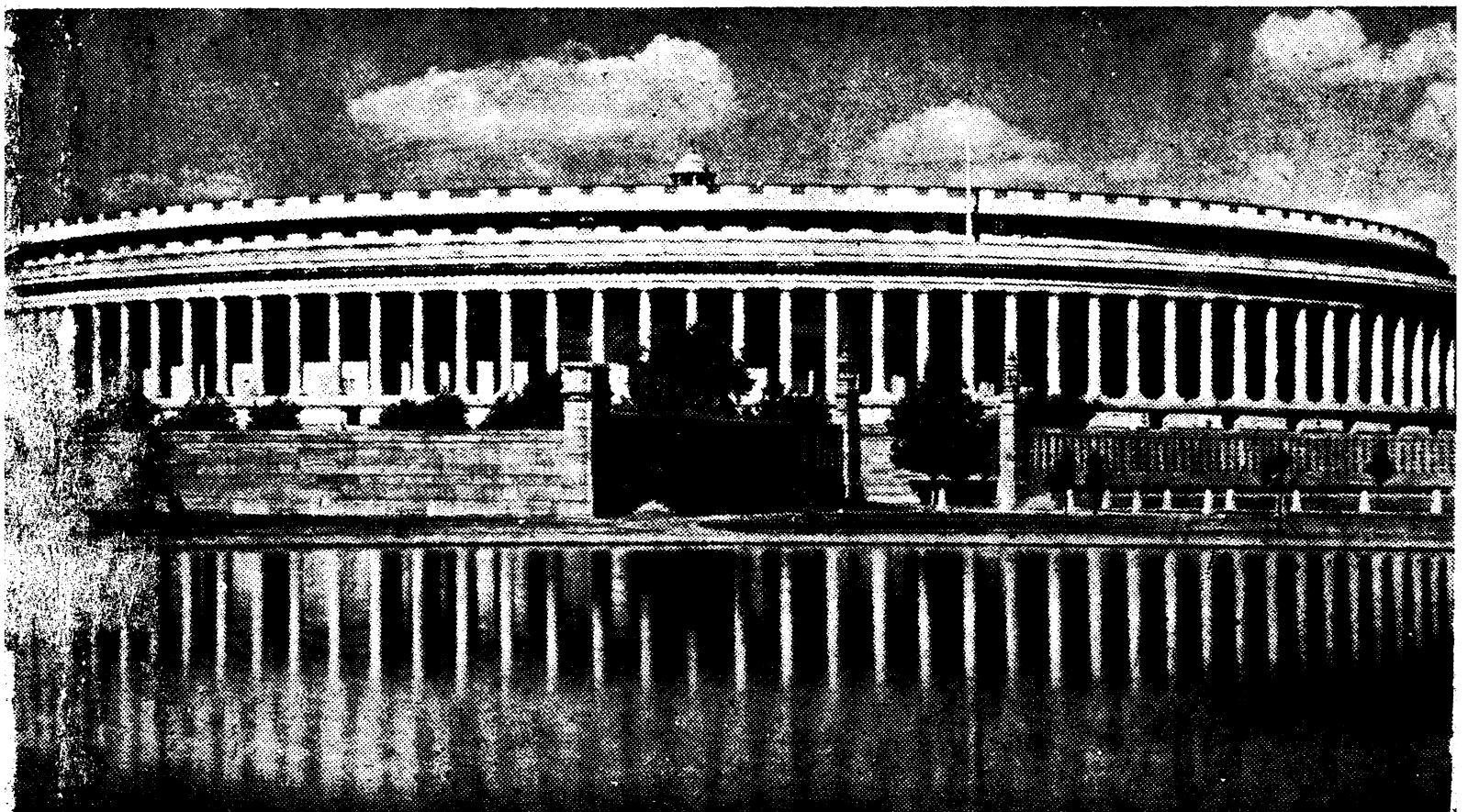


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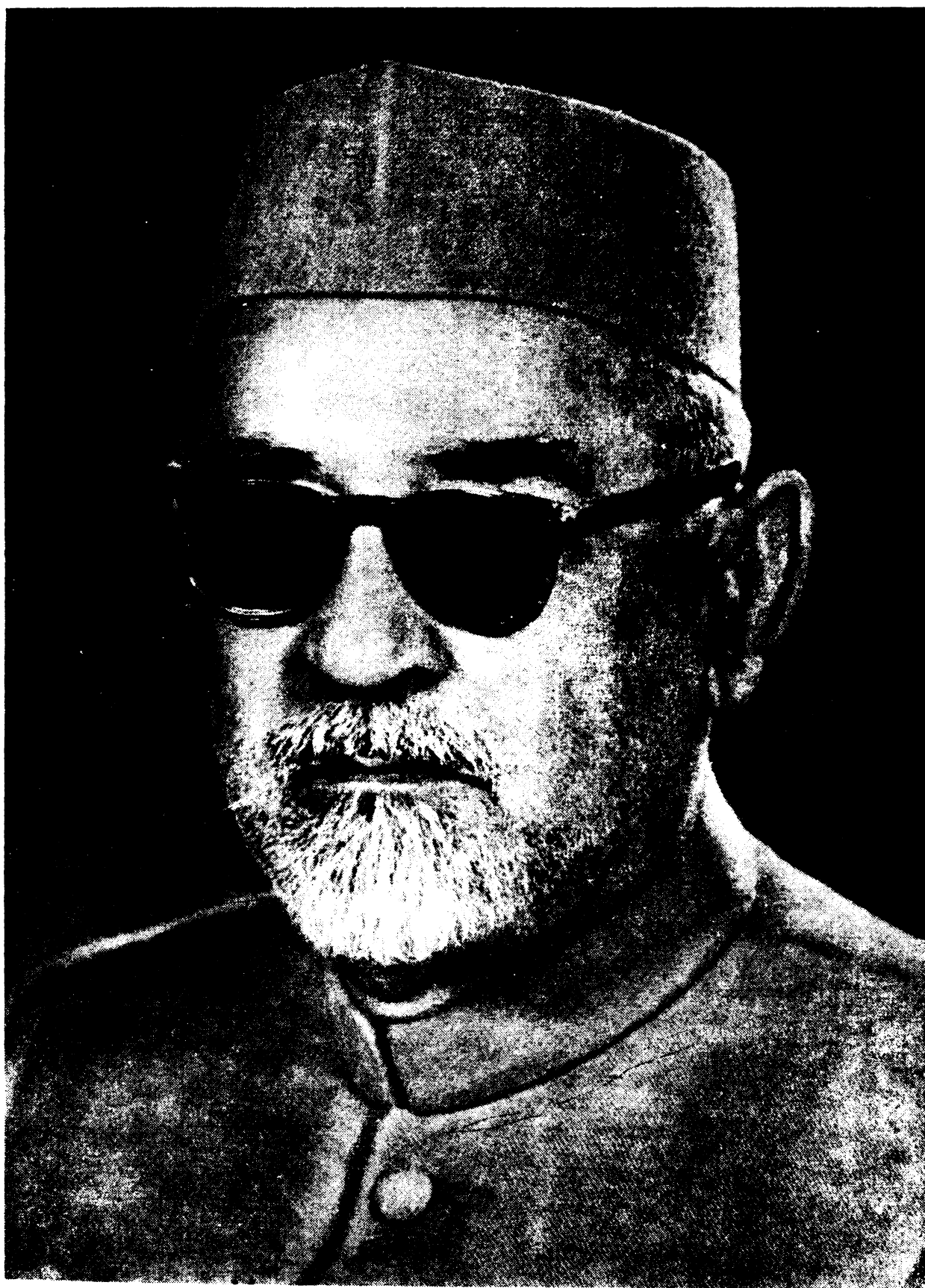
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Dr. Zakir Husain: Ex-President (May 13, 1967—May 3, 1969)

LOK SABHA'S HOMAGE TO DR. ZAKIR HUSAIN

Dr. Zakir Husain, the third President of the Republic of India passed away on May 3, 1969 as a result of a sudden heart attack. In the death of Dr. Husain, the country lost a staunch and unflinching defender of human virtues of truth and love, an eminent scholar and educationist, a great statesman and a true patriot. Besides being a person of great cultural and intellectual eminence, he was a noble freedom fighter, a true follower of Gandhian simplicity and a symbol of India's composite culture. He staunchly shared Gandhiji's idea that education should include learning of a basic trade so as to be productive. He founded the Jamia Millia and laid emphasis in its curriculum on the Gandhian scheme of Basic Education.

The Lok Sabha assembled on the 5th May, 1969 under the shadow of the grievous loss, to mourn the death of Dr. Husain.

Speaking on the occasion, the Prime Minister (**Shrimati Indira Gandhi**) said:

Mr. Speaker, Sir, I rise to speak with a heavy heart. The country has suffered a grievous loss, and the world has lost a man of vision and compassion. Dr. Zakir Husain was a wise guide to our people. He reflected the best in the heritage of civilised man. He was an unusual amalgam of steadfastness and gentleness, representing the finest flowering of the composite culture of our country.

It is rare to find so integrated a personality as Dr. Zakir Husain's. His life was rich and varied. Every visit to him, every conversation with him was an enriching experience, and I think, Sir, that that was the feeling of most people who met him. He was a learned scholar, a thinker and a writer of distinction. Interested in people and nature, he was a connoisseur of creative arts and had a deep and abiding interest in the finer things of life. With his wealth of knowledge and experience, he had a disarming simplicity. Although he rose to the highest position in the land, he retained the humility of true greatness and was proud to describe himself as a mere teacher. He was so little attracted to pomp and power that the high offices which he held had to be thrust upon him. He set the highest standards of

conduct for himself, and every act and gesture of his was living proof of this high integrity, ennobling all around him. To the end of his days, he remained an elder statesman whose soft words of wisdom were heard in defence of all that is of enduring value in public life.

Many influences moulded his personality, the teaching of Islam and other great religions of our country and the world, the inspiration of Mahatma Gandhi and other great seekers of freedom and light, the liberal and humane philosophies of the West and the writings of the great poets and authors of all lands. He had an inquiring mind, not an accepting one. But he was free from dogma or narrowness of any kind and bent his fastidious intellect to a search for harmony and in the interests of a larger purpose.

It is two years since the nation elected him to this high office. I recall the controversy which was generated at that time. But I am sure that to-day every one in the country, without distinction of party, region or religion, would agree that Dr. Zakir Husain adorned the office of President with dignity, distinction and unblemished integrity. We did not elect him because he was a Muslim by birth and faith. We elected him because he was the most eminent Indian we could think of to be the first citizen of our Republic. And in the manner in which he conducted himself as President and earlier as Vice-President and Chairman of Rajya Sabha, he vindicated India's basic commitment to democracy and secularism.

As President and representative of India, he made a deep impression on the statesmen and people of other countries, and earned greater esteem and friendship for India.

This evening we shall lay to rest a great Indian who belongs to the long line of sages and wise rulers of our ancient land. It is fitting that he should be laid to rest in an important centre of learning which he himself had built through his dedication and where practically every brick, book and tree he had chosen. He will be one with the soil, the flowers and the plants of the land he loved so much. Dr. Zakir Husain was a man who wanted our country to become a garden and a school. His gracious presence is

no more but his gentle words of deep conviction and his example of dedication, compassion and tolerance will remain in our memory and become part of our conscience.

Mr. Speaker, as the Head of the Government, I naturally mourn the death of the President. In the many difficult crises through which the country has passed during his brief tenure, he was a source of strength to my Government. But I remember him from the olden days of our freedom struggle. I remember also his long-standing comradeship with my father and other eminent leaders. This was a partnership which bound together all classes and castes, the old and the young in a common cause, the unity, the freedom and the welfare of our people.

In paying homage to Dr. Zakir Husain, let us rededicate ourselves to our cherished values and to our unfinished tasks.

May I, Sir, on behalf of the Government and also on behalf of the whole House, request you to be good enough to convey to Dr. Zakir Husain's family our sincerest condolences as also the assurance that we share their sorrow.

May I move a Resolution at this stage? Sir, I beg to move:

That the Lok Sabha, assembled under the shadow of a national tragedy, expresses its profound sense of sorrow at the sudden death of the President of India, Dr. Zakir Husain, and pledges itself to promote the high ideals of patriotism, national unity, secularism and the service of humanity which he upheld.

Similar sentiments were expressed by Members from all sections of the House.

Associating himself with the sentiments expressed by the Prime Minister and other Members of the House, Mr. Speaker (**Dr. N. Sanjiva Reddy**) said:

With a heavy heart laden with grief and sorrow, I join the House in paying its humble tribute to our revered President, the late Dr. Zakir Husain. I fully associate

myself with the sentiments expressed here by the Prime Minister, Leaders of Opposition Groups, and other Members on the passing away of Dr. Zakir Husain. He was a symbol of modesty, secularism, wisdom and culture. In his sudden death, the nation has suffered a grievous loss, not only in the political field but in other spheres as well and more so in Education. We deeply mourn the loss of this great son of India. We convey our heart felt condolences to Begum Husain and other members of the bereaved family.

The tributes paid by other Members on the occasion are as follows:

Shri M. R. Masani: Mr. Speaker, Sir, in grief we are united. The Leader of the House has spoken for all of us. I would like, on behalf of my Party, to associate ourselves with what has fallen from her lips and also with the Resolution that has been placed before the House.

Sir, it is now more than thirty years that I recall first meeting Dr. Zakir Husain. Most of the time that I knew him, I knew him as an educationist. It was in that capacity that many of us came to appreciate him and admire him.

I remember, in the early forties, or the mid-forties when he was concerned with establishing the Jamia Millia. I had the privilege to be of a little help to him in placing that establishment on a well-endowed and stable basis.

And then, later on, I knew him as Vice-Chancellor of Aligarh Muslim University, later as Governor of Bihar and then as Vice-President.

As the Prime Minister had said, Sir, he was an embodiment of culture, of patriotism and love of the country. of gentleness and humility.

As the Prime Minister recalled, in 1967 we, on this side of the House, were unable to concur in his election as President. That, Sir, was based on broad political considerations and the national interest as we conceived it. And it was done, so far as some of us were concerned, with great regret because of the personal regard we had for the man.

He was a great Gandhian and a great democrat and he understood this and I can testify to the fact that he did

not allow that incident to colour or mar in the slightest the personal relations he had with some of us. I remember only a few months ago, a long intimate conversation I had with him when he shared with me his concern at the state of the country and the nation.

A commentator of All India Radio said on Saturday night that he hated to think of Dr. Zakir Husain as belonging to the world of politics. He said that "neither temperamentally nor intellectually did he belong to that shady world." Perhaps the way in which we have allowed the standards of our public life to be lowered in the last few years merits the reproach. But then the question arises if good men like Dr. Zakir Husain are to eschew public life and politics, what is to become of our country?

There are many wise words and many wise things he said which could be quoted and which have been quoted. But to me it appears that when he became President and gave an exhortation he told us about the thing most needed for our time and day. He said:

'The situation demands of us work, work and more work, silent and sincere work, solid and steady reconstruction of the whole natural and cultural life of our people.'

Sir, today we mourn the passing away and the loss of a great gentleman, a dedicated educationist and a mellowed statesman.

There is a Biblical saying that "The meek shall inherit the earth." We do not know when that happy day will come; certainly not in our life-time. But the recognition, without his seeking, that came to Dr. Zakir Husain is perhaps Sir, an augury of that happy day which may yet come.

***Shri Jagannath Rao Joshi:** Mr. Speaker, at this juncture when the country is passing through critical times, the cruel fate has once again snatched away an illustrious personality from amongst us and thus given us all a heavy blow.

Dr. Zakir Husain was a great patriot, eminent educationist and a genius. He was a lover of nature and as such he showed equal interest in flowers and fossils. I was not fortunate enough to come into close contact with him but I met him on two or three occasions and I was much impressed by his conversation and gentlemanly behaviour.

He was a living example of the two main streams of the Indian culture—simplicity and gentility. As a follower of Gandhiji, he toiled ceaselessly and with keen interest to serve the country and its people and it was because of this that he became Member of Parliament and thereafter adorned the high offices of Governor and the highest office of the land, *i.e.*, the office of the President. With his sweet tongue, learning and behaviour he enhanced the status and dignity of this office. His great ideal would remain for ever and ever a fountain-head of inspiration for the country. May God rest his soul in peace. Through you, I wish to express my condolence on my behalf and on behalf of my party to the bereaved family.

Shri Anbazhagan: Mr. Speaker, Sir, we are deeply shocked at the sudden demise of our revered President, Dr. Zakir Husain, and the whole country as well as Indians abroad are plunged into grief.

Our President was not only the political head of our country, but also an embodiment of the greatest traditions and the composite culture of our country. He was simple in living and humble in appearance, but great in ideals and noble in his thoughts.

From the day that he came under the influence of Gandhiji, he took to his heart the cause of liberation of our great nation. To achieve this object, as a devout educationist, he wanted to do constructive service in the field of education and strived hard to find and perfect a system suitable to this country. Gandhiji's idea of *craft-cum-education* was entrusted to Dr. Husain, and through him basic education was enunciated. His sense of duty in service of the nation was something deep and sublime. He was a devout Muslim and true to his religion he had much respect for the religious sentiments of others. In Gandhiji's

words "if a man reaches the heart of his own religion, he has reached the hearts of others too." As this stage of perfection was attained by him, he stood as a great symbol of our cherished idea of socialism.

As President, he loved all sections of the public, rich and poor, high and low and all religious and linguistic groups. He enjoyed the confidence and admiration of one and all. All along his life, he tried to perform his duty with a sense of devotion, dignity and honesty. In his demise, our country has lost a great leader, who stood for peace, and for the prosperity and welfare of the vast multitude of our people. In him as President, Sir, we had an erudite scholar, an eminent educationist, a sober statesman and a distinguished patriot.

The scholarly words that he spoke on the occasion when he inaugurated the International Tamil Conference in Madras under the presidency of the then Chief Minister of Tamil Nadu, our late lamented leader Shri Anna, are still ringing in my ears.

Our late President eulogised the Tamil language, its antiquity, the classical literature of the past, the modern development and its contribution to the composite culture of this vast country.

On behalf of the DMK Party and its Members and also on behalf of the people of Tamil Nadu, I wish to join with you all and with the Leader of the House in expressing our heart-felt condolences and pay our respectful homage to the departed leader.

Shri S. A. Dange: Dr. Zakir Husain was one of those young men who gave up the college and joined the anti-imperialist national revolutionary movement begun by Mahatma Gandhi in 1920, and till the last he remained loyal to nationalism and secularism.

His election to the Presidentship of the Republic was a sign of the secular sense of the Indian people. It signified a continuation of the movement of integration of the Hindu and Muslim cultures in our country which began in the sixteenth century under Akbar and Dara Shikoh and the

Hindu Vedantins at the top and saints like Kabir and the Sufis from below. Unfortunately it was broken later by Aurangzeb.

Dr. Zakir Husain's death is a great loss to the growth of democratic integration which we are trying to build in India under our Constitution and popular mores.

Shri Surendranath Dwivedy: I fully associate myself and my party with the rich tributes that have been paid to our departed President Dr. Zakir Husain.

Dr. Zakir Husain's life was a life of privation, suffering and sacrifice. His qualities as a person were outstanding and rare. He was a real embodiment of Indian culture and what is known as nobility and humility.

In this country when we have lost almost all great men, it is really a tragedy that at this juncture Dr. Zakir Husain should have passed away so unexpectedly.

If any example is needed of his love of humanity and of his love for the integration of this country, then the fact that in spite of his bad health he dared to undertake a journey to NEFA, Nagaland and Assam—which it seems had a very bad effect on his health which caused his death ultimately shows how anxious he was to build up the integrity and integration of this nation.

At this juncture when we have lost him, let us not talk about the election contest that we had. Contest is a democratic procedure which is inherent in our democratic system, and let not anyone carry this impression that because his candidature was contested there was any lack of respect or regard for his qualities and his personality. He was universally liked by everybody, and although he belonged to a minority community, he was liked by all communities in this country.

We really mourn his death, and we are all sorry that at this juncture we have lost him, and it is a great blow to our Indian nation.

Shri Frank Anthony: Mr. Speaker, Sir, I associate myself with the sentiments that have fallen from the Leader of the House and the previous speakers.

I was an ardent advocate of Dr. Zakir Husain's election as President. Among the things that I said was that his candidature was a challenge to our commitment to secular democracy; I hailed his election as a heart-warming affirmation of that commitment and indeed a vindication of our faith in the secular ideal.

I knew him for the best part of thirty years. In a sense, he was a politician, in the sense that he was for many years a member of the Rajya Sabha, and also its Chairman. But I did not regard him as a politician in the normal sense because I believe fortunately, he lacked the asperities of the latter day politician at any rate. I think he considered himself, first and last, as a teacher, personally interested in teaching, in education, guiding and moulding youth. He had an old-world charm that was put in bold relief by refinement and scholarship.

As the Leader of the House has said, he was a symbol of our commitment to secular democracy, but I think, even more importantly, he was a symbol of a composite culture, a synthesis of what is best in the Indian character and thinking, humanism, tolerance, broad sympathies and freedom from parochial and narrow loyalties.

May God rest his soul in peace.

Shri K. Ananda Nambiar: On behalf of the Communist Party (Marxist) and on my own behalf, I associate myself with the feelings expressed by several other hon. members on the sudden and sad demise of Dr. Zakir Husain, President of India. In his demise we have lost a great patriot and nationalist, an educationist and above all, a humanist. He has to his credit the entire service of an illustrious career in the cause of the nation and of education in particular. He believed in what he said at the time of his ascendancy to the high office of the Presidentship that 'the whole of Bharat is my home and its people are my family' and strictly acted up to his convictions.

Many are the limitations of the office of President of India who acts under the advice of the Council of Ministers. Therefore, the scope of the President's personal contribution

to the shaping of policies towards the governance of the people are very much less under the Indian Constitution. Still, from that high office, Dr. Zakir Husain radiated love and affection to the entire people of India and those abroad. He is respected and loved by people all over the world.

I wholeheartedly support the Resolution moved by the Leader of the House.

***Shri Ram Sewak Yadav:** Mr. Speaker, the entire country has plunged into grief at the demise of Dr. Zakir Husain. He was a very great scholar and a pious man. He was an embodiment of truthfulness, simplicity, secularism and unity. We are deeply pained at his sudden demise at this juncture. The void created by his demise is difficult to be filled in.

While associating myself and my party with what has been spoken and with the sentiments expressed by the Prime Minister I pay homage to the late Dr. Zakir Husain and pray to God to enable his family to bear the grave tragedy. We all are with them.

Shri Humayun Kabir: Mr. Speaker, we have met today to mourn the loss of the President of India, the first President to die in office.

About his public achievements, I do not wish to speak because those are known to everyone. Everyone of us knows that he was a great educationist and builder of Jamia Millia. Everyone of us knows that he was a statesman, farsighted with wise counsel for all and always considerate of the feelings and opinions of others.

We all know that he was a magnificent symbol of the rich and many-splendoured culture which this country has produced through evolution of some five or six thousand years. All these he was, but he was something even more because his was a rich human personality—one whose essential quality was kindness and consideration for others.

I think one of the most remarkable things about him was that whoever came in contact with him, from whatever

*Original speech in Hindi.

station of life and from whatever part of the world, he immediately made him or her feel completely easy. This applied not only to grown up people. I have seen small children of two or three, at first a little awed by his majestic appearance and a somewhat forbidding beard, very soon lose all fear and crawl up to him wanting to be caressed. These were the qualities of the man. Very often children get to the heart of the matter and recognise the innate goodness of man. In Dr. Zakir Husain, we had an example of the true humanist.

On behalf of my colleagues and on my own behalf, I should like to join in the tribute and the resolution moved by the Leader of the House to a great scholar, a great patriot and a great gentleman.

Shri J. B. Kripalani: I fully associate myself with what our lady Prime Minister has said and the sentiments expressed by other leaders of different parties. As I do not happen to belong to any party, I am speaking on behalf of the nation.

I came in contact with Dr. Zakir Husain when he was a young man in 1920-21. I came in more intimate contact with him in connection with the educational reform that Gandhiji kept before the nation, namely, basic education. He was the Chairman of the Committee on Basic Education of which I was also a member. In those days of provincial autonomy, that education was considered to be the best form of education, most scientific and the most national. And in those conferences we met. Afterwards also when he founded Jamia Millia I came in contact with him.

I think that the best decision that he took for himself was to act according to his nature and nature prescribed to him his duty in life—that was the educational field. He was a great educationist and as an educationist ought to be, he was a man of universal courtesy. He was a liberal in the highest sense of the term; he was also a humanist. He loved nature; he loved flowers; he loved paintings and he loved rocks and gems and he was the right product of the composite culture that we have built up in India. It was a great tribute to the majority community that he became our Rashtrapati with the overwhelming vote of that majority.

In his death we have lost a great man and we sorrow for his death.

I believe that death came about because he took the duties of his position rather seriously, and he went to all sorts of places to which a man in his health would have been more careful not to go. So, it can be said that he was a martyr to the service of the country. He was loved by all classes of people.

Sir, I support the resolution that has been placed before the House by the Prime Minister, and I am sure you will convey to the members of the family of the late Dr. Zakir Husain and to the members of the institution that he founded our heart-felt condolences.

Shri M. Muhammed Ismail: Mr. Speaker, Sir, on behalf of my party, the Muslim League, and on my own behalf, I associate myself with the sincere sentiments expressed in the House touching the profound sorrow caused by the sudden, untimely and shocking demise of Dr. Zakir Husain, the most worthy President of India.

Dr. Zakir Husain, Sir, was a gentleman *par excellence* and was of an outstanding, charming and rare personality, having to his credit solid and brilliant qualifications and high achievements. Many high and admirable qualities and virtues were harmoniously commingled in him—qualities some of which were seemingly contradictory of each other. He was a great thinker and writer, possessing deep and wide learning and knowledge, but he was chary and sparing of speaking in public. He had an engaging courtesy and was of soft manners; but he had also been endowed with the capacity of firm determination and unbending courage of conviction.

He had fittingly occupied exalted and distinguished positions in life and ended as the Head of the State. At the same time, he had the inborn and unflinching quality of humility and modesty. These and such other combinations of virtues and qualities, his great achievements and distinguished services and sacrifices for the country and for humanity took him to a peak of personality which is not very frequently attained.

From the time when he joined the freedom movement as a stalwart fighter to the end when he died in office as the President of India, he, as a great patriot and an advocate of humanism, has rendered yeoman service to the country in various spheres of life, particularly in the field of education and of humanism. His demise is really a very great and irreparable loss to the country. It is not easy to make good the loss.

Sir, I associate myself with the sentiments, once again, expressed in the House and I also join in the motion that the condolences of the House may be conveyed to the members of the bereaved family of the departed soul.

May his soul rest in peace.

***Shri A. N. Mulla:** Mr. Speaker, Sir, I know Dr. Zakir Husain but not as much as I should have known him. However, with the passage of time as I happened to know him more and more, I came to know of his greatness.

Today, I am speaking in Urdu because I think that tributes should be paid to Dr. Sahib in his language and in case this is done, Dr. Sahib might have liked that somebody was paying him the homage in his own language.

Today, the people all the world over are paying tributes to Zakir Sahib and are bringing in bold relief the different aspects of his genius. But everybody has experienced in a different way as to why a flower emits fragrance and a lamp lights. Everybody has different feelings and he expresses himself in a different way. Whatever little time is at my disposal for expressing my feelings regarding Dr. Zakir Sahib, I may not be able to express even a fraction of it. I will express my feeling on some other occasion. Perhaps you are aware that I am known to be a poet. I, therefore, present four couplets and hope that Shrimati Tarkeshwari Sinha would permit me therefor and would not take it to be an encroachment in her field:—

صفاول سے فقط ایک ہی مےخوار اتھا
کتفی سلسان ہے لیکن تیری محفل ساقی -

ایک ہی شمع بجھی موت کے ہاتھوں لپکن،
 کتنی تاریک ہوئی قوم کی منزل ساقی -
 ایک کلمی آئی تھی خوشبو لئے کچھ دم کے لئے
 وہ گئی بہر وہی کانتوں کی ہے محفل ساقی -
 دفن ہو جائے نہ خوشبو بھی کہیں پھول کے ساتھ
 یہی خوشبو تو ہے اس بزم کا حاصل ساقی -

[From the front row only one person had departed

But what forlorn your assembly has become saqi

The storm of the cruel Fa'e has blown out one lamp only

*But how bleak has become the path of Nations's
 destiny.*

*One bud had sprouted to exhale fragrance for a few
 moments*

Only thorns remain after it has withered away

Let this fragrance not go with the flower

*As this fragrance is the only gain of this Assembly
 Saqi]*

This very fragrance, we have to preserve. It is futile for us to be here if we are not able to preserve this fragrance. Today, in the absence of Dr. Zakir Husain, our endeavour should be to preserve this fragrance.

***Shri Kikar Singh:** The absence of Dr. Zakir Husain is being felt by all in the world today and people have been struck with immense sorrow. The representatives of the Government of all the countries are coming here to pay homage on behalf of their respective governments and countrymen. This bears testimony to the greatness of Dr. Sahib. The people of the country today are paying tributes to this great leader who was also a scholar, lover of nature and a perfect gentlemen. I respectfully pay homage on behalf of Sant Fateh Singh, the great leader of Sikh Community, the entire Sikh community, all the Punjabis and countrymen and hope that the person adorning

this highest office of the land in future would follow the foot-prints of Dr. Sahib and would enhance the prestige of the country. Dr. Sahib was a noble son of the country; he was a humanist. The minority communities have particularly suffered loss at his sudden demise. The light showing the path of mutual help and unity had faded out for ever. May God rest his soul in peace. On behalf of the entire Akali Dal, I express my heartfelt condolences at his stunning death.

Shri N. C. Chatterjee: Mr. Speaker, Sir, the election of Dr. Zakir Husain in the month of May two years back as President of India was really a remarkable event. For India it was a vindication of the secular democracy which it was preaching. Sir, we made him Rashtrapati and as such the Rashtrapati was respected and revered throughout India and also in countries outside. Today, within two years of his election, we have met here to mourn his sad and untimely demise.

We have got to remember that we have lost not merely a great thinker, a real educationist, an eminent statesman and a perfect gentleman. I call him a perfect gentleman because he was the embodiment of both sublime detachment and also deep humility. That is his great qualification. Today the whole of India mourns his stunning death.

We wanted him to rule over us for five years. In times of deep stresses and strains, when the Centre-State relationship has been showing so many difficult problems, when even the student unrest is assuming serious proportions, the great friend, philosopher and guide to the students, Dr. Zakir Husain, is no more to help and guide us. That is a great loss to the State, great loss to this Parliament, great loss to the whole nation. The whole nation mourns his loss. We also mourn his loss and support the resolution moved by the Prime Minister.

***Shri Prakash Vir Shastri:** Mr. Speaker, Dr. Zakir Husain was not only an ideal educationist, an embodiment of simplicity and a great statesman but also a great humanist. God had endowed him with a heart which moved at

*Original speech in Hindi.

the agony and sufferings of others. I would quote a poet to convey that God had endowed Dr. Zakir Husain with a heart that moved at the sufferings of others;

पर दुःख को जो दुःख ना माने,
पर-पीड़ा में सदय न हो,
सब कुछ दो, पर प्रभो, किसी को,
जग में ऐसा हृदय न दो।

*[The heart that moves not at the sufferings of others
And showeth no mercy at their pain*

O God, bestow everything but no person

In this world with such heart ordain.]

During the freedom struggle there was a demand in the country that the defective educational system of Lord Maculay should be opposed by setting up educational institutions most suitable to the country. Rabindra Nath Thakur founded Shanti-Niketan in Bengal, Dr. Bhagwan Das founded Kashi Vidyapeeth in Kashi, Gandhiji founded Gujarat Vidyapeeth in Ahmedabad and Swami Shraddanand founded Gurukul Kangri. At that juncture Dr. Zakir Husain founded Jamia Millia and wanted to offer a national educational system to the country. Even today the Institution established by him is endeavouring to give an ideal educational system to the country.

I also had an opportunity of participating in many functions with the President. Whenever I noticed his hesitation to make speeches. I was surprised as to why Dr. Zakir Husain should avoid making speeches. On many occasions when he was approached for presiding over some functions he would get an assurance that he would not be asked for making a speech. He was of the view that the country was getting fed up with the speeches. It was, therefore, high time to discontinue the speeches and enter the practical field. In the evening of his life he had adopted a sort of slogan, *i.e.* "Speak less, work more". I feel that this slogan of Dr. Zakir Husain will work as a guiding principle for the countrymen . . .

With these words I pay my heartfelt homage to that great humanist.

The House unanimously adopted the condolence resolution moved by the Prime Minister and stood in silence for a short while to express its sorrow. At the suggestion of Mr. Speaker, the Members assembled in Rashtrapati Bhavan at about 12-30 P.M. to pay homage and place a wreath on behalf of the whole Parliament on the body of the late President.

Earlier the House adjourned after observing silence for a while as a mark of respect to the departed soul.

To you I declare the holy mystery: there is nothing nobler than humanity—

—MAHABHARATA

HOMAGE TO PRESIDENT ZAKIR HUSAIN*

—Frank Moraes

When I think of President Zakir Husain my mind goes back some years ago when I met him when he was Vice-President. One talks, as one does at such meetings of many things, mostly political. I cannot recollect them as of now but I remember very vividly his enchanting absorbing talk on his garden and roses which he later took me to see.

He had an almost feminine, fastidious sense of where and how everything should be. His mind was unusually tidy, and as I talked with him I was fascinated by the precision with which he had catalogued out-of-the-way details in an almost computer organised way. He was, of course, a very disciplined person mentally and physically which explained his computer-like mind.

Yet Zakir Husain was also a warm, human person as I have reason to know. He had a quality which most, if not all of our politicians, lack. He had a great sense of humility. And humility is the beginning of knowledge. It is only when a man admits that he does not know that he begins to acquire knowledge. I do not know very much of roses and gardens and of modern painting, on all of which Dr. Zakir Husain taught me something, if not a great deal. Yet he was humble enough to ask me questions on political matters not that I could always enlighten him.

I hate to think that he belonged to the world of politicians. He was too clean for that. He was really a scholar who had strayed into the world of politics. Over thirty years ago Gandhiji chose Dr. Zakir Husain to project his scheme of basic education in India. One often asked oneself then why the Mahatma had done so. One knows it to some extent today. I think it was because Gandhiji and Zakir Husain shared respect for some elemental qualities. Both of them worshipped Truth and Beauty in their own different ways, they worshipped the Beauty of nature, of stars and skies and sunsets and the glow of a magic moon. I think, as I have written elsewhere only this afternoon, that both could qualify for Keat's definition of Truth that Truth is Beauty and Beauty is Truth.

*By courtesy : All India Radio. The tribute was broadcast on May 3, 1969.

However in thinking and assessing President Zakir Husain's contribution to the national mainstream of life one cannot assess it in large, general terms. One has to be more specific. And that is exactly where Dr. Zakir Husain was specific. I believe he was proud to be an Indian and he, I think and believe, was also proud to be a Muslim. There is no conflict in that Dr. Zakir Husain was proud of his patriotism, of his religion and of his secularism. What is wrong in that? I think he was secular in the best meaning of that much-abused phrase. He was secular in respecting other religions and also his own, and expecting in turn equal respect from those of other creeds.

Most of all I like to think tonight of Dr. Zakir Husain as I know him over many years a great gentleman and a great patriot. He was a truly civilised man who recognised that knowledge had no frontiers. He loved India, he loved the world. He loved Germany, not the Germany of Hitler but the Germany of Goethe and Max Mueller. He was big enough to recognise that post-Hitler Germany had much to offer to the civilised world.

And he never nurtured narrow likes or hates. Zakir Husain was too busy and too big to be mean. It takes bigness not to be mean. And so I should like all of us to remember him a human, gentle, warm and compassionate person, too big to be mean. He was something out of the heart of India's Indo-Moghul culture. He was one of us. And because he chose to stay where he belonged through thick and thin, we shall remember him.

We shall remember him.

How beautiful mankind is! O brave new World

That has such people in't!

—SHAKESPEARE

TRIBUTE TO DR. N. SANJIVA REDDY, EX-SPEAKER, LOK SABHA

Dr. N. Sanjiva Reddy resigned the office of the Speaker of Lok Sabha on July 19, 1969.

Dr. Reddy was elected Speaker of Lok Sabha on March 17, 1967. On his election as Speaker, Dr. Reddy resigned his membership of the Congress Party. Dr. Reddy was the first holder of that august office since independence to have officially severed his party affiliations during the term of his Speakership.

Though Dr. Reddy held the office of the Speaker only for a little over two years, he lent dignity and distinction to it by the exemplary manner in which he presided over its deliberations. He possessed a large measure of personal authority, a willingness to see the other man's point of view and a deep understanding of the sense of the House which enabled him to conduct the business of the House in an orderly manner.

With his vast experience of men and matters, and his rare and intimate knowledge of personalities, Dr. Reddy managed to tackle with tact and skill difficult situations in the House when at times it became "boisterous".

Dr. Reddy regarded himself first and foremost as "a servant of the House". He firmly believed that "if aspirants for Speakership have to maintain their impartiality and independence they should accept the office with a sense of fulfilment, regarding it as a rare privilege to be called upon to serve the cause of Parliamentary democracy in the unique way which is open only to a Speaker".

An able guardian of Members' rights, Shri Reddy will long be remembered as a great Speaker who raised the stature of that high office by his scrupulous regard for impartiality, integrity and independence of the Chair.

On July 22, 1969, the Lok Sabha paid a unanimous tribute to Dr. Sanjiva Reddy for the dignity and success with which he presided over the deliberations of the House. The Prime Minister and Leader of the House (Shrimati Indira Gandhi) moved the following resolution:

"That this House places on record its high appreciation for the dignity and great success with which Shri N.



Dr. N. Sanjiva Reddy

Ex-Speaker, Lok Sabha (March 17, 1967—July 19, 1969)

Sanjiva Reddy presided over the deliberations of the House in his capacity as its Speaker.”

Moving the Resolution, the Prime Minister said:

“I am sure that all hon. Members will agree that although Shri Reddy presided over this august House for only two years, he left his impress on the office and lent it distinction and dignity by his fairness and vigilance in upholding the rights of the elected representatives of the people. By his sense of humour and tactful handling of the most difficult situations in the House, Shri Reddy earned respect for himself and for the high office of Speaker.”

The Resolution was then unanimously adopted by the House.

A copy of the Resolution adopted was sent to Dr. N. Sanjiva Reddy.

Dr. N. Sanjiva Reddy in a letter dated 23rd July, 1969 which was read out to the House by the Deputy Speaker the same day, expressed “grateful thanks to all the Members for the cooperation they have given me during my term of office as Speaker and for adopting the motion unanimously.”

ELECTION OF THE SPEAKER

On August 8, 1969, the Lok Sabha, unanimously elected Shri Gurdial Singh Dhillon, a member of the House from Punjab, as its new Speaker in the vacancy caused by the resignation of Dr. N. Sanjiva Reddy on July 19, 1969. The motion proposing the name of Shri Gurdial Singh Dhillon was moved by Shri Raghu Ramaiah, Minister of Parliamentary Affairs and Shipping and Transport and seconded by Shri Bibhuti Mishra (Congress). The motion when put to the House was adopted unanimously by a voice vote. The new Speaker was then conducted to the Chair by the Prime Minister and Leader of the House (Shrimati Indira Gandhi) and the Leader of the Swatantra Group (Shri N. G. Ranga).

Felicitations to Mr. Speaker

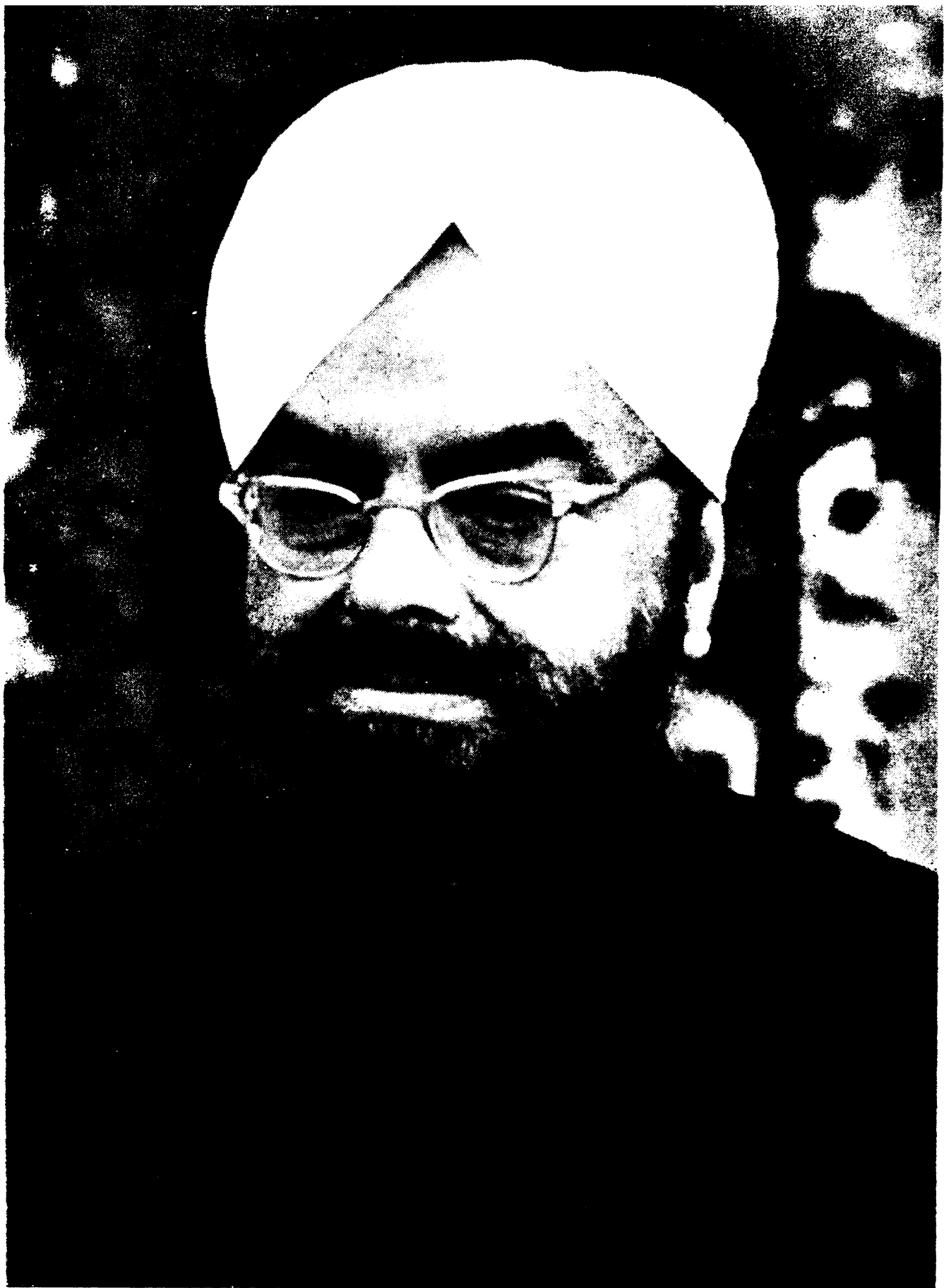
Felicitating Shri Dhillon on his election to the high office, Shrimati Gandhi, in her speech, said:

Mr. Speaker, Sir:

May I welcome you to your august office, not only on my own behalf and on behalf of the Government and the Party, but also, if I may, on behalf of all sections of this House.

Sir, it is a happy augury that your election to this high office should have been unanimous, and thus met with the approval of all sections of this House. I say so because the Speaker, at least from the moment of his election, belongs to the entire House and sits above all Parties and above all differences.

To this distinguished Chair you bring long years of valuable experience as Presiding Officer. But you also bring to it the rich past of a varied public life as a political worker, as a social worker, as a journalist and, last but not least, as a keen sportsman. I hope that under your stewardship the House will imbibe the spirit which is normally expected in the sphere of sports—that is, regard for the rules of the game, the conduct of every debate and every contest in a friendly and sportsmanlike spirit



Shri Gurdial Singh Dhillon

Speaker, Lok Sabha

Elected : August 8, 1969

and, at all times and under all circumstances, unquestioned acceptance of any ruling or decision that you might be pleased to give from the Chair as the umpire.

Sir, the Houses of Parliament are indeed meant for free and even for fierce debate on every important issue facing the country. And occasionally, a touch of heat and passion will inevitably be injected into such debate. But I am sure my colleagues on all sides of the House will agree that there is need for us to join hands and make a determined and collective effort to preserve and foster the decorum and dignity of this House. The primary burden of this will devolve on you, Sir; but let us all on this occasion pledge to be solidly behind you in this task.

I have no doubt that the rights of all sides of the House and every hon. Member will be secure in your hands.

I extend our hearty felicitations to you and also our assurance that you shall at all times have our fullest co-operation in the discharge of the difficult duties upon which you are about to embark.

The Prime Minister was followed by Sarvashri N. G. Ranga, Atal Bihari Vajpayee, K. Anbazhagan, H. N. Mukerjee, Rabi Ray, P. Ramamurti, Surendranath Dwivedy, Govind Das, Karni Singh, Abdul Ghani Dar, Prakash Vir Shastri, Tenneti Viswanatham, J. B. Kripalani, Shrimati Nirlep Kaur, Sarvashri Muhammad Sheriff and Yashpal Singh representing all shades of opinion in the House. They congratulated the new Speaker on his unanimous election and assured him of their full cooperation in the conduct of his duties. Reproduced below are the texts of their speeches.

Shri N. G. Ranga: Mr. Speaker, Sir, I wish to congratulate you on my behalf and on behalf of our party and a large number of our own friends on this very happy occasion when you have come to be elevated to this very high position by all of us unanimously.

It is a rare moment for this House itself. This House does not get such rare moments, such pleasant moments very often. We have got it now. I exult in it.

We are a boisterous House. We are not a very docile House either. In the recent past, we have become also quite a powerful House. Therefore, it is not easy to manage us, and it takes a big man, and indeed a good man to guide us and manage us. I am sure that you are a very good man and I hope that we shall find in you a big enough man also for this House.

Once the late Prime Minister said that he was not taking any risks when one of our previous Speakers was elected. Now, I would like to assure the House that we do not take any risk at all with you. I have known you for many years as a social worker. We worked together on the Bharat Sewak Samaj platform when it was a very good Samaj. And I found you to be a very good colleague.

As you know, the previous Speaker was a more fierce politician and yet when he became the Speaker, he was good enough to declare that from that moment onwards he was dissociating himself from all partisan politics, and, therefore, he resigned his membership of the Congress. Membership of the Congress is not a small thing. It is one of the treasures that I had myself treasured at one time, and I found it very difficult indeed to abandon it or to surrender it. Therefore, it would be a very difficult thing for you also to surrender it today. Yet, we sincerely hope that with the co-operation of your own erstwhile or even till now your present fellow-members of the Congress, you would be willing to surrender that membership in preference to the Speakership of this House. The Speakership of this House is much bigger, and a much nobler position than the membership of any of our political parties here. You now become a Member of this House without any party affiliation, and we would like to look upon you as one without any party affiliations, without any partisan feelings, without any party affections and without any party antagonisms. I wish you all the best and good luck.

***Shri Atal Bihari Vajpayee:** Mr. Speaker, Sir, I congratulate you on my own behalf and on behalf of my party on the occasion of your unanimous election as Speaker of this august House.

Sir, we knew of your reputation much before you were elected to this House. You have occupied a prominent place in the public life of Punjab. As a Speaker of the Punjab Legislative Assembly for ten years, you discharged your difficult duties with great efficiency and ability. We still remember those days when you as a Speaker gave bold rulings and did not even hesitate to put the administration into difficulties. Later as a member of this House we had an occasion to come into closer contact with you and it is on account of your personal qualities, pleasing manners and courteous nature that you have been chosen unanimously for this high office.

Mr. Speaker, Shri Ranga was right when he said that the conditions in this House are such that need improvement. The House has been witnessing scenes of unprovoked excitement, intolerance, baseless allegations and the use of unparliamentary expressions. Lack of decorum and decency has become a regular feature of this House. This House has not only to be a model for the State Legislatures but it should also work in a dignified manner so as to set up a standard of decency and decorum before 50 crores people of India. It does not mean that we will do it with all our might. But at the same time we have to work within the framework of rules and regulations laid down for the purpose.

We fervently hope that you would allow enough time to Members who raise matters of urgent public importance in regard to which they have strong feelings. If necessary, the number of sittings may be increased and the duration of a Session extended so as to give them adequate opportunity. On the other hand, the Members should maintain the dignity and decorum of the House and should observe the rules made for the purpose. You, Sir, will have to direct the Government in a way as would make them alive to their responsibility towards the House. You will at the same time have to see that the Opposition behaves in a proper and disciplined manner.

Sir, I hope with your unanimous election a fresh chapter in the history of the House would be started in which Par-

liamentary traditions, rules and procedures would be respected. It is necessary to create a healthy atmosphere in the House and for that it would be highly appreciated if you call a meeting of the Party leaders and discuss with them the matter so that we have a smooth sailing in the conduct of the business before the House. I can visualise that there might be occasions which may generate excitement in the House but it should be so only off and on. We should remember that visitors from all parts of the country come here to witness the proceedings of the House and whatever is said here has its echoes throughout the country. For that reason, Sir, a difficult task of giving the members every opportunity to express themselves on the one hand, yet maintaining the decorum of the House on the other, has now fallen on your shoulders. Your predecessor Shri N. Sanjiva Reddy had shown admirable ability in conducting the proceedings of this House. I am sure, you will prove worthy of the expectations of the House and the House will, in return, equally cooperate with you.

Shri K. Anbazhagan: Mr. Speaker, Sir, I am glad that this rare opportunity is given to us to congratulate you and to felicitate you on this occasion of your unanimous election to the Speakership of this House. As one who has participated in the freedom fight and also in the movements of the common people, I hope you will cherish and uphold the interests of the whole nation by holding your office in such a way as to facilitate this House to serve the common man's cause.

You are raised to the highest pedestal of the democratic institution. I hope this Parliament will certainly become, at least in the future, a model for all the State legislatures to follow and that the democratic spirit that is very often evinced in this House will certainly create the necessary confidence and hope in the people. As a person who is highly esteemed by all sections of this House, I hope the dignity, decorum and also discipline will certainly be maintained by the cooperation of all parties in this august body.

Further, I am sure that though the Opposition is certainly weaker than the ruling party here, as one who has no communal bias, as one who belongs to a minority community, as one who knows the difficulties of the minorities in

general, especially the weaker sections in this House, especially the Opposition parties which are not even united among themselves, which are certainly divided among themselves on many issues, I hope the necessary protection will be given by you to the Opposition in general and the different groups.

Furthermore, I would like to make a request to you on this occasion. As one who has been the editor of an Urdu daily or magazine and also of some language papers, as your predecessor had already decided to implement the principle that almost all the national languages may be permitted to be used in this House with the necessary facilities given thereof, I hope under your auspices, we who come from far away places in this great country would be allowed to use, not merely but would also be credited for using our respective regional languages in this House with necessary translation arrangements provided.

I would like to add one more thing. People who are elevated to the highest office are not esteemed simply because of their office, but for their conduct and for their principles. One of the maxims of Thiruvalluvar, a great Tamil saint, is that "the crown that a man wears is the uprightness of this unbiassed soul." This uprightness as Speaker, I hope you have in abundance. I hope you will maintain it during your term. I hope this House itself will find that through you its dignity is raised and people come to have much esteem for our deliberations.

With these few words, I join the other leaders, the Leader of the House and the other Opposition leaders, in felicitating you on behalf of the DMK Group in this House.

Shri H. N. Mukerjee: Mr. Speaker, it is customary for us to felicitate whoever among our number is elected to your august chair and it is with much pleasure that I associate myself with the sentiments that have been expressed in regard to your election by the Leader of the House and the spokesmen of the Opposition Parties who have preceded me . . .

You and I have been friends for at least ten years for we met in Australia as members of the Indian Parliamentary Delegation in that country. Since that time I

have come to know you as a friend and to respect those qualities to which already reference has been made by my colleagues here.

You would forgive me for saying that perhaps I have been spoilt to a certain extent by having my first probation in Parliament when Shri Mavalankar was the Speaker, an outstanding man the shine of whose personality will not easily be forgotten and I do happen to have certain expectations of your office which, I am sorry to have to say, have not always been satisfied. I do not blame anybody for it because I do not think that in our country today there is a more difficult and psychologically more exacting office than the office of the Speaker. I am very happy that my friend Shri A. B. Vajpayee referred to the character of the House, as a forum where is reflected the multitudinous discontent which is the primary feature of life in our country today. That often gives rise to situations in the House which can hardly be controlled by the processes of parliamentary decorum which have been laid down in conditions of normality.

So, when I say that my expectations have not been satisfied I do not intend at all to cast any reflection on anybody. But I only wish to stress that if the parliamentary system is going to be worked at all, if we are not going to have an alternative arrangement—and I can think of alternative arrangements—if we are going to have parliamentary system, it is necessary to function in a manner where the Speaker's authority has got to be exercised in association with the Members of the House, in a manner which would be in conformity with the dignity of our country.

You have had a varied life and I do hope that you will leave behind you altogether that particular innings when you were a Minister of the Punjab Government. I say so because when you are Speaker, you have been elected to one of the most important offices in the country and I would expect you, if I may say so, to be worthy of that office in the sense that you should maintain the dignity of that office and you should not look avidly at fresh pastures. I would like you never to think of the office of the Speaker as a sort of jumping off board so that one can go off from the speakership to something else. The office of the Speaker is one

of the highest offices and that office is absolutely seminal to the functioning of parliamentary democracy in this country. The office of the Speaker is one to which we, of all parties are pledging our co-operation provided that we get in return understanding and objectivity on the part of the Chair.

I know that as far as you are concerned, you would be a principled occupant of that Chair. I know that this is a surging, pulsating House which it would be difficult sometimes to control but you and I, and I hope, the rest of us share a certain sense of humour and while certain incidents might continue to take place, we would overcome the significance of those incidents in the light of the higher perspective which today of all days comes foremost to our mind.

I am sorry if I have digressed somewhat, but you know very well how genuine my pleasure is at your election, and on my behalf as well as on behalf of the party that I represent in this House, I compliment you on your elevation to your august office.

***Shri Rabi Ray:** Sir, I congratulate you on my behalf and on behalf of my party on your election to this august office. This is indeed a very important day in the history of this House when the Speaker has been elected unanimously.

About five or six months back I had an occasion to visit Bangalore as a member of a Committee along with you, and judging from your amicable behaviour and courteous manner I can confidently say that the rights and privileges of Members will be safe in your hands. I agree that we should also behave in a decorous manner within the framework of the rules laid down for the conduct of the business of this House. I don't say so from the procedural viewpoint only. You are the custodian of democracy, of the rights of the members and of the dignity and decorum of this House. I would urge upon you to kindly realise

*Original speech in Hindi.

the discontentment of the millions of the poor and down-trodden people outside the House which would naturally be reflected in the speeches of the Opposition members.

The issue of the dignity and decorum of this House has necessarily to be linked with the conditions of our masses and till that is done the concept of democracy will be a thing only on paper.

The speeches here may, at times, generate heat and excitement. At the same time you will agree that criticism of the Government is the hallmark as also the duty of the Opposition and the Government have to tolerate it. In this context, I hope you will be able to uphold the high traditions of democracy in this House.

I once again extend my hearty congratulations to you on this occasion.

Shri P. Ramamurti: Mr. Speaker, Sir, the very fact that you have been elected unanimously to this office speaks for itself, and I do not want to add much more to that fact.

People have talked very much about your goodness, but I must say that you are really a very brave man, because it requires bravery for anyone to agree to be the Speaker over this turbulent House . . . I do not want to use this occasion to preach a homily as to how this House should behave, as to how the various Members should behave and as to how the Speaker should behave. After all, we are working in certain conditions, and Parliament's functioning is also conditioned by the conditions outside. We are not living in a vacuum. The social events, political events outside, and the social and political life, the stresses and strains of political, economic and social life have their reflection in this House. Therefore, it is not for me to talk about those things, nor am I interested in talking about the past traditions created by the past Speakers. I believe that each man can set new traditions; it is up to every new Speaker and to every new person to set new standards and set up new traditions on the basis of what he considers to be in the best interests of the entire country and the entire Parliament.

I do hope that you, who have exhibited courage in agreeing to be the Speaker of this turbulent House, will also in times to come set up new traditions and new standards for this House.

Shri Surendranath Dwivedy: Mr. Speaker, Sir, one has to muster sufficient courage and boldness to cross the mid-stream of a river. You have been elected when half the term of the House is over. Although new to the House as a Member you have been watching and observing the proceedings of the House. I know for a fact how as Chairman of the Public Undertakings Committee you have been managing the deliberations of the Committee.

Sir, you came here with very rich experience as Presiding Officer in the Punjab Legislative Assembly. You presided there for 2½ terms; probably the other half was to be completed here in the Lok Sabha. I have no doubt that with your goodness, with your gentle behaviour and with your general approach to the problems of the country you will prove to be a good Speaker and will carry the entire House with you. I have no doubt that you will establish fresh traditions and maintain the dignity of the House.

I can assure you that so far as we are concerned we will extend our full cooperation in maintaining the dignity and decorum of the House. I have no doubt, as you have been unanimously elected to this office you will also have the cooperation of the entire House with you.

***Dr. Govind Das:** Mr. Speaker, Sir, as a seniormost Member of this House. I congratulate you on your unanimous election to this high office. I had seen the early days of Central Assembly when Sir Frederick Whyte was appointed by the Government as the First President of the House. At that time we represented the Swaraj Party in the House, and Pandit Moti Lal Nehru was our leader. After one year Shri Vitalbhai Patel was elected to this high office. I still remember the day when Shri Vithal Bhai Patel was opposed by Diwan Bahadur T. Rangachari and no one could predict as to who would be elected because it was a very keen contest. Shri Vithalbhai Patel was elected by a

majority of two votes only. The way he conducted the business of the House became an example, not only in the history of democracy of this Country, but of the whole world.

After that I saw many Speakers. It was Shri Mavalankar who impressed me most. The way in which Shri Mavalankar conducted the business of the House and the way in which he took up initiative in giving an honoured place to the national language Hindi without making any change in the existing rules, would always be remembered in history. He was succeeded by Shri Ananthasayanam Ayyangar. Shri Sanjiva Reddy was the last Speaker to adorn this Chair.

I have had the privilege of presiding over the very first sittings of Lok Sabha on three occasions. I have been in this House for 45 years and I do not know whether any other Member would be able to continue here as a member for 45 years. I consider that the times in which you have been entrusted with the responsibilities of this high office are not smooth. Shri Vajpayee has just said that the state of affairs through which we are passing does credit hardly to anyone. I have been in all countries of the world, and have seen many great democratic institutions of the world. But I have nowhere witnessed such noisy scenes as we witness in Lok Sabha these days. You have been entrusted with the reins of this House. You have to protect the rights of all parties and above all you have to ensure the dignity of your high office.

You have been entrusted with a heavy responsibility which is not only vital for the proper functioning of democracy in this country but which has also its repercussions on the democracies in the entire world. Ours is the largest democracy in the world and the future of democracy in the world depends on the success of our democracy. I have been reading reports about your excellent performances in conducting the deliberations of the Punjab Legislative Assembly and I trust that with your unanimous election to this high office you will be able to discharge your duties in such a way as will give satisfaction not only to this House but to the whole country.

I congratulate you once again on this occasion.

Dr. Karni Singh: Mr. Speaker, Sir, as one of the oldest Independent Members of this House, having sat in it since 1952, from the first day of the first Lok Sabha, it is my proud privilege to congratulate you on your election to this high office. You, Sir, have made yourself loved by every section of this House by your mild and kind manner and your fair attitude. I would like to tell you that we, Independents, will extend to you our maximum courtesy and co-operation, and we sincerely hope that under your able guidance the Independents will be given a fairer share of time and courtesy than we have been receiving during the last two years.

Something has just been said about the decorum in this House being lost. Some of us who have sat here since 1952 under Shri Mavalankar, Shri Ananthasayanam Ayyangar, Sardar Hukam Singh, Shri Sanjiva Reddy and now under yourself, very strongly feel that the prestige of this House must be maintained by all of us, it is not the responsibility of the Congress or of the Opposition. It is our collective responsibility to see that in the eyes of this country, in the eyes of the world, the name of the Indian Parliament shines like a jewel. But to preserve the decorum in this House is a two-way traffic. The right of every Member of Parliament to speak is a fundamental right and that right must be conceded to every single Member by every other member. We, the Independents, are very proud of our record. We may call ourselves the unsung heroes. We have been the quietest Members in this House and yet we have tried to make our contribution whenever we have got the chance. But, above all, we have extended the maximum co-operation to every Member of this House and showed them the greatest courtesy. In return, we would expect the same courtesy, the same kindness so that we can also perform our duty and make a contribution.

Democracy is the rule by discussion, debate and decision and I hope that under your able guidance we will march towards this ideal.

***Shri Abdul Ghani Dar:** Mr. Speaker, Sir, I congratulate you on your unanimous election to the high office of

Speaker of this august House. I congratulate you in the capacity of a friend, and a colleague, because I have very high opinion about you and my experiences about you have been very fine. You had adorned the office of Speaker in Punjab Assembly and I remember that despite the fact that there were opposition parties, you had the cooperation of the entire House. I feel desperate seeing, as Shri Vajpayee said, that since the beginning of this Session certain undignified things have been happening. However, I now fervently hope that the deliberations of the House will be conducted in an exemplary way under your stewardship. I hope that you will give equal opportunities to all sections of the House, keeping yourself above from the party affiliations as you did in the Punjab Legislative Assembly. I hope that the Congress as well as the Opposition will receive equal treatment from you.

زنداست نام فرخ نوشہروان بہ عدل
گرچہ بسے گزشت کہ نوشہروان نہ ماند

[The name of Nausherwan—the justice loving—still lives although it is long since Nausherwan has been no more.]

A reference has been made to Shri Vithalbhai Patel and Shri Mavalankar. I assure you that as a Speaker the name of Shri Sanjiva Reddy will also be written in golden letters because he did not discriminate between the Congress and the Opposition. At times the charge that he gave more time to the Opposition was levied against him. I hope you will prove equally successful. It has been said that you have been elected for half the term. I hope, next time you will be returned to Parliament unopposed and will again be elected to this high office. You are also the youngest among those who have adorned the chair so far and as such I trust that your heart will also remain young. I congratulate you once again on this occasion.

***Shri Prakash Vir Shastri:** Mr. Speaker, Sir, the present political trends in the country indicate that the coming few weeks or months and may be few years will be the most critical period in our history when our democracy will be

* Original speech in Hindi.

put to test. Our Parliament occupies a vital place among the important democratic institutions which will be put to a test and the responsibility of conducting the deliberations of this institution has been bestowed upon you. I offer my good wishes on my own behalf as also on behalf of my colleagues in Bhartiya Kranti Dal and wish you every success in maintaining and upholding high democratic traditions.

Shri Tanneti Viswanatham: Sir, I rise to congratulate you on this happy occasion. . . . I may tell you today I am seeing the Chair being filled fully by a gentleman with equanimity of temper and balance of language. . . . this House has developed over a period, since this new Parliament has come into being in 1967, a certain latitude in rules of procedure, a certain latitude in the pitch of the voice and a certain latitude in the exchange of language. I believe, this latitude is a symbol of the growth of democratic ideas in the country and a sort of new progressivism. I hope, you will be able to find a good mean for all these things and carry the House with you always. You have had long experience in other walks of life and also as Speaker. And I believe that your experience as Speaker of Lok Sabha will add to your reputation. I wish you all success.

Also on behalf of the Group which I represent I extend my congratulations.

Shri J. B. Kripalani: I fully associate myself with the appreciation with which all the leaders of the parties here have spoken about you. It is, I believe, the highest position in the country because you are not only the guardian of our rights and privileges but through us you are also the saviour of the rights and privileges of the people. The executive may or may not always keep these rights in view, but it will be your task always to think in terms not only of this House but also of this country. Sir, you have a very delicate task. This is also a very heavy task. I can only invoke God's blessings on you so that you may fulfil your duties most faithfully.

Shrimati Nirlep Kaur: I congratulate this House on the manner in which they have elected you to the Chair. We had not witnessed this co-operation during the last two years; this is something very rare that we have seen today. I

congratulate the House that we are unanimous on your election. You have the experience of having presided over the Punjab Vidhan Sabha. It was not a very easy House in Punjab. . . . it was a vigorous House in Punjab which you always used to control and safeguard the rules and conduct of democracy and of the Parliamentary System. This has been a very good beginning of your tenure as Speaker and I hope God will keep it like this that we will be able to show the country an exemplary way of conducting business. I am sure whatever we do here will be reflected on the Assemblies. . . . Your tenure has started very well and I hope every body will be given a chance to speak and be heard. I again congratulate you.

Shri Muhammad Sheriff: Mr. Speaker, I am glad to say that this House has established its dignity by electing you unanimously though you belong to a minority community of our country. You have proved yourself to be very impartial towards all sections of this House on previous occasions when you presided over the House in the capacity of Chairman. I hope, Sir, you will discharge your duties without any bias and will maintain decency and decorum of this House. I assure you, Sir, that both I and the Members of my Group, Muslim League, will extend our co-operation and support in full measure as we did on previous occasions.

***Shri Yashpal Singh:** Mr. Speaker, Sir, the country has very high hopes from you. Ours is the biggest democracy in the world. Our Parliament is the biggest in the world and as you have been elected its Speaker, the country has very high hopes from you.

Our scripture says:

न सा सभा यत्र सन्ति वृद्धाः

वृद्धाः न ते ये न वदन्ति धर्मम्

[No meeting is worth its name where old men are not present.]

And the old men are not worth their name if they do not speak Dharma.]

* Original speech in Hindi.

All persons professing different faiths pin their high hopes on you.

You have earned a high reputation in Punjab Assembly. I have every hope that you will be able to elevate the dignity of this Parliament in a similar way. I believe that you will continue to guide us for a long time to come by upholding the decorum in this House. I also hope that you will preserve the ideals enshrined in our scriptures. I wish you a long life.

Guru Govind Singh has said:

आत्म उपदेश भेष संजम की आप सों अजया जापै

सदा रहे कंचन सी काया, काल न कबहूं व्यापै ।

[The man who practises spirituality, observes restraint and remembers God every time,

Remains physically fit and has nothing to fear from death.]

For such a man the limit of time is not there. It is said that he will live for ever. We pray that you may live for one thousand years. May your fame and glory continue to grow and you bring name and honour to this Parliament.

Mr. Speaker's Reply

Replying to the felicitations, the Speaker, **Shri Gurdial Singh Dhillon**, said:

I am deeply grateful to the hon. Members for the confidence they have reposed in me by choosing me to this office and for the kind sentiments expressed by the Leader of the House, Leaders of the Opposition Groups and other distinguished colleagues from all sections of the House. As I take the Chair to-day, I am deeply conscious of the great honour bestowed on me. I am once again reminded of the responsibilities which a Presiding Officer has to shoulder and the trying situations he has to face. A sense of nervousness and diffidence on my part is natural on this occasion as I am succeeding a great Speaker, Dr. N. Sanjiva Reddy, who earned from the House a unanimous tribute for the dignity and success with which he had presided over the

deliberations for more than two years. I am, however, emboldened by the promises of co-operation which I have received from all sides of the House.

The Constitution has given us a Parliamentary form of Government, the essence of which is that all matters are decided here by discussion and adjustment of viewpoints. In a parliamentary democracy, the role of the Opposition is as important and onerous as of those who run the Government. We in this House have the fullest liberty to express our views but we should also remember that this liberty is the same for all. Therefore, it is necessary that all sides of the House exhibit sportsmanship and mutual goodwill and respect. In order to conduct the proceedings of the House with dignity and decorum it is necessary that we work with a disciplined mind, show respect not only to the rules and regulations but also to innumerable conventions of parliamentary debates which have been laid down. In the multiple party system that we have, ideological differences are bound to be there on many issues. The dignity of the House and decorum can be maintained if Members show tolerance, hear with patience what their opponents have to say and meet or counter the points made by them through arguments in a regulated manner.

The Speaker is expected to be impartial and judicious. I can assure all sections of the House that it shall always be my endeavour to uphold the traditions of impartiality and equal treatment to all. I said earlier that the Speaker has to face the trying situations and there are occasions when certain individuals or a section of the House are not satisfied with a decision taken by the Chair. I can assure you all that in taking decisions, my guidelines will be rules and regulations which, as you are aware, are framed by the House, *i.e.* your own selves, and not party considerations or individuals. In keeping with the practice I followed as Speaker of the Punjab Vidhan Sabha, I resign from the membership of the Executive Committee, Standing Committees and ordinary membership of the Congress Party in Parliament. I will try my best to see that all sections of the House get an honest and genuine impression that henceforth I do not belong to any party at all and that I conduct

myself in a way that I am not only, but shall appear to be, just, impartial, non-controversial and a fair Presiding Officer in thought and action.

In conclusion, I earnestly request all hon. Members to extend to me their willing and effective cooperation, so generously promised by many Members in their speeches, in conducting the proceedings of this august House with dignity and decorum expected of us.

I thank the hon. Members once again.

GURDIAL SINGH DHILLON—A Sketch

Born on August 6, 1915 at Panjwar in Amritsar District in Punjab, Shri Gurdial Singh Dhillon had a brilliant academic career, with a first-class-first in law. He practised law during the period 1937—1947. Though he was a successful lawyer, the national struggle for freedom and the kisan movement were too strong urges for him to resist and he plunged whole heartedly in these patriotic movements. He was imprisoned twice and these two spells in the British jails made him abandon his lucrative legal practice.

After Independence, Shri Dhillon took to journalism and soon won a place for himself not only in journalistic circles but also in the hearts of the people at large, by his writings, particularly, on communal harmony at a time when the communal forces were raising their ugly head. He started a Punjabi daily 'Virman' (1947—52). Later, he became the Chief Editor of an Urdu daily, 'Sher-e-Bharat' and the Managing Director of the National Sikhs' Newspaper Ltd. and managed and edited both the dailies.

Shri Dhillon took keen interest in the sphere of education and served its cause with great dedication. He was elected a member of the Senate of the University of Punjab for two decades and was on its Executive Body for the last ten years. He also served on various important University Committees.

A man of many parts, Shri Dhillon had had a long association with several educational and social institutions. He is a member of the Managing Committee of Jallianwalla

Bagh Memorial Trust, Amritsar. He is a progressive farmer, a sportsman and a keen patron of civil aviation and gliding. He has also been President of the Rotary Club, Chandigarh.

Shri Dhillon has widely travelled abroad.

A writer of distinction, Shri Dhillon has many booklets to his credit. He is co-author of Dhani Ram Chatrik Abhinandan Granth and has published several brochures on current affairs.

After holding many assignments in the Congress organisation, Shri Dhillon got elected to the Punjab Legislative Assembly in 1952. From 1952 to 1954, he was Deputy Speaker of Punjab Vidhan Sabha and from 1954 to 1962 its Speaker. He made a mark as Presiding Officer of Punjab Vidhan Sabha and won respect from all sides for the calm, composed and just manner in which he conducted the proceedings of the House.

Shri Dhillon had the good fortune of coming into intimate contact with Shri G. V. Mavalankar, the first great Speaker of Lok Sabha during the period 1952—56 in the Speakers' Conferences and in other forms and was greatly influenced by the latter's personality and character. The duties and responsibilities of the Chair as enunciated and discharged by Shri Mavalankar also left an indelible impression on his mind.

During the 1965 war with Pakistan, Shri Dhillon, as Minister of Transport, was made Minister-in-charge of the three war-hit border districts. Moving from village to village and exposing himself to personal risk, Shri Dhillon inculcated courage and inspired confidence and fearlessness among the people of the border areas. He played a significant role in organising civilian transport for rushing supplies to the Indian army units in the Amritsar and Sialkot Sectors. His undaunted courage and organising ability at that critical juncture won him many an admirer among the top leaders of the country.

In 1967, Shri Dhillon was elected to Lok Sabha from Tarn Taran constituency in the Punjab and was soon thereafter appointed Chairman of the Select Committee on the

Banking Laws (Amendment) Bill. He was later appointed Chairman of the Committee on Public Undertakings for 1968-69 and was re-appointed in May 1969 for a second term.

Shri Dhillon has the distinction of being the youngest Speaker of the Lok Sabha. He enjoyed that distinction earlier also when he became the Speaker of the Punjab Legislative Assembly at the age of 36.

Addresses and Speeches

FINANCIAL COMMITTEES OF LOK SABHA (1968-69)

Speeches made at Valedictory Meetings

[The valedictory meetings of the three Financial Committees of Parliament, namely, the Public Accounts Committee, the Estimates Committee and the Committee on Public Undertakings for the year 1968-69 were held on 28th, 29th and 30th April, 1969. We reproduce below important excerpts from the speeches made by the Chairmen of these Committees, and the Speaker Dr. N. Sanjiva Reddy on the occasion—Editor.]

VALEDICTORY MEETING OF THE PUBLIC ACCOUNTS COMMITTEE (1968-69) HELD ON THE 28TH APRIL, 1969

Mr. Chairman (Shri M. R. Masani): Mr. Speaker and Members of the Public Accounts Committee.

This will be the last occasion on which we foregather as a Committee. It is an occasion that induces mixed feelings of joy and sorrow. Joy at the thought that our association has been so cordial and fruitful. Sorrow at the prospect of having to part company.

Excesses over voted Grants and charged appropriations.

Hon'ble Members are aware of the concern that has been expressed in Parliament every now and then about the delay on the part of the Executive in obtaining requisite Parliamentary approval for excesses over voted grants and charged appropriations. The matter was brought into sharp focus during certain discussions that took place in the Lok Sabha on 20th and 26th August, 1968. The Committee promptly reacted to this situation and decided that a new approach to the whole problem was necessary if Parliament's wishes were to be fulfilled. The procedure obtaining till then was to obtain explanations for these excesses individually from each Ministry or Department before recommending the regularisation of the excesses to Parliament. The Committee decided to change this procedure and bring out a consolidated Report on excesses relating to all Ministries/Departments in advance of the other Reports. It is to be hoped that these changes will help to facilitate speedy regularisation by Parliament early in each financial year.

Appraisal of Performance in key Sectors of Economy

The Committee have broken new ground in other fields as well. Last year I had dwelt on the necessity for the Committee to undertake an appraisal of performance in key sectors of the economy. I had then referred to the success that had attended our efforts in evaluating the Plan performance of the Railways. This year the Committee was able to turn its attention to other fields, notably, Defence and Posts and Telegraphs. As Hon'ble Members are aware, the outlay on Defence has reached enormous proportions in recent years. The Ministry of Defence drew up in 1964 a Defence Plan involving an outlay of Rs. 5,000 crores. We in this Committee thought it worthwhile to go a little beyond the ambit of cases specifically reported in the Audit Report and to examine the question of the effectiveness of this large outlay. The Committee's Report on the subject, covering as it does a wide range of issues like equipment policy, programming and the introduction of cost effectiveness techniques, will, I hope focus attention on the bigger issues involved and help with an appraisal of the Defence outlay in proper perspective.

On the Posts and Telegraphs side, our Report this year has attempted an evaluation of some of the major problems besetting the growth of Telecommunications and Postal Services. We have drawn attention to the inadequacy of planning for the Telecommunications Services and the factors inhibiting growth in these Services.

Expenditure on Government Publications

I should also like to take the opportunity briefly to mention some of the special reports we have brought out this year. One was the result of a horizontal study of the expenditure on Government publications which has lately been assuming wasteful proportions. The Committee noticed that the unfortunate practice of print orders for various publications being placed in excess of requirements was prevalent in almost all the Ministries and Departments of Government. The Committee felt that the matter needed to be brought to notice through a Special Report. Some important suggestions were made by the Committee, notably the decentralisation of the budget provision on Publications, so as to bring prominently to notice the expenditure incurred by each Ministry/Department on its publications as also control over the number and quality of the publications brought out. Government have accepted the suggestions of the Committee and one earnestly hopes there will be a marked improvement in the position in this respect.

Losses and avoidable and Infructuous Expenditure

The Committee's examination of the various Ministries/Departments during the past year has brought to light cases of losses and avoidable and infructuous expenditure totalling Rs. 18 crores. Last year, thanks to the inclusion of a large item of avoidable expenditure by the Railways amounting to Rs. 27 crores, I had mentioned a corresponding figure of Rs. 77 crores. Taken together, these figures do not reflect very creditably on the way our public finances are being administered. Considering, moreover, that these cases were thrown up as a result of a random sampling, one is driven to the dismal conclusion that we are yet a long way away from prudent financial management in this country. This, in my view, lends importance to the work of the Committee in the years to come and I hope that in our own way we have helped to establish certain norms and guidelines for our successors.

I am specially grateful to the Conveners of the Working Groups who spared no pains to ensure that the work entrusted to their Groups as a whole was performed conscientiously and in time. The Conveners and Members have also greatly helped in the drafting of the Reports and this has enabled the Committee to submit Reports which reflect objectively the conclusions to which the Committee have come to on the basis of facts placed before them.

Educative value of P.A.C. Reports

I had last year pleaded for a more active consideration and evaluation of the material available in the Reports of the Public Accounts Committee by Government as well as by Hon'ble Members of Parliament. These Reports are a mine of information on a variety of subjects and have great educative value. I have no doubt that if Hon'ble Members of Parliament on their part make greater and more effective use of the material available in these Reports, it would be possible to secure more vigorous and effective steps being taken by Government by way of corrective action. We in the Committee have tried to meet the convenience of Members of Parliament by presenting the Reports, as far as possible, in advance of the discussions in the House on the relevant Demands for Grants.

Time-lag in furnishing information to the Committee

Last year, I had referred to the time-lag in the feed-back of information to the Committee through Audit Reports and suggested some lines of action to deal with this difficulty. I understand that the

Comptroller and Auditor General has taken some special steps during the past year to curtail the time-lag in the reporting of cases. One appreciates that Audit can take place only after the event and that therefore reporting to the Committee by Audit has of necessity to be *a posteriori*. All the same, I hope efforts would continue to be directed towards ensuring that the time-lag in reporting is minimised, as far as possible, so that the Committee's Reports can increasingly be of current and topical interest.

As the first Member of an Opposition party to be nominated as Chairman of the oldest of the Financial Committees, I am happy to say that I have had the good fortune of getting full and unstinted co-operation of all the Members of the Committee irrespective of their Party affiliations and full response from Government representatives who appeared before the Committee. I am also happy to place on record my experience that, away from the glare of publicity, Members of this Committee worked with great dedication and thoroughly prepared their subjects before evidence was taken by the Committee. I have found that the division of responsibility between Members for leading off with questions has been of great help in making for incisive and purposeful questioning during evidence which in the main provides the basis for our Reports.

In conclusion, Mr. Speaker, I would like to thank you for having consented to be with us on this occasion and for the unfailing consideration and courtesy you have extended to me during my tenure of office. You have also provided wise guidance on all occasions when we turned to you for it.

Thank you.

The Speaker (Dr. N. Sanjiva Reddy): Mr. Masani and friends: It gives me great pleasure to be with the Members of this Committee on this Valedictory function. This is an occasion to take stock of the work done by the Committee and I am happy that this Committee have done such commendable work during the last two years under Mr. Masani's Chairmanship. They have brought out 82 Reports, which is quite a remarkable achievement. The Reports have also sought to analyse issues in a broader overall context. They have avoided criticism which is merely petty or hampering or wise-after-the-event and concentrated on genuine weaknesses of the system. I had in the course of my address last year referred to the Committee's 22nd Report which gave a very useful appraisal of the Third Plan performance of the

Railways. In the same strain, the Committee have this year attempted an evaluation of our Defence Plan and the Development of Postal and Telecommunications Service. Some of the special Reports brought out by the Committee, which have evoked so much interest in the Press, like the Report on Publications, also bear the stamp of this broader perspective on issues. I have no doubt that this approach will greatly enhance the value of the Reports of the Committee to the public, to Parliament and to Administration.

Implementation of Recommendations of the Committee

I am happy too to find that this Committee have attached, and rightly in my opinion, such importance to follow-up work on their previous Reports. Here again, the initiative was taken by Mr. Masani last year, when he constituted a standing Sub-Committee to process all the replies of Government to the Reports of the Committee. I am glad the Sub-Committee, under the guidance of Mr. D. K. Kunte, have done such excellent work, making it possible for the Committee to present as many as 34 Action Taken Reports this year.

Regularisation of Excess expenditure

Another feature of the Committee's work is that it has been so responsive to Parliament's wishes. We are all aware of the concern expressed in the House on the delay on the part of Government in obtaining Parliamentary approval to excesses over voted grants and charged appropriations. The Committee have been quick to take notice of the sentiments expressed in the House and have evolved a modified procedure for reporting on excesses which, I hope, will facilitate their speedy regularisation. In the context, I should also mention the very useful work done by the Committee in evolving guidelines for the determination of New Service/New Instruments of Service, that would require prior approval of Parliament. I am happy that Government have accepted the principle underlying the suggestions of the Committee in this regard and I have no doubt that the implementation of these suggestions will make for more effective Parliamentary control over finances.

The Public Accounts Committee is the oldest of the Financial Committees of Parliament and one which is highly respected. It has had a distinguished line of Chairmen all along. When I appointed Mr. Masani as the Chairman of the Committee, it was an act of faith, for we were appointing for the first time a Member of one of the leading Opposition groups to head the Committee. Mr. Masani has

more than vindicated our faith. With his intellectual calibre, broad sweep, his sense of dedication and restraint, he has lent a new stature to the Committee, earning for it the respect and approbation of all those who appeared before it. He has been able to carry his colleagues in the Committee with him, giving them a full sense of participation in the Committee. This is a tribute to his sense of justice and fair-play. More remarkable is the new dimension he has given to the Committee's work. He has raised the sights to issues of larger national importance, steering clear of small and petty matters.

I thank the Hon'ble Members and the Chairman for giving me this opportunity to meet all of you.

VALEDICTORY MEETING OF THE ESTIMATES COMMITTEE (1968-69)
HELD ON THE 30TH APRIL, 1969

Mr. Chairman (Shri P. Venkatasubbaiah): Mr. Speaker and dear friends, it is customary for the Members of the Estimates Committee to get together for a valedictory meeting at the conclusion of their term. We are indeed grateful to the Hon'ble Speaker for having found it convenient to grace this occasion.

Work done by the Committee during the year

The present Estimates Committee was constituted on the 1st May, 1968. As usual, 7 Study Groups of the Committee were constituted for detailed examination of the various subjects and for consideration of the Government's replies regarding the action taken by them on the recommendations contained in the earlier Reports of the Committee. The two sub-committees—one on Defence and another on the question of import and distribution of wool, nylon, etc, were also constituted.

The three subjects, namely, the Kosi Project, the Gandak Project (Ministry of Irrigation and Power) and the question of import and distribution of wool, nylon, etc. (Ministry of Industrial Development, Internal Trade and Company Affairs) which were taken up by the Estimates Committee of 1967-68 but could not be finished, were taken up and finalised by this Committee. Besides these carried over subjects, the Committee took up for examination 13 new subjects.

Shortly after the constitution of the present Committee, the Hon'ble Speaker, under Rule 310 of the Rules of Procedure, was pleased to refer to this Committee for examination, the question of recognition of

additional capacity in the barrel industry in spite of its being in the banned list. Again in September, 1968, the Hon'ble Speaker was pleased to refer another subject to this Committee for examination. This related to purchase of oil barrels by the Indian Oil Corporation Ltd. during 1966-67. Like the earlier one, this case had also been subject of debate in the House. Both the subjects were examined by the Sub-Committee which had been constituted to examine the question of import and distribution of wool, nylon, etc. which was also referred to the Committee by the Speaker.

The Reports of the Committee on the above subjects have already been presented to Lok Sabha. The Committee, however, either due to paucity of time or due to non-receipt of information from the Ministries in time could not pursue the examination of some of the new subjects which they had decided initially to take up.

The Committee, as in the past, tried to examine all these subjects on which they have presented their reports, as thoroughly as they could. The scrutiny included on-the-spot study visits, calling for written information from the Ministries|Departments, inviting Memoranda from experts, interested parties, Associations or institutions concerned and examination of official and non-official witnesses.

I am glad to inform you, Sir, that the Members of the Estimates Committee have taken keen interest in the examination of the subjects and the preparation of the Reports. The Draft Reports were discussed by the Committee in detail and every effort was made to faithfully reflect in the recommendations the Committee's opinion on each issue. I have been greatly helped in this work by the Conveners of the various study Groups and other Hon'ble Members of the Committee. I am glad to mention that there has been complete unanimity in the Committee in respect of all the recommendations contained in the various Reports. The Committee have all along functioned as a team, as a non-party body and as an objective panel rising above Party considerations and that is why, I am very glad to say, it has been possible for the Committee to complete the examination of as many as 16 subjects.

Action Taken Reports

In addition, the Committee also presented 17 Action-taken Reports which were finalised by the various Study Groups and approved by the Committee through circulation. I am indeed happy to say that the percentage of recommendations accepted by the Government is more

than 80 which indicates the fruitfulness of the Committee's labour. The growing importance of the Reports of the Committee can be gauged from the wide publicity and coverage which they receive in the Press, etc. The general approval and commendation accorded to the recommendations made by the Committee in Editorials and articles appearing from time to time in the leading newspapers of the country is an encouraging sign of the people's esteem and faith in these Parliamentary Committees of scrutiny and control.

I must express on behalf of the Committee as well as on my own behalf our thanks to you, Sir, for the valuable guidance and help extended by you from time to time. I am really grateful to you, Mr. Speaker, for the utmost consideration which you always were pleased to show to me. I have no doubt that under your direction and guidance the Committee will continue to achieve its objectives and grow in stature and effectiveness, thereby strengthening the roots of democratic institutions in this country. I am also grateful to all my colleagues in the Committee without whose co-operation and goodwill it would have been really difficult for me to perform my duties effectively and fruitfully. I may also mention that all the members have been indulgent to me.

Status of Chairman of Financial Committees

Sir, as you are already aware, I will no longer be in the new Committee. Hence before I close I would like to mention one point. The duties and responsibilities of the Chairman not only of this Committee but also of other Financial Committees are onerous and require full time attention on his part. You will recall, Sir, that one of my erstwhile colleagues as Chairman of another Financial Committee had made certain suggestions for according a status to the Chairman of Financial Committees in keeping with the dignity and responsibilities attached to the high office. As far as I am aware, the proposals do not appear to have been accepted by Government although they had met with your approval. This is rather unfortunate.

May I now, Sir, request you kindly to say a few words on this occasion.

The Speaker (Dr. N. Sanjiva Reddy): Mr. Venkatasubbaiah and friends, it gives me great pleasure to be here amongst you all at the valedictory sitting of the Estimates Committee. On an occasion like

this it is natural to take note of the achievements of the Committee and also acknowledge the good work done by the Committee during its tenure.

As has been mentioned by Shri Venkatasubbaiah, the Committee has produced Reports on as many as 16 subjects of topical importance, including three matters which were referred to the Committee by me for investigation. Obviously, so much work would not have been successfully accomplished without the enormous labour put in by the Chairman and the Members of the Committee. I must congratulate the Chairman and the Members of the Committee for the valuable work done by them.

I am glad to learn that the Committee has been functioning in a non-party spirit and that its deliberations and conclusions have been objective. It has given me added pleasure that the findings and recommendations of the Committee were always unanimously agreed to. These, in fact, are essential requirements for the effective functioning of these Financial Committees, as you are all aware that once the party divisions begin to show themselves, the Committee would turn into a mere debating body and not a scrutinising and controlling body. I hope and trust that these traditions will continue to be maintained in future also.

Functions of the Committee

I would also like to emphasize another aspect which is so vital for the Committee to attain the position of respect and effectiveness. As you know the Committee's function is not only to scrutinise the application of policy underlying the estimates but also, unlike the Select Committee on Estimates in U.K., to suggest an alternative policy in order to bring about efficiency and economy in administration. Therefore, the subjects to be examined by the Committee should be such as are of topical interest and exercising the minds of Parliament and the people. I am glad that the Estimates Committee is conscious of its responsibilities and has been directing its attention and energies to perform the functions and achieve the objectives which I referred to earlier.

The elections for the new Committee are over. As usual, a number of old Members of the Committee have been re-elected. This would maintain continuity in its functioning and ensure availability to the Committee of the valuable experience of these Members.

Shri Venkatasubbaiah did not seek re-election for reasons well-known to all of us. I have no hesitation in saying that under his stewardship the Committee has definitely grown in stature. Undoubtedly the task of leading the Committee rests primarily and predominantly upon the Chairman. It is he who guides the Committee into fruitful paths. His example of hard work, vigour and enterprise will surely be a guide and inspiration to the future incumbents of the post.

To the retiring Members, I would say that whatever experience they have gained in this Committee would be useful to them and also help them in other spheres. I am sure, that in the deliberations of Parliament as also in other spheres of public activities, their contribution will gain in volume because of the detailed knowledge they have acquired of Government organisations at work.

I wish them well.

Thank you Mr. Chairman for asking me to address on this occasion.

VALEDICTORY MEETING OF THE COMMITTEE ON PUBLIC UNDERTAKINGS (1968-69) HELD ON THE 29TH APRIL, 1969

Mr. Chairman (Shri G. S. Dhillon): Mr. Speaker, Sir, on behalf of the Members of the Committee on Public Undertakings and on my own behalf I have great pleasure in welcoming you at this valedictory meeting.

As you know, Sir, the Committee on Public Undertakings was constituted for the first time in May, 1964. The first Committee continued in office till the dissolution of the Third Lok Sabha on the 3rd March, 1967. From the year 1967-68, this Committee is being elected annually, like other Financial Committees.

Work done by Committee during the year

The present Committee took office on the 10th May, 1968. During its tenure of one year, the Committee have presented 10 original Reports, including the horizontal study of 'Publicity and Public Relations in the Public Undertakings'. In addition, the Committee have presented 20 Action Taken Reports.

Sir, the Public Sector has to play a major role in the industrial development of our country. We have now as many as 83 Public

Undertakings. The present investment in these undertakings is of the order of about Rs. 3,500 crores. These undertakings are of various categories and at varying stages of development. During 1967-68, out of 55 running concerns, 31 concerns showed a net profit of over Rs. 48 crores whereas 24 concerns showed a new loss of Rs. 83 crores. There was thus an overall net loss of Rs. 35 crores. These losses are a matter of concern to all of us. Concerted efforts will have to be made by the Government and the Public Undertakings to improve the working and profitability of these undertakings.

Since last year the Committee had started presenting separate Reports on selected paras of the Audit Report (Commercial). I am glad to say that this year too, the Committee presented four Reports relating to the Praga Tools Ltd., the Hindustan Cables Ltd., the Trombay and Sindri Units of Fertilizer Corporation of India.

Sir, we had quite an interesting experience about the working of the undertakings which were examined this year. We found that an important project like the Indian Drugs and Pharmaceuticals Limited had been taken up without a proper feasibility study. The Detailed Project Report did not contain information even on the essential aspects like cost of production and schedule of construction. Project estimates were not prepared with proper thought and foresight with the result that these had to be revised frequently. Such revisions not only put extra burden on the public exchequer but also affected the cost of production adversely and it is running at a great loss. While examining the Trombay Unit of the Fertilizer Corporation of India, the Committee noticed that due care and attention was not paid to safeguard the interests of the FCI.

Implementation of recommendations

As you know, Sir, the Government are asked to intimate the action taken by them on the recommendations contained in the Reports of the Committee within 6 months of the presentation of the Reports to Parliament. I am, however, sorry to say that, except in rare cases, replies of the Government are usually received much later, sometimes after more than a year. In one case, recently submitted to me, I noticed that after a lapse of 3 years, Government had furnished replies to only 19 recommendations out of 68 recommendations contained in the original report in spite of reminders sent to the Ministry. To expedite the finalisation of the Action-taken Reports in some cases, I

called the Secretaries of the concerned Ministries and personally impressed upon them the necessity of furnishing the replies without delay. I am glad to say that, as a result of these extra efforts, Action-taken Reports relating to all the Reports of the Third Lok Sabha have been finalised by the Committee. You will agree, Sir, that unless the Government and the undertakings initiate immediate action to implement the recommendations of the Committee, the very purpose is sometimes defeated or the implementation of economies is delayed. This matter was also raised by some Honourable Members in the House last year. I hope you will also kindly take some opportunity to impress upon the Government to evolve a procedure in the Ministries to ensure that the implementation of the recommendations of the Committee is not unduly delayed.

Sir, I must thank the Members of the Committee who have taken keen interest in the working and deliberations of the Committee. I would also like to express my gratitude to the Conveners and Members of the various Study Groups for the hard work done by them at various stages.

Sir, I am indeed highly grateful to you for having spared the time to grace this occasion. May I now request you, Sir, to say a few words.

The Speaker (Dr. N. Sanjiva Reddy): Mr. Chairman and Friends, I am happy to be present here at this valedictory meeting of the Committee on Public Undertakings. This is hardly an occasion for me to make a long speech. I will, therefore, prefer to confine myself to a few thoughts which come to my mind about the role of this Committee.

Important Role of the Committee

Like the Estimates Committee and the Public Accounts Committee, the Committee on Public Undertakings is also a standing Financial Committee of Parliament. The Committee on Public Undertakings was constituted for the first time in May, 1964. In a short spell of its existence, this Committee has proved worthy of the trust reposed in it by the Parliament. Its reports have been well received in the Press.

Hardly a day passes when working of one or the other public undertaking is not discussed on the floor of the House. Whenever any serious defect or lapse has come to notice, a suggestion has always been made from all sections of the House, irrespective of political affiliations, that the subject ought to be referred to the Committee on

Public Undertakings for making a detailed study and suggesting suitable remedies. This shows the confidence Parliament reposes in the efficacy of this Committee.

Growth of Public Sector

The Public Sector in India has had a spectacular growth. From 5 undertakings with an investment of Rs. 81 crores at the commencement of the first Five Year Plan, we now have about 80 Public Undertakings involving a total investment of Rs. 3,500 crores. When there is no adequate return on this investment, it is natural for Parliament and the people to feel concerned about the working of these undertakings.

But we should not forget that the Public Undertakings today deal with varied items. For some, we neither had technical know-how nor the resources. Such undertakings are likely to face many difficulties not only in the initial stages, but also in achieving the requisite production levels. I am glad this Committee has done its best in locating such defects and suggesting remedies therefor. After all, the function of this Committee is not only to find faults but also to act as a 'friend and guide' of the Public Undertakings.

One important point that Public Undertakings need greater attention is Import Substitution. We must progressively reduce our dependence on foreign technology and know-how. Programmes of Export Promotion have also to be further encouraged so that every Public Undertaking is able to earn enough foreign exchange to sustain its growth and development.

Friends, I am fully conscious of the fact that members of the Financial Committees have to work under great stress and strain. They are hard-pressed for time. They have to attend to various parliamentary activities in the House. They have to meet and feel the pulse of the people of their constituencies. It is indeed very creditable that in spite of your pre-occupation with these and other activities, you have devoted your time and energy to the work of this Committee.

Let me take this opportunity to record my appreciation of the commendable work done by this Committee under the able guidance of Shri Dhillon.

At the end, I thank you again for giving me this opportunity of meeting you and sharing some of my thoughts.

Thank you.

GANDHIJI AND DEMOCRACY

—R. R. Diwakar

It is unfortunate in these days, that the same word means different things to different people and sometimes conveys quite contradictory meanings. Khrushchev and Bulganin visited Bihar when I was Governor there. I asked Khrushchev, how could the system of governance in USSR be called republican? Pat came the answer, we were voted to power forty years ago. People's Republic of China also is in the same category. Nor can we say that the forms of government prevalent in many countries in Europe and in USA are the only forms. The forms once prevalent in Greece and Rome and in ancient Bihar among the Lichhavis were quite different.

One thing, however, is clear, that monarchical or dynastic dictatorial or authoritarian rule or rule by a section of the community is not democracy. It has to be a rule by representatives of the populace subject to periodical elections by secret ballot with occasional resort to referendums or plebiscites. "The voice of the people is the voice of God", is a popular expression which conveys the general sense of what democracy should mean. The Panchayat system of the village republics of India embodied this principle and it is often said. 'Pancha Mukhi Parameshwar', what the Panchas say is the voice of God.

The definition of democracy as voiced by Abraham Lincoln at his famous Gettysberg speech is now classic. Though uttered to an audience only of about two hundred souls, it now rings in the ears of the whole of humanity as a true definition: Democracy is the rule of the people, by the people and for the people. It is self-rule, Swarajya, in every sense of the term.

The negative form of definition of democracy is also often times forcefully expressed: no man is good enough to rule over another man and no nation is good enough to rule over any other nation.

Hardly has anyone gone as far as Gandhiji in expressing his ideas clearly and repeatedly both negatively and positively. He declares, "Democracy is not a state in which people act like sheep". He emphasises here the right of the individual and of the minority to dissent. The right to dissent and the freedom to dissent without any legal restriction and without any threats from mobs and morchas is one of the

most important characteristics of democracy. He also says "I do not want any body to give up his convictions or to suppress himself. I do not believe that a healthy and honest difference of opinion will injure our cause. But opportunism, camouflage or patched up compromises certainly will. If you must dissent, you should take care that your opinions voice your innermost convictions and are not intended merely as a convenient party cry". Gandhiji expressed much more forcibly the right to dissent when he says, "In matters of conscience, the law of the majority has no meaning."

Gandhiji often used the word *Swarajya* both for 'self-rule' by an individual and 'self-rule' or 'home-rule' by a nation. He definitely advocated democratic self-rule by the people, based on the representative form of government. But he never wanted to take away the right of the individual to stand by his conscience and or by his conviction. He put truth, the perception of truth by non-violent means, above everything else. In fact, this right and duty is the very foundation of *Satyagraha*. The only qualifying clause is that the *Satyagrahi* must be willing to accept the penalty cheerfully and suffer the consequences without ill-will towards any one.

Gandhiji's ideas about democracy stemmed from two basic conceptions; Man is the measure of all things. His freedom, his dignity, his opportunity to grow in freedom and elevate himself above animality must have full scope. At the same time, man is essentially a social being and his destiny is to elevate himself not as an isolated individual but as a community. Therefore, man's freedom, etc., have to be consistent with and regulated by similar freedom to his neighbour, to his brother and so on. In fact, democracy is relevant only in society and social life. If a single individual is to live an isolated life, there is no question of any democracy. There is neither 'demos' nor 'cracy'.

Democracy as a system of governance or rule involves more than one person; in fact it involves groups of people who want to achieve certain social objectives, such as security, defence, peace to follow their own pursuits and so on. In a big group of people bound by a geographical area, hardly can every one take part all the time in the affairs of the group as a whole. Therefore, the principle of representation has come into vogue. When the representatives come together, they have to discuss and debate and come to some decisions by majority or by consensus for being carried out. Gandhiji is very clear that no democratic system of arriving at decisions can work without a non-violent and peaceful atmosphere, without fear and mutual confidence about honesty and integrity. Self-control in expression, use

more of reason than emotion, the general will to carry out the decisions taken are the *sine qua non* of all democratic ways of arriving at decisions. He says, "Under democracy, individual liberty of opinion and action are jealously guarded."

All these things require a lot of self-control both by individuals and groups and parties and a firm determination to work democratically in order to achieve the good of the whole community. Not only the minority, but even a single individual in a democracy has the right, the freedom to convert the majority to his own view. It is his duty to do so when it is a vital matter and/or a matter of conscience. That is why Gandhiji says that no law can take away the right of Satyagraha but it must be non-violent in thought, word and deed, and must be for 'Satya' and not merely for selfish ends. One must be not only convinced about the 'Satya' part of Satyagraha, but before resorting to Satyagraha, one must have tried every other way of non-violently convincing others of the truth of the cause. Impatience, intolerance, anger, ill-will, thoughts of violence immediate or remote by oneself or others can have no place in Satyagraha, whether it is in democracy or any other 'cracy'.

Gandhiji does not believe in imposition of democracy by law or constitution or by coercion of any other kind. He says, 'it has to come from within'. What he means is that no fanatic who believes only in his own ideas can be a true democrat. His mind must be open and he must concede that there might be truth in what the other man says. The other condition for being a true democrat is that one should believe generally in what is called collective wisdom, collective thought and a basic faith in man being his own maker of destiny.

Gandhiji says, "A true democrat is a born disciplinarian. Democracy comes naturally to him who is habituated normally to yield willing obedience to all laws, human or divine. I claim to be a democrat both by instinct and training. Let those who are ambitious to serve democracy qualify themselves by satisfying first this acid test of democracy. Moreover, a democrat must be literally selfless. He must think and dream not in terms of self or party but only of democracy".

In view of the fact that Gandhiji has laid so much stress on self-control, discipline, and non-violence, it is needless to say that mobocracy is the antithesis of democracy. There is no end to Gandhiji's emphasis on non-violence and all that it means. He again says, "I believe that true democracy can only be an outcome of non-violence. The structure of a world-federation (democracy of nations) can be

raised only on a foundation of non-violence, and violence will have to be totally given up in world affairs.”

Gandhiji was aiming at a synthesis of the mutual claims of the individual and society. He says, “I value individual freedom but you must not forget that man is essentially a social being. He has risen to his present status by learning to adjust his individualism to the requirements of social progress. Unrestricted individualism is the law of the beast of the jungle. We have learnt to strike the mean between individual freedom and social restraint. Willing submission to social restraint for the sake of the well-being of the whole society, enriches both the individual and the society of which one is a member.”

*I believe in democracy, because it releases the energies
of every human being.*

—WOODROW WILSON.

SAYINGS OF MAHATMA GANDHI ON DEMOCRACY

[The Birth Centenary of Mahatma Gandhi is being celebrated throughout the World during this year. On this occasion, it is well to remember what Gandhiji said about Democracy. Here we give a selection of his sayings on the subject—Editor.]

The spirit of democracy is not a mechanical thing to be adjusted by abolition of forms. It requires change of the heart. (It) requires the inculcation of the spirit of brotherhood.

[Young India, 8-12-1920].

(Democracy) must, in essence, mean the art and science of mobilising the entire physical, economic and spiritual resources of all the various sections of the people in the service of the common good of all.

[Harijan, 27-5-1939].

My notion of democracy is that under it the weakest should have the same opportunity as the strongest.

[Harijan, 18-5-1940].

True democracy or the Swaraj of the masses can never come through untruthful and violent means, for the simple reason that the natural corollary to their use would be to remove all opposition through the suppression or extermination of the antagonists. That does not make for individual freedom. Individual freedom can have the fullest play only under a regime of unadulterated Ahimsa.

[Harijan, 27-5-1939].

Democracy is an impossible thing until the power is shared by all, but let not democracy degenerate into mobocracy. Even a *pariah*, a labourer, who makes it possible for you to earn your living, will have his share in self-government. But you will have to touch their lives, go to them, see their hovels, where they live, packed like sardines. It is up to you to look after this part of humanity. It is possible for you to make their lives or mar their lives.

[Young India, 1-12-1927].

Democracy is a great institution and, therefore, it is liable to be greatly abused. The remedy, therefore, is not avoidance of democracy but reduction of possibility of abuse to a minimum.

[*Young India*, 7-5-1931].

Evolution of democracy is not possible if we are not prepared to hear the other side. We shut the doors of reason when we refuse to listen to our opponents or, having listened, make fun of them. If intolerance becomes a habit, we run the risk of missing the truth.

[*Harijan*, 31-5-1942].

If we want to cultivate a true spirit of democracy, we cannot afford to be intolerant. Intolerance betrays want of faith in one's cause.

[*Young India*, 2-2-1921].

To safeguard democracy, the people must have a keen sense of independence, self-respect and their oneness, and should insist on choosing as their representatives only such persons as are good and true.

[*An Autobiography or the Story of my Experiments with Truth*].

True democracy cannot be worked by twenty men sitting at the Centre. It has to be worked from below by the people of every village.

[*Harijan*, 18-1-1948].

People in a democracy should be satisfied with drawing the Government's attention to mistakes, if any. They could remove the Government if they wished to. But they should not obstruct them by agitating against them.

[*Harijan*, 26-10-1947].

The highest form of freedom carries with it the greatest measure of discipline and humility. Freedom, that comes from discipline and humility cannot be denied; unbridled license is a sign of vulgarity injurious alike to self and one's neighbours.

[*Young India*, 3-6-1926].

In matters of conscience, the law of majority has no place.

[*Young India*, 4-8-1920].

What is really needed to make democracy function is not knowledge of facts but right education.

[*Harijan*, 29-9-1946].

Real democracy people learn not from books, nor from the Government who are in name and in reality their servants. Hard experience is the most efficient teacher in democracy.

[*Harijan*, 18-1-1948].

SOME FEATURES OF THE PARTY SYSTEM IN INDIA

—M. R. Masani

The party system is in bad odour these days not only in India but in most democratic countries. Its importance and utility are being increasingly questioned by those who describe themselves as the extra-parliamentary opposition. In India, Mr. Jayaprakash Narayan has kept the debate alive by pleading for a non-party democracy. He has not, however, succeeded in showing how it would work, and experience shows that a non-party democracy soon ceases to be a democracy altogether. Whilst most people would conclude that, with all its handicaps and shortcomings, the party system is a necessity in any representative government that has to extend over an area bigger than a city, there has been a world-wide reaction against the attempt of the party to dominate every sphere of thought and activity of the individual. In India, concrete shape was given to this yearning for more elbow room for the individual member when a new party came into existence in 1959 in the shape of the Swatantra Party in whose Statement of Policy it was claimed that the Swatantra Party "believes that the present trend followed in India and elsewhere by which political parties dominate more and more the thoughts, activities and lives of their members is one that needs to be reversed. The Party holds that democracy is best served if every political party allows freedom of expression to its members on all matters falling outside the fundamental principles of the Party. The Party, therefore, gives its members, whether in Parliament or elsewhere, the fullest liberty on all questions not falling within the scope of its principles and Statement of Policy".

In the years that have passed since, a general sentiment has been growing in India that while the party system has its place and parties are essential for furthering the national interest, they should not be allowed to become ends in themselves, as is often the case where short-term expediency prevails over more vital and fundamental principles or the national interest.

Structure of the Party System

The most outstanding feature of the party system in India is the multiplicity of parties. There are at least eight recognised parties at the national level—these being, in order of their strength in the House of the People, the Congress Party, the Swatantra Party, the Bharatiya Jana Sangh, the DMK, the Communist Party of India, the CPI (M),

the PSP and the SSP. It needs to be stated, however, that the Congress Party by reason of its long history—which dates back before the achievement of Independence—its representation in the Indian Parliament and its organisation throughout the country, stands head and shoulders above all other parties. This situation leads to the second feature of the party system in India, which is a lack of balance in Parliament and in the country generally as a result of the fact that the Opposition is splintered into at least half a dozen small parties, which means that at any given moment there is no “alternative government” to which the country may turn. As can be seen from the declining proportion of the popular vote, that the Congress Party has been receiving, starting with 45 per cent of the valid votes polled in the first elections after Independence down to 40.7 per cent in 1967. This, however, is a transient phase.

The Reality of the Party System

How real and meaningful is the party system in India? To what extent do political parties really have roots in the country? Do they go deep into the hearts of the people or do they float on the surface and cover up other realities? There is unfortunately no doubt that the reality of the party system in India is more sketchy than in Britain, the U.S.A. or other Western countries. There are many reasons for this. The first of these is the size of the population and the distances involved. India is as big as populous as the whole of Western Europe and with as many languages. This means that running a political party in India is as difficult and as hazardous an enterprise as it would be in the United Europe that is still to evolve. A political party in India is like a political party that would function from Scandinavia down to Spain on one side and Yugoslavia on the other.

Another factor responsible for the failure of the party system in India is that around three quarters of the electorate is illiterate. That does not mean that the illiterate voter is less intelligent than the literate one but it does pose a problem of communication which, in the absence of television and radio free from bureaucratic control, is overwhelming.

Another factor which limits the reality of parties is caste. Below the surface of the political party with its ideology is the reality of caste, which eats into all political parties. Jayaprakash Narayan has described caste as “the biggest party in India.”

For all these reasons, political parties are apt to float at the top and to lack grass roots.

The State of Party Politics

There is widespread feeling in India today that political parties suffer from a malaise which, if not controlled, might endanger the processes and institutions of Parliamentary Democracy itself. There is a general cynicism about the sincerity of purpose of the politician, with the danger that in the process the "baby will be thrown out with the bath water". Mrs. Vijaylakshmi Pandit, the sister of our India's first Prime Minister resigned from the House of the People not long ago for no more concrete reasons than that she was oppressed by the futility of the proceedings in which she was participating. This phenomenon is not unique to India. Nevertheless, it needs to be taken note of and its causes considered.

Among the causes for the decline in public life and its prestige must be mentioned the reluctance of the politician to be in opposition. Normally parliamentary democracy functions in conditions where 30 per cent to 40 per cent of a country's politicians are prepared to be in opposition at any given time. In India, unfortunately, most politicians want to be in office all the time! This not unnatural desire is carried to such an extent that, on the one hand, those in office hang together long after they should have parted because of the basic differences that have developed between them. On the other hand, individuals leave their own party and cross the floor, not because of any ideological differences they have developed, but rather to join in a new configuration that will take them to office. This latter phenomenon, which has become quite common in India, is known as "defection".

Perhaps an excellent opportunity to establish a two-party system between ins and outs with its system of checks and balances, was missed when the advice given by Mahatma Gandhi on the eve of Independence that the Congress Party, having achieved Independence for the country, should convert itself into a social service organisation leaving the political field for two parties to be established to run the parliamentary system was ignored.

The other side of the coin is to be found in the tendency to consider a political party as an end in itself and the pursuit of political power for itself. "My Party right or wrong" is a sentiment which, when translated into day to day practice, has resulted only too often in the loss of credibility.

Another not unrelated phenomenon is the absence of courage among the leaders of political parties. There is too much of double talk all round. The leader tends to become the follower, to look around to see which way the wind is blowing and, when in office, to shirk and evade a decision until it is sufficiently clear which bandwagon it would be safe to jump on. The results have been aptly described by Professor Parkinson in his enunciation of Parkinson's "Law of Delay". If it is not considered irreverent, it would not be unfair to suggest that the behaviour of most leaders of most political parties in India can be described, to use Lenin's phrase, as "tailism" in place of leadership. When one ponders over these traits of character and considers the change of scene, between pre-Independence politics under the leadership of Mahatma Gandhi and the post-Independence picture, one is led to the feeling that perhaps these unfortunate trends have been accentuated by the politicisation of national life that has progressed during the last two decades of Independence. Whether it is in the sphere of industry and trade, of agriculture, of education, of language, literature and the arts, or even of sports, politics obtrudes. It would seem as if, in the effort to build "socialism", what has really resulted is an extreme form of Statism where the State aggrandizes and enters into the spheres of the individual. Such a development cannot but result in the concentration of power in a very few hands of those who are in office. While the system has maintained a system of checks and balances as between the Union and the States, that other balance which should exist between political power and economic power has been destroyed by the combination of both in the hands of the government. The opportunities and temptations that such a system provides in a poor country, where the salaries of the civil servant and the standard of life of the politician are terribly low, are not difficult to imagine. The larger part of the complaints and discussion that prevails about corruption in Indian public life are linked with the power to issue licences and permits and to allocate quotas of scarce domestic or imported materials which is an essential part of the prevailing system of excessive controls.

Some suggestions

If the party system in India is to be stabilised, rejuvenated and made more meaningful, three distinct lines of approach suggest themselves.

The most significant of these would be to bring the political parties nearer the people, to help them develop grass roots and to provide a democratic infrastructure through which the common people are able

to participate more actively in the process of government throughout the five years between elections. The need of such increasing participation is obvious.

There is today in India a great deal of dangerous talk on the part of "we", the people, to blame, "them", the politicians for everything that is going wrong. The large number of people who indulge in this kind of talk seem to be oblivious of the fact that "they", the wicked politicians, were put in office by "we", the virtuous people! There is no awareness that in a democracy every country gets the kind of government it deserves and that guilt for bad government and the state of public life must be shared by all of us who have a vote.

It is only through better communications and greater participation that this "we" and "they" complex, the helpless shrug of the shoulders, can be brought to an end. This is known in the U.S.A. as "grass roots" democracy. Unfortunately, voluntary action on the part of the citizen in India is extremely weak. The layer of infrastructure of voluntary organisations at a local level which can supplement activities of political parties at the top, is very thin. This makes government too strong and the people helpless. The gulf between the young folk and the older leaders of political parties widens because of the handicap of outdated views and obsolete methods.

A second line of approach to ameliorate conditions is the need to train public workers. In India, only the Communist Parties and some other totalitarian elements have trained cadres, while democratic parties have neglected this activity. There is a crying need for training in public life, and political techniques corresponding to a large scale movement for training of Managers in industry and business which has been such an encouraging development in India during the past decade.

Finally, in order to ensure that the will of the electorate is more fairly carried out in the formation of the Government, a system of electoral reform has become necessary. It had been hoped by the founding fathers of the Constitution that, if we adopted the British system of 'first past the post' in single member constituencies and eschewed any form of Proportional Representation, we would be able to foster a two-party system on British and American lines. Unfortunately, this hope has not been fulfilled. It would appear that the temperament of peoples and not the electoral system determines the number and proliferation of political parties. We, in India, like the Latin peoples generally, do not possess the spirit of compromise

and synthesis which makes a two-party system function in the Anglo-Saxon countries. The combination of the Latin temperament with the British system of election has been disastrous, and has resulted in a gross distortion of the popular will such as no democracy can for long afford. The Congress Party has been in government in New Delhi for two decades without ever obtaining a popular majority of the votes polled at a General Election. The Congress Party under Nehru secured at the height of its popularity only just under 48 per cent of the votes and has dropped progressively till, in 1967 under his daughter Mrs. Gandhi, it dropped around 40 per cent of the valid votes polled for the House of the People. Nevertheless, thanks to the quirks of the British system, the Congress Party obtained 54 per cent of the seats in the Lok Sabha and is able to carry on its one-party administration notwithstanding the fact that 60 per cent of the electorate voted against the continuance of its regime. In Bengal, the same phenomenon has surfaced in the February 1969 elections, this time in favour of the Communist Parties.

In view of the size of the country, the large population involved and the illiteracy of the majority of the people, any system of multi-member Constituencies with the single transferable vote is unfortunately ruled out. It is felt that the List System* on the lines it works in Italy, Israel and other countries, would provide an appropriate model of Proportional Representation in India and a certain amount of interest in this alternative is presently noticeable in knowledgeable circles.

Democracy on proper lines will never grow unless there are fewest number of Parties and I may even say not more than two major Parties, which can almost balance each other as Government or the Opposition.

—G. V. MAVALANKAR.

*For details of List System, see Hoag and Halett: *Proportional Representation 1926* Chapters IV, V, IX and Appendix VII; and Lakeman, Erid and Lambret; James D. *Voting in Democracies*, 1955, Chapters V and IX.

PARLIAMENT'S INFLUENCE ON THE CONDUCT OF FOREIGN POLICY

—Bal Raj Madhok

The right to formulate and conduct foreign policy is one of the essential attributes of sovereignty of a modern State. No State however big and powerful can claim to be sovereign if it has no control over the conduct of its external relations. That explains why major princely States like Jammu and Kashmir, Hyderabad and Mysore with all other trappings of sovereignty were not considered to be sovereign States.

The foreign policy of India before freedom was part of the British foreign policy and was conducted from Whitehall and not from New Delhi. The British Parliament had then, as now, an effective voice in the shaping of British foreign policy. India as such had no foreign policy of her own so long as it remained a part of the British Empire. The Indian National Congress used sometimes to pass resolutions on foreign policy. But they were nothing more than essays on world situation reflecting the prevailing anti-British atmosphere in the country.

The occasion to formulate and implement an Indian foreign policy came with the dawn of freedom. Pt. Nehru, the first Prime Minister of India, was fully conscious of the importance of foreign policy in the making and evolution of a nation and therefore decided to hold this portfolio in his own hands. This virtually took foreign affairs out of the purview and control of Parliament for two reasons. In the first place, there was no Opposition Party in the Parliament which was also the Constituent Assembly of the country till early 1950. Secondly there was none in the Congress Party who had ever bestowed serious thought to the questions of foreign policy before freedom. It was then considered to be the pet toy of Pt. Nehru who claimed to be an expert in the matter. Therefore nobody in the Congress Party inside or outside the Parliament dared to question his handling of foreign policy. Till the Chinese invasion of 1962 it virtually remained a close preserve of Prime Minister, Pt. Nehru, in which the Parliament as such had little say. There were occasions when some senior Congress members had serious doubts about the correctness of the country's foreign policy, as in the case of the attitude towards China in regard to the occupation of Tibet by her armed forces. But they preferred to talk it over in the party meetings rather than taking up the issue in Parliament. The only two members who publicly voiced their doubts

and opposition regarding Nehru's Tibet Policy in Parliament before 1962, were Acharya J. B. Kriplani and Dr. Shyama Prasad Mookerji who resigned from the Nehru Cabinet on the question of policy towards Pakistan in April 1950.

After the first General Election of 1952, the Parliament came to have for the first time a sizeable Opposition. Besides independents, it consisted of three main groups—the Communists, the Socialists and the National Democratic Party of Dr. Mookerji. The Communists generally supported the official foreign policy because it generally approximated to their views. The Socialists were opposed to Pro-Communist stance in foreign policy, but their personal regard for Pt. Nehru, who was considered to be the leader of Socialist forces in the country, prevented them from open opposition to the foreign policy inside the Parliament.

Dr. Shyama Prasad Mookerji so long as he lived was the only effective critic of the foreign policy. But sure of the steam-roller majority of the Congress Party and tacit support of the Communist and Socialist groups in the Opposition, the Prime Minister cared little for the Opposition of the Nationalist fringe. Parliament continued to be a passive spectator and rubber stamp so far as the conduct of foreign policy was concerned.

Parliament's influence on foreign policy began to be felt for the first time when news about Chinese attacks and forcible occupation of Indian territory in Ladakh began to trickle into the Indian Press. The first decisive step in Parliamentary control over the conduct of foreign policy was the publication of the first White Paper on China in response to persistent demand and pressure in the Parliament.

The Chinese invasion of October 1962, finally pricked the bubble of Government's infallibility in matters of foreign policy. Important members of the ruling party like Shri Mahavir Tyagi and Shri Raghunath Singh also raised their voice of protest against the mishandling of foreign and defence policies of the country. The intimate connection between the defence and foreign policies of the country also began to be realised for the first time. But the main target of the wrath of Parliament was the Defence Minister Shri Krishna Menon, who was considered to be the Chief adviser of Pt. Nehru on foreign policy and not the Government as such. On the whole, so long as Pt. Nehru remained at the helm of affairs in the Indian Foreign Office, Parliament had not much influence or control on the conduct of India's foreign policy.

The situation underwent a marked change after the death of Pt. Nehru and appointment of a separate External Affairs Minister in the Cabinet of Shri Lal Bahadur Shastri. The Sino-Pak alliance which began to take a concrete form soon after the Chinese invasion of India made the whole country conscious of the growing isolation of the country and the developing threat to her security and integrity. The Kutch adventure of Pakistan early in 1965 made it clear that the Pindi-Peking axis was a reality. Shri Shastri's attempt at following on the foot-steps of Pt. Nehru in playing down the threat in pursuit of the policy of appeasement of Pakistan and the Kutch Agreement that followed created fierce reaction inside and outside the Parliament. The Pak invasion of Kashmir in September, 1965 proved Parliament and the people to be correct. From then onwards, Parliament began to take determined interest in the conduct of foreign policy. It gave a clear mandate to Shri Shastri before he went to Tashkent not to vacate the Kargil and Haji Peer areas of Jammu and Kashmir which the Indian army had liberated from forcible occupation by Pakistan. Shri Shastri could not honour that mandate. But for his death at Tashkent, he might have been censured by an enraged Parliament.

The shift that began in the Soviet Policy in 1964, the first clear manifestation of which was the Russian role at Tashkent, made the Parliament more restive and vigilant about the conduct of foreign policy. After the 1967 elections, the enhanced strength of the opposition parties, particularly of the Jan Sangh and Swatantra Party, in the Parliament made it difficult for the Government to take the Parliament's support to the foreign policy for granted. The growing dangers to the security of the country because of the fast-changing international situation made even some members of the ruling party realise the need for a national or bipartisan foreign policy based on national interests rather than romantic notions about World peace and Panch-sheel. The test of this new realisation came at the time of the Middle East crisis in May 1967. The Government had so far been following a blind Pro-Arab Policy. In fact, it had made it clear by its actions that the Arabs could take her support for granted in whatever they wanted to do against Israel. But the stiff opposition this policy met in Parliament including from some members of the ruling Party, made it clear to the whole World that the sympathies of India were with Israel and not with the Arabs. Things came to such a pass that the Prime Minister had to declare in the Parliament that India wanted Israel to exist and was not in favour of any move to wipe it off the map of the World, as desired by the Arabs. The more restrained policy that Government has since been pursuing towards Arab-Israel tension is in marked contrast to Indian exuberance in favour of the Arabs before that.

The reaction of the Parliament to the Russian invasion of Czechoslovakia in 1968 which forced the Government to express its disapproval of the Soviet action was another proof of the growing influence of the Parliament on the conduct of foreign policy.

A definite and marked change in the conduct of India's foreign policy is now evident to all concerned. India is taking greater interest in her immediate neighbours and is laying greater stress on developing bilateral relations with different countries on the basis of mutuality of interests, irrespective of the bloc or blocs to which a country may belong. This air of realism and self-interest in the conduct of India's foreign policy has blown into the Indian Foreign Office from the Indian Parliament.

The main instruments through which Parliament has been influencing the conduct of foreign policy are the occasional debates on foreign policy including the one on the grants of the Ministry of External Affairs and calling attention motions. No-confidence motion on Kutch was also meant to censure the foreign policy of the Government.

Searching questions in the Question Hour from a more vigilant and talented Opposition have also become a very effective means of influencing the conduct of foreign policy. The Consultative Committee of the Ministry of External Affairs with its enlarged scope and functions will also become an effective instrument of Parliament to influence the conduct of foreign policy in the days to come.

Matters of national defence and foreign policy ought to be considered upon a plane above party and apart from natural antagonisms which separate a government and an opposition. They affect the life of the nation. They influence the fortunes of the World.

—WINSTON S. CHURCHILL.

DEFECTION

—P. Venkatasubbaiah

From a long-term point of view it is, perhaps, quite legitimate to regard the phenomenon of political defections as a part of the process of political growth and of the necessary adjustments involved in such a process arising out of conflict between the old elite and emerging new ones, and the inevitable frustrations inherent in an undeveloped multi-party system. But as Dr. L. M. Singhvi has put it in his preface to a recent study¹ on the subject: “. These contextual realities cannot, however, exculpate the bizarre destitution of political behaviour at the hands of self-serving legislators.” The point to be emphasised is that political defection on a scale witnessed after the Fourth General Elections is a moral aberration which poses a serious threat to the very fabric of our democracy and has caused “an agonising re-appraisal of our capacity as a people for democratic institutions.”

The phenomenon of large-scale defections extended over as many as seven States—Rajasthan, Haryana, Punjab, Bihar, Uttar Pradesh, Madhya Pradesh, West Bengal and the Union Territories of Pondicherry and Manipur where frequent changes of political affiliations by legislators in large numbers led to rise and fall of governments.

The Fourth General Elections are a watershed in the history of political developments in post-independence India. Negatively, and what has made the critics of the ruling Congress Party happy, the monopoly of power enjoyed by the Congress was brought to an end in as many as seven States. The general contours of power structure underwent a sea-change. But there was also a positive side to it. Opposition parties realised that they could come to power through democratic means and the frustration among them which had hitherto manifested in the rising tide of violence on almost every issue decreased considerably. Here was an opportunity for the opposition parties which they failed to capitalise on, because of their own internal contradictions. A fragmented opposition could not build up sufficient cohesion to continue in power for any length of time. A democratic coalition failed to materialise, because of lack of any cohesive ideology or an agreed minimum programme. In the first flush of enthusiasm among the opposition parties, there began a process of realignment in which ideological issues tended to become blurred with a view to enabling them to share power. United Front governments were formed

¹Subash C. Kashyap, *The Politics of Defection—A Study of State Politics in India*, See Preface, p.v.

in seven States. But this 'marriage of convenience' did not last long. With each of the constituent units pulling its own way in the majority of States, the United Front governments collapsed with the weight of their own internal contradictions leading to a mid-term poll.

Another phenomenon which characterised the post-Fourth General Election scene in the States was large scale defections resulting in the fall of sixteen governments in as many months. There were a large number of migratory legislators who changed sides with the same ease with which one changes one's coat, very often for a consideration, and thereby caused the rise and fall of several governments in the States. Every single case of collapse of governments in this period (*i.e.* from February 1967 to March 1969) can be traced directly to change of allegiance by legislators. The States affected mainly were Haryana, Uttar Pradesh, Punjab, Rajasthan, Madhya Pradesh, Bihar and West Bengal; and the Union Territories of Pondicherry and Manipur. Haryana had the dubious distinction of having perfected the technique of defection.

Out of 3,500 members of the State legislatures, more than 500 had defected, some more than once, at one time or another. This roughly works out to 14 per cent, or in other words, one out of every seven legislators was a defector. The percentage goes up as high as 25, if the States like Madras, Kerala, Assam, Jammu and Kashmir, Orissa, Nagaland and Maharashtra, where there were no defections, are left out. There were as many as 438 cases of defection in a single year after the Fourth General Election, as compared to 542 cases of defection in the preceding ten years. Another fact to be noted is that defections have become a matter of two-way traffic. Many legislators defected not to join any other organised party, but to form separate pressure groups with a view to seizing power. The existence of a number of independents accelerated the pace of defection. The number of independents in State legislatures was 376. Out of 174 independents in Bihar, Haryana, Madhya Pradesh, Manipur, Punjab, Rajasthan, U.P. and West Bengal, as many as 90 joined various political parties.

It is very often stated that defections are neither new nor unique. As a statement of facts, one can have no objection to this, if it is meant that it is not for the first time that defections have taken place in India and are not to that extent, new; nor are they unique in the sense that India is the only country where political defections have taken place. Indeed, that is not historically true. But neither lack of novelty nor uniqueness can become grounds for complacency in the

face of a political phenomenon which threatens the very fabric of democracy in our country.

The post-Fourth General Election defections in India were qualitatively different from the previous ones, in their magnitude, range and character. Consequently, the matter became one which needed serious study and caused concern. Among others, concern was expressed by the Whips' Conference and the Conference of Presiding Officers. The Lok Sabha took up the matter for discussion at the initiative of the author who moved a non-official resolution on August 11, 1967. The motion was debated in the House on November 24 and December 8, 1967. The motion was adopted by the House with an amendment by Shri Madhu Limaye calling for omission of the latter portion of the resolution, which provided for "evolving a special machinery and the taking of effective measures by suitable legislation to arrest this growing phenomenon which is assuming alarming proportions, so that the country can function on sound and healthy lines of parliamentary democracy."² The motion as adopted by the Lok Sabha on December 8, 1967 is given below:

"This House is of the opinion that a high level Committee consisting of representatives of political parties and constitutional experts be set up immediately by Government to consider the problems of legislators changing their allegiance from one party to another and their frequent crossing of the floor in all its aspects and make recommendations in this regard."³

The Resolution is important, because it was in pursuance of this Resolution that a Committee consisting of jurists and other publicmen was set up "to consider the problems of legislators changing their allegiance from one party to another and their frequent crossing of the floor in all its aspects and make recommendations in this regard." The appointment of the Committee was announced to the Lok Sabha on March 21, 1968 by the Home Minister. The report of the Committee was presented to the Lok Sabha on February 18, 1969. We shall have occasion later on to refer to the recommendations of this Committee which was chaired by the Home Minister, Shri Y. B. Chavan.

Before we proceed to examine the problem in greater depth, it would be necessary to define a defector. A satisfactory working definition would be that a defector "is a person who repudiates the

²Lok Sabha Debates November 24, 1967.

³Lok Sabha Debates December, 8, 1967

label under which he has been elected to the legislature.” This definition is wide enough to cover the three different types of cases, viz. (i) leaving the party on whose ticket the legislator was elected, to join another party; (ii) leaving the party on whose ticket he was elected but opting not to join any party; and (iii) joining any party after being elected as an independent. It may be open to doubt whether a person who is elected as an independent but joins any party subsequently can strictly speaking be deemed a defector.

While defections after the Fourth General Elections may neither be new nor unique, their range and magnitude and character necessitate an examination of the phenomenon. Defections were aggravated by certain factors, among which was the success of the opposition parties at polls even beyond their own expectations, and the possibility of forming coalition governments which it gave rise to. So evenly matched were the Congress and the opposition groups in various legislatures that every single legislator became important, could afford to sit on the fence, and demand a price for his allegiance. The *modus operandi* of defecting legislators are revealed in the report of the Governors of the States to Rashtrapati sent on the eve of the imposition of presidential rule. Couched as these reports are in sober, temperate language with no attempts to exaggerate the situation, they make astonishing reading. We give a few excerpts from the Report of the Governor of Haryana, Shri B. N. Chakravarty to the Rashtrapati:

“.....but what is worse is that individual members of the legislature have realised their own importance. They can interfere in administration with impunity and make demands which, even if they are unreasonable, can hardly be resisted by the Chief Minister. With the best will in the world, the Chief Minister cannot refuse to oblige his party-men because of the constant threat of defections.”

“Allegations are being made openly by both sides, that money is being paid to defectors. While it is difficult to say how far these allegations are true, there are good reasons to believe that the defections are being secured by not too honourable means.”

“....Some members have defected not once but even three or four times. Two members have defected four times, 2 members thrice and 6 members twice. To some members, changing the party is apparently of as little consequence as changing a coat.”

“The manner in which defections have taken place and are taking place, leaves no room for doubt that it is not for any ideological reasons that members are defecting from one party to another. The motive is obviously to secure some personal gain.”

It is difficult to establish any coherent pattern. What can be said is that the factors were motivational rather than ideological and structural. It is also difficult to draw a line between defections based on ideological grounds and defections for personal gain. But it cannot be gainsaid that quite a large number of legislators defected because of temptations of office, money or status or denial of the same. At least this is the conclusion to which the reports of the Governors point and it would be difficult to deny this irrefutable evidence based on an intimate knowledge of concrete cases of defection in the States concerned.

Ideological considerations have played very little role in defections after the Fourth General Elections. In fact, the absence of the ideological factor has tended to aggravate the situation. Damage has also been caused by the fact that defectors have been rewarded with offices. In one single year of defection after the Fourth General Election, as many as 115 defectors were rewarded with ministership. The Union Home Minister, Shri Y. B. Chavan mentioned in the Lok Sabha that Rs. 20,000—40,000 was being quoted as the price of defection.

From the foregoing, it is clear that whether new or not, whether unique or not, defections cannot be condoned, as they exert a corrupting influence on our political life and therein lies the danger.

Before proceeding to suggest remedial action, we shall probe a little more in detail into the causes of defection. Defections may be attributed to the nature of political parties in India with their ageing leadership, bossism and the growth of establishment with vested interest in maintaining the *status quo* and resistance to change. There is lack of ideological orientation and polarisation among the parties. There is very little popular involvement in the day-to-day activities of political parties, which are tending to become election winning machine. In-fighting and factionalism are rampant in all parties. (Witness the splitting up of the Communist Party and the rise of splinter groups). Defections have also taken place due to conflict of personalities and temperamental difficulties. But the single most important factor in defections after the post-Fourth General Election has been the temptation of office, money and status. The gap between the emoluments of ministers, their *status* and other benefits and those

of an ordinary legislator is too glaring. Another factor has been the presence of powerful lobbies and pressure groups whose activities cut across party lines.

It has been mentioned earlier that the range, magnitude and character of defections after the Fourth General Elections were such as to arouse general concern. Almost all the parties have suffered losses through defection. Critics of the ruling party have alleged that it has been the loudest in its condemnation of defections since it has become a two-way traffic. It is difficult to agree with the critics, for not only the Congress, but all other political parties have condemned defections, and sought to check them. The Congress was one of the first parties to take action against the defectors. And the decision of its Parliamentary Board not to give any quarter to the defectors during the mid-term poll in Haryana was widely hailed. The general concern over defections found its echo in the nation's Parliament and the Lok Sabha adopted a Resolution to which reference has already been made. It was in pursuance of this Resolution that a Committee presided over by the Home Minister, Shri Y. B. Chavan was appointed to go into the question of defection with a view to suggesting remedial measures. The Committee proceeded on the basis of certain considerations it had set for itself. These considerations were—

(a) That no fool-proof deterrent could be devised against defections which were rooted in irresponsibility and opportunism and brought the functioning of Parliamentary democracy into disrepute.

(b) The task of suggesting remedial measures was a complex one, which had to balance stability against growth process of political parties, the uncertainties of a period of transition preceding polarisation and the avoidance of rigidities so as not to penalise unnecessarily genuine dissent.

(c) The recognition by political parties about observance of certain moral norms without which no legislative or constitutional measures could succeed.

(d) Simultaneous attack on ethical, educational and political planes to create a climate against defection.

In the course of its deliberations, the Committee also agreed on the definition of a defector, which as it stands, excludes independents. "An elected member of a legislature who had been allotted the reserved symbol of any political party can be said to have defected, if,

after being elected as a member of either House of Parliament or of the Legislative Council or the Legislative Assembly of a State or Union Territory, he voluntarily renounces allegiance to, or association with, such political party, provided his action is not in consequence of a decision of the party concerned.

The main recommendations of the Chavan Committee are:

(i) Formulation of a code of conduct to be agreed to by political parties providing *inter alia* not to admit defectors from other parties.

(ii) A legislator should be bound to the party under whose aegis he wins the election.

(iii) The Prime Minister and Chief Ministers should invariably belong to the Lower House.

(iv) Defectors should be debarred from appointment to ministerial positions till they are re-elected.

(v) Ceiling on size of ministries.

(vi) Provision for recall neither advisable nor practicable.

We shall conclude with a brief comment on some of these.

It has been suggested by the critics that it would be difficult to formulate a code of conduct which would be acceptable to the multiplicity of political parties. And that even if such a code is formulated no political party would observe it in practice. That it is difficult cannot be denied, but the difficulties are not insurmountable since defections pose a threat to all political parties. Nor is it necessary to have such a poor opinion about the parties that they would not make an honest attempt to implement what they had agreed to, even when it was in their own interest. There is some weight in the argument that it would be difficult to prevent the election of independents to legislatures, as long as there was no polarisation and multiplicity of parties existed. While it would be a salutary convention to restrict the choice of the Prime Minister and Chief Minister to members of the Lower House, it has no direct bearing on the problem of defection. Debarring defectors from becoming ministers would certainly help to stem the rot, but it touches only the fringe of the problem, as long as other loopholes

are not plugged. The suggestion regarding ceiling on the size of ministries may contravene certain provisions of the Constitution in which limitation is put on the size of the ministry.

The Chavan Committee also considered certain other suggestions but could not agree on them. These include:

(a) Giving the right of dissolution to Chief Ministers would be a remedy worse than disease:

(b) Registration of parties was rejected since it would conflict with Article 14 of the Constitution; and

(c) Disqualifying by legislation, defectors and preventing them to continue as members of the House was also rejected as being incompatible with the Constitution.

We may sum up the entire discussion on the question of defections by saying that while the post-Fourth General Election defections in India may be neither new nor unique, they, because of their range, magnitude and character, cannot be ignored. To betray any complacency on this ground would be to condone a moral aberration whose consequences could be damaging. While it is not necessary to exaggerate them out of all proportion, it would be a great folly to minimise the damage they have caused. There is no doubt that they have brought an element of corruption in Indian political life never witnessed before. Therefore, it is but right that concern should be expressed about them and that every attempt be made to stem the rot before it is too late. Efforts have already been made in this direction. These attempts may be insufficient until the parties whose fortunes defections so intimately affect make a systematic effort to halt them, without which no legislative measures would succeed.

To sacrifice one's honour to one's party is so unselfish an act that our most generous statesmen have not hesitated to do it.

—CHARLES JOHN DARLING.

EXPORT PROMOTION—A STRATEGY

—B. R. Bhagat

A phenomenal increase in the exports of industrial products has been the most encouraging feature of India's exports in 1968-69. A number of high value contracts have been secured against free global competition. Technical know-how has been exported for many turn-key projects abroad. This is a reflection of the silent revolution that has been taking place in the country's industrial structure. Many new items of export from India have entered world markets and are increasingly contributing to the overall rise in earnings. Striking changes have also taken place in the directional pattern.

The value of exports touched an all-time high during 1968-69 at Rs. 1360 crores. This represented an improvement of nearly 13 per cent over the preceding year's level of exports. As much as three-fifths of the increase in exports valued at Rs. 150 crores was contributed by non-traditional items. This upsurge betokens not only the growth of a will to export among our exporters but also bears some testimony to the rational and dynamic policies followed by Government for stimulating exports.

Priority for Exports

The exporter today is placed on a special footing and export trade is recognised as a preferred sector. The measures and incentives for export promotion that have been announced from time to time cover a wide range of the problems of the export sector and the impressive infrastructure that has been built up has begun to yield encouraging dividends. The basic policy framework will, no doubt, remain stable for a considerable time to come and there need not be any apprehension on this account. At the same time, there is need to build up competence at all the stages of marketing—from production to the shop floor. This will, in the course of time, enable more and more items to be exported.

The current import policy has increased the emphasis on production for and promotion of exports. With the overall objective of gearing import policy to export promotion, the privilege of allowing imports from a preferred source of supply has been granted to industrial units which export at least 10 per cent of their production. It is incumbent on the priority units to prove that they do, in fact,

need the import allocation facilities given to them for stepping up exports. Under the current import policy, out of the 59 priority industries, an obligation has been placed on 10 specific industries to export at least 10 per cent of their production.

Phased Programme of Export Production

There is also a scheme for a phased programme for export production open to such industrial units as do not claim substantial exports but have established a firm foothold in production for the domestic market. Under this scheme, these units can secure financial and managerial assistance, enlarge their licensed capacity and obtain import licences for machinery, components and raw materials needed by them.

Export Assistance

Apart from this recent strengthening of export facilities, there has already been an elaborate policy framework for exports, covering import replenishments against exports, allocation on a priority basis and at international prices, of indigenous raw materials needed for export production, the grant of cash assistance to compensate for the cost disadvantages of the new industries, preferential treatment to exporters securing high-value contracts, tax exemption, credit facilities, drawback of duties, freight concessions, foreign exchange for business visits abroad and so on. In other words, Government has been attempting to devise a policy framework to impart competitiveness to exports.

Fourth Plan Targets

The fourth plan envisages an Export Strategy for aiming at realising an increase in exports at a compound annual rate of 7 per cent from Rs. 1360 crores in 1968-69 to Rs. 1900 crores in 1973-74. Total export earnings in the Fourth Plan, as a whole, are estimated at around Rs. 8,300 crores.

The major emphasis in the growth of exports during the Plan and thereafter would be on metals and metal-based manufactures including machinery, equipment and engineering goods, iron ore, chemicals and allied products. These are the real growth points in export potential inasmuch as world demand for them is projected to increase steadily in the period of the Fourth Plan. In fact, as much as 65 per cent of the projected growth of exports in the Plan period

is expected from these exports. Exports of agricultural and allied products are estimated to increase from Rs. 475 crores in 1968-69 to Rs. 667 crores by 1973-74. Of this total, exports of tea are expected to increase from Rs. 180 crores to Rs. 205 crores while other agricultural products are expected to rise from Rs. 295 crores to Rs. 462 crores in the same period. Exports of manufactures are estimated to rise from Rs. 675 crores in 1968-69 to Rs. 759 crores in 1973-74. Textile exports are expected to play a role of diminishing importance while all other manufactures taken together are envisaged to show a sharp rise from Rs. 399 crores in 1968-69 to Rs. 623 crores in 1973-74. For achieving the overall 7 per cent rate of growth in exports which is unprecedented in our economic history and is much higher than the previous best of 4.5 per cent growth rate achieved during the early sixties, it is obvious that an equally unprecedented effort has to be put in. Such an effort cannot succeed except with complete co-operation from the trade and industry, labour, producers and consumers and, indeed, every section of society.

Some Problems

No doubt, there are a few factors which hinder the export effort. A variety of tariff and non-tariff barriers in the importing countries hamper our exports. International trading conditions which were extremely buoyant during recent years do not promise to repeat themselves during the Fourth Plan. In addition, problems such as competition from Pakistan in jute goods and from Ceylon in tea would continue. International commodity prices are declining again and if this trend continues, even if the quantum of exports is increased, export earning will not grow proportionately because of the decline in unit values. Finally, the attractions of the large and scattered domestic market may continue to be difficult to resist for some producers.

Long-term Strategy

It is against this background that a long-term strategy has to be evolved, notwithstanding the limiting factors. The policy in the Fourth Plan prescribes five major principles namely: expansion of production base, restraints on consumption, gearing of production pattern to external demand, ensuring quality of output and control on costs of production. A word may be said on each of these policies. The policy related to expansion of the production base applies not merely to non-traditional sectors such as engineering goods, iron and steel,

chemicals and allied products but also to certain traditional items such as jute goods and tea. The threat of a growing home market resulting in inadequate surpluses for export could be warded off only by producing more. The task of increasing domestic production presents difficulties that vary from product to product. While Government is endeavouring to solve the major problems of each product, essentially it is the manufacturer who has to streamline his production. Government is indeed willing to lend its support wherever it is necessary and possible. But it is basically for the industry to initiate programmes of detailed product research and development by which the traditional markets for agro-based commodities would be retained and new products manufactured in accordance with external demand.

Pending the development of production on an adequate scale, we may have to resort to temporary consumption restraints. Such restraints would be important not only for agricultural products such as sugar, cashew, oils, spices and tobacco but also in the case of engineering goods, chemical products, etc. It would be further useful to substitute inferior products in indigenous consumption so as to release the superior ones for exports. This policy would be particularly applicable to tea, coffee, sugar, pulses, Basmati rice, oilcakes, etc.

Coming to the need for producing in keeping with the external demand, the traditional practice of exporting what is produced at home should be reversed. In the modern markets, the consumer is the sovereign. If export we must, we shall deliberately have to design such programmes of production as have a high export potential. There have to be continuous shifts in production to suit the changing pattern of world demand. Such a process is already under way as is evident in the shift of production to carpet backing cloth from hessian and sacking, to instant coffee from raw coffee, to footwear from hides and skins and different types of sophisticated engineering goods from iron and steel, etc. This process of adaptability to consumer demand has to be sustained and accelerated.

Finally, comes the inevitable question of quality of output. The overseas consumer today is more than ever quality-conscious and unless he is convinced of the quality of a particular product he will not buy. Here again is a field for continuous home work for domestic manufacturers and traders. Even one consignment of inferior goods can ruin the entire demand from a given market.

Last but not least is the question of a control over costs of production. This is directly related to factors like optimum production, efficiency of management and technological sophistication.

Apart from these principles, account must be taken of the other services that an exporter has to offer to the importer such as after-sales-service, long-term credit, adequate brand publicity and above all the confidence and goodwill to be created, for his goods and services.

A successful marketing policy has to be mainly based on the principle of specialisation. The employment of concepts like competitive pricing, superior quality, proper presentation, adequate publicity and timely delivery will ensure the success of our exports. There may be certain factors which are beyond the scope of manufacturers, such as external commercial restrictions. While Government will continue its efforts for the removal of such restrictions, domestically the initiative rests on the industry and trade for building the edifice of export growth on the foundation of the congenial environment being created by Government.

Responsibility for development: must primarily be shouldered by the developing nations themselves. Political domination over the process of development by nations which wield economic power is inconsistent with provisions of the Charter to which all subscribe. What we need is a global strategy of development, an integrated programme of international cooperation, which outlines convergent measures to be undertaken by every member state.

—INDIRA NEHRU GANDHI.

FIFTY-SEVENTH INTER-PARLIAMENTARY CONFERENCE

1969

—S. L. Shakhder

The 57th Conference of the Inter-Parliamentary Union will be held in New Delhi from Thursday, the 30th October to Friday, the 7th November, 1969.

This is the first time that the Inter-Parliamentary Conference is going to be held in India.

Parliamentary delegations from about 70 member countries of the Inter-Parliamentary Union will attend the Conference. Thus, foreign delegates (Speakers, Ministers, MPs), Observers from International Organizations, officials, Journalists and wives of some of the delegates—total about 800 persons—are expected to come to India in connection with the Conference. The countries which would be sending delegations to this Conference are: Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Ceylon, Democratic Republic of Congo, Czechoslovakia, Denmark, Ethiopia, Finland, France, Federal Republic of Germany, Great Britain, Hungary, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Republic of Korea, Kuwait, Laos, Liberia, Luxembourg, Malawi, Mauritania, Monaco, Mongolia, Nepal, Netherlands, New Zealand, Norway, Philippines, Poland, Rumania, Senegal, Singapore, Somalia, Spain, Sweden, Switzerland, Thailand, Turkey, United Arab Republic, U.S.A., U.S.S.R., Venezuela, Republic of Vietnam and Yugoslavia.

The President of India will inaugurate the Conference in the Central Hall, Parliament House on Thursday, the 30th October, 1969 at 11.00 hours. The work of the Conference will commence on the same day at 14.30 hours in the Vigyan Bhavan.

The Executive Committee of the Inter-Parliamentary Union will meet on Tuesday, the 28th October; Saturday, the 8th November and Sunday, the 9th November, 1969.

The Inter-Parliamentary Council will meet on Wednesday, the 29th October and Wednesday, the 5th November, 1969.

The Association of Secretaries-General of Parliaments will meet on all the days. A meeting of Secretaries of National Groups will be held on Thursday, the 6th November, 1969.

The Conference, excluding the inaugural ceremony, will be held in the Vigyan Bhavan from the 30th October to the 7th November, 1969.

The delegates will visit Agra in three batches on the 1st, 2nd and 3rd November, 1969.

The following subjects will be discussed at the Conference:—

- (1) General Debate on International Situation.
- (2) The Role and Responsibilities of Medium and Small Powers in the Maintenance of International Peace.
- (3) Social Progress as a Factor and Condition of Economic Development.
- (4) Prospects for Agreement on the Control of Armaments:
 - (a) Measures for the Prohibition of the Production and Use of Chemical and Bacteriological (Biological) Weapons.
 - (b) Measures for the Prohibition of the Production and Use of Nuclear and Thermonuclear Weapons.
- (5) Role of Parliaments in the Protection of the Human Environment and Conservation of Natural Resources for Future Generations.
- (6) Relations between Parliament and Local Authorities.
- (7) Cultural Exchanges as a Means of increasing Understanding.

The Indian delegation to the Conference consists of 22 Members of Parliament led by the Speaker of Lok Sabha. They are:—

Shri G. S. Dhillon, Speaker, Lok Sabha—Leader of the delegation, Shri R. K. Khadilkar, Deputy Speaker, Lok Sabha, Shri Joachim Alva, Shri R. D. Bhandare, Sardar Buta Singh, Shri R. S. Doogar, Shri Surendranath

Dwivedy, Shri Bhupesh Gupta, Shri Kameshwar Singh, Shri Lalit Sen, Shri Bal Raj Madhok, Shri Narendrasingh Mahida, Shri A. D. Mani, Shri M. R. Masani, Shrimati Sharda Mukerjee, Miss M. L. M. Naidu, Shri P. Parthasarathy, Shri P. Ramamurti, Shri N. G. Ranga, Dr. N. Sanjiva Reddy, Prof. Saiyid Nurul Hasan and Shri Era Sezhiyan.

The Conference Arrangements Committee of the Members of Parliament (*i.e.* the Executive Committee of the Indian Group of the Inter-Parliamentary Union), with the Speaker of Lok Sabha as its President and the Secretary of Lok Sabha as its Secretary, is in overall charge of the Conference arrangements. Necessary arrangements for the inaugural ceremony in Parliament House, the Conference in Vigyan Bhavan; hotel accommodation in Ashoka, Intercontinental, Claridges, Imperial and Janpath Hotels; transport, etc. have been made. A programme including receptions, lunches, dinners, etc., for the delegates as well as cultural programme has been drawn up.

The delegates will be received on arrival at Palam Airport and conducted to the hotels. Regular Press relations will be maintained.

A special postal stamp will be issued by the Posts and Telegraphs Department on the 30th October, 1969 to mark the inauguration of the Conference.

INDIA AND I. P. U.

It is necessary to recall India's association with the Inter-Parliamentary Union. Following a request from the Inter-Parliamentary Union, India, soon after it attained independence, joined the Inter-Parliamentary Union in 1949 in pursuance of the following Resolution moved by Shri Jawaharlal Nehru and adopted by the Constituent Assembly (Legislative) on the 16th August, 1948:—

“This Assembly is of opinion that the Hon'ble the Speaker be pleased to take steps to form an Indian Parliamentary Group of the Inter-Parliamentary Union in conformity with the aims and objects of the said Union.”

The Indian Parliamentary Group thus constituted in the Parliament of India has been functioning since 1949 with the Speaker of Lok Sabha as its *ex-officio* President and Secretary of Lok Sabha as its

ex-officio Secretary. It is an autonomous body of Members of Parliament directing its own affairs and having a Constitution of its own. It functions as the Indian National Group of the Inter-Parliamentary Union. Ex-Members of Parliament can become its associate members.

From the very beginning, Indian Parliamentary Group has been taking considerable interest in the working of the Inter-Parliamentary Union and has actively participated in the deliberations at various conferences. At the very first Conference in which India participated, Shri Mohan Lal Gautam, a member of the Indian delegation, was elected a member of the Executive Committee of the Inter-Parliamentary Union in 1949. His place was filled by Shri A. C. Guha who served on the Executive Committee till 1953. Again, from 1959 to 1962, Dr. H. N. Kunzru was elected to serve as a Member of the Executive Committee and he made a deep impact at various Conferences and meetings. At present, Dr. N. Sanjiva Reddy is a member of the Executive Committee.

In December 1955, India played host to the 101st session of the Executive Committee of the Union which met in New Delhi. Incidentally it was for the first time in the history of the Union that the Executive Committee met on the Asian soil.

INTER-PARLIAMENTARY UNION

The Inter-Parliamentary Union is an international association, possessing a semi-official character, of Parliamentary Groups constituted within the national Parliaments of various countries of the world. The aim of the Union "is to promote personal contacts between members of all Parliaments, constituted into National Groups, and to unite them in common action to secure and maintain the full participation of their respective States in the firm establishment and development of democratic institutions and in the advancement of the work of international peace and cooperation, particularly by means of a universal organization of nations". The Union also studies and seeks solutions to all questions of an international character suitable for settlement by parliamentary action and makes suggestions for the development of parliamentary institutions with a view to improving the working of those institutions and increasing their prestige.

The semi-official character of the Inter-Parliamentary Union provides a forum for parliamentarians where they can adequately air their

views and discuss in complete freedom and under their own responsibility, the steps to be taken for strengthening peace and ensuring the development of parliamentary institutions, many of which are today in jeopardy. The interest attached to these inter-parliamentary debates is well-evidenced by the increasing number of members who take an active part in the discussions.

Although the idea of calling upon members of Parliament the world over to work together for peace and understanding between the nations originated during the second half of the 19th century, it was only in the year 1888 that some positive steps were taken in this direction. A meeting convened in Paris on October 31 that year, by William Randal Cremer, Member of the British House of Commons, and Frederic Passy, a Member of the French Chamber of Deputies, the two pioneers of the Inter-Parliamentary movement, in which seven British and twenty-five French parliamentarians took part, gave a more concrete shape to these aspirations. As a result of the efforts of these two pioneers, the first Inter-Parliamentary Conference was held in Paris on June 29 and 30, 1889, with the participation of forty-nine members of nine Parliaments—France, U.K., Belgium, Denmark, Hungary, Italy, Liberia, Spain and the United States. Since then, there has been no looking back for the Union which has steadily grown in its strength and its activities. At present 67 Parliamentary Groups in different countries of the world are its members.

It was in the year 1892 that the Conference, meeting at Berne, decided to set up a central organ under the name of the "Inter-Parliamentary Bureau for International Arbitration". Two years later, in 1894 the fifth Inter-Parliamentary Conference, meeting at the Hague, adopted the statutes of the new institution. Thus a stable organization with its statutes and a permanent Secretariat was established within five years of the convening of the first Conference.

Members of the Union

Members of the Union are National Groups constituted in Parliaments functioning as such within the territory of which they represent the population, in a State recognized as a subject of international law. A Parliament as a whole may constitute itself as a National Group but, frequently, the members of the Union's Groups are enrolled on an individual basis. In each Parliament, however, not more than one National Group can be formed.

Each National Group makes a yearly financial contribution to the Union, in accordance with the scale fixed by the Inter-Parliamentary Council.

One of the important duties of the National Groups is to exert a permanent and sustained influence within their Parliaments in favour of the general objectives of the Union, and to intervene with a view to securing action on the resolutions adopted by the Inter-Parliamentary Conferences. Apart from their participation in the general activities of the Union, the Groups are encouraged to develop their mutual relations with each on either a bilateral or a regional basis.

Organs of the Union

Inter-Parliamentary Council

The principal directing organ of the Union is the Inter-Parliamentary Council. It is composed of two members from each regularly affiliated National Group. The Council elects its President for a period of two years, after which he is no longer eligible. The election takes place at the time of the annual conference. The main functions of the Council are to summon the annual conferences, fix their agenda, institute Study Committees, propose the President and the Vice-President of the Conference and Member of the Executive Committee, select the venue of the Conference, appoint the Secretary-General of the Union, fix the amount of the annual budget, and to take all steps necessary for the realisation of the aims of the Union.

Executive Committee

The Executive Committee is the administrative organ of the Union and exercises the functions delegated to it by the Council in conformity with the Statutes. The Committee is composed of eleven members belonging to different Groups. The President of the Council is the *ex-officio* member and President of the Executive Committee. The ten other members are elected by the plenary Conference for a term of four years. They are, however, not eligible for re-election for the next two years and are replaced by Members belonging to other Groups. At these elections, consideration is given to the contribution made to the work of the Union by the candidate and his Group and to securing a fair geographical distribution.

Inter-Parliamentary Bureau

The international Secretariat of the Union is called the Inter-Parliamentary Bureau, and is located at Geneva. It is headed by a paid

Secretary-General, appointed by the Inter-Parliamentary Council, with some permanent staff necessary to carry out the functions of the Bureau. Under the directions of the Executive Committee, the Bureau executes the decisions taken by a Conference or the Council. Its official organ is the Inter-Parliamentary Bulletin, a quarterly published in English and French. The Bureau corresponds with the Groups and carries out, in accordance with the Council's instructions, a programme of studies, and brings out publications and reports. It also prepares the preliminary memoranda on the questions to be studied by the Union.

Association of Secretaries General

An Association of Secretaries General of Parliaments, set up in 1938, whose statutes were adopted in 1947, works within the framework of the Union and provides an opportunity for the Secretaries of the various legislative assemblies to cooperate in the technical study of the problems of parliamentary life. It has its own organization but its activities are financed from the Budget of the Union itself. Generally, its plenary assemblies and the sessions of its Executive Committee take place at the same time and in the same city as the Inter-Parliamentary meetings.

The Association works in close association with the Union itself which calls upon that body whenever a problem of parliamentary procedure is taken up for enquiry or study.

It also brings out a quarterly bulletin, entitled Constitutional and Parliamentary Information. This contains recent constitutional documents of different countries, as well as the results of enquiries conducted by the Association.

Inter-Parliamentary Conferences

As a general rule, Inter-Parliamentary Conferences are convened annually, and are held in the capitals of the various countries. So far 56 Conferences have been held. The seats of recent Conferences have been Belgrade (1963), Copenhagen (1964), Ottawa (1965), Teheran (1966), and Lima (1968).

The size of the delegation to the Conference, as fixed by the Statutes, is related to the size of the country in terms of its population which is represented by each Group and to the size of the Group itself. The

Conferences are thus a true reflection of Parliamentary opinion as represented by the Groups of the Union. Votes at the Conferences are allotted on a mixed basis, the chief factor being the population.

The agenda of the Conferences is fixed by the Inter-Parliamentary Council. Every session opens with a general debate on the Report submitted by the Secretary-General, a portion of which invariably has a bearing upon the general political situation of the world.

The Conference speaks for the Union on all problems falling within its scope, and does so by adopting resolutions which the National Groups are required to bring to the attention of their respective Governments and Parliaments. Apart from its deliberative role, the Conference gives its opinion on proposed amendments to the Statutes, and is competent to elect the members of the Executive Committee on the basis of proposals made by the Council.

The Conferences thus provide an opportunity to the representatives of the various National Groups to make an endeavour to compare their points of view, to find solutions acceptable to all and to develop common ideals regarding the means of making the Union an increasingly effective and militant instrument in the service of peace. At these gatherings, they unite their efforts in paving the way to a solution of the economic, social and political problems whose urgency and seriousness are brought to light in the course of debates. The task of the Union, it must be emphasised, is not so much to intervene in specific situations—for which it lacks the means to impose solutions—but to reiterate unceasingly the principles which, since its creation as a peace organization, have constantly inspired its action.

Study Committees

The size of the delegation to the Conference, as fixed by the Statutes, by the Standing Study Committees set up within the framework of the Union. At present there are five such Standing Study Committees.

The subjects chosen by the Executive Committee for discussion by the Union are first discussed by the appropriate Study Committees. These Committees, on which all Groups are entitled to be represented, meet some months before the Conferences and draw up draft resolutions for submission to the latter.

As a rule, a sub-committee is first set up to study any question which has been chosen for discussion at a Conference and to prepare

a preliminary draft resolution. This is then examined in detail by the appropriate full Committee. Draft resolutions thereafter are presented to the Council for approval and rapporteurs are then appointed to bring them together with a report to the full Conference. All these documents are printed in a special publication known as the "Preliminary Documents". This procedure enables the plenary session of the Union to discuss carefully-prepared proposals which, if adopted, may fairly claim to be the well-considered opinion of a representative parliamentary body.

Meetings of the Inter-Parliamentary Council and the Study Committees are also held in spring each year, i.e., about six months prior to the annual conference, in countries which extend invitations for the purpose. Such meetings are in the nature of miniature conferences and representatives, though in small numbers, of almost all National Groups are present. The Study Committees serve as very useful instruments for collecting facts, gathering different points of view and embodying agreements in appropriate language. These are more or less business meetings but members take opportunity in informal gatherings, receptions and private meetings to discuss current affairs and to keep themselves abreast with the events as they are developing in various parts of the globe.

Special Features

Those who have attended the annual conferences of the Union or the meetings of its Council or the Study Committees have been impressed by the atmosphere of equality and cordiality prevailing there. They have found among the representatives a profound respect for each other's views and countries. Since the Inter-Parliamentary Union is not charged with any executive responsibility nor are delegations sponsored by Governments, the atmosphere is free from any tension. The Delegations are composed of members belonging to various Parties or Groups in National Parliaments and thus both Government and Opposition Members from various countries are represented at the Conference. Each delegate is entitled to offer his own views on any matter before the Conference and the same delegation may present two or three points of view. Even at the time of voting, members are at liberty to vote as they like and they are not bound by any official instructions. The members develop a sort of brotherhood and an unconscious feeling that they belong to the same family even though they may be representing different nationalities.

Among non-Governmental international organisations, the Inter-Parliamentary Union holds a position of unique importance. Of all the unofficial organisations, it stands closest to the Government and is able to press with effect for the ratification and application of international conventions and, in general, it exerts direct influence on Government policy in matters touching the relations between States.

Research Programmes (International Centre for Parliamentary Documentation)

The Union also conducts a programme of research and studies on parliamentary problems. With this end in view, an International Centre for Parliamentary Documentation has been established in Geneva in 1964 under the auspices of the Union. The Centre is destined to widen the work already undertaken by the Union in the parliamentary field, particularly through the intermediary of the Association of Secretaries-General of Parliaments. It will, in future, provide full and specialised documentation on the representative institutions of different countries and their evolution.

Relations with United Nations

At the United Nations, the Inter-Parliamentary Union is, despite its *sui generis* character, classified as a non-governmental organisation. Generally speaking, there is no possibility, under the U.N. Charter, of establishing formal relations between the United Nations as a whole and a non-governmental international organisation. The official or formal relations can presumably exist if the character of the Union itself changes or if it obtains official recognition, through an international convention or a legislative act, for the United Nations is still more strictly an organisation of Governments, as compared to its predecessor, the League of Nations.

Cooperation with UNESCO

More than any other of the specialised agencies of the United Nations, UNESCO has in recent years, established particularly close relations with the Inter-Parliamentary Union, whose members actively work for peace and the strengthening of international cooperation within their legislative assemblies. It has found in the Union a useful forum for publicising its programmes so as to get the direct support of the people in various lands. Many legislators have come to rely on the Union as a source of information for acquainting themselves with the work of UNESCO.

In view of the interest shown by members of the Union in the development of international co-operation in the spheres of education, science and culture, the UNESCO General Conference in 1964 adopted a resolution in which after asserting its conviction that legislators have a concrete role to play in this connection, both in their own legislatures and in respect of public opinion within their countries, it authorised its Director-General to consult with the Secretary General of the Union on the most effective and practical means of strengthening existing links by establishing closer working relations between the two organisations.

The 54th Inter-Parliamentary Conference held at Ottawa in September 1965 welcomed the UNESCO resolution and appealed to its members to continue and expand their international co-operation in educational, scientific and cultural matters and to encourage the exchange of students, teachers, scholars, political and community leaders, and other persons engaged in educational, scientific, cultural, political and other such activities. It also urged Parliamentarians of all member States to take an active part in shaping and carrying out the UNESCO programme through such means as participation in national commissions and advisory groups of national delegations, taking part in the UNESCO General Conference, informing their constituencies about UNESCO and its activities, encouraging private organisations to co-operate in the UNESCO programme and supporting legislation contributing to educational, cultural and scientific advancement.

Contacts between the two organisations have increased ever since a UNESCO Liaison Sub-Committee has been set up by the Union, and a work programme has been drawn up with the object of mobilising world parliamentary opinion in favour of UNESCO and its objectives more effectively than in the past.

SHORT NOTES

(a) PARLIAMENTARY EVENTS AND ACTIVITIES

Indian Delegations Abroad

(i) *Meetings of the Executive Committee of the Inter-Parliamentary Union.*

Meetings of the Executive Committee of the Inter-Parliamentary Union were held in Vienna (Austria) in April, 1969. Dr. N. Sanjiva Reddy, the then Speaker, Lok Sabha, in his capacity as a member of the Executive Committee of the Inter-Parliamentary Union attended the meetings.

(ii) *Spring Meetings of the Inter-Parliamentary Union.*

Spring Meetings of the Study Committees of the Inter-Parliamentary Union were held in Vienna (Austria) in April, 1969. The delegates from India were:—

(i) Shri R. D. Bhandare, M.P.

(ii) Shri M. R. Venkataraman, M.P.

The Indian Delegates also attended the meetings of the Inter-Parliamentary Council held there.

The Council adopted resolutions regarding:—

1. The Middle East Crisis.

2. Protection of the Essential Rights of the Human Being in Armed Conflicts.

3. Support to be given to the work of the International Conference on Human Rights held in Teheran from April 22 to May 13, 1968.

(iii) *Visit of the Speaker, Lok Sabha to Norway and U.A.R.*

In pursuance of invitations received from the Speaker of the Storting Norway and President of the National Assembly of U.A.R., Dr. N. Sanjiva Reddy, the then Speaker, Lok Sabha, accompanied by

Shri S. L. Shakher, Secretary, Lok Sabha visited Norway and U.A.R. in June, 1969.

As the guests of the Governments of Norway and U.A.R., they were most cordially received and hospitably entertained.

(iv) Visit of Indian Parliamentary Delegation to Yugoslavia

In pursuance of an invitation received from Yugoslavia, an Indian Parliamentary Delegation led by Dr. N. Sanjiva Reddy, the then Speaker, Lok Sabha, visited Yugoslavia in June, 1969. The composition of the delegation was as under:—

1. Dr. N. Sanjiva Reddy, Speaker, Lok Sabha—Leader
2. Shri A. K. A. Abdul Samad, M.P.
3. Shri G. M. Bakshi, M.P.
4. Shri Hem Raj, M.P.
5. Shri Jagannath Rao Joshi, M.P.
6. Shri A. S. Saigal, M.P.
7. Shri Melhupra Vero, M.P.
8. Shri S. L. Shakhder, Secretary, Lok Sabha.

(B) PRIVILEGE ISSUES

Throwing of Pamphlets from the Visitors' Gallery on the floor of the House

In Lok Sabha

On April 9, 1969, when the House was discussing the Demands for Grants relating to the Ministry of Food, Agriculture, Community Development and Cooperation, two persons from the Visitors' Gallery threw some pamphlets on the Floor of the House. They were immediately removed from the Visitors' Gallery by the Watch & Ward staff. Some time thereafter, the Minister of Parliamentary Affairs (Shri K. Raghuramaiah) moved the following motion:

“This House resolves that the two persons calling themselves (1) Shri Rambir Singh and (2) Shri Dharendra Kumar Sharma, who threw pamphlets from the Visitors' Gallery on the Floor of the House at 2.23 P.M. today and whom the Watch and Ward Officer took into custody immediately, have committed a grave offence and are guilty of the contempt of this House.

This House further resolves that they be sentenced to simple imprisonment till 7 P.M. on Friday, the 11th April, 1969, and sent to Tihar Jail, Delhi”.

Some members pleaded for leniency in sentence even though they added that the reduced sentence might not be treated as a precedent. The Minister of Parliamentary Affairs (Shri K. Raghuramaiah) agreed to reduce the sentence to one day and moved the motion, as amended, in the following form, which was adopted by the House:

“This House resolves that the two persons calling themselves (1) Shri Rambir Singh and (2) Shri Dharendra Kumar Sharma, who threw pamphlets from the Visitors’ Gallery on the Floor of the House at 2.23 P.M. today and whom the Watch and Ward Officer took into custody immediately, have committed a grave offence and are guilty of the contempt of this House.

This House further resolves that they be sentenced to simple imprisonment till 7 P.M. on Thursday, the 10th April, 1969 and sent to Tihar Jail, Delhi”.

In pursuance of the above motion adopted by the House, a Warrant of Commitment*, addressed to the Superintendent, Central Jail, Tihar, Delhi was issued by the Speaker.

Shri Rambir Singh and Shri Dharendra Kumar Sharma were, accordingly, taken by the Watch & Ward staff to, and lodged in, the Central Jail, Tihar, Delhi, where they served their sentence of imprisonment.

Reported statement of a Chief Minister that appointment of a Parliamentary Committee to study the situation in a part of his State would amount to interference in the affairs of that State

In Lok Sabha

On April 7, 1969, Shri Madhu Limaye, a Member, sought¹ leave of the House to raise a question of privilege against the Chief Minister of Andhra Pradesh (Shri Brahmananda Reddy) for the latter’s reported statement that appointment of a Parliamentary Committee to

*For a specimen of Warrant of Commitment see *Journal of Parliamentary Information*, Vol. XIV, No. 1—April, 1969 p. 46.

1. L. S. Deb., dt. 7.4.1969, cc 241—65.

study the situation in Telengana would amount to interference in the affairs of that State. As more than twenty-five members stood in support, the Speaker declared that the leave of the House was granted.

Shri Madhu Limaye then moved:

“That the question of privilege arising out of the reported statement of Shri Brahmananda Reddy, Chief Minister of Andhra Pradesh, made at Palam Airport, Delhi, be referred to the Committee of Privileges.”

Shri Limaye contended that the statement of Shri Brahmananda Reddy constituted an undue influence on the Members of Parliament and an obstruction in the discharge of their duties. He felt that this had brought the House into disrepute and was, therefore, a contempt of Parliament. He added that the Government of Andhra Pradesh had violated the Presidential Order with regard to the functioning of Regional Committees in Andhra Pradesh, constituted by Order of the President in exercise of powers under Article 371 of the Constitution, to safeguard the interests of the people of the Telengana region in that State. The Member felt that Shri Brahmananda Reddy had knowingly given a statement to frighten the Members of Parliament so that they should oppose the appointment of a Parliamentary Committee.

Speaking on the motion, the Minister of Law (Shri P. Govinda Menon) stated *inter alia* as follows:—

“On 2nd April, before Parliament had thought of appointing a Parliamentary Committee, Mr. Brahmananda Reddy, although Chief Minister yet a citizen, thought that, in his opinion, if a Parliamentary Committee were appointed, which had not been contemplated, it would be an interference with the affairs of the State.

Let it be understood that justice is not a cloistered virtue and nor is the privilege of Parliament a very tender reed which will be broken if somebody says something at some time. I would also now quote what Mr. May has said. That is the Bible by which we swear often. In the Seventeenth Edition, at page 117, he says that it is only the statements which are libellous and derogatory to the character and prestige of Parliament or any acts which tend to obstruct the proceedings of the House in the performance of their functions by diminishing the respect due to them that are considered as breach of privileges or contempt. So,

that is the test whether whatever was said by Mr. Brahma-
nanda Reddy tended to diminish the respect due to this
august House and tended to obstruct the functioning of the
House or its Committee. What is our fear? If tomorrow
a Committee is appointed, do you think that the Committee
of Parliament, of this august House, will not be permitted
to go to Telengana? Will it be obstructed from discharg-
ing its duties? Why then this frequent resort to the rule
regarding privileges which, by constant abuse, creates a
feeling of disrespect towards this Assembly in the minds of
the public. That is most important. That privilege is
there in order to enable us to discharge our functions. . . .
. I, therefore, submit that there is absolutely
no basis for this motion against the Chief Minister."

Shri K. Anbazhagan, a Member, stated:

"This body has every right to solve the national issues,
when there is a serious conflict in a State endangering the
national cause. This Parliament has every right to take
action. But, at the same time, in my humble view, it is
also within the right of the Chief Minister or the elected
Members of a State Assembly to express their opinion about
such action which the Parliament may consider necessary.

In my view, if we pursue the matter to the Privileges
Committee, it may create strong resentment and reaction in
the people who are holding responsible posts in the Legis-
latures and also shake the confidence in the authority of
the Parliament. The authority of the Parliament is not
saved by the Members alone. Because the people support
this Parliament, we have got the authority. If we make
the people doubt that this Parliament is only interested in
its own way and if we let down the Chief Minister or re-
presentatives of the elected bodies on the flimsy ground of
breach of privileges of this body, they will lose faith in the
authority of the Parliament. We cannot take action on a
reply to a Reporter's question whether it would mean an
interference in the internal affairs of the State. . . . There-
fore, I think after having discussed the issue, we need not
pursue the matter to the extent of reference to the Privileges
Committee."

Shri K. Narayana Rao, another Member, stated:

“.....it is open to the State Chief Minister to interpret the Constitution in his own way and say that the appointment of a Parliamentary Committee would constitute intervention. We may differ from him. I do not say whether he is right or not, but he is entitled to hold that interpretation of the Constitution and we may quarrel with him and, in spite of whatever the Chief Minister has stated, may still appoint a Committee....I feel, this privilege motion may be rejected by the House.”

After some discussion, the motion moved by Shri Limaye was negatived.

Alleged reflections on a Member for his speech in the House

In Lok Sabha

On March 21, 1969, Shri Samar Guha, a member sought to raise¹ a question of privilege against the *Basumati*, Bengali daily from Calcutta, for its alleged abusive editorial published in its issue dated March 18, 1969. The editorial related to his speech in the House on March 3, 1969 on the motion for recall of the Governor of West Bengal, Shri Dharma Vira. In the editorial it had been stated *inter alia* that:—

“PSP leader from West Bengal, Shri Samar Guha, pleaded for the Governor, Shri Dharma Vira, in Lok Sabha in Delhi. The role that he played in giving cover to Shri Dharma Vira could not have been excelled perhaps by the Congress members even.....

.....Samar Guha is fortunate that there was no election for the Lok Sabha during the mid-term poll; otherwise, his condition would have been the same as is that of Shri Nishid Kundu—there was no doubt about this. Nevertheless, his role in Lok Sabha in support of Dharma Vira will not be forgotten by the people of West Bengal during the time of coming general election”.

The Speaker (Dr. N. Sanjiva Reddy) observed, and the House agreed, that he would, in the first instance, ask the editor of the newspaper to state what he had to say in the matter.

1. L. S. Deb., dt. 21-3-1969, c c 220-21.

On April 9, 1969, the Speaker informed¹ the House that he had received a letter dated March 31, 1969 from the Editor of the *Basumati* in which he had stated *inter alia* as follows:—

‘From the report of the proceedings of Lok Sabha on the 3rd of March last as reported in several papers, including *Amrita Bazar Patrika* on the 4th March, 1969, an impression was created that Shri Samar Guha, M.P., opposed the admission of the short notice question put by Shri Jyotirmoy Basu regarding the recall of the West Bengal Governor, Shri Dharma Vira.....

On the basis of that report the editorial in question was published in *Daily Basumati* on the 18th March, 1969....
Having regard to the statement of Shri Samar Guha I find that the said reports on the basis of which the said editorial was written were not correct and I regret that the said editorial was written on an erroneous, though *bona fide*, impression of the stand taken by Shri Samar Guha.’

In view of this letter, the House agreed to the suggestion of the Speaker that the matter might be dropped and the Editor be asked to publish the factual position in the next issue of his paper.

The editor of the *Basumati* accordingly published the necessary clarification* in its issue dated April 13, 1969.

Alleged reflections on Members by a newspaper for their speeches in the House

In Lok Sabha

On March 3, 1969, a member, sought to raise² a question of privilege against the *Maharashtra Times*, a Marathi daily of Bombay, in respect of an article published under the caption *Bhuta Hathe Bhagwat* in its issue dated February 20, 1969 for allegedly casting reflections on certain members for their speeches in the House.

The Deputy Speaker (Shri R. K. Khadilkar), who was in the Chair, observed, and the House agreed, that he would, in the first instance, ask the editor of the newspaper to state what he had to say in the matter.

1. L. S. Deb., dt. 9-4-1969—cc 171-72.

*A copy of the clarification published in the *Basumati* was placed in the Parliament Library and a para No. 1117 to this effect was published in the Lok Sabha Bulletin, Part II, dt. 17-4-1969 for the information of members.

2. L. S. Deb. dt. 3-3-69. c. 231.

On March 25, 1969, the Speaker (Dr. N. Sanjiva Reddy) informed the House as follows:¹

“I have now received a letter dated the 22nd March, 1969, from the editor of the *Maharashtra Times* in which he has stated *inter alia* as follows:

‘After going through the proceedings of the Lok Sabha, I am happy to note that Mr. Ramamurti had not blamed the whole of the Marathi people for the riots in Bombay. I therefore stand corrected.

Editorial was based on the press reports and the full text of the proceedings of the House could not be had. I hope, therefore, that you will agree that I had no intention to misrepresent any hon. member or to attribute any false motives to him. I thank you and the members of Lok Sabha for giving me an opportunity to explain my position’.

In view of this, I think the matter be dropped and the editor asked to publish the factual position in the next issue of his paper.”

The House agreed.

The *Maharashtra Times* accordingly published the necessary clarification² in its issue dated the March 31, 1969.

Reflections on a Member in a Newspaper

In House of Commons, U.K.

In the House of Commons, U.K. on March 7, 1969, Mrs. Renee Short, a Member (Chairman of sub-committee B of Estimates Committee), raised³ a question of privilege regarding the following report of a statement by Alderman Peter Farmer, published in the *Wolverhampton Express and Star*, dated March 5, 1969:

“The prospect of Wolverhampton’s Labour M.P. Mrs. Renee Short heading a Commons Select Committee to look into aspects of the town’s housing finance next month has

1 L. S. Deb., dt. 25-3-1969—c. 223.

2. A copy of the clarification published in the *Maharashtra Times* was placed in the Parliament Library and a para to this effect was published in the Lok Sabha Bulletin Part II, dated 3-4-1969 for information of members.

3. H. C. Deb., dt. 7-3-1969., cc 849-50.

brought another strong protest from Alderman Peter Farmer, Chairman of the Tory-controlled Council's housing Committee.

After last night's housing committee meeting Alderman Farmer said: 'I personally think it is unwise for the Labour M.P. for Wolverhampton, North-East to come to her own town in the capacity of Chairman of this Committee.

If she feels she needs information about housing finance she should go to a neighbouring authority where she is less personally involved and could give a fairer and more dispassionate review of the situation.

It is just not possible for her to do this in Wolverhampton'."

While raising the question of privilege, the Member stated as follows:—

"This implies that because I happen to be Member of Parliament for Wolverhampton, North-East, I am incapable of conducting an impartial or fair inquiry, or of being in charge of an all-party Committee which is investigating housing subsidies on the Ministry of Housing and Local Government's Vote. This Committee has been set up by the House and has been charged by the House to investigate this aspect of Government expenditure.

In my view, this statement casts a slur on the Committee and, therefore, on Parliament and could hinder the work of Parliament by hindering the investigations of the Committee. I ask for your ruling, Mr. Speaker, that a *prima facie* case has been made out."

On March 10, 1969, the Speaker ruled¹ that a *prima facie* case of breach of privilege had been established.

The Lord President of the Council and Leader of the House (Mr. Fred Peart), thereupon, moved, and the House adopted, the following motion:—

"That the matter of complaint be referred to the Committee of Privileges."

The Committee of Privileges, in their Report presented to the House on March 18, 1969, reported *inter-alia* as follows:—

"Your Committee wish to draw particular attention to

1. H.C. Deb. dt. 10-3-1969, cc. 988-90.

the passage in the report of the Committee of Privileges of 16th June, 1964, which runs as follows:

‘It seems particularly important that the law of parliamentary privilege should not, except in the clearest case, be invoked so as to inhibit or discourage the formation and free expression of opinion outside the House of Members equally with other citizens in relation to the conduct of the affairs of the nation’.”

“Your Committee have studied the matter in the light of the precedents and are of the opinion that although the words used could be construed as a contempt of the House they should not in fact be so construed in this case. They, therefore, recommend that no further action should be taken by the House.”

“At the same time Your Committee wish to emphasize that the task of the Sub-Committee in question is one with which it has been charged by the House and they would take a grave view of any attempt to obstruct any Committee or Sub-Committee of the House or any of their members in the execution of their duty.”

No further action was taken by the House in the matter.

Misreporting of a Member's speech in the House by a newspaper

In Gujarat Legislative Assembly

On March 31*, 1967, Shri Prataprai T. Shah, a member, raised a question of privilege against *Sami Sanj*, a Gujarati daily newspaper, alleging that the said newspaper had published in its issue dated the 25th March, 1967 certain words as having been spoken by him in the House on March 24, 1967 which were, however, not correct. He added that the words attributed to him were not recorded in the official Report of the proceedings of the House and in the tape-record of the proceedings.

After the House had granted leave to raise the question of privilege, the Speaker referred the matter to the Committee of Privileges for examination and report under Rule 253 of the Rules of Procedure of the Gujarat Vidhan Sabha.

*Gujarat Legislative Assembly debate dated the 31st March, 1969.

The Committee of Privileges, in their Report presented to the House on July 22, 1967 reported, *inter alia* as follows:

(i) "The question that arise before the Committee for consideration and determination are as follows:—

(1) Whether in view of the contention raised by Shri Prataprai T. Shah, M.L.A. that the report which appeared in the *Sami Sanj* was far from being true, the report published in *Sami Sanj* was an accurate report of what had transpired in the House on 24th March, 1967 and the words alleged to have been spoken by Shri Prataprai T. Shah were, in fact, spoken by him in the House.

(2) Whether in view of the fact that the Official Report and the tape-recording machine are not clear about the alleged proceedings, the Committee should ascertain the correct state of affairs on question No. 1 referred to hereinabove by calling upon both the parties to lead evidence in support of their contentions before the Committee.

(3) Whether the alleged conversation that had taken place between Shri Prataprai T. Shah and Shri Sanat Mehta, the two Members of the Assembly, when Dr. Mahipatray Mehta was addressing the House, and the interruption arising at that time would form part of the proceedings of the House for the purpose of determining question No. 2.

(4) Whether in view of the above and in relation to answers that may be given to question No. 1, 2 and 3, any breach of privilege had been committed by *Sami Sanj*.

(5) Whether looking to the facts and circumstances of the case and looking to the apology¹

¹The Editor in his letter dated the 25th May, 1967, had stated *inter alia* as follows :

"The daily "*Sami Sanj*" is an evening newspaper. The item in question appeared verbatim in the Rajkot Morning daily '*Phoolchheb*' dated 25th March, 1967 and also according to my information in the '*Janmabhoomi*' a Bombay paper. As our daily is an evening newspaper we had taken the news verbatim from the above dailies.

tendered by the Editor of *Sami Sanj*, and looking to the letter² received from Shri Prataprai T. Shah, M.L.A., any further action was necessary in this behalf.”

(ii) “The position that emerges is that whatever is said by a member touching the Parliament or Parliament business or relating to any business which is in the course of transaction, is a proceeding of the House. The Committee is, therefore, of the opinion that if the speech itself is a proceeding, which certainly it is, then any remark made with the intention of affecting what the Member in possession of the House is saying must also be considered as a proceeding, even if it might appear to be frivolous or off the point. The Committee is also of the opinion that it is immaterial whether the remarks are made by a member who rises in his place or by a sedentary member. In the opinion of the Committee what is important is whether the remarks made by the member touches or relates to, or affects the proceedings of the House. If it is so, it is a proceeding of the House. In the opinion of the Committee it is also immaterial whether it appears in the official report of the proceedings or not. If it is proved by other evidence that it was actually said in the House, it does form part of the proceedings of the House for all intents and purposes. The Committee finds from the official report of the Debates of the House of Commons and of the Lok Sabha that what is said by the members other than the member speaking and which touches, or is related to, or affects the proceedings of the House is treated in both the Houses as proceedings of the House and reported as such, irrespective of the fact whether the member speaking does so standing or in a sedentary position, and in the opinion of the Committee it should be so.

Moreover, since the cross talk, between Honourable Members Sarvashri Pratap Shah and Sanat Mehta included in the news item, does not form a part of the proceedings of the House, the publication of such news item, in our humble opinion, does not constitute breach of Privilege of the House.

It may be seen from above that it was not our intention to commit a breach of Privilege of the House. However, even if such a breach is committed by us unknowingly, we are really sorry for it.”

²In his letter dated the 11th July, 1967, the member had stated “I no longer desire to pursue the matter further since an explanation in this behalf has already been offered. Hence it is requested to drop the matter.”

In the opinion of the Committee, this would be the general position regarding the question whether interruptions by Members when another Member is addressing the House would form part of the proceedings of the House or not. In so far as the question whether interruption in the present case form part of the proceedings of the House or not is concerned, the Committee did not consider it necessary to examine that question in view of the decision of the Committee not to take any further action in the matter.”

(iii) “As regards question Nos. 1 and 2, it was difficult for the Committee to ascertain the correct position with regard to what had transpired in the House on 24th March, 1967. It appears that certain exchange of remarks which was alleged to have taken place between Shri Prataprai T. Shah and Shri Sanat Mehta on 24th March, 1967 when Dr. Mahipatray Mehta was addressing the House, was reported in the *Sami Sanj* and it is the matter in dispute. The Committee has carefully gone through the official Report taken down by the reporters of the Legislature Secretariat, but it appears that due to disturbance and interruptions, the reporters were not able to take down the remarks alleged to have been exchanged between Shri Prataprai T. Shah and Shri Sanat Mehta and no such remarks are found in the official Report....

The Committee carefully tried to listen to the recorded tape to find out whether the remarks reported in the newspaper were, in fact, exchanged in the House. But due to interruptions and commotion in the House at the time it was not possible for the Committee to make out from the tape record as to who has spoken and what was spoken. The Committee, therefore, could not come to any conclusion whether alleged remarks, as have been reported, were, in fact, made in the House....

The Committee feels that the principles of natural justice require that no body should be condemned without ascertaining correct state of affairs by any other evidence and that it would not be proper for the Committee or the House to condemn a newspaper for publishing something on the sole ground that it had not appeared in the official report. Thus in the opinion of the Committee, it is not only entitled but it is its duty to take oral

evidence to ascertain the correct state of affairs if it wants to proceed further in the matter. In view, however, of the decision of the Committee as explained in the succeeding paragraphs not to take any further action in the matter, the Committee did not consider it necessary to take any oral evidence in the present case.”

(iv) As regards questions Nos. 1, 4 and 5, the main question to be considered by the Committee was whether in view of the apology tendered by the editor of *Sami Sanj*, any further action was necessary.

* * * *

It would appear that it would not be consistent with the dignity of the House to take too serious a view of every case of inaccurate reporting or misreporting. The Committee feels that the law of Parliamentary privilege should not be administered in a way which would fetter unnecessarily or discourage the reporting of the proceedings of the House. In most of the cases when an apology is tendered investigation into the controversial matter was not pursued and the matters were dropped by accepting the apology. The Editor of the *Sami Sanj* has, in this case, already expressed regret by his letter dated 25th May, 1967. After carefully considering all the facts and circumstances of the case, the Committee has come to the conclusion that the purpose of justice would be amply served, if the House consults its own dignity and accept the apology tendered by the editor.

The Committee, therefore, would recommend that looking to the facts and circumstances of the case, the apology tendered by the Editor of *Sami Sanj* be accepted and that no further action be taken in the matter.”

The House which considered the Report of the Committee on March 1, 1968 agreed with their recommendation.

Alleged reflections on Members by another Member in a public statement

In Madhya Pradesh Vidhan Sabha

On March* 26, 1969, the Speaker (Shri K. P. Pande) informed

*M.P.L.A. Deb. dt. 26-3-1969.
(Original in Hindi).

the House that he had received notice of a question of privilege from Shri Chandra Pratap Tiwari, a Member, which, read as follows:—

“The statement of the hon. member, Shrimati Vijaya Raje Scindia, published in the newspapers dated the 18th and 19th March, 1969, to the effect that ‘the *Samyukta Vidhayak Dal* can be saved if I spend a few lakhs of Rupees’, is a serious attack on the conduct of those hon. members who have recently joined the *Pragatishil Vidhayak Dal* after quitting the Congress. Thus, Shrimati Scindia has committed contempt of the House. The cuttings from the newspapers are attached.”

The Speaker added that he had enquired from Shrimati Scindia about the facts of the matter and she had in her reply stated as follows:—

“I had an oral talk with the press reporters on the 17th March, 1969. The reporters were not given any written statement. I do not remember the exact words used by me while talking with the press reporters, but I had not cast any reflection on any member or the *Vidhayak Dal*. I had not made any attack on the ethics of the hon. members of the House. In fact, there is no question of breach of privilege because no aspersions were cast either against the House or against the members. If, in spite of this, feelings of any member have been injured, I am deeply sorry.”

In view of the reply of Shrimati Scindia, Speaker said that the matter was closed.

Interruptions, Burning of a Newspaper and Walk-out by certain Members during Governor's Address

In Madhya Pradesh Vidhan Sabha

On February 17, 1969, during Governor's Address to the House on the opening day of the Budget Session, Shri Kalyan Mal Jain, a Member, repeatedly interrupted¹ the Governor, set afire a copy of a newspaper and certain other papers to protest against the use of English by the Governor in his official work. He followed this by a walkout accompanied by certain other Members.

¹M.P. Leg. Assembly Deb. dt. 17th February, 1969.
(Original in Hindi)

Soon after the Governor concluded his address, Shri Kunji Lal Dubey, another Member, rising on a point of order, said that causing interruptions by a member during the Governor's address constituted a contempt of the House and urged the Leader of the House to bring forth a privilege motion against the concerned members.

Thereafter, Shri G. C. Tamot, a Member, said that he was giving the following notice of question of privilege:

"I, Gulab Chand Tamot, Member of Legislative Assembly, Madhya Pradesh, give notice of a question of breach of privilege of the House against Sarvashri Kalyan Mal Jain, Madan Tiwari, Dev Prasad Arya, and Raghuvir Singh Kushwah, Members of Legislative Assembly, who showed disrespect to the Governor during his Address, set fire to a newspaper, threw some papers after tearing them and continued to make interruptions during the Address of the Hon'ble Governor."

Shri Tamot subsequently gave the above notice.

On February 20, 1969, the Speaker *inter alia* observed¹ as follows in this regard:

"*Prima-facie*, this incident does not appear to me to be a case of breach of privilege but appears more to be a case of contempt of the Constitution, oath or affirmation of true allegiance, discipline, and the conduct of Members. In 1963, when a similar incident was created by some Members in the Lok Sabha,² it was treated as such and the Speaker, Lok Sabha, was authorised to constitute a Committee for that purpose. Here also, in case the House desires it, I shall appoint a Committee in consultation with the leaders of both sides. This Committee shall also consider the notices given by Shri Tamot."

After some discussion, the Chief Minister (Shri G. N. Singh) stated as follows:

"I had had a talk with the S. S. P. leader, Shri Chauria in this connection and told him that it was a very sad incident. We are all very sorry for this incident. I had a talk with Shri Kalyan Mal Jain also and he also shared

1. M. P. Legislative Assembly Debate, dt. 20-2-1969.

2. For summary of that case, see Privilege Digest, Vol. VII, pp. 1-5.

our sorrow at this incident. I submit that if Sarvashri Chanpuria and Kalyanji express their regret over this unfortunate incident, the matter may be closed at this stage.”

Thereupon, Shri Shiva Prasad Chanpuria stated as follows:

“The Hon’ble Member of my party burnt the papers as he could not tolerate insult to Hindi. As far as the question of walk-out is concerned, everybody has a constitutional right to do so. I am sorry to note that the feelings of the House were injured and what happened was not proper. But that did not involve any insult to the Governor, or the House. I tender my apology at this incident and hope that the House would accept it.”

Thereafter, Shri Kalyan Mal Jain stated as follows:

“I am very sorry to state that the Hon’ble Member does not understand the differences between the Ministers and the Members. If the leader of the House and the leader of the Party can hold their opinions, a Member can also have his own views. It was my personal feelings which I expressed by burning a piece of paper. It is possible that after 2—4 years, our youngmen may come out in the streets and burn such persons alive in the streets. I would like to say that for the progress of the workers and poor people, it is essential to switch over to the use of Indian languages for official purpose. I never wanted to insult any Member, House or the Governor. In my opinion, the House is supreme. Besides, if Members feel that my action was in any way wrong or amounted to an insult to the House, though I never intended to do so, I express regret and hope that work in the Legislative Assembly would soon be started in the regional language. The entire business of the Madhya Pradesh Legislative Assembly should be transacted in Hindi . . .

In the end, I express regret at the incident that took place in the House on the 17th February, 1969, though I never intended to insult anybody.”

Thereafter, the Deputy Leader of the Opposition (Shri Shyam Charan Shukla) suggested that the Chief Minister might convey to the Governor the deep regret of the entire House over that incident.

The Chief Minister agreed to do so.

The Speaker, thereupon, observed that the matter was closed.

Shouting of slogans and throwing of handbills by visitors from the Visitors' Gallery on the floor of the House

In the Madhya Pradesh Vidhan Sabha.

On September 9, 1968, between about 11.00 hours and 12.30 hours, three persons from the Visitors' Gallery shouted slogans and threw handbills on the floor of the House. They were immediately taken into custody by the Marshal of the House under orders of the Speaker. Soon after this, Shri Brij Lal Varma, Minister of Law, moved the following motion:

“This House resolves that the persons calling themselves as Ram Chandra Lalwani, Prem Singh Sohal and Huzur Mohammad Kamar, who threw handbills today at about 11.00 hours and 12.30 hours respectively, from the Visitors' Gallery, on the Floor of the House, and shouted slogans and who were immediately taken into custody by the Security Officer, have committed a gross offence and are guilty of committing a contempt of the House. This House further resolves that they be sentenced to simple imprisonment till 17.00 hours on the 13th September, 1968 and be sent to Central Jail, Bhopal.”

The Minister of Law stated that the persons concerned had deliberately committed that offence and had refused to apologise.

After some discussion in the House during which an amendment to the above motion was moved for reducing the period of imprisonment till September 10, 1968, the motion as amended was adopted by the House.

Shouting of slogans and throwing of leaflets into the Chamber from the Visitors' Gallery

In Madhya Pradesh Vidhan Sabha

On March 5, 1968, at about 12.30 hours, during the general discussion on the budget, fifteen persons in the Visitors' Gallery shout-

ed slogans and threw leaflets on the Floor of the House thereby interrupting the proceedings of the House. They were immediately taken into custody by the Marshal of the House under the Speaker's orders.

Thereafter, Shri Virendra Kumar Saklecha, Deputy Chief Minister, raised a question of privilege stating that the 15 persons concerned, by throwing leaflets from the Visitors' Gallery on the floor of the House and by shouting slogans, had deliberately interrupted the proceedings of the House and thereby committed a breach of privilege and contempt of the House.

The Chief Minister (Shri G. N. Singh), then moved the following motion which was adopted by the House:—

“That the question of privilege raised by Shri Virendra Kumar Saklecha be referred to the Committee of Privileges for investigation with instructions to present their report by 4.00 p.m. today.”

The Committee of Privileges, in their Report presented to the House on the same day, reported, *inter alia*, as follows:—

“After considering the issue, the Committee is of the opinion that all the persons concerned shouted slogans and thereby interrupted the proceedings of the House and lowered the dignity of the House while some others raised slogans after forcibly entering through the gate of assembly compound and reaching upto the stairs of corridors outside the Vidhan Sabha Chamber with a view to interrupting the proceedings of the House. The Committee have reached the conclusion that their action was deliberate. For this purpose, some persons had brought leaflets with them and had sat in the Distinguished Visitors' Gallery while some of them raised slogans from outside. It is, thus, clear that their action was deliberate and premeditated. None of them is prepared to express regret or apologise.

The Committee is, therefore, of the opinion that the aforesaid 15 persons have deliberately interrupted the proceedings of the House and have committed contempt of the House by throwing leaflets and shouting slogans. The Committee consider this action as most objectionable and involving a contempt of the House.

The Committee recommend that all the aforesaid persons be imprisoned till further orders of the House.”

The report of the Committee of Privileges was taken into consideration and adopted by the House on the same day.

Thereafter, the following motion moved by the Chief Minister (Shri G. N. Singh) was adopted by the House:

“That this House authorises the Speaker to take all necessary action to send all persons mentioned in the Report to Jail till further orders, in pursuance of the orders of the House.”

On March 8, 1969, the Speaker observed that he had been informed by Shri Kalyan Jain, a member, that the students who had committed contempt of the House had apologised.

The House then unanimously agreed to order the release of the persons concerned.

Interruption and walk-out by Members during Governor's Address

In Mysore Legislative Assembly

On January 12, 1965, when the Governor rose to address the two Houses of the Mysore Legislature assembled together under Article 176(1) of the Constitution, Shri S. Sivappa, a member of the Assembly, rose from his seat, made a statement and left the Chamber followed by some other members.

On March 26, 1965, Shri R. M. Patil, a Minister, moved the following motion which was adopted by the House:

“That a Committee of this House be appointed to examine in all its procedural and constitutional aspects the conduct of certain members on 12th January, 1965, who, when the members of both Houses were assembled together just before the Governor began to address them in pursuance of the Constitutional obligation on him under Article 176(1), created interruption and made affront by a walk-out, protesting against the Address and thereby committed an unconstitutional act and showed disloyalty to the Constitution

and disrespect to the State and lowered the dignity and decorum of this august House and to report what action, if any, should be taken against them.....”

The Special Committee in their report presented to the House on October 21, 1965, observed as follows:

“The facts, that Hon’ble Member Shri S. Sivappa made a statement as the Governor rose to address both the Houses assembled together and after that left the Chamber followed by certain other members, are admitted. The Committee considered the question whether the statement by Hon’ble Member Sri Sivappa amounted to an obstruction and whether the subsequent walk-out by Hon’ble Member Shri Sivappa and certain other members when the Governor rose to address both the Houses on 12th January, 1965 was proper and constitutional.

.....The making of a statement and the subsequent walk-out was not at a sitting of the Legislative Assembly. It was outside. But it was in the House when it had assembled to hear the address of the Governor under Article 176. Granting it was outside the House, the Legislative Assembly has power to deal with the matter as it has the same power as the House of Commons to punish its members for offences beyond its walls.

.....The occasion of the Governor’s Address is a solemn occasion when dignity and decorum are essential. Even ordinary courtesy demands that the Governor’s Address should not be interrupted. When a member has no right to disturb the Speaker when he is on his legs it is all the more necessary that members should not interrupt the Governor when he rises to address the Houses. Similarly, when a member cannot leave his seat when the Speaker is on his legs, he has not got any right to walk out when the Governor addresses the Houses. The absence of any rule does not give any right to a member to do a thing during the Governor’s Address which he cannot do when Speaker is addressing. Governor, who is the head of the State, deserves great regard, courtesy and respect when he is performing his duties as part of Legislature. It would, therefore, be improper for members to obstruct the Governor or to walk out. The Committee is of the opinion that the

statement by Hon'ble Member Sri Sivappa amounts to an obstruction and the subsequent walk-out by the Opposition was not proper and is also unconstitutional.

The Committee, therefore, recommends that the House may express its disapproval of the conduct of certain members in interrupting the Governor's Address on 12th January, 1965 and subsequently walking-out as improper, unconstitutional and derogatory to the dignity of the House.

The Committee also recommends that in future, if any Member of the Assembly interrupts or obstructs the Governor's Address to the Assembly or to both Houses assembled together, either before, during or after the Address, while the Governor is in the Chamber, with any speech or point of order or a walk-out or in any other manner, such interruption, obstruction or show of disrespect may be considered as a grossly disorderly conduct on the part of the offending member and dealt with by the House subsequently on a motion moved by a Member.

The Committee further recommends that in future for any such disorderly conduct during the Governor's Address by a member he may be suspended from the service of the House for a period which may extend up to one year."

No further action was taken by the House on the Report of the Committee and the matter was closed.

(c) PROCEDURAL MATTERS

Office of the President continues to exist though the functions of that office might be discharged by any person

In Lok Sabha

On May 6, 1969, during the clause-by-clause consideration of the Finance Bill, 1969, a member (Shri Madhu Limaye) raised* a point that the Government could not proceed with the Finance Bill as the Ministers held office during the pleasure of the President and the President (Dr. Zakir Husain) who had sworn in the present Cabinet was dead. The Chairman (Shri Vasudevan Nair) agreeing with the

* L.S. Deb., 6-5-1969, c. 376.

view of the Deputy Prime Minister observed that the President's was a continuing authority and that soon after the death of the President, the Vice-President was acting as the President.

Procedure regarding making of allegations

In Lok Sabha

On April 3, 1969, some members, alluding to a rumour published in the *Organiser*, a weekly news magazine, made some personal allegations¹ against the Minister of Industrial Development, Internal Trade and Company Affairs (Shri Fakhruddin Ali Ahmed), who was not then present in the House.

Later, during the day, Shri Fakhruddin Ali Ahmed, when he came to the House, denied² the allegations completely and said that it was a false rumour.

Thereafter, all sections of the House condemned the irresponsible publication of the matter by the *Organiser*.

On April 9, 1969, the Speaker (Dr. Sanjiva Reddy), referring to the above incident, observed³, *inter alia*, as follows:

“This is not the first occasion when personal allegations against Ministers or Members have been made in the House without the Members making the allegations having taken any steps to verify the authenticity thereof and without giving notice to the Chair in advance. There have been occasions in the past also when a notice based on a news item contained in a newspaper has been tabled. I have no doubt that everyone of us will agree that baseless personal allegations made in the House brings down the dignity and prestige of this august House.

I may inform Members that notices relating to any allegations based on newspaper reports will not be considered by me unless the Member tabling the notice gives me substantial proof that the allegations have some factual basis. I may also invite the attention of the Members to my ruling dated 31st May, 1967 in which I stated the procedure⁴ to

¹. L.S. Deb., 3-4-69 c. 244.

². *Ibid* cc. 251-252.

³. *Ibid*, 9-4-69 cc. 1-3.

⁴. For summary of that case, See Journal of Parliamentary Information, Vol. XIII, No. 2, pp. 204-205.

be followed for investigation of allegations against Members or Ministers. I would once again appeal to Members to follow the prescribed procedure.”

Speaker's consent given to the moving of a motion for suspension of a rule for reintroduction of the Constitution (Twenty-second) Amendment Bill in the same session

In Lok Sabha

On March 25, 1969, Clause 2 of the Constitution (Twenty-second) Amendment Bill was not adopted by the House as on division it did not get the special majority required for the purpose. The Government did not proceed with the Bill at that stage. Subsequently in order to enable the Government to re-introduce the same Bill again without making any change therein, a motion for the suspension of clause (c) of rule 110* in its application to the said Bill was included in the List of Business for 2nd April, 1969. On that day when the item was taken up, certain members opposed the motion.** The Speaker, thereupon, observed that after considering all aspects in the Business Advisory Committee and in view of urgency of the Bill, the Chair had given its consent for the inclusion of the motion in the Agenda. Normally, a Bill before the House could not be withdrawn to facilitate the Government to re-introduce the same bill without any change in the same session. But in view of its importance, consent was given as a special case and it was not to be taken as precedent for the future.

A motion once admitted by the Speaker and included in the List of Business cannot be changed

In Lok Sabha

A motion for taking into consideration the statement made by the Minister of Home Affairs on March 6, 1969 about the Address

⁴ Rule 110 provides : The Member incharge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that —

(a) * * *

(b) * * *

(c) The Bill is to be replaced subsequently by another Bill which includes all or any of its provisions in addition to other provisions, and if such leave is granted no further motion shall be made with reference to the Bill.

* * * *

delivered by the Governor of West Bengal to both Houses of the State Legislature was put down for discussion in the List of Business for March 10, 1969* to be taken up at 4 P.M. After the question Hour on that day two Members, Sarvashri P. Ramamurti and Madhu Limaye raised points that a substantive motion tabled by the latter (Shri Madhu Limaye) which was first in time should have been admitted instead of the one appearing in the List of Business particularly when in his statement the Minister of Home Affairs had said that he would collect the information.

The Speaker observed that the statement made by the Home Minister in the matter was the authoritative information for the House in the context of the legality or otherwise of the Governor's action in skipping over certain paragraphs of Address to both Houses of the State Legislature, the point which was sought to be discussed. Members could table substitute motions approving or disapproving the action of the Governor before 3 P.M. on that day. But since the motion had been admitted in whatever form, there was no question of changing it.

Four substitute motions tabled by Sarvashri H. N. Mukerjee and other Members were moved and circulated in the House. The one moved by Shri T. Viswanathan was put to vote and negatived by voice vote. The remaining substitute motions were withdrawn with the leave of the House.

Keeping the Quorum not the Function of Speaker

In Lok Sabha

On February 27, 1969, when general discussion on Railway Budget was resumed, a member (Shri N. G. Ranga) suggested**that the question of quorum might not be raised during the general discussion on Railway Budget. The Speaker observed that it was not for the Chair to keep the quorum. If quorum was challenged, bell would be rung only on one occasion and next time the House would be adjourned.

Right of Personal Explanation and its scope

In Maharashtra Legislative Assembly

On April 4, 1969 a point was raised by a Member (Shri Nihal

*L.S. Deb., 10.3.1969 cc. 213—216

**L.S. Deb., 27.2.1969, c. 208.

Ahmed) about his right of giving personal explanation as provided for under Rule 47** of the Maharashtra Assembly Rules.

Earlier two other Members had given a Calling Attention Notice to the Chief Minister in regard to the alleged assault by a person on the Member (Shri Nihal Ahmed) when he had gone to attend a function. The Chief Minister in a statement made on March 28, 1969, had given a different version of the incident. On this, the Member rose to make a personal explanation under Rule 47, referred to above.

The question posed before the Chair was whether a Member could be permitted to make a statement by way of personal explanation in such a situation and what was the true scope of personal explanation under Rule 47.

Relying on the practice followed in the U.K. and the Lok Sabha, the Speaker observed as follows:

“.....it seems clear to me that a Member has a right to offer personal explanation with respect to his speech or conduct whether inside the House or outside, if in the course of proceedings any reference to that speech or conduct is made.....The question is whether this is an unrestricted right which can be exercised at all times and under all circumstances or whether this has to be regulated by some well-recognised principles. It is for this reason I think that it has been provided that the permission of the Speaker has to be previously obtained before a Member is permitted to make the personal explanation.....I think that permission should ordinarily be granted unless it appears that the incident in which the Member is involved has led or is likely to lead to criminal proceedings or unless the member has had sufficient opportunity to bring out before the House his version, either by putting questions or otherwise. In the latter case, if Government sticks to its version in spite of its being challenged by the member concerned, the member should be allowed to make a statement and leave

** Rule 47 provides :

With the permission of the Speaker, a member may at any time make a personal explanation, although the question relating thereto is not then before the Assembly. But in doing so, he shall not bring forward any debatable matter, nor shall any debate be allowed on such explanation.

the matter there. It has been said that the personal explanation must not introduce any debatable matter or raise any controversial issue leading to debate which is not permitted under the rule.”

Giving his ruling on the specific point raised, the Speaker said:

“I feel as already ruled by the Deputy Speaker that an opportunity should be given to the Chief Minister to correct his statement if necessary by drawing his attention to the facts as known to the Member. If the Chief Minister agrees to reconsider the matter and make a further statement on the subject, it is well and good. If, however, the Chief Minister sticks to his own version in the statement, it would be only fair to permit the Member to put his version also before the House and leave the matter there. The member of course will have to obtain previous permission of the Speaker in which case he will have to supply a copy of his proposed statement and he should not introduce any debatable matter in the sense I have indicated.”

No need for a fresh address by the Governor if the new Ministry formed follows the Policies of the erstwhile Ministry

In Tamil Nadu Legislative Assembly

On January 25, 1969, the Governor delivered his Address to both the Houses of Legislature. The discussion on the Governor's Address was, however, discontinued on the 29th January, 1969 consequent on the sudden illness of the Chief Minister (Shri C. N. Annadurai). When the House next met on February 22, 1969 after the demise of Shri C. N. Annadurai, with a new Chief Minister (Shri M. Karunanidhi) with some changes in the Cabinet, a member just before the House resumed its discussion on the Governor's Address asked on a point of order whether it was in order to continue the discussion on the Address which was delivered when the government with Shri C. N. Annadurai as Chief Minister was in Office or there should be a new Address as the new Government might have new policies.

After some discussion, the Chair held that as the new Ministry had declared that it would follow the policies of the old Ministry, and as the same party which formed the old Ministry had formed the new Ministry as well, and further as there was no change in the

policies, there was no need for the Governor to deliver another Address to the House and the discussion on the Address already delivered might continue.

(D) CONSTITUTIONAL AND LEGAL MATTERS

Interpretation of Article 191: D. R. Gurushanthappa vs. Abdul Khuddus Anwar and others*

Shri Abdul Khuddus Anwar, a Superintendent, Safety Engineering Department in the factory run by the Mysore Iron & Steel Works Ltd., Bhadrawati, was elected to the Mysore Legislative Assembly from Bhadrawati constituency on February 22, 1967. An election petition for setting aside his election on the ground that he was holding an office of profit under the Government of State of Mysore and was disqualified under article 191(1)(a) of the Constitution was filed by one of the unsuccessful candidates, Shri Gurushanthappa. The petition was dismissed by the Mysore High Court. A further appeal under Section 116A of the Representation of the People's Act 1951 was then made to the Supreme Court.

The Counsel for appellant contended that when initially appointed to a post in the Mysore Iron & Steel Works in 1936, Shri Anwar was a government servant and even after that concern was taken over by a private limited company *viz.* Mysore Iron & Steel limited, Bhadrawati, he continued to be in the service of the Mysore Government. He further contended that even if Shri Anwar ceased to be a government servant, he still continued to hold an office of profit under the Government of Mysore though, technically, he was in the employment of the company.

The Court noted that when the undertaking was taken over by the company as a going concern, the employees working in the undertaking, as a result of transfer, became employees of the company. Further, under the provisions of Section 25FF of the Industrial Disputes Act, Shri Anwar who was holding the post of an Assistant Superintendent and drawing a salary below Rs. 500 p.m. became an employee of the new employer, *i.e.* the company which took over the Undertaking from the Mysore Government. The fact that the name of Shri Anwar was included in the Civil List also did not necessarily mean that he was in the service of the Government of Mysore as the names of certain employees of the Universities in the State, who were not government

* Civil Appeal No. 788 of 1968 decided on January 27, 1969 in the Supreme Court.

servants were also included in the List. Finally, the post which Shri Anwar was holding ceased to be a Government post on the transfer of the undertaking to the company and became a post under the company. The first contention raised on behalf of the appellant that Shri Anwar continued to hold a Government post, therefore, failed.

The second contention of the appellant that even if Shri Anwar did not hold any Government post, he was holding an office of profit was based on the principles laid down by the Supreme Court in *Gurugobinda Basu Vs. Sankari Prasad Ghosal and others**. In that case the Court had brought out the distinction between an office of profit under the Government and a post in the service of the Government as provided by Articles 309 and 314 of the Constitution.

The Court then considered the decision in the case of *Maulana Abdul Shakur vs. Rikhab Chand and another*** and proceeded to apply those principles to the facts of the present case.

In that case, the Court had held:

“.....it appears to us that the appellant, as the holder of an office of profit in the two Government companies, the Durgapur Projects Ltd., and the Hindustan Steel Ltd., is really under the Government of India; he is appointed by the Government of India; he performs functions for two Government companies under the control of the Comptroller and Auditor General who himself is appointed by the President and whose administrative powers may be controlled by rules made by the President”.

“.....we have no hesitation in saying that where the several elements, the power to appoint, the power to dismiss, the power to control and give directions as to the manner in which the duties of the office are to be performed, and the power to determine the question of remuneration are all present in a given case, then the officer in question holds the office under the authority so empowered.”

While referring to the present case, the Court noted that:—

“In the present case, he (counsel for the appellant) relied on the circumstances that all the shares of the Company are not only owned by the Mysore Government, but the

* (1964), 4.S.C.R. 311.

** (1958), S.C.R. 387.

Directors of the Company are appointed by the Government; a Minister was one of the first Directors of the Company; the appointment of the Secretary to the Company is subject to approval of the Government; and, even in the general working of the Company, Government has the power to issue directions to the Directors which must be carried out by them. It was urged that respondent No. 1 was directly under the control of the Managing Director who is himself appointed by the Government and may even be a 'lent officer' holding a permanent post under the Government. Respondent No. 1, thus, must be held to be working under the control of the Government exercised through the Managing Director."

Disagreeing with the above view-point, the Court observed:—

".....The power of appointment and dismissal of respondent No. 1 vested in the Managing Director of the Company and not in the Government. Even the directions for the day-to-day work to be performed by respondent No. 1 could only be issued by the Managing Director of the Company and not by the Government. The indirect control of the Government which might arise because of the power of the Government to appoint the Managing Director and to issue directions to the Company in its general working does not bring respondent No. 1 directly under the control of the Government."

Coming to the present case the Court noted that:—

".....The power to appoint and dismiss respondent No. 1 does not vest in the Government or in any government servant. The power to control and give directions as to the manner in which the duties of the office are to be performed by respondent No. 1 also does not vest in the Government, but in an officer of the Company. Even the power to determine the question of remuneration payable to respondent No. 1 is not vested in the Government which can only lay down rules relating to the conditions of service of the employees of the Company. We are unable to agree that, in these circumstances, the indirect control exercisable by the Government because its power to appoint the Directors and to give general directions to the Company can be held to make the post of Superintendent, safety Engineering Department, an office of profit under the Government."

“.....The mere control of the Government over the authority having the power to appoint, dismiss, or control the working of the officer employed by such authority does not disqualify that officer from being a candidate for election as a member of the Legislature in the manner in which such disqualification comes into existence for being elected as the President or the Vice-President. The Company, in the present case, no doubt did come under the control of the Government and respondent No. 1 was holding an office of profit under the Company; but, in view of the distinction indicated above, it is clear that the disqualification laid down under Art. 191(1) (a) of the Constitution was not intended to apply to the holder of such an office of profit.”

The Court proceeded to note that Section 10 of the Representation of the Peoples Act, 1951:

“gives two indications as to the scope of the disqualification laid down in Arts. 102(1)(a) and 191(1)(a) of the Constitution. One is that the holding of an office in a company, in the capital of which the Government has not less than 25 per cent share, is not covered by the disqualifications laid down in Arts. 102(1)(a) and 191(1)(a), as, otherwise, this provision would be redundant. The second is that even Parliament, when passing the Act, did not consider it necessary to disqualify every person holding an office of profit under a Government company, but limited the disqualification to persons holding the office of Managing agent, manager or secretary of the Company.”

To the argument of the counsel for appellant that the Company should be equated with the Government of Mysore, the Court observed that Section 10 of the Act:

“limits the scope of disqualification to holders of three particular offices only and in companies in which the shareholding of the Government is not less than 25 per cent. This provision clearly indicates that for purposes of determining disqualification for candidature to a Legislature, it would not be appropriate to attempt to lift the veil and equate a Company with the Government merely because the share-capital of the Company is contributed by the Government. The discussion of the relevant Constitutional provisions above also supports this view. In the present case, therefore,

respondent No. 1 cannot be held to be holding an office of profit under the Government of Mysore and was not disqualified from being chosen as a member of the Assembly of the State.”

The appeal was dismissed with costs.

The President (Discharge of Functions) Bill, 1969.

Under article 70 of the Constitution, Parliament may make such provision as it thinks fit for the discharge of the functions of the President in any contingency not provided for in Chapter I of Part V of the Constitution. Article 65 provides for the Vice-President acting as President or discharging his functions during casual vacancies in the office, or during the absence, of the President. The Constitution does not provide for cases where a vacancy occurs in the office of the Vice-President or where the Vice-President is unable to discharge his functions while acting as President or discharging the functions of the President. Government, therefore, considered it necessary to make provision to cover such cases. The President (Discharge of Functions) Bill 1969 was accordingly brought before the Lok Sabha to provide that in such cases, the Chief Justice of India or in his absence, the seniormost judge of the Supreme Court available shall discharge the functions of the President.

As the Bill attracted the provisions of Clauses (1) and (3) of article 117 of the Constitution, the Government accordingly obtained the recommendations of the Vice-President acting as President to the introduction of the Bill in the Lok Sabha and its consideration by the House.

The Bill, which was introduced in Lok Sabha on May 14, 1969 was discussed by the House on May 15, 1969 and by Rajya Sabha on May 19, 1969. The Bill, as passed by both Houses, was assented to by the President on May 28, 1969.

Following is the text of the enactment.

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

1. This Act may be called the President (Discharge of Functions) Act, 1969.

2. In this Act, "President", "Vice-President" and "Second Schedule" shall mean the President of India, the Vice-President of India and the Second Schedule to the Constitution respectively.

3. (1) In the event of the occurrence of vacancies in the offices of both the President and the Vice-President, by reason in each case of death, resignation or removal, or otherwise, the Chief Justice of India or, in his absence, the seniormost judge of the Supreme Court of India available shall discharge the functions of the President until a new President elected in accordance with the provisions of the Constitution to fill the vacancy in the office of the President enters upon his office or a new Vice-President so elected begins to act as President under article 65 of the Constitution, whichever is earlier.

(2) When the Vice-President, while discharging the functions of the President dies, resigns or is removed or otherwise ceases to hold office, the Chief Justice of India or, in his absence, the seniormost Judge referred to in sub-section (1) shall discharge the said functions until the President resumes his duties or a new Vice-President is elected as aforesaid, whichever is earlier.

(3) When the Vice-President—

(a) while acting as President, or

(b) while discharging the functions of the President, is unable to discharge the functions of the President owing to absence, illness or any other cause, the Chief Justice of India or, in his absence, the seniormost Judge referred to in sub-section (1) shall discharge the said functions—

(i) in the case referred to in clause (a), until a new President elected as aforesaid enters his office or until the Vice-President acting as President resumes his duties, whichever is earlier.

(ii) in the case referred to in clause (b), until the President resumes his duties, or the Vice-President resumes his duties, whichever is earlier.

(4) The person discharging the functions of the President under this section shall, during, and in respect of, the period while he is so discharging the said functions, have all the powers and immunities of the President and be entitled to such emoluments, allowances and privileges as may be determined by Parliament by law and, until provision in that behalf is so made, such emoluments, allowances and privileges as are specified in the Second Schedule.

The West Bengal Legislative Council (Abolition) Bill, 1969

Under article 169 of the Constitution, Parliament may, by law, provide for the abolition of the Legislative Council of a State having such a Council, if the Legislative Assembly of the State passes a resolution to that effect by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting.

On 21st March, 1969, the Legislative Assembly of the State of West Bengal passed a resolution, in terms of article 169 of the Constitution, for the abolition of the Legislative Council of that State. In pursuance of that resolution, the Government of India proposed to abolish the Legislative Council of the State of West Bengal.

The West Bengal Legislative Council (Abolition) Bill, 1969 was accordingly brought before Lok Sabha to give effect to the above objective and also provide for matters supplemental, incidental and consequential to such abolition. The Bill, introduced in Lok Sabha on May 13, 1969 was discussed by the House on May 16, 1969 and by the Rajya Sabha on July 21-22, 1969. The Bill, as passed by both Houses, received the President's assent on July 25, 1969.

The following is the text of the enactment:

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

1. (1) This Act may be called the West Bengal Legislative Council (Abolition) Act, 1969.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires—

(a) "appropriate Government" means, as respects a law relating to a matter enumerated in List I in the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the State Government;

(b) "article" means an article of the Constitution;

(c) "Council" means the Legislative Council of the State of West Bengal;

2069(c) LS—1.

(d) "law" includes any enactment, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or any part of the State of West Bengal;

(e) "Legislative Assembly" means the Legislative Assembly of the State of West Bengal.

3. (1) The Legislative Council of the State of West Bengal is hereby abolished.

(2) On the abolition of the Council, every member thereof shall cease to be such member.

4. In sub-clause (a) of clause (1) of article 168, for the words "Uttar Pradesh and West Bengal", the words "and Uttar Pradesh" shall be substituted.

5. In the Representation of the People Act, 1950,—

(a) in the Third Schedule, entry No. 9 relating to West Bengal shall be omitted;

(b) in the Fourth Schedule, the heading "West Bengal" and the entries thereunder shall be omitted.

6. The Delimitation of Council Constituencies (West Bengal) Order, 1951, is hereby repealed.

7. (1) A Bill pending in the Council immediately before the commencement of this Act which has not been passed by the Legislative Assembly shall lapse on the abolition of the Council.

(2) A Bill pending in the Council immediately before the commencement of this Act which has been passed by the Legislative Assembly shall not lapse on the abolition of the Council, but on such abolition shall be deemed to have been passed before such commencement by both Houses of the Legislature of the State of West Bengal in the form in which it was passed by the Legislative Assembly.

(3) If a Bill which having been passed by the Legislative Assembly is, before the commencement of this Act, either rejected by the Council or passed by the Council with amendments, the Legislative Assembly may, after such commencement, pass the Bill again with or without such amendments, if any, as have been made by the Council and the Bill so passed shall be deemed to be a Bill introduced in and passed by the Legislative Assembly after the commencement of this Act.

8. The appropriate Government may, before the expiration of one year from the commencement of this Act, by order, make such adaptations and modifications of any law made before such commencement, whether by way of repeal or amendment as may be necessary or expedient in consequence of the abolition of the Council under section 3, and thereupon every such law shall have effect subject to the adaptations and modifications so made.

9. Notwithstanding that no provision or insufficient provision has been made under section 8 for the adaptation or modification of a law made before the commencement of this Act, any court, tribunal or authority required or empowered to enforce such law may construe the law in such manner, without affecting the substance, as may be necessary or proper on account of the abolition of the Council, in regard to the matter before the court, tribunal or authority.

SEVENTH SESSION OF FOURTH LOK SABHA—A REVIEW*

The Seventh Session of the Fourth Lok Sabha was held from February 17, 1969 to May 16, 1969. Sixty-two sittings which aggregated 399 hours were held during the period. Some of the major events that took place and the actual work transacted during the Session are briefly mentioned below.

A—MAJOR EVENTS

Motion of No-Confidence in the Council of Ministers

The Budget Session, 1969, of Lok Sabha, commenced business on February 18, 1969 with a No-Confidence motion in the Council of Ministers, after more than fifty Members had risen in support of it. This was the seventh motion of No-Confidence against the Government of Smt. Indira Gandhi since she first became the Prime Minister and the fifth since she assumed the office in 1967.

The motion was jointly tabled by Shri P. Ramamurti (CPM), Shri Rabi Ray (SSP), Shri Vasudevan Nair (CPI), Shri Madhu Limaye (SSP) and Shri S. M. Banerjee (CPI). Members belonging to Muslim League, Bangla Congress and some Independents also supported the motion.

The grounds on which the sponsors of the motion sought to censure the Government were what they called the toppling of the non-Congress Governments in some of the States through the machinations of the Centre, encouraging aggressive regional movements like the Shiv Sena and failure to ensure balanced regional development of the country as a whole.

No sooner had the motion been admitted, the Prime Minister indicated her readiness to have an immediate discussion.

The debate was opened by Shri P. Ramamurti of the Communist Party (Marxist). He, as well as most other Members from the Opposition who followed, tried to pin down the Government mainly on two issues—(i) recent violent activities of the Shiv Sena and the failure of the Central and Maharashtra Governments to curb them, and (ii) rejection of the Congress creed and policies by the people, as evidenced

*Prepared by the Library, Reference and Information Service of the Lok Sabha Secretariat.

by the mid-term poll in some of the States. Several Members from the Swatantra, Jan Sangh and the D.M.K. parties which had not supported the motion earlier, took the occasion to criticise the Government on the issues listed in the motion as also on some extraneous issues like expenditure on the Prime Minister's election tours and capitulation by the Government to what Shri A. B. Vajpayee (JS) called, "Soviet political pressure."

The debate on the motion continued for three days and took nearly ten hours.

Rising in her defence of the Government policies towards the end of the debate on February 20, 1969, the Prime Minister appealed for a national consensus of all the parties represented in the House on regional and parochial issues.

After the Prime Minister's intervention, Shri P. Ramamurti (CPM) replied to the debate. The motion was, thereafter, pressed to a division and negatived by 83 votes to 213.

The Jan Sangh, D.M.K., and the P.S.P. which had not supported the motion at the initial stage, also voted in favour of the motion. The Swatantra Group, which had earlier joined in the condemnation of the Government, however, abstained at the time of voting.

Motion of Thanks

The Motion of Thanks on the President's Address to both the Houses of Parliament assembled together on February 17, 1969, was moved in Lok Sabha on February 20, 1969. The motion was moved by Smt. Sushila Rohatgi (Cong.) and seconded by Shri R. Dasaratha Rama Reddy, also of the Congress.

The debate on the motion went on for five days and took fifteen and a half hours. A total of 47 Members participated in the discussion. The Prime Minister replied to the debate on February 26, 1969.

Members who took part in the debate mostly dwelt on familiar themes such as the economic situation in the country, agricultural and industrial production, unemployment, law and order situation, Centre-State relations, political defections and the like. An interesting point was, however, made by Acharya Kripalani who questioned the very usefulness of the President's Address and called it "an exercise in futility"

Shri Hem Barua (PSP) went a step further and demanded that the ritual, both at the Centre and in the States should be ended by a constitutional amendment. In his view, the President's Address did not reflect Government's policy but usually was a "sterile and insipid" account of what had happened.

After the Prime Minister's reply on February 26, 1969, the motion was put to vote and adopted by 159 votes to 106. All the amendments to the motion were rejected by voice vote.

Recall of the West Bengal Governor

The question of the "immediate recall" of the West Bengal Governor, Shri Dharam Vira, as demanded by the United Front Government of the State, was raised in the Lok Sabha on March 3, 1969 by Shri Jyotirmoy Basu (CPM) through a Call-attention motion.

Making a statement in reply, the Home Minister, Shri Chavan, said that the Governor had himself made a request to the Prime Minister to be relieved of his office and that his request was under consideration of the Government.

To a pointed query by Shri Basu whether the Governor would be recalled before the joint session of the West Bengal Legislature on March 6, 1969, Shri Chavan gave an emphatic 'no'.

Replying to Shri Deven Sen (SSP) who had asked whether the verdict of the people of West Bengal in the mid-term poll was not a verdict against the Governor who had dismissed the United Front Ministry in 1967, the Home Minister said that the significance of the mid-term poll in West Bengal was that the people had given a mandate to the United Front Government to govern West Bengal constitutionally.

The Home Minister told Shri Madhu Limaye (SSP) who had asked whether the Government would advise the Governor to proceed on leave, that the Government of India did not function as an adviser to the Governor.

On March 7, 1969, as soon as news was received that the Governor of West Bengal, while delivering his Address to the Legislature, had skipped over certain paragraphs from his speech, there were insistent demands from the Opposition for an immediate discussion on the development.

Shri S. M. Banerjee (CPI) sought to move an adjournment motion to discuss the developments flowing from what he called the “unconstitutional” conduct of the Governor, but this was disallowed by the Speaker.

At the Speaker’s instance, the Home Minister, Shri Chavan, made a brief statement on the developments in West Bengal.

As the Members wanted to discuss the matter threadbare, the Speaker said he would permit a full discussion after Government had had time to collect authentic information.

On the 10th March, 1969, the following motion was moved by Shri S. N. Dwivedy (PSP):—

“That the statement made by the Minister of Home Affairs on the 6th March, 1969 regarding the Address by the Governor of West Bengal to both Houses of the State Legislature assembled together on the 6th March, 1969, be taken into consideration.”

Initiating the debate, Shri Dwivedy said that the action of the Governor of Bengal had brought the institution of Governors into contempt before the eyes of the people. He called for codification of all matters relating to the office of the Governor, particularly in regard to the kind of person who should be appointed to this office, the manner of his appointment, the need to consult the State Governments concerned, the Governor’s relations with his Council of Ministers and the like. He also wanted the appointments of the Governors to be ratified by Parliament.

Shri Asoke Sen (Cong.) defending the action of the Bengal Governor, said that the controversial part of the Address would have implied the questioning of the verdict of the Calcutta High Court which had upheld the action of the Governor in dismissing the United Front Government.

Intervening towards the close of the debate, the Home Minister, Shri Chavan, said it was completely unconstitutional for the United Front Government to have included in the Governor’s Address adverse remarks on the dismissal of the State Government in 1967, after the High Court had upheld the Governor’s action. He said that a State Legislature had no powers to interpret or amend the Constitution which right belonged only to Parliament.

After the Home Minister's intervention, Shri S. N. Dwivedy replied to the debate.

A substitute motion, moved by Shri T. Viswanathan (Ind.), seeking to record the disapproval of the House of the Governor's action, was negatived. Three other substitute motions were withdrawn by leave of the House.

The motion was talked out.

Storm over prorogation of Madhya Pradesh Assembly

A debate was invoked on the action of another State Governor, Shri K. C. Reddy, for proroguing the Legislative Assembly of Madhya Pradesh.

The matter was raised in the House on March 12, 1969 by Shri A. B. Vajpayee (JS) under rule 377 of the Rules of Procedure, Shri Vajpayee drew the attention of the House to what he called the failure of the Governor of Madhya Pradesh to invite the newly elected leader of the ruling S.V.D. to form a Government. He said that the constitutional machinery of the State had come to a standstill as a result of the action of the Governor.

Even while Shri Vajpayee was on his legs, S.S.P. Members Shri Madhu Limaye and Shri Rabi Ray broke the news in the House that the Governor had prorogued the Assembly. This led to a demand for an immediate discussion on the development. Shri P. Venkatasubbaiah (Cong.) lent his support to the demand and said that certain norms had to be observed if Parliamentary democracy was to continue.

According to the wishes of the House the Speaker agreed to permit a discussion immediately after the lunch recess.

On resumption, a motion 'disapproving the act of the Governor of Madhya Pradesh in not inviting immediately the new leader of the S.V.D. to form a Government which only recently had proved its majority on the floor of the Assembly', was moved by Shri Madhu Limaye (SSP).

Immediately after Shri Limaye's speech, the Home Minister, Shri Chavan, informed the House that the Governor had invited the new leader of the S.V.D., the Raja of Sarangarh, to meet him in connection with the formation of a new Government. He said that the Governor

had prorogued the Assembly on the advice of the outgoing Chief Minister and defended the action of both the Chief Minister and the Governor.

After the Home Minister's statement, many Congress Members questioned the utility of a discussion in view of the latest developments. However, it was suggested by the Speaker that the House could still discuss the 'unanswered questions' concerning the Governor's rights and whether the Governor could prorogue the Assembly on the advice of Chief Minister who had resigned.

In the course of the debate that followed, the Opposition Members were generally highly critical of the Governor's action and were of the view that the office of the Governor, supposed to be non-partisan, was being used by the Central Government for party ends.

The House later rejected the motion by voice vote.

Oath/Affirmation by U.P. Assembly Members

A Calling-attention notice on the "reported refusal to administer the oath|affirmation to some members of the Uttar Pradesh Legislative Assembly in the Urdu language", was tabled by Sarvashri Pattiam Gopalan, Syed Badrudduja, H. N. Mukerjee, George Fernandes and K. Ramani. The matter was raised in the House on the 20th March, 1969 by Shri Pattiam Gopalan (CPM).

The competence of the House to discuss the matter was questioned by Sarvashri K. Satyanarayana (Cong.) and K. L. Gupta (JS). They contended that every Assembly had the right to frame its own rules and that the U.P. Assembly Speaker had given a ruling on the matter which could not be discussed in the House.

Ruling out the objection, the Speaker said it was not a question of discussing any ruling but whether an elected Member belonging to a minority language group could be deprived of his right to take the oath in his own language.

Members who spoke were of the view that the right guaranteed by the Constitution to a citizen to use his mother tongue had been violated in U.P.

Making a statement in reply to the call-attention notice, Shri V. C. Shukla, Minister of State for Home Affairs, expressed the hope

that necessary steps would be taken in U.P. to follow Parliament's convention of enabling Members to take the oath or affirmation in their mother tongue.

The Constitution (Twenty-Second Amendment) Bill, 1968

The Constitution (Twenty-second Amendment) Bill, 1968, as reported by Joint Committee, was not passed as it failed to receive the requisite majority under Article 368 of the Constitution during the clause-by-clause consideration on the 25th March, 1969.

The Bill was introduced in Lok Sabha on the 10th December, 1968. It was referred to a Joint Committee of the Houses on the 28th December, 1968. The report of the Joint Committee was presented to the House on the 12th March, 1969.

The Bill sought to create an autonomous Hill State within the State of Assam.

The motion for consideration of the Bill, as reported by the Joint Committee, was moved in the House on March 24, 1969 by the Home Minister, Shri Y. B. Chavan. After some discussion, it was carried on the 25th March, 1969 by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

Clause-by-clause consideration of the Bill was then taken up. When clause 2 was put to vote, it secured only 248 votes in favour with 13 against. Since it failed to receive the required majority of the total membership of the House (523), although it had secured the majority of the Members present and voting, it was declared as not carried.* The Bill was, therefore, not proceeded with further.

The Constitution (Twenty-second Amendment) Bill, 1968, was withdrawn by leave of the House on April 2, 1969.

Before, however, the motion for withdrawal of the Bill was moved, the House agreed to a motion, moved by the Home Minister, for suspension of clause (c) of Rule 110** of the Rules of Procedure and

*This was fifth occasion when Constitution (Amendment) Bill had not been passed for want of requisite majority. The last such instance was the Constitution (Nineteenth Amendment) Bill, 1966 during the Third Lok Sabha.

**According to clause (c) of Rule 110, a Bill may be withdrawn only on the ground that the Bill to replace it "includes all or any of its provisions in addition to other provisions."

Conduct of Business in Lok Sabha, as the Bill to be introduced in place of the Constitution (Twenty-Second Amendment) Bill was not to contain any additional provisions.

The motion for suspension of the rule was opposed by Shri K. L. Gupta (JS) and Shri Prakash Vir Shastri (Ind.) on the ground that a Bill, identical in nature, should not be introduced in the same session. Shri M. R. Masani (Swa.), while opposing the motion in principle, recognised the sense of urgency, but at the same time requested the Prime Minister to assure the House that Government would not come to Parliament again with such a request. The Prime Minister expressed regrets for the inconvenience caused to the Members and said that the Government would see to it that this kind of thing did not happen in future.

On the 10th April, 1969, the Bill was re-introduced after Rule 338 of the Rules of Procedure and Conduct of Business in Lok Sabha had been suspended through a motion adopted by the House.

The motion, moved by the Home Minister, Shri Y. B. Chavan, sought to suspend Rule 338 in its application to the motion for introduction and consideration of the Bill. This was objected to by Shri Atal Bihari Vajpayee (JS) who said that a separate motion for suspension of the Rule would have to be made at the consideration stage of the Bill.

The Home Minister accepted the point and amended the motion by deleting the words "and taking into consideration".

A number of amendments were moved to the various clauses of the Bill but all of them were negatived by voice vote. An important amendment moved by Shri Madhu Limaye (SSP), which sought to extend the provisions of the Bill to other States and not to restrict the measure to Assam alone, was also negatived after a division.

On April 15, 1969, the Bill was passed. The final voting figures on the motion for passing of the Bill were 369 for and 28 against.

Development in Telengana

A short-duration discussion under Rule 193 on "the recent developments in Telengana and other areas of Andhra Pradesh", was

raised on the 1st April, 1969 by Shri N. G. Ranga (Swa.). The notice of the motion was tabled jointly by Sarvashri N. G. Ranga, E. K. Nayanar, M. Narayana Reddy, Kanwar Lal Gupta and Smt. T. Lakshmi Kanthamma.

Initiating the discussion, Shri N. G. Ranga said that the Constitution should not be amended in an "erratic manner" to ensure the implementation of safeguards to people of Telengana. He said he was not in favour of granting separate Statehood to Telengana and pleaded for the development of the area socially and economically.

Shri J. B. Kripalani (Ind.) suggested that any area which wanted separate Statehood should be granted its wish on the clear understanding that Central aid would be forthcoming only in accordance with certain principles. If that was done, he said, the cry for separate statehood would disappear. Shri Bakar Ali Mirza (Cong.) was of the view that the country should be divided into smaller States if the people wanted it. He saw no harm in granting separate statehood to Telengana. Shri Madhu Limaye (SSP) suggested the creation of an autonomous State of Telengana within Andhra Pradesh on the pattern of Assam. Members spoke with one voice for the development of the Telengana region.

Replying to the debate on April 2, 1969, the Home Minister Shri Chavan said that "emphasis should be on keeping the integrity of the Andhra State". On the question of sending a Parliamentary Committee to Telengana, as suggested by many Members during the previous day's debate, the Home Minister said, ".I do not want to oppose it. At the same time, I must express my misgivings about it.I have got serious doubts whether such a Committee would help to bring about that sort of confidence or understanding that we desire". Addressing the Chair, the Home Minister said "But if you, Sir, in your judgment feel that such a Committee should be appointed, we will give you our cooperation".

After the Home Minister had expressed his views on the setting up of a Parliamentary Committee, Members belonging to the two Communist groups and the S.S.P., walked out in protest. Shri Nath Pai (PSP), who had strongly pleaded for a Parliamentary Committee, also joined in the walk-out.

The issue of a Parliamentary Committee for Telengana came up again in the House on the 3rd April, 1969 through a privilege mo-

tion sought to be moved by Shri Madhu Limaye (SSP) and Shri Atal Bihari Vajpayee (JS) against the Chief Minister of Andhra Pradesh, Shri Brahmanand Reddy.

Shri Brahmanand Reddy was reported to have said in a statement that the constitution of a Parliamentary Committee to visit Telengana would be an interference in the internal affairs of the State.

Shri Atal Bihari Vajpayee (JS) characterised the statement as a challenge to the sovereignty of Parliament.

The Speaker deferred a decision on the notice of privilege motion until after he had verified the facts in consultation with the Leader of the House.

On the question of appointing a Parliamentary Committee itself, the decision on which had been left to him by the Home Minister, the Speaker observed, “. though the Government is not willing for that, the House is the master of the situation. Therefore, now the Speaker need not take a decision at all on this issue”.

On April 8, 1969 a motion “that this House do appoint a Committee consisting of 21 Members to visit Andhra Pradesh and have an on-the-spot study of the Telengana situation in all its aspects and submit their report including recommendations to this House by the 16th May, 1969” was moved by Shri Atal Bihari Vajpayee (JS).

Initiating the debate, Shri Vajpayee said that the situation in Andhra Pradesh was extremely serious and Parliament must, therefore, play its part in removing the causes of discontentment and restoring normalcy. The issue, he said, should not be treated as an internal affair of the Congress Party but should be solved on a national basis.

Opposing the idea of a Parliamentary Committee for Telengana, Shrimati Sucheta Kripalani (Cong.) said that a Congress Government was functioning in Andhra Pradesh and it was, therefore, the responsibility of the Congress Party to see how to solve the Telengana issue. She said if a Parliamentary Committee representing various parties and various viewpoints went to Telengana, it might further complicate the situation.

Shri K. Anbazhagan (D.M.K.), opposing the idea of a Parliamentary Committee pleaded with the Prime Minister and the Home Minister to get a consensus with the Opposition leaders in Parliament on the issue.

Shri Vasudevan Nair (Comm.) felt that a Parliamentary Committee could only be useful if there was a consensus in the House on the formation of the Committee. But, he said, if the matter gave rise to an acrimonious political dispute and division in Parliament, it would not serve any purpose.

Shri Rabi Ray (SSP) said that it was the duty of Parliament to find out some solution of the Telengana problem and send an all party delegation there for making an on-the-spot study.

Shri Prakash Vir Shastri (Ind.) welcoming the idea of a Parliamentary Committee, said that the greatest advantage of such a Committee would be that agitation would cool down and people would begin to feel that a high-powered Committee was going to look into their problems objectively and impartially.

Shri Tenneti Viswanathan (Ind.) said that the proposal for appointment of Parliamentary Committee should be accepted. The Committee, he said, should go not only into the question of how far the safeguards for Telengana people had been implemented and what further protection they required, but it should also examine as to what protection was required by the rest of the Andhra people.

Shri J. B. Kripalani (Ind.), opposing the motion said that a Parliamentary Committee could bring about a peaceful atmosphere provided Parliament was united on the issue, which was not the case. He said what was required was that injustice done to the Telengana people should be rectified. This could be done only by the Government and not by a Parliamentary Committee.

The Home Minister, Shri Chavan, intervening in the discussion, said that a Parliamentary Committee was not likely to contribute to a solution of the problem. The Government's approach in the matter, he said, was to find out some sort of a consensus in the country and, with that end in view, a meeting with the leaders of the opposition was contemplated.

Replying to the debate, Shri Atal Bihari Vajpayee, welcomed the Government's decision to consult the Opposition leaders on the matter. On the suggestion of the Home Minister not to press the motion, Shri Vajpayee withdrew it with the leave of the House.

Resignation by Government before Elections

On the 8th April, 1969, a question* regarding resignation by Governments and Ministers in the States and at the Centre before elections, was asked in the House by Shri N. P. C. Naidu (Cong.). Shri Naidu wanted to know whether the Government would discuss the issue with the Opposition parties.

Replying to the question, the Law Minister, Shri P. Govinda Menon said that, under the system of government prevailing in the country, if the Ministers in the States were to be asked to resign two or three months before the elections, President's rule would have to be imposed there. This was neither desirable nor constitutionally proper because President's rule could be imposed only if the conditions set out in Article 356 of the Constitution existed, he said. So far as the Centre was concerned, the Law Minister said "that under Article 74 of the Constitution, there cannot be even a moment when there is no Ministry, to advise the President".

Zero Hour

On March 20, 1969, when the House reassembled after the lunch recess, attempts were made by several Members to raise issues which were not on the agenda. This was objected to by the Minister of Parliamentary Affairs, Shri K. Raghuramaiah who said that the Business Advisory Committee had already fixed the business of the House and the schedule had better be adhered to. He appealed to the Chair that the time of the House should not be allowed to be wasted in this manner.

Several Opposition Members took exception to the Minister's remarks and asked him to withdraw his words.

On the 15th April, 1969, the Speaker made the following observations on the propriety of raising discussions, without proper notice, during the 'Zero Hour':—

“.....As soon as the Question Hour is over, what happens is that people just get up and mention anything they like. They have called it the Zero Hour. I am trying to see that there is no Zero Hour at all in this Parliament, there cannot be any Zero Hour because we have framed the rule ourselves, this Parliament has framed the rules.....

*S.Q. No. 932, dt. 8-4-1969.

Every day, when Members get up and I ask them to sit down and then I shout, and they shout, it appears to be indecent, and it is becoming a headache to me. From today I do not want to do that. But still if anybody wants to say something, I shall sit quiet, but nothing will be taken down by the Reporters. If Hon'ble Members want to raise such things, let them change the rule; we shall keep apart half-an-hour every day when hon'ble Members can have that time for themselves, and Speaker's permission would not be necessary. But if hon'ble Members want the rules to be followed. the Speaker must call a Member and ask him to say and then only he can get up and say what he wants."

Attorney-General on the Finance Bill, 1969

On the 29th April, 1969, after the motion for consideration of the Finance Bill, 1969 was moved, Shri Srinibas Misra (P.S.P.), rising on a point of order, objected to the provisions of clause 24 of the Bill which sought to re-define the term "asset" in section 2 of the Wealth-tax Act so as to include 'agricultural land and growing crops, grass or standing trees on such land and also any building owned and occupied or used by a cultivator or receiver of rent or revenue out of agricultural land.' Shri Misra said that agricultural land, its value and its income, were all State subjects and Parliament was, therefore, not competent to levy wealth-tax on agricultural land. In this context, he referred to Entries 82 and 86 of List I of the Seventh Schedule to the Constitution and said that under these Entries, the power of the Union to levy taxes on agricultural land and on capital value of agricultural land was specifically excluded. . . . He asked that the Attorney-General, who had advised the levy of Wealth-tax on agricultural land, should be summoned before the House to explain as to how he supported such an opinion.

Shri S. S. Kothari (J.S.), supporting the point of order, said that Entry 97 of the Union List and Article 248 no doubt gave residuary powers to the Centre to make laws imposing taxes with respect to any matter not enumerated in the Concurrent List or the State List. But he said, what was specifically excluded by the Constitution could not be taken up under any residuary powers.

The demand to summon the Attorney-General on the question of levying wealth-tax on agricultural land was also made by Shri Nath Pai (P.S.P.) and Shri S. M. Banerjee (Ind.).

Agreeing to the demand, the Finance Minister said that the Attorney-General would come and address the House when the relevant clause came up for discussion.*

On the 1st May, 1969, the Attorney-General, Shri Niren De, made a personal appearance in the House to give his opinion. He said that Entry 86 of the Union List admittedly excluded 'taxes on the capital value of agricultural land' but this tax was not included in either the Concurrent List or the State List. Entry 49 of the State List which related to 'tax on land and building' including agricultural land, did not include 'tax on the capital value of land and building', including agricultural land. To substantiate his arguments, he said that a tax on sale of goods was different from tax on goods, just as a tax on professions, trades, callings and employments did not mean the same thing as tax on income from professions, trades, callings and employments. Drawing a distinction between the tax on land and the tax on the capital value of land, he said—" When you are taxing on land, you do not tax on the value of the land. if you are taxing on the value of the land, that is wealth-tax; you take into account all the debts of the person who is taxed".

Answering the question as to where the power to levy tax on capital value of land, including agricultural land, lay, if it was not covered by Entry 49 of the State List and specifically excluded from the Union List under Entry 86, the Attorney-General said—

"An argument has been made . . . that it is excluded from the Entry and, therefore, it is excluded from the Constitution . . . The Entry does not give the power to legislate. The power to legislate is to be found in the body of the Constitution. The Entry merely is a subject matter on which you can legislate. Therefore, in order to find the total exclusion of power you have got to find it from the Constitution itself, and by Constitution I mean Constitution without the Entry. As far as I know, there is no such provision excluding the power either of the Centre or of the States to legislate on the capital value of land."

Further on he said—

"Then, if that is the situation, as I said, it cannot hang in the air, and as far as our Constitution is concerned, like

* The Speaker does not seek advice of the Attorney-General in regard to *Vires* of a Bill; it is for the Government, when they want to consult him in response to the wishes of the House, to bring in the Attorney-General and arrange for his presence in the House.

many other Constitutions, we have specifically provided, not in one place but in two places, this residuary power with Parliament. I am referring to Entry 97 of the Union List and I am also referring to Article 248 (2) of the Constitution itself. That is why I said in my opinion—you must have read it—that it comes under Entry 97 or under Article 248. I am quite confident that it comes under Article 248 for the simple reason that the language of Article 248 is very clear. If I am right in saying that it does not come under Entry 49 of List II, then I am right in saying that it does not come under List III. Then Clause (i) of Article 248 will apply.”

After the Attorney-General had summed up his arguments, he replied, by way of clarifications, to a number of points raised by Members.

The Attorney-General, who was given a seat in the first row on the Treasury benches, was present in the House for about one hour.

Draft Fourth Five-Year Plan

A motion “that the ‘Fourth Five-Year Plan 1969—74 Draft’ laid on the Table of the House on the 21st April, 1969, be taken into consideration”, was moved in Lok Sabha by the Prime Minister, Shrimati Indira Gandhi, on the 8th May, 1969.

Initiating a three-day debate on the motion, the Prime Minister said that planning had come of age and was accepted by the people as a regular and normal feature in the economic life of the country. Debate and discussion on the Plan was, therefore, part of the very process of planning and Parliament had a special role in shaping public opinion and mobilising the support of the people for the Plan.

Outlining the main features of the Fourth Plan, the Prime Minister said that one of the objectives was growth with stability. Another objective was that development should be accompanied by social justice. Throughout the Plan, she said, emphasis was laid on the common man, weaker sections and the least privileged, and a progressive reduction of concentration of income, wealth and economic power.

Commending the Draft Plan to the House, the Prime Minister said that it was a national Plan the success of which depended on the maximum cooperation between the Centre and the States and the public sector and the private sector.

Shri M. R. Masani (Swa.) speaking after the Prime Minister, said that the previous Plans had failed miserably and almost all its targets remained unfulfilled. While the prices had risen sharply during the last five or seven years, incomes and savings had been stagnant and unemployment was on the increase. Even the targets for the Fourth Plan were based on unrealistic assumptions. The Plan envisaged an increase in the national income, agricultural production, rate of investment and a certain level of foreign aid and at the same time promised that prices would not go up. Shri Masani said that the Plan was not going to improve the condition of the poorer sections of society, but on the other hand was likely to make their lives more miserable. It was not going to inspire anyone to work harder nor was it likely to promote initiative, enterprise or inventiveness among the people. For these reasons, his party rejected every word of the Plan which would lead the people to stagnation and doom, Shri Masani concluded.

Shri Sri Chand Goyal (J.S.) giving his general support to the Plan, said that immediate steps should be taken to solve the problems of regional imbalances which posed a danger to national unity. He suggested that an annual report about the progress made in the implementation of the Plan should be presented to Parliament. A similar suggestion was made by Shri Prem Chand Verma (Cong.).

Shri Murasoli Maran (D.M.K.) said in order to be acceptable, the Plan should emerge afresh from the National Development Council where it had failed to get the consensus.

Shri Vasudevan Nair (Comm.) said that the people were not inspired by or interested in the Plans, because they had seen all the fruits of development being cornered by a small clique of people to which the Government was also a party.

Shri Tenneti Viswanathan (Ind.) said that planning could not succeed in this country unless the people who administered those things had got a belief in what they did. The persons who were incharge of the public undertakings had no faith in the public sector, he said.

Shrimati Tarkeshwari Sinha (Cong.) said that the States should be given greater freedom in the formulation of the Plan and there should be a sense of partnership with the States.

Shri Hem Barua (P.S.P.) said that as long as unemployment and regional imbalances remained, peoples' participating in the Plan could not be obtained.

Shri F. H. Mohsin (Cong.) said that the previous Plans had failed because the bureaucratic machinery in-charge of the implementation of those Plans was inadequate, inefficient and unclean. Government should, therefore, utilise non-Governmental leadership also to a certain extent for implementation to insure success.

Shri Humayun Kabir (U.A.) said that the Plan should be redrafted with special emphasis on employment, productivity, agriculture and agro-industries.

Shri Bal Raj Madhok (J.S.) said that the Plan must aim at solving the twin problems of unemployment and the backwardness of agriculture.

Shri P. Ramamurti (C.P.M.) said that unless Plan policies were basically changed in relation to foreign aid, land reform, avoidance of concentration of wealth, social control of banks, etc. could not be assured.

Shri J. B. Kripalani (Ind.) said the Plans were fundamentally misconceived as they did not make allowances for natural calamities like drought, increases in population and wars.

Replying to the debate on the 12th May, 1969, the Prime Minister, Shrimati Indira Gandhi, said that negative planning as existed in highly industrialized countries was not suited to developing countries like India which had multiple problems. Our planning had to be Indian Planning, taking into account our own conditions and the genius of our own people.' Viewed from that angle, she said, the Plan was a Swadeshi one with the whole emphasis on self-reliance.

The Prime Minister concluded by saying that the Plan aimed at leading the country to its goal of a more prosperous economic order which required courage, determination and cooperation of all for its fulfilment.

Introduction of Bills Opposed

The motion for leave to introduce the President (Discharge of Functions) Bill, 1969, moved by the Home Minister, Shri Y. B. Chavan, was opposed in the House on the 13th May, 1969.

The Bill sought to provide for the discharge of the functions of the President in the event of vacancy in the offices of both the President and the Vice-President.

Opposing the motion, Shri Nath Pai (P.S.P.) said that in the wording of the President's recommendation under Article 117 of the Constitution for introduction and consideration of the Bill, (printed below the Statement of Objects and Reasons), the Vice-President, who was only acting as President, was referred to as the President. This, he said, was a grave constitutional impropriety since only a person duly elected under the provisions of Articles 54 and 55 of the Constitution could be designated as the President and none else.

Shri Nath Pai said that a distinction had been made under Article 65 between 'the Vice-President discharging the functions of the President' and 'the Vice-President acting as President', the former designation applied in the contingency of the President being unable to discharge his functions owing to absence, illness or any other cause, while the latter was applicable in the event of the occurrence of any vacancy in the office of the President by reason of his death, resignation or removal or otherwise. But this distinction, he said, had not been brought out in clause 3 of the Bill which stipulated that the Chief Justice of India or, in his absence, the seniormost Judge of the Supreme Court shall discharge the functions of the President in the event of the death, resignation or removal or otherwise of the President and the Vice-President. The Bill, he said, thus showed confusion, as it did not make a distinction between contingencies like death, resignation or removal on the one side and absence and illness on the other.

Shri Nath Pai also said that if somebody was to 'act as President', Article 65 demanded that it could be achieved only by a constitutional amendment, but the enabling provision for 'discharging the functions of the President' could be achieved by a simple Act under Article 70.

Another point made by Shri Nath Pai was that the Bill violated the elective principle since it ignored the provision of the Constitution that no person could be eligible for election as President unless he was qualified for election as a Member of the House of the People. The Bill also tampered with the impartiality of the judiciary by bringing in the Chief Justice in the line of succession to the office of the President, Shri Nath Pai added.

Shri Madhu Limaye (S.S.P.) said that since the office of the President was an elected one, only an elected person like the Speaker of Lok Sabha or the Deputy Chairman of Rajya Sabha or the Deputy Speaker could act as President.

The Minister of Law, Shri Govinda Menon, said that when somebody was acting as President, there was nothing wrong in describing

him as the President. The wording of the recommendation was not part of the Bill and introduction of the Bill should not, therefore, be opposed on that count.

The Home Minister, Shri Y. B. Chavan, said that although there was no elected President, the office of the President was functioning. The recommendation of the President should, therefore, be viewed as the 'recommendation of the office of the President'.

The Speaker said that the correct position was 'the Vice-President acting as President'. He directed that the Bill might be held over till the next day and brought in again in the correct form.

On the 14th May 1969, the Speaker read out in the House a communication received from the Home Minister introducing the correct form in the recommendation, as suggested by him on the previous day. The Bill was thereafter introduced.

The Bill was passed on the 15th May, 1969 as introduced, after a number of amendments to clause 3, the operative clause, had been rejected by the House.

The West Bengal Legislative Council (Abolition) Bill, 1969

The motion for leave to introduce the West Bengal Legislative Council (Abolition) Bill, 1969, moved by the Law Minister, Shri P. Govinda Menon, was opposed in the House, on the 13th May, 1969.

The Bill sought to provide for the abolition of the Legislative Council of State of West Bengal in pursuance of a resolution passed by the West Bengal State Legislative Assembly, in terms of Article 169 of the Constitution, on the 21st March, 1969.

Opposing the motion Shri M. R. Masani (Swa.) said that proper notice under the rules had not been given to Members for introduction of the Bill. Since this was a controversial measure, Members needed more time to consider the Bill and determine their attitudes, he said.

Shri Srinibas Misra (P.S.P.) said that Direction 19A by the Speaker, which required that at least seven days' notice should be given for introduction of a Bill, should be waived if the Bill was sought to be introduced with shorter notice.

The Minister of Law, Shri P. Govinda Menon, said that the Government of West Bengal wanted the Bill to be passed in the current Session of Lok Sabha. Since the West Bengal Assembly had

passed the resolution for abolition of the Council unanimously, the Government felt it was its duty to respond to the unanimous demand of the elected Members of the West Bengal Assembly.

The motion for leave to introduce the Bill was, thereafter, adopted and the Bill was introduced.

The Bill was passed on the 16th May, 1969.

B. WORK TRANSACTED

PERIOD OF THE SESSION	. . .	17th February to 16th May, '69'
NUMBER OF MEETINGS HELD	. . .	62
TOTAL NUMBER OF SITTING HOURS		399 hours
NUMBER OF DIVISIONS HELD	. . .	33

GOVERNMENT BILLS

(i) Pending at the commencement of the session	. . .	32
(ii) Introduced	. . .	17
(iii) Laid on the Table as passed by Rajya Sabha	. . .	7
(iv) Referred to Select Committee	. . .	Nil
(v) Referred to Joint Committee	. . .	Nil
(vi) Reported by Select Committee		Nil
(vii) Reported by Joint Committee		4
(viii) Discussed		26
(ix) Passed		21
(x) Withdrawn		2
(xi) Negatived	. . .	Nil
(xii) Part-discussed	. . .	Nil
(xiii) Discussion postponed	. . .	Nil
(xiv) Returned by Rajya Sabha without any recommendation		8
(xv) Pending at the end of the session	. . .	33

PRIVATE MEMBERS BILLS

(i) Pending at the commencement of the session	171
(ii) Introduced	31
(iii) Discussed	8
(iv) Passed	1
(v) Withdrawn	1
(vi) Negatived	2
(vii) Circulated for eliciting opinion	1
(viii) Part-discussed	1
(ix) Discussion postponed	1
(x) Motion for circulation of Bill negatived	Nil
(xi) Referred to Select Committee	1
(xii) Pending at the end of the session	198

NUMBER OF DISCUSSIONS HELD UNDER RULE 193

(Matters of Urgent Public Importance)

(i) Notices received	183
(ii) Admitted	3
(iii) Discussion held	3

NUMBER OF STATEMENTS MADE UNDER RULE 197

(Calling-attention to matters of urgent public importance)

<i>Statements made by Ministers</i>	35
<i>Half-un-hour discussions held</i>	23

STATUTORY RESOLUTIONS

(i) Notices received	4
(ii) Admitted	4
(iii) Moved	3
(iv) Adopted	Nil
(v) Negatived	3
(vi) Withdrawn	Nil

GOVERNMENT RESOLUTIONS

(i) Notices received	I
(ii) Admitted	I
(iii) Moved	I
(iv) Adopted	I

PRIVATE MEMBERS' RESOLUTIONS

(i) Received	14
(ii) Admitted	14
(iii) Discussed	6
(iv) Withdrawn	I
(v) Negatived	4
(vi) Adopted	Nil
(vii) Part-discussed	I
(viii) Discussion postponed	Nil

GOVERNMENT MOTIONS

(i) Notices received	4
(ii) Admitted	4
(iii) Moved	I
(iv) Adopted	Nil
(v) Part-discussed	Nil

PRIVATE MEMBERS' MOTIONS

(i) Received	302
(ii) Admitted	110
(iii) Moved	4
(iv) Adopted	Nil
(v) Part-discussed	I
(vi) Negatived	I
(vii) Withdrawn	I

TOTAL NUMBER OF QUESTIONS ADMITTED

(i) Starred	1768
(ii) Unstarred (Including Starred Questions converted as Unstarred Questions)	10,033
(iii) Short-notice Questions	28

NUMBER OF REPORTS OF VARIOUS PARLIAMENTARY COMMITTEES PRESENTED TO THE LOK SABHA

(i) Estimates Committee	23
(ii) Public Accounts Committee	43
(iii) Committee on Public Undertakings	29
(iv) Committee on Absence of Members from the sittings of the House	2
(v) Committee on Petitions	1
(vi) Committee on Government Assurances	2
(vii) Joint Committee on Offices of Profit	1

NUMBER OF NEW MEMBERS SWORN WITH DATES AND CONSTITUENCIES

Name of Members sworn	Date on which sworn	Constituency
Shri K. Kamaraj Nadar	17-2-1969	Nagercoil (Tamil Nadu)
Shri Janeshwar Misra	17-2-1969	Phulpur (U.P.)
Shri Jai Singh	17-2-1969	Hoshiarpur (Punjab)
Shri S. K. Patil	14-5-1969	Banaskantha (Gujarat)
Shri V. K. Krishna Menon	15-5-1969	Midnapore (West Bengal)
Shri S. N. Misra	16-5-1969	Kannauj (U.P.)

GOVERNMENT BILLS PASSED DURING THE 7TH SESSION OF FOURTH LOK SABHA

1. The Registration of Births and Deaths Bill, 1969, as passed by Rajya Sabha.

2. The Appropriation (Vote on Account) Bill, 1969.
3. The Public Employment (Requirement as to Residence) Amendment Bill, 1969, *as passed by Rajya Sabha.*
4. The Appropriation (Railways) Bill, 1969.
5. The Appropriation Bill, 1969.
6. The Appropriation (No. 2) Bill, 1969.
7. The Customs (Amendment) Bill, 1969.
8. The Appropriation (Railways) No. 2 Bill, 1969.
9. The Delhi Motor Vehicles Taxation (Amendment) Bill, 1969.
10. The Payment of Bonus (Amendment) Bill, 1969, *as passed by Rajya Sabha.*
11. The Public Wakfs (Extension of Limitation) Amendment Bill, 1969, *as passed by Rajya Sabha.*
12. The Limitation (Amendment) Bill, 1969, *as passed by Rajya Sabha.*
13. The Armed Forces (Special Powers) Continuance Bill, 1969, *as passed by Rajya Sabha.*
14. The Constitution (Twenty-second Amendment) Bill, 1969.
15. The Appropriation (No. 3) Bill, 1969.
16. The Finance Bill, 1969.
17. The Estate Duty (Distribution) Amendment Bill, 1969.
18. The Union Territories (Separation of Judicial and Executive Functions) Bill, 1968, *as reported by Joint Committee.*
19. The Companies (Amendment) Bill, 1969.
20. The President (Discharge of Functions) Bill, 1969.
21. The West Bengal Legislative Council (Abolition) Bill, 1969.

PRIVATE MEMBER'S BILL PASSED

The Indian Penal Code (Amendment) Bill, 1967 (*Amendment of Sections 292, 293, etc.*), as passed by Rajya Sabha and as reported by Select Committee.

QUESTION HOUR DURING THE SEVENTH (BUDGET SESSION, 1969) OF FOURTH LOK SABHA*

Commencement of Session

Summons for the commencement of the Seventh Session (Budget Session, 1969) of the Fourth Lok Sabha from the 17th February, 1969, were issued on the 6th January, 1969. During the Seventh Session, Lok Sabha held 61 sittings out of which 59 sittings started with Question Hour. The Session terminated on the 16th May, 1969.

Receipt of Notices of Questions

Rule 33 of the Rules of Procedure and Conduct of Business in Lok Sabha (5th Ed.) regarding maximum period of 21 days for giving notices was relaxed on experimental basis for the Seventh Session also to enable the members to give notices of questions under the procedure which was in vogue prior to the amendment of the said rule. Accordingly, the number of notices of questions received between the date after the issue of Summons and the seventh day thereafter *i.e.* from the 7th January, 1969 upto 10.00 hours on the 13th January, 1969 was 11,780 (including 131 Unstarred Questions) from 147 members. Under the procedure laid down, all these questions were balloted on the 14th January, 1969, in order to determine priority *inter se* of these notices of questions. Several members of Lok Sabha were also present during the course of the ballot.

The break-up of the total number of questions received during the Seventh Session, 1969 is as follows:

Starred Questions	..	31,777
Unstarred Questions	..	1,224
Short Notice Questions	..	2,163
		—————
		35,164
		—————

Admission of Questions

Out of the total notices of 33,001 questions, both starred and unstarred, 1,771 notices were admitted as starred and 10,043 as

*Prepared by the Question Branch of the Lok Sabha Secretariat.

unstarred (including those starred questions which were converted into unstarred questions). As in the Sixth Session, 1968, the total number of admitted questions during the Seventh Session also represented about 37 per cent of the total receipt of notices, both starred and unstarred. This percentage, however, excludes the notices of questions by members whose names were clubbed to the admitted questions on the same subject.

Out of the total receipt of 2,163 Short Notice Questions, 28 notices were admitted and answered as under the rules the admission of the Short Notice Questions depends upon the willingness of the Minister concerned to accept the short notice of a question. A number of Short Notice Questions out of such as were not accepted by the Ministers, were considered on merits and admitted for answer in the ordinary course.

In accordance with the decision of the Rules Committee, not more than 200 admitted questions were included in the List of Questions for Written Answers. The List for Oral Answers contained 30 questions as usual. 963 questions were removed in 'excess of 200' on 18 sittings out of the total of 59 sittings during the session. Thus, there was an average of 54 questions per sitting on which questions in 'excess of 200' were removed. The maximum number of admitted questions which could not be included in a day's List of Questions for Written Answers, being in 'excess of 200', was 158. On certain days, the List of Questions for Written Answers, however, contained less than 200 questions.

Revival of Notices

In accordance with the decision of the Rules Committee, the questions which could not be included in a day's List either being in excess of 5 (per Member) or 200, the members concerned were informed accordingly to enable them to revive the notices of these questions for the subsequent sittings available during the Session. A substantial percentage of such notices was thus revived for the next available dates.

Daily average of Questions

Each Starred List contained 30 questions whereas the average number of questions in the Unstarred List came to 193 as against the maximum limit of 200 questions. Out of 30 questions in the Starred List, 5 questions on an average were orally answered in the

House daily. The minimum number of questions orally answered was 3 on the 7th April, 1969 and the maximum number of questions was 7 on the 29th April, 1969.

Notices under Rule 40

Two notices of questions under Rule 40 addressed to the Chairman, Estimates Committee were received from a Member. These questions were not admitted as the position in respect thereof was explained by the Chairman, Estimates Committee to the Member concerned.

HALF-AN-HOUR DISCUSSIONS

Under Rule 55, 1,576 notices of Half-an-Hour Discussion were received during the session. Out of these, 32 were put down on the Order Paper. The admitted notices covered fifteen Ministries.

Out of the admitted notices put down on the Order Paper, 23 were actually discussed in the House. Two Half-an-Hour Discussions fixed for the 7th March and 18th April, 1969 were not taken up due to the absence of Members who had given notices of the same. Four Half-an-Hour Discussions fixed for the 10th March, 14th March, 11th April and 5th May, 1969 could not be held as scheduled and were postponed to subsequent dates. Three Half-an-Hour Discussions could not be taken up for lack of quorum.

The keen interest shown by the members for participating in these discussions is evident from the fact that the requests from members for participating therein far exceeded the prescribed limit of 4 members for each discussion. As a result of this, the names of these members had to be balloted to determine the first four names who could be permitted to ask a question each for the purpose of further elucidation during Discussions.

EIGHTH SESSION OF FOURTH LOK SABHA—A REVIEW*

The Eighth Session of the Fourth Lok Sabha was held from July 21 to August 30, 1969. Twenty-nine sittings which aggregated 178 hours and 11 minutes were held during the period. Some major events that took place and the actual work transacted during the session are briefly mentioned below.

A—MAJOR EVENTS

Resignation by Shri Sanjiva Reddy as Speaker of Lok Sabha

On the 21st July, 1969, as soon as the House met for the Monsoon Session, the Deputy Speaker, Shri R. K. Khadilkar, who took the Chair, informed the House that Shri N. Sanjiva Reddy had resigned the office of the Speaker of Lok Sabha on the 19th July, 1969, at 5 P.M.

A motion eulogising the services of Shri Sanjiva Reddy to Lok Sabha, was moved by the Prime Minister and Leader of the House, Shrimati Indira Gandhi, on the 22nd July, 1969 in the following terms:—

“That this House places on record its high appreciation for the dignity and great success with which Shri N. Sanjiva Reddy presided over the deliberations of the House in his capacity as its Speaker.”

Moving the motion, the Prime Minister said that Shri Reddy lent “distinction and dignity to this august House by his fairness and vigilance in upholding the rights of the elected representatives of the people”.

The motion was, thereafter, adopted unanimously.

On 23rd July, 1969, the Deputy Speaker read out in the House the following communication, received from Shri Sanjiva Reddy:—

“Thank you for sending me a copy of the motion adopted unanimously by the Lok Sabha appreciating the work

*Prepared by the Library, Reference & Information Service of the Lok Sabha Secretariat.

done by me as Speaker. I am really grateful to the Leader of the House and the hon. Members belonging to all sections of the House. But for the hearty co-operation given by all of them it would not have been possible for me to discharge my duties as Speaker. I convey my grateful thanks to all the Members for their co-operation they have given me during my term of office as Speaker and for adopting the motion unanimously.”*

Man's Landing on the Moon

On the 21st July, 1969, soon after the House met for the Monsoon session, the Prime Minister, Shrimati Indira Gandhi, made a statement regarding man's first landing on a celestial body, the moon, which had taken place just a few hours earlier. Offering on behalf of all the Members of the House her warmest congratulations to the American astronauts and the team of technologists and the thousands of their co-workers, she said that it was the greatest and most daring of the scientific feats.

The Members, thereafter, gave a standing ovation to the astronauts.

Nationalisation of Banks

On the 21st July, 1969, Shri Atal Bihari Vajpayee (J.S.), raising a matter under Rule 377 in connection with the Ordinance on nationalisation of Banks said that the manner in which the Ordinance was issued raised a serious question of propriety. There was neither any urgency nor an emergency and, in these circumstances, the issuing of the Ordinance barely forty hours before the sitting of Parliament, was undemocratic and unprecedented and had lowered the dignity of the House, he said.

Making a statement, the Prime Minister, Shrimati Indira Gandhi, said that nearly fifteen years ago, Parliament had set the goal of a socialistic pattern of society before the country. Public ownership and control of the commanding heights of national economy and of its strategic sectors were essential and important aspects of the new social order which they were trying to build in this country and nationalisation of the major banks was a significant step in that process, she said.

*For a detailed account, see pp. 20-21.

Explaining the reasons for immediate legislation by Ordinance, the Prime Minister said that in view of the very nature of the measure, and also to forestall any possibility of manipulations which might not have been in the public interest, it was essential to make a swift and sudden move which could only be achieved through an Ordinance.

On the 22nd July, 1969, making a statement in regard to the judgment of the Supreme Court in response to some writ petitions filed by Shri M. R. Masani (Swa.), Shri Balraj Madhok (J.S.) and others, challenging the validity of the Ordinance, the Prime Minister said that the Supreme Court had granted "interim stay in respect of three matters, namely (i) that the Union of India will not appoint, pending the hearing and disposal of these petitions, any board of advisers; (ii) that the Union of India will not remove the chairmen of the various banks; and (iii) that the Union of India will not give any directions contrary to the provisions of the Banking Laws Act".

The Prime Minister said that the order of the Supreme Court did not affect the vesting and the transfer of the undertakings in the corresponding new banks and the allotment of the capital of each bank to the Central Government; the ownership of the banks continued to vest in the Central Government; and the former Boards of Directors also stood dissolved.

On the 25th July, 1969, when the Minister of Law and Social Welfare, Shri Govinda Menon, sought to move the motion for leave to introduce the Banking Companies (Acquisition and Transfer of Undertakings) Bill, replacing the Ordinance, Shri M. R. Masani (Swa.) raising a technical objection on a point of order said that according to the Directions by the Speaker, a certain period of time was to elapse between the notice given by the Minister for moving the Bill and the stage at which it could be introduced in the House. There was no reason why the normal procedure should be departed from in the present case, he said.

Shri Masani was joined by Shri Atal Bihari Vajpayee (J.S.) who said that the haste that was being shown by the Government was unnecessary, uncalled for and undesirable.

Ruling out the point of order, the Deputy Speaker said that he had allowed the motion to be made in the exercise of his discretionary power. The contents of the Bill became known as soon as the Ordinance was issued and that was adequate notice, he said.

The motion for leave to introduce the Bill was opposed by Shri M. R. Masani on both economic and political grounds. The measure, he said, would be disastrous to the economy. Because of the proposed measure confidence in the country had been badly shaken. Nationalisation in this country, he added, had led to three evils: bureaucratic red-tape and inefficiency, political influence and graft; and losses in the enterprises. This step, which was purely political, would also bring more and more power in the hands of the Prime Minister and drive the country towards absolute rule, he added.

Shri Madhu Limaye (SSP) said that all banks having deposits of Rs. 50 crores or more should have been nationalised and there should be no discrimination between Indian and foreign banks on this score.

Shri Kanwarlal Gupta (J.S.) said that the nationalised banks would go the way the public sector in this country was functioning and would be utilised as instruments of patronage, leading to inefficiency.

According to Shri Bal Raj Madhok (J.S.), the measure was politically motivated and anti-people and would ultimately shatter the country's economy.

The Minister of Law and Social Welfare, Shri Govinda Menon, said that nationalisation of banks had been a creed of the Congress party for long and it was not something which had been suddenly sprung upon the country. The fear that this step would lead to economic dictatorship or dictatorship of any other kind was unwarranted for there were many countries where there was no dictatorship despite the nationalisation of their banking industry, he said.

After the Law Minister had spoken, the motion for leave to introduce the Bill was put to vote. The motion was adopted by 260 votes to 46. The Bill was, thereafter, introduced.

The motion for consideration of the Bill was moved on the 28th July, 1969. Three separate amendments to the motion for consideration, seeking circulation of the Bill for the purpose of eliciting public opinion thereon, were moved by Sarvashri D. N. Patodia (Swa.), Abdul Ghani Dar (U.A.) and S. S. Kothari (J.S.).

Shri Kanwar Lal Gupta (J.S.) moved an amendment for reference of the Bill to a Select Committee.

Earlier, before the motion for consideration of the Bill was moved, a resolution under Article 123(2) (a) of the Constitution, disapproving the Ordinance which the Bill sought to replace, was moved by Shri Yajna Datt Sharma (J.S.). A combined discussion on the resolution and the motion for consideration of the Bill followed.

The discussion continued for two days and took nearly 6 hours and 45 minutes as against the 4 hours originally allotted. As many as 18 Members participated in the debate.

On the 29th July, 1969, at the conclusion of the combined discussion, the resolution moved by Shri Yajