1963.
- (8) The Bombay Provincial Municipal Corporations (Amendment) Bill, 1963.
- (9) The Bombay Service Inams (Useful to Community) Abolition (Amendment) Bill, 1963.
- (10) The Bombay Public Trusts (Amendment) Bill, 1963.
- (11) The Bombay Municipal Corporation (Third Amendment) Bill, 1963.

#### Mysore

- (1) The Mysore Cable Trespass Bill, 1960.
- (2) The Mysore Police Bill, 1963.
- (3) The City of Bangalore Municipal Corporation (Amendment) Bill, 1963.
- (4) The Mysore Municipal Bill, 1963.
- (5) Robertsonpet Municipality Formation and Miscellaneous Provisions Bill, 1963.
- (6) The Mysore Prisons Bill, 1963.
- (7) The Mysore Prisoners Bill, 1962.
- (8) The Mysore Official Language Bill, 1963.

#### Orissa

- (1) The Orissa Estates Abolition (Amendment) Bill, 1963.
- (2) The Orissa Local Bodies (Suspension of Election) (Repeal) Bill, 1963.
- (3) The Orissa Public Premises (Eviction of Unauthorised Occupants) (Amendment) Bill, 1963.
- (4) The Orissa Panchayat Samiti and Zilla Parishad (Amendment) Bill, 1963.
- (5) The Orissa Official Language (Amendment) Bill, 1963.
- (6) The Orissa Revenue Administration (Units) Bill, 1963.
- (7) The Orissa Merged Territories (Village Offices Abolition) Bill, 1962.

#### Punjab

- (1) The Punjab Panchayat Samitis and Zila Parishads (Amendment) Bill, 1963.
- (2) The Punjab Gram Panchayat (Amendment) Bill, 1963.
- (3) The East Punjab Urban Rent Restriction (Amendment) Bill, 1962.
- (4) The Punjab Shops and Commercial Establishments (Amendment) Bill, 1963.
- (5) The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Bill, 1962.

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### ADMINISTRATION—(Contd.)

#### *Rajasthan*

- (1) The Rajasthan Municipalities (Amendment) Bill, 1963.
- (2) The Rajasthan Home Guards Bill, 1962.
- (3) The Rajasthan Public Trusts (Amendment) Bill, 1963.
- (4) The Ajmer Shamlat Committees (Dissolution) Bill, 1963.
- (5) The Jaipur Sadabarat Fund Administration Bill, 1963.
- (6) The Rajasthan Money Lenders Bill, 1963.
- (7) The Rajasthan Urban Improvement (Second Amendment) Bill, 1962.

#### *Uttar Pradesh*

- (1) The Opium (Uttar Pradesh Amendment) Bill, 1963.
- (2) The Uttar Pradesh Electricity Bill, 1963.
- (3) The Uttar Pradesh (Temporary) Control of Rent and Eviction (Sanshodhan) Bill, 1963.
- (4) The Uttar Pradesh (Temporary) Accommodation Requisition (Amendment) Bill, 1963.
- (5) The Uttar Pradesh Nagar Mahapalika (Sanshodhan) Bill, 1963.
- (6) The Uttar Pradesh Sthaniya Nikaya (Alpakalik Vyavastha) Bill, 1963.
- (7) The Uttar Pradesh Muslim Waqfs (Amendment) Bill, 1963.
- (8) The Uttar Pradesh Antarim Zila Parishad (Dwiteeya Sanshodhan) Bill, 1963.
- (9) The Uttar Pradesh (Regulation of Building Operations Amendment) Bill, 1963.
- (10) The Uttar Pradesh Home Guards Bill, 1963.
- (11) The Uttar Kshettra Samjitis and Zila Parishads (Sanshodhan) Bill, 1963.
- (12) The Hastinapur Town Development Board (Amendment) Bill, 1963.
- (13) The Uttar Pradesh Antarim Zila Parishad (Sanshodhan) Bill, 1963.
- (14) The Uttar Pradesh Government Electrical Undertakings (Dues Recovery) (Amendment) Bill, 1963.
- (15) The Uttar Pradesh Laws (Replacement of References to Old Coinage by New Decimal Coinage) Bill, 1963.
- (16) The Uttar Pradesh Shri Badrinath Temple (Amendment) Bill, 1963.
- (17) The Uttar Pradesh High Court (Exercise of Jurisdiction) Bill, 1963.

#### *Himachal Pradesh*

The Salaries and Allowances of Ministers (Himachal Pradesh) Bill, 1963.

#### *Pondicherry*

The Mahe Stay of Eviction Proceedings (Amendment) Bill, 1963.

### COMMERCE AND INDUSTRY

#### *Andhra Pradesh*

The Andhra Pradesh Cooperative Societies Bill, 1963.

#### *Assam*

- (1) The Assam Regulated and Licensed Warehouses (Amendment) Bill, 1963.
- (2) The Assam Khadi and Village Industries Board (Amendment) Bill, 1963.

#### *Bihar*

- (1) The Bihar Sugar Factories Control (Amendment) Bill, 1963.
- (2) The Bihar Khadi and Village Industries (Amendment) Bill, 1963.

## *Appendices*

### COMMERCE AND INDUSTRY—(Contd.)

#### *Gujarat*

- (1) The Bombay Weights and Measures (Enforcement) (Gujarat Amendment) Bill, 1963.
- (2) The Gujarat Cotton Control Bill, 1963.

#### *Kerala*

- (1) The Kerala Warehouses (Amendment) Bill, 1962.
- (2) The Kerala State Aid to Industries Bill, 1962.

#### *Madhya Pradesh*

- (1) The Madhya Pradesh Industrial Relations (Amendment) Bill, 1962.
- (2) The Madhya Pradesh Industrial Relations (Amendment) Bill, 1963.

#### *Madras*

- (1) The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1963.
- (2) The Madras Irrigation (Levy of Betterment Contribution) Amendment Bill, 1963.

#### *Maharashtra*

- (1) The Maharashtra Cooperative Societies (Amendment) Bill, 1963.
- (2) The Bombay Khadi and Village Industries (Amendment) Bill, 1963.

#### *Mysore*

- (1) The Mysore Industrial Disputes (Mysore Amendment) Bill, 1963.
- (2) The Mysore State Aid to Industries (Amendment) Bill, 1963.

#### *Punjab*

The Punjab Khadi and Village Industries Board (Amendment) Bill, 1963.

#### *Pondicherry*

The Pondicherry Weights and Measures Enforcement (Amendment) Bill, 1963.

## EDUCATION

#### *Andhra Pradesh*

The Andhra Pradesh Agricultural University Bill, 1962.

#### *Bihar*

The Bihar School Examination Board (Amendment) Bill, 1963.

#### *Gujarat*

- (1) The Bombay Primary Education (Gujarat Extension and Amendment) Bill, 1963.
- (2) The Gujarat State Universities (Amendment) Bill, 1963.
- (3) The Bombay Primary Education (Gujarat Amendment) Bill, 1963.
- (4) The Bombay Secondary School Certificate Examination (Gujarat Amendment) Bill, 1963.
- (5) The Bombay Primary Education (Gujarat Second Amendment) Bill 1963.

#### *Kerala*

The Kerala University (Validation of Proceedings of Vice-Chancellor) Bill, 1962.

EDUCATION—(Contd.)

*Madhya Pradesh*

- (1) The Raipur University Bill, 1962.
- (2) The Indore University Bill, 1962.
- (3) The Gwalior University Bill, 1962.
- (4) The Madhya Pradesh University for Agricultural and Allied Sciences Bill, 1962.
- (5) The Madhya Pradesh Indira Kala Sangit Vishwavidyalaya (Amendment) Bill, 1963.
- (6) The Madhya Pradesh Secondary Education (Amendment) Bill, 1963.

*Maharashtra*

- (1) The Maharashtra Universities (Amendment) Bill, 1963.
- (2) The Shivaji University (Amendment) Bill, 1963.

*Mysore*

- (1) The University of Agricultural Sciences Bill, 1963.
- (2) The Mysore Borstal School Bill, 1963.

*Orissa*

The Utkal University (Amendment) Bill, 1963.

*Rajasthan*

The Rajasthan Agricultural University (Amendment) Bill, 1963.

FINANCE

*Andhra Pradesh*

- (1) The Indian Treasure-trove (Andhra Pradesh Amendment) Bill, 1963.
- (2) The Andhra Pradesh Appropriation Bill, 1963.
- (3) The Andhra Pradesh Appropriation (No. 2) Bill, 1963.
- (4) The Andhra Pradesh State Co-operative Bank (Formation) Bill, 1963.
- (5) The Andhra Pradesh General Sales Tax (Amendment) Bill, 1963.
- (6) The Andhra Pradesh Sales of Motor Spirit Taxation (Amendment) Bill, 1963.
- (7) The Andhra Pradesh (Telengana Area) Land Revenue (Amendment) Bill, 1963.
- (8) The Andhra Pradesh Appropriation (No. 3) Bill, 1963.
- (9) The Andhra Pradesh Contingency Fund (Amendment) Bill, 1963.

*Assam*

- (1) The Assam Appropriation (No. II) Bill, 1963.
- (2) The Assam Appropriation (No. III) Bill, 1963.
- (3) The Assam Appropriation (No. I) Bill, 1963.
- (4) The Assam Finance Bill, 1963.
- (5) The Assam Motor Vehicles Taxation (Amendment) Bill, 1963.
- (6) The Assam Sales Tax (Amendment) Bill, 1963.
- (7) The Assam Finance (Sales Tax) (Amendment) Bill, 1963.
- (8) The Assam (Sales of Petroleum and Petroleum Products including Motor Spirit and Lubricants) Taxation (Amendment) Bill, 1963.
- (9) The Assam Urban Immovable Property Tax Bill, 1963.
- (10) The Assam Local Funds (Accounts and Audit) (Amendment) Bill, 1963.

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- (11) The Assam Finance (Amendment) Bill, 1963.
- (12) The Assam Appropriation (No. IV) Bill, 1963.
- (13) The Assam Appropriation (No. V) Bill, 1963.
- (14) The Assam Amusements and Betting Tax (Amendment) Bill 1963.
- (15) The Assam Excise (Amendment) Bill, 1963.

#### *Bihar*

- (1) The Bihar Appropriation Bill, 1963.
- (2) The Bihar Appropriation (No. 2) Bill, 1963.
- (3) The Bihar Sales Tax (Amendment) Bill, 1963.
- (4) The Bihar Motor Vehicles Taxation (Amendment) Bill, 1963.
- (5) \*The Bihar Electricity Duty (Amendment) Bill, 1963.
- (6) The Bihar Appropriation (No. 3) Bill, 1963.

#### *Gujarat*

- (1) The Bombay Motor Vehicles (Taxation of Passengers) (Gujarat Amendment) Bill, 1963.
- (2) The Gujarat (Supplementary Appropriation) Bill, 1963.
- (3) The Gujarat Education Cess (Amendment) Bill, 1963.
- (4) The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 1963.
- (5) The Gujarat Appropriation Bill, 1963.
- (6) The Bombay Sales Tax (Gujarat Amendment) Bill, 1963.
- (7) The Gujarat Appropriation (Excess Expenditure) Bill, 1963.
- (8) The Gujarat Education Cess (Second Amendment) Bill, 1963.
- (9) The Bombay Money Lenders (Gujarat Amendment) Bill, 1963.
- (10) The Gujarat (Second Supplementary) Appropriation Bill, 1963.
- (11) The Gujarat Imposition of Taxes by Municipalities (Validation) Bill, 1963.
- (12) The Bombay Entertainment Duty (Gujarat Amendment) Bill, 1963.

#### *Kerala*

- (1) The Kerala Contingency Fund (Amendment) Bill, 1963.
- (2) The Kerala Appropriation Bill, 1963.
- (3) The General Sales Tax (Third Amendment and Validation) Bill, 1962.
- (4) The Kerala General Sales Tax Bill, 1962.
- (5) The Madras General Sales Tax (Turnover and Assessment) Rules Validation Bill, 1962.
- (6) The Kerala Appropriation (No. 2) Bill, 1963.
- (7) The Kerala Additional Tax on Entertainments and Surcharge on Show Tax Bill, 1963.
- (8) The Kerala Appropriation (No. 3) Bill, 1963.
- (9) The Kerala Electricity Duty Bill, 1963.
- (10) The Kerala General Sales Tax (Amendment) Bill, 1963.
- (11) The Kerala Motor Vehicles Taxation Bill, 1963.
- (12) The Kerala Motor Vehicles (Taxation of Passengers and Goods) Bill, 1963.
- (13) The Kerala Appropriation (No. 4) Bill, 1963.
- (14) The Kerala Appropriation (No. 5) Bill, 1963.

#### *Madhya Pradesh*

- (1) The Madhya Pradesh Appropriation Bill, 1963.

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\*Assent withheld by the President.

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### FINANCE—(Contd.)

- (2) The Madhya Pradesh Appropriation (No. 2) Bill, 1963.
- (3) The Madhya Pradesh General Sales Tax (Amendment) Bill, 1963.
- (4) The Madhya Pradesh Sales of Motor Spirit Taxation (Amendment) Bill, 1963.
- (5) The Madhya Pradesh Abolition of Cash Grant Bill, 1962.
- (6) The Madhya Pradesh General Sales Tax (Second Amendment) Bill, 1963.
- (7) The Madhya Pradesh Appropriation (No. 3) Bill, 1963.
- (8) The Madhya Pradesh Appropriation (No. 4) Bill, 1963.

#### *Madras*

- (1) The Madras Appropriation Bill, 1963.
- (2) The Madras Additional Assessment and Additional Water-Cess Bill, 1963.
- (3) The Madras General Sales Tax (Amendment) Bill, 1963.
- (4) The Madras Appropriation (No. 2) Bill, 1963.
- (5) The Madras Appropriation (No. 3) Bill, 1963.
- (6) The Madras General Sales Tax (Special Provisions) Bill, 1963.
- (7) The Madras Appropriation (No. 4) Bill, 1963.
- (8) The Madras General Sales Tax (Second Amendment) Bill, 1963.
- (9) The Madras Appropriation (No. 5) Bill, 1963.
- (10) The Madras Urban Land Tax Bill, 1963.
- (11) The Madras Sugarcane Cess (Validation) Bill, 1963.
- (12) The Madras Appropriation (No. 6) Bill, 1963.

#### *Maharashtra*

- (1) The Maharashtra Tax on Sale of Electricity Bill, 1963.
- (2) The Bombay Electricity Duty (Amendment) Bill, 1963.
- (3) The Maharashtra (Supplementary) Appropriation Bill, 1963.
- (4) The Bombay Sales Tax (Amendment) Bill, 1963.
- (5) The Bombay Sales Tax (Second Amendment) Bill, 1963.
- (6) The Maharashtra Appropriation Bill, 1963.
- (7) The Maharashtra Tax on Goods (Carried by Road) (Amendment) Bill, 1963.
- (8) The Maharashtra (Second Supplementary) Appropriation Bill, 1963.

#### *Mysore*

- (1) The Mysore Appropriation Bill, 1963.
- (2) The Mysore Appropriation (No. 2) Bill, 1963.
- (3) The Mysore Sales Tax (Amendment) Bill, 1963.
- (4) The Mysore Agricultural Income-Tax (Amendment) Bill, 1963.
- (5) The Mysore Appropriation (No. 3) Bill, 1963.
- (6) The Mysore Land Revenue (Surcharge) (Amendment) Bill, 1963.
- (7) The Mysore Appropriation (No. 4) Bill, 1963.
- (8) The Mysore Land Revenue Bill, 1963.

#### *Orissa*

- (1) The Orissa Appropriation Bill, 1963.
- (2) The National Defence Fund (Orissa Collection) Bill, 1963.
- (3) The Orissa Appropriation (No. 2) Bill, 1963.
- (4) The Orissa Appropriation (No. 3) Bill, 1963.



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- (5) The Motor Vehicles Taxation Laws (Amendment) Bill, 1963.
- (6) The Orissa Motor Spirit (Taxation on Sales) (Amendment) Bill, 1963.
- (7) The Orissa Appropriation (No. 4) Bill, 1963.
- (8) The Central Provinces Land Revenue (Orissa Amendment) Bill, 1963.
- (9) The Orissa Entertainment Tax (Amendment) Bill, 1963.

#### Punjab

- (1) The Punjab Taxation Laws (Amendment) Bill, 1963.
- (2) The Punjab General Sales Tax (Amendment) Bill, 1963.
- (3) The Punjab Appropriation Bill, 1963.
- (4) The Punjab Passengers and Goods Taxation (Amendment) Bill, 1963.
- (5) The Punjab Appropriation (No. 2) Bill, 1963.
- (6) The Punjab Commercial Crops Cess Bill, 1963.
- (7) The Punjab Electricity (Duty) Amendment Bill, 1963.
- (8) The Punjab General Sales Tax (Amendment & Miscellaneous Provisions) Bill, 1963.
- (9) The Punjab Passengers and Goods Taxation (Amendment & Miscellaneous Provisions) Bill, 1963.
- (10) The Punjab Land Revenue (Special Assessments) Amendment and Validation Bill, 1963.
- (11) The Punjab Excise (Amendment) Bill, 1963.
- (12) The Punjab Appropriation (No. 3) Bill, 1963.
- (13) The Punjab Appropriation (No. 4) Bill, 1963.
- (14) The Punjab Motor Vehicles Taxation (Amendment) Bill, 1963.
- (15) The Punjab Passengers and Goods Taxation (Second Amendment) Bill, 1963.
- (16) The East Punjab Urban Rent Restriction (Amendment) Bill, 1962.
- (17) The Punjab Excise (Second Amendment) Bill, 1963.
- (18) The Punjab Entertainments Duty (Amendment) Bill, 1963.
- (19) The Punjab Land Revenue (Special Charges) Amendment Bill, 1963.

#### Rajasthan

- (1) The Rajasthan Finance Bill, 1963.
- (2) The Rajasthan Sales Tax (Amendment) Bill, 1962.
- (3) The Rajasthan Appropriation (No. 1) Bill, 1962.
- (4) The Rajasthan Appropriation (No. 2) Bill, 1963.
- (5) The Rajasthan Appropriation (No. 3) Bill, 1963.
- (6) The Rajasthan Sales of Motor Spirit Taxation (Amendment) Bill, 1963.
- (7) The Rajasthan Land Revenue (Surcharge) (Amendment) Bill, 1963.
- (8) The Rajasthan Entertainments Tax (Amendment) Bill, 1963.
- (9) The Rajasthan Appropriation (No. 4) Bill, 1963.
- (10) The Rajasthan Appropriation (No. 5) Bill, 1963.

#### Uttar Pradesh

- (1) The Uttar Pradesh Appropriation (Second Supplementary 1962-63) Bill, 1963.
- (2) The Uttar Pradesh Taxation Laws Amendment Bill, 1963.
- (3) The Uttar Pradesh Appropriation (Regularization of Excess 1959-60) Bill, 1963.
- (4) The Uttar Pradesh Appropriation (First Supplementary, 1963-64) Bill, 1963.
- (5) The Uttar Pradesh Malguzari Tatha Legan Par Apatik Adhibhar Vidheyak, 1963.
- (6) The Uttar Pradesh Bikri-Kar (Dwitiya Sanshodhan) Vidheyak, 1963.
- (7) The Uttar Pradesh Motor Gadi (Yatri-kar) Sanshodhan Vidheyak, 1963.
- (8) The Uttar Pradesh Appropriation Bill, 1963.
- (9) The Uttar Pradesh Sugarcane (Purchase Tax) (Amendment) Bill, 1963.

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*Himachal Pradesh*

- (1) The Himachal Pradesh Appropriation Bill, 1963.
- (2) The Contingency Fund of the Union Territory of Himachal Pradesh (Determination of Amount) Bill, 1963.

*Manipur*

The Manipur Appropriation Bill, 1963.

*Pondicherry*

- (1) The Appropriation (No. 1) Bill, 1963.
- (2) The Pondicherry Contingency Fund Bill, 1963.

*Tripura*

The Appropriation Bill, 1963.

HEALTH & HOUSING

*Andhra Pradesh*

- (1) The Andhra Pradesh (Andhra Area) Ayurvedic and Homoeopathic Medical Practitioners Registration (Amendment) Bill, 1963.
- (2) The Epidemic Diseases (Andhra Pradesh Extension and Amendment) Bill, 1963.
- (3) The Andhra Pradesh Nurses and Midwives (Extension and Amendment) Bill, 1963.
- (4) The Andhra Pradesh Pathology and Anatomy (Extension and Amendment) Bill, 1963.
- (5) The Andhra Pradesh Leprosy (Extension and Amendment) Bill, 1963.
- (6) The Andhra Pradesh Corneal Grafting Bill, 1963.

*Assam*

- (1) The Assam Town and Country Planning (Amendment) Bill, 1963.

*Gujarat*

- (1) The Bombay Medical (Gujarat Amendment) Bill, 1963.
- (2) The Maternity Benefit (Gujarat Amendment) Bill, 1963.
- (3) The Gujarat Homoeopathic Bill, 1963.
- (4) The Bombay Town Planning (Gujarat Amendment and Validating Provisions) Bill, 1963.
- (5) The Gujarat Smoke-Nuisances Bill, 1963.
- (6) The Gujarat Medical Practitioners Bill, 1963.

*Kerala*

The Kerala Corneal Grafting Bill, 1962.

*Madras*

The Madras Buildings (Lease and Rent Control) Amendment Bill, 1963.

*Maharashtra*

- (1) The Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management, and Transfer) Bill, 1963.
- (2) The Bombay Homoeopathic and Biochemic Practitioners (Amendment) Bill, 1963.
- (3) The Bombay Housing Board (Amendment) Bill, 1963.

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### HEALTH & HOUSING—(Contd.)

#### *Mysore*

- (1) The Mysore Tenants (Temporary Protection from Eviction) (Amendment) Bill, 1963.
- (2) The Mysore Veterinary Practitioners Bill, 1963.
- (3) The Mysore Town and Country Planning (Amendment) Bill, 1963.

#### *Orissa*

- (1) The Orissa Ayurvedic Medicine (Amendment) Bill, 1963.
- (2) The Orissa Kendu Leaves Control of Trade (Amendment) Bill, 1963.
- (3) The Orissa House Rent Control (Amendment) Bill, 1963.
- (4) The Orissa Homoeopathic (Amendment and Validation) Bill, 1963.

#### *Punjab*

- (1) The Punjab Corneal Grafting Bill, 1962.
- (2) The Punjab Anatomy Bill, 1962.
- (3) The Punjab State Faculty of Ayurvedic and Unani Systems of Medicine Bill, 1963.
- (4) The Punjab Ayurvedic and Unani Practitioners Bill, 1963.

#### *Uttar Pradesh*

The Uttar Pradesh Corneal Grafting Bill, 1963.

### LABOUR & EMPLOYMENT

#### *Assam*

The Assam Tea Plantations Employees Welfare Fund (Amendment) Bill, 1963.

#### *Bihar*

The Bihar Shops and Establishments (Amendment) Bill, 1963.

#### *Madhya Pradesh*

The Indian Trade Union (Madhya Pradesh Amendment) Bill, 1962.

#### *Madras*

- (1) The Industrial Disputes (Madras Amendment) Bill, 1963.
- (2) The Payment of Wages (Madras Amendment) Bill, 1963.

#### *Mysore*

The Mysore Industrial Establishments (National and Festival Holidays) Bill, 1962.

#### *Punjab*

The Payment of Wages (Punjab Amendment) Bill, 1963.

### LAND & AGRICULTURE

#### *Andhra Pradesh*

- (1) The Andhra Pradesh (Telengana Area) Ijara and Kowli Land Cancellation of Irregular Pattas and Abolition of Concessional Assessment (Amendment) Bill, 1963.
- (2) The Andhra Pradesh Forest Laws (Amendment) Bill, 1963.

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### LAND AND AGRICULTURE—(Contd.)

- (3) The Andhra Pradesh Non-Agricultural Lands Assessment Bill, 1963.
- (4) The Andhra Pradesh (Andhra Area) Tenants and Ryots Protection (Amendment) Bill, 1963.
- (5) The Andhra Pradesh (Telengana Area) Tenancy and Agricultural Lands (Amendment) Bill, 1963.
- (6) The Andhra Pradesh (Telengana Area) Jagirdars Debt Settlement (Amendment) Bill, 1963.
- (7) The Andhra Pradesh (Andhra Area) Inams (Assessment) and Inams (Abolition and Conversion into Ryotwari) Amendment Bill, 1963.

#### *Assam*

- (1) The Agriculturists' Loans (Extension to United K-J Hills) Bill, 1963.
- (2) The Land Improvement Loans (Extension to United K-J Hills Dist.) Bill, 1963.
- (3) The Assam Land (Requisition and Acquisition) Amendment Bill, 1963.

#### *Bihar*

The Bihar Tenancy Laws (Amendment) Bill, 1963.

#### *Gujarat*

- (1) The Gujarat Diseases of Animal (Control) Bill, 1963.
- (2) The Gujarat Wild Animals and Wild Birds Protection Bill, 1963.
- (3) The Taluqdari Tenure Abolition (Gujarat Amendment) Bill, 1963.
- (4) The Bombay Land Improvement Schemes (Gujarat Amendment) Bill, 1963.
- (5) The Bombay Land Requisition (Gujarat Extension of Duration) Bill, 1963.
- (6) The Indian Forest (Gujarat Amendment) Bill, 1963.

#### *Kerala*

- (1) The Kerala Land Relinquishment (Amendment) Bill, 1962.
- (2) The Madras Preservation of Private Forests (Amendment) Bill, 1963.
- (3) The Travancore-Cochin Irrigation (Amendment) Bill, 1963.
- (4) The Kerala Land Reforms Bill, 1963.
- (5) The Kerala Tenants and Kadikidappukar's Protection Bill, 1963.

#### *Madhya Pradesh*

The Madhya Pradesh Rationalisation of Land Revenue Repealing Bill, 1963.

#### *Madras*

- (1) The Madras Commercial Crops Markets (Validation of Cess) Bill, 1963.
- (2) The Madras Cultivating Tenants Protection (Amendment) Bill, 1963.
- (3) The Madras Agricultural Income-tax (Amendment) Bill, 1963.
- (4) The Madras Inam Estates (Abolition and Conversion into Ryotwari) Bill, 1962.
- (5) The Madras Minor Inams (Abolition and Conversion into Ryotwari) Bill, 1962.
- (6) The Madras Lease-holds (Abolition and Conversion into Ryotwari) Bill, 1962.
- (7) The Madras Inams (Supplementary) Bill, 1963.
- (8) The Madras Preservation of Private Forests (Amendment) Bill, 1963.
- (9) The Madras Cultivating Tenants Protection and Payment of Fair Rent (Extension to Added Territories) Bill, 1963.
- (10) The Madras Cattle Disease (Amendment) Bill, 1963.
- (11) The Madras Estates Land (Reduction of Rent) Amendment Bill, 1963.
- (12) The Madras Tenants and Ryots Protection (Amendment) Bill, 1963.
- (13) The Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1963.
- (14) The Madras Irrigation (Levy of Betterment Contribution) Amendment Bill, 1963.

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### LAND & AGRICULTURE—(Contd.)

#### *Maharashtra*

- (1) The Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Bill, 1963.
- (2) The Bombay Land Requisition (Extension of Duration) Bill, 1963.
- (3) The Bombay Khoti Abolition (Amendment) Bill, 1963.
- (4) The Bombay Merged Territories (Janjira and Bhor) Khoti Tenure Abolition (Amendment) Bill, 1963.
- (5) The Bombay Khar Lands (Amendment) Bill, 1963.
- (6) The Maharashtra Agricultural Lands (Ceiling on Holdings) (Second Amendment) Bill, 1963.
- (7) The Bombay Tenancy and Agricultural Lands (Vidarbha Region) (Amendment) Bill, 1963.
- (8) The Bombay Wild Animals and Wild Birds (Protection) (Amendment) Bill, 1963.

#### *Mysore*

- (1) The Mysore Tenancy Laws (Amendment) Bill, 1963.
- (2) The Mysore Land Improvement Loans Bill, 1961.
- (3) The Mysore Bhudana Yagna Bill, 1963.
- (4) The Bombay Merged Territories and Areas (Jagirs Abolition) (Mysore Amendment) Bill, 1960.
- (5) The Mysore Wild Animals and Wild Birds Preservation Bill, 1963.
- (6) The Mysore Forest Bill, 1963.
- (7) The Mysore Irrigation (Levy of Betterment Contribution Water Rate) (Amendment) Bill, 1963.
- (8) The Bombay Agricultural Produce Markets (Mysore Amendment) Bill, 1963.
- (9) The Mysore Agricultural Loans Bill, 1961.

#### *Orissa*

- (1) The Orissa Government Land Bar to Acquisition of the Right of Occupancy (Amendment) Bill, 1963.
- (2) The Orissa Agricultural Year Bill, 1963.
- (3) The Orissa Preservation of Private Forests (Amendment) Bill, 1963.
- (4) The Orissa Tenants Relief (Amendment) Bill, 1963.
- (5) The Central Provinces Tenancy Laws (Orissa Amendment) Bill, 1963.

#### *Punjab*

- (1) The Punjab Development of Damaged Areas (Validation) Bill, 1963.
- (2) The Punjab Land Improvement Schemes, Bill, 1963.
- (3) The Punjab Tenancy (Amendment) Bill, 1962.
- (4) The Punjab Thur and Sem Lands (Reclamation) Bill, 1962.
- (5) The Northern India Canal and Drainage (Punjab) Amendment Bill, 1963.
- (6) The Punjab Agricultural Produce Markets (Amendment) Bill, 1963.
- (7) The Punjab Betterment Charges and Acreage Rates (Amendment) Bill, 1963.
- (8) The East Punjab Holdings (Consolidation and Prevention of Fragmentation) Amendment and Validation Bill, 1963.

#### *Rajasthan*

- (1) The Rajasthan State Cattle Fairs Bill, 1963.
- (2) The Rajasthan Gramdan (Amendment) Bill, 1963.
- (3) The Rajasthan Land Revenue (Amendment) Bill, 1963.
- (4) The Rajasthan Land Reforms and Acquisition of Landowners Estates Bill, 1963.

#### *Uttar Pradesh*

- (1) The Uttar Pradesh Sugarcane (Regulation of Supply and Purchase) (Amendment) Bill, 1963.

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- (2) The Northern India Canal and Drainage (Uttar Pradesh Amendment) Bill, 1963.
- (3) The Uttar Pradesh Soil and Water Conservation Bill, 1963.
- (4) The Uttar Pradesh Vrihat Jotkar Vidhayak, 1963.
- (5) The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Bill, 1963.
- (6) The Uttar Pradesh Pashudhan Sudhar Bill, 1963.
- (7) The Uttar Pradesh Goshala Bill, 1963.

### LEGAL

#### *Assam*

- (1) The Assam Stamp (Amendment) Bill, 1963.
- (2) The Assam Court Fees (Amendment) Bill, 1963.

#### *Bihar*

The Bihar Entertainments Duty Court-fees and Stamps (Surcharge Amendment) Amendment Bill, 1963.

#### *Gujarat*

- (1) The Bombay Stamp (Gujarat Increase of Duties and Amendment) Bill, 1963.
- (2) The Gujarat Court of Wards Bill, 1963.
- (3) The Code of Criminal Procedure (Gujarat Amendment) Bill, 1963.
- (4) The Ahmedabad City Courts (Amendment) Bill, 1963.
- (5) The Bombay Stamp (Gujarat Amendment) Bill, 1963.

#### *Kerala*

- (1) The Code of Criminal Procedure (Kerala Amendment) Bill, 1962.
- (2) The Kerala Judicial Officers Protection Bill, 1962.
- (3) The Suits for Possession and Injunction (Re-transfer) Bill, 1962.
- (4) The Kerala Gift Goods (Unlawful Possession) Bill, 1963.
- (5) The Kerala Stamp (Amendment) Bill, 1963.
- (6) The Kerala Local Authorities Loans Bill, 1962.
- (7) The Muslim Personal Law (Shariat) Application (Kerala Amendment) Bill, 1962.
- (8) The Madras Hindu Religious and Charitable Endowments (Amendment) Bill, 1963.
- (9) The Assumption of Management of Estates Proclamations (Repeal) Bill, 1963.
- (10) The Mappilla Muramakathayam (Amendment) Bill, 1962.

#### *Madras*

The Holdings (Stay of Execution Proceedings) (Madras Amendment) Bill, 1963.

#### *Maharashtra*

- (1) The Presidency Small Cause Courts (Maharashtra Amendment) Bill, 1963.
- (2) The Maharashtra Deletion of the Term "Famine" (From Laws applicable to the State) Bill, 1963.
- (3) The Maharashtra Repealing and Amending Bill, 1963.

#### *Mysore*

- (1) The Madras Hindu Religious and Charitable Endowments (Mysore Amendment) Bill, 1963.
- (2) The Bhalki Taluka (Registration of Documents), Bill, 1963.
- (3) The Mysore Gift Goods (Unlawful Possession) Bill, 1963.
- (4) The Mysore Civil Court Bill, 1963.

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- (5) The Mysore Small Causes Court Bill, 1963.
- (6) The Mysore Court Fees and Stamps Valuation (Amendment) Bill, 1963.

#### Orissa

The Orissa General Clauses (Amendment) Bill, 1963.

#### Punjab

- (1) The Punjab Gift Goods (Unlawful Possession) Bill, 1963.
- (2) The Punjab Courts (Amendment) Bill, 1963.

#### Rajasthan

The Indian Soldiers (Litigation) (Extension to Jagir Proceedings) Bill, 1963.

#### Uttar Pradesh

The Uttar Pradesh Civil Laws (Reforms and Amendment) Bill, 1963.

#### Pondicherry

The Pondicherry Stamp Duty (Amendment) Bill, 1963.

### PARLIAMENTARY AFFAIRS

#### Andhra Pradesh

The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1963.

#### Assam

The Assam Legislative Assembly Members Salaries and Allowances (Amendment) Bill, 1963.

#### Gujarat

The Gujarat Legislative Assembly Members' Salaries and Allowances (Amendment) Bill, 1963.

#### Madhya Pradesh

- (1) The Madhya Pradesh Legislative Assembly Members (Salaries and Allowances) Amendment Bill, 1963.
- (2) The Madhya Pradesh Legislative Assembly Prevention of Disqualification (Amendment) Bill, 1963.

#### Mysore

The Mysore Parliamentary Secretaries Allowances Bill, 1963.

#### Orissa

- (1) The Orissa Legislative Assembly Deputy Speaker's Salary and Allowances (Amendment) Bill, 1963.
- (2) The Orissa Legislative Assembly Members' Salaries, Allowances (Amendment) Bill, 1963.

#### Punjab

- (1) The Punjab State Legislature (Prevention of Disqualification) Amendment Bill, 1963.
- (2) The Punjab Legislative Council Chairmen's and Deputy Chairman's Salaries and Allowances (Amendment) Bill, 1963.
- (3) The Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Bill, 1963.

#### Himachal Pradesh

- (1) The Salaries and Allowances of Members of Legislative Assembly (Himachal Pradesh) Bill, 1963.
- (2) The Salaries and Allowances of Speaker and Deputy Speaker of the Legislative Assembly (Himachal Pradesh) Bill, 1963.

SOCIAL

**Assam**

- (1) The Assam Liquor Prohibition (Amendment) Bill, 1963.
- (2) The Maternity Benefit (Assam Amendment) Bill, 1963.

**Bihar**

The Bihar Hindu Religious Trusts (Second Amendment) Bill, 1963.

**Gujarat**

- (1) The Bombay Rents, Hotel and Lodging House Rates Control (Amendment) Bill, 1963.
- (2) The Bombay Registration of Marriages (Gujarat Extension and Amendment) Bill, 1963.
- (3) The Gujarat Surviving Alienations Abolition Bill, 1963.
- (4) The Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Bill, 1963.

**Kerala**

- (1) The Opium (Kerala Amendment) Bill, 1962.
- (2) The Kerala Places of Public Resort Bill, 1963.

**Maharashtra**

- (1) The Bombay Rents, Hotel and Lodging House Rates Control (Extension of Duration and Amendment) Bill, 1963.
- (2) The Bombay Children (Extension and Amendment) Bill, 1963.

**Mysore**

- (1) The Mysore Prohibition of Smoking in Show House and Public House Bill, 1963.
- (2) The Mysore Children Bill, 1963.
- (3) The Mysore Cinemas (Regulation) Bill, 1963.
- (4) The Mysore Famine Relief Fund Bill, 1963.
- (5) The Madras Hindu Religious and Charitable Endowments (Mysore Amendment) Bill, 1963.

**Punjab**

The Punjab Cinemas (Regulations) Amendment Bill, 1963.

**Rajasthan**

The Rajasthan Noises Control, Bill, 1962.

**Uttar Pradesh**

The Uttar Pradesh Godan (Sanshodhan) Bill, 1963.

TRANSPORT AND COMMUNICATIONS

**Gujarat**

- (1) The Bombay Motor Vehicles Bill, 1963.
- (2) The Indian Ports (Gujarat Amendment) Bill, 1963.

**Kerala**

The Kerala Hackney Carriage Bill, 1961.

**Maharashtra**

The Bombay Landing and Wharfage Fees (Amendment) Bill, 1963.



*Appendices*

**TRANSPORT AND COMMUNICATIONS—(Contd.)**

***Mysore***

**The Mysore Motor Vehicle (Transaction and Passengers Goods) (Amendment) Bill, 1963.**

***Orissa***

**The Orissa Port Trust (Amendment) Bill, 1963.**

***Rajasthan***

**The Motor Vehicles (Rajasthan Amendment) Bill, 1963.**

**APPENDIX IV**

*Ordinances issued during the period 1st January to 31st December, 1963*

State	Sl. No.	Subject	Date of promulgation	Date on which laid before the House	Date of cessation	Remarks
1	2	3	4	5	6	7
Assam	1.	The Assam Contingency Fund (Augmentation of Corpus) Ordinance, 1963 (Assam Ordinance No. I of 1963)	3-7-63	19-8-63	28-8-63	...
	2.	The Assam Appropriation Ordinance, 1963 (Assam Ordinance No. II of 1963)	3-7-63	19-8-63	28-8-63	...
	3.	The Assam Finance (Amendment) Ordinance, 1963 (Assam Ordinance No. III of 1963)	8-7-63	19-8-63	24-8-63	..
Bihar	1.	The Bihar School Examination Board (Amendment) Ordinance, 1963	7-5-63	10-9-63	21-10-63	Replaced by legislation.
	2.	The Bihar Hindu Religious Trusts (Amendment) Ordinance, 1963	7-5-63	10-9-63	21-10-63	Do.
	3.	The Bihar Sugar Factories (Control) (Amendment) Ordinance, 1963	7-8-63	10-9-63	21-10-63	Do.
	4.	The Bihar Panchayat Raj (Amendment) Ordinance 1963	30-8-63	10-9-63	21-10-63	Do.
	5.	The Bihar District Boards and Local Boards (Control and Management) (Amendment) Ordinance, 1963	3-9-63	10-9-63	21-10-63	Do.
	6.	The Bihar Ministers' Salaries and Allowances (Amendment) Ordinance, 1963	21-12-63	12-3-64	22-4-64	Do.
Gujarat	1.	The Gujarat Panchayats (Amendment) Ordinance, 1963	7-2-63	28-2-63		Do.
	2.	The Bombay Homoeopathic Gujarat (Amendment) Ordinance, 1963.	14-10-63	9-12-63	19-1-64	.

*Appendices*

1	2	3	4	5	6	7
Kerala	1. The Luxury Tax on Tobacco (Validation) Ordinance, 1963		15-12-63	28-1-64	...	Replaced by legislation.
	2. The Trivandrum City Municipal (Amendment) Ordinance, 1963		30-12-63	28-1-64		Do.
	3. The Madras Commercial Crops Markets (Amendment and Validation) Ordinance, 1963		31-12-63	28-1-64	...	Do.
Madhya Pradesh	1. The Madhya Pradesh Town Improvement Trusts (Amendment) Ordinance, 1963		30-1-63	27-2-63	...	Do.
	2. The Madhya Pradesh Panchayats (Amendment and Validation) Ordinance, 1963		1-2-63	27-2-63		Do.
	3. The Madhya Pradesh General Sales Tax (Amendment) Ordinance, 1963		10-4-63	3-10-63		Do.
	4. The Madhya Pradesh Rationalisation of Land Revenue (Amendment) Ordinance, 1963		13-5-63	3-10-63		Do.
	5. The Madhya Pradesh Industrial Relations (Amendment) Ordinance, 1963		19-6-63	3-10-63		Do.
	6. The Madhya Pradesh Panchayats (Amendment) Ordinance, 1963		19-6-63	3-10-63		Do.
	7. The Madhya Pradesh Municipal Corporation (Amendment) Ordinance, 1963		29-6-63	3-10-63		Do.
	8. The Madhya Pradesh Municipalities (Amendment) Ordinance, 1963		29-6-63	3-10-63	...	Do.
	9. The Madhya Pradesh Local Authorities (Postponement of Elections) Repealing Ordinance, 1963		29-6-63	3-10-63		Do.
	10. The Madhya Pradesh Secondary Education (Amendment) Ordinance, 1963		9-7-63	3-10-63	...	Do.
	11. The Madhya Pradesh Khadi and Village Industries (Amendment) Ordinance, 1963		11-7-63	3-10-63	...	Do.

1	2	3	4	5	6	7
	12. The Madhya Pradesh Town Area (Amendment) Ordinance, 1963.		29-7-63	3-10-63	...	Replaced by legislation.
	13. The Madhya Pradesh General Sales Tax (Second Amendment) Ordinance, 1963		21-8-63	3-10-63	...	Do.
	14. The Madhya Pradesh Local Authorities School Teachers (Absorption in Government Service) Ordinance, 1963		19-8-63	3-10-63	...	Do.
	15. The Madhya Pradesh Panchayats (Second Amendment) Ordinance, 1963		7-9-63	3-10-63		Do.
	16. The Madhya Pradesh Indira Kala Sangit Vishwavidyalaya (Amendment) Ordinance, 1963		24-9-63	3-10-63		Do.
	17. The Madhya Pradesh Legislative Assembly Prevention of Disqualification (Amendment) Ordinance, 1963		29-9-63	3-10-63		Do.
	18. The Madhya Pradesh Legislative Assembly Members (Salaries and Allowances) Amendment Ordinance, 1963		29-9-63	3-10-63		Do.
	19. The Madhya Pradesh Salaries and Allowances of Ministers (Amendment) Ordinance, 1963		29-9-63	3-10-63	...	Do.
<b>Madras</b>	1. The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Ordinance, 1963		24-1-63	29-1-63	6-3-63	Do.
	2. The Madras Home Guard Ordinance, 1963		24-1-63	29-1-63	9-3-63	Do.
	3. The Madras General Sales Tax (Special Provisions) Ordinance, 1963		10-6-63	7-8-63	29-8-63	Do.
<b>Maharashtra</b>	1. The Bombay Municipal Corporation (Amendment) Ordinance, 1963		25-1-63	11-2-63	24-3-63	Do.
	2. The Maharashtra Co-operative Societies (Amendment) Ordinance, 1963		18-6-63	2-9-63	30-10-63	Do.

*Appendices*

1	2	3	4	5	6	7
	3. The Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Ordinance, 1963		13-7-63	2-9-63	30-10-63	Replaced by legislation.
	4. The Bombay Municipal Corporation (Second Amendment) Ordinance, 1963		28-10-63	10-12-63	19-1-64	Do.
Orissa	1. The National Defence Fund (Orissa Collection) Ordinance, 1962.		18-12-62	13-3-63	23-3-63	Do.
	2. The Utkal University (Amendment) Ordinance, 1963		5-5-63	2-9-63	7-11-63	Do.
Punjab	1. The Punjab Legislature (Prevention of Disqualification) Amendment Ordinance, 1962		9-1-63	19-2-63	29-3-63	Do.
	2. The Punjab Taxation Laws (Amendment) Ordinance, 1963		9-1-63	19-2-63	29-3-63	Do.
	3. The Punjab General Sales Tax (Amendment) Ordinance, 1963		9-1-63	19-2-63	23-3-63	Do.
	4. The Punjab Passengers and Goods Taxation (Amendment) Ordinance, 1963		9-1-63	19-2-63	30-3-63	Do.
	5. The Punjab Cinemas (Regulations) Amendment Ordinance, 1963		9-1-63	19-2-63	29-3-63	Do.
	6. The Punjab Development of Damaged Areas (Validation) Ordinance, 1963		22-1-63	19-2-63	31-3-63	Do.
	7. The Punjab Entertainments Duty (Amendment) Ordinance, 1963		21-6-63	9-9-63	28-9-63	Do.
	8. The Punjab Motor Vehicles Taxation (Amendment) Ordinance, 1963		24-6-63	9-9-63	15-10-63	Do.
	9. The Punjab Courts Amendment) Ordinance, 1963		24-6-63	9-9-63	18-10-63	Do.
	10. The Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Ordinance, 1963		22-6-63	9-9-63	18-10-63	Do.

1	2	3	4	5	6	7
	11. The Punjab Legislative Council Chairman's and Deputy Chairman's Salaries and Allowances (Amendment) Ordinance, 1963		22-6-63	9-9-63	18-10-63	Replaced by legislation.
	12. The Punjab Passengers and Goods Taxation (Second Amendment) Ordinance, 1963		10-7-63	9-9-63	15-10-63	Do.
	13. The Punjab Criminal Law Amendment Ordinance, 1963		26-11-63	18-2-64	30-3-64	Do.
Rajasthan	1. The Rajasthan Sales of Motor Spirit Taxation (Amendment) Ordinance, 1963		24-1-63	27-2-63		Do.
	2. The Rajasthan Entertainments and Advertisements Tax (Amendment) Ordinance, 1963		22-10-63	21-2-64		Do.
	3. The Jodhpur University (Amendment) Ordinance, 1963		29-10-63	21-2-64		Do.
	4. The Rajasthan Panchayat Samitis and Zila Parishads (Amendment) Ordinance, 1963		19-12-63	21-2-64		Do.
	5. The Rajasthan Panchayat Samitis and Zila Parishads (Second Amendment) Ordinance, 1963		29-12-63	21-2-64		Do.
Uttar Pradesh	1. The Uttar Pradesh Awtarim Zila Parishad (Sanshodhan) Adhyadesh, 1962		31-12-62	4-2-63	28-2-63	Do.
	2. The Hastinapur Town Development Board (Amendment) Adhyadesh, 1962		31-12-62	4-2-63	17-3-63	Do.
	3. The Northern India Canal and Drainage (Uttar Pradesh Sanshodhan) Adhyadesh, 1963		29-1-63	4-2-63	28-2-63	Do.
	4. The Uttar Pradesh Shri Badrinath Temple (Amendment) Adhyadesh, 1963		20-7-63	16-9-63	23-10-63	Do.

*Appendices*

1	2	3	4	5	6	7
	5. The Uttar Pradesh Muslim Waqfs (Sanshodhan) Adhyadesh, 1963 . . . . .		14-8-63	16-9-63	4-11-63	Replaced by legislation.
	6. The Uttar Pradesh Kshetra Samiti Tatha Zila Parishad (Sanshodhan) Adhyadesh, 1963 . . . . .		17-9-63	23-9-63	23-10-63	Do.
	7. The Uttar Pradesh Antarim Zila Parishad (Sanshodhan) Adhyadesh, 1963. . . . .		29-6-63	16-9-63	23-10-63	Do.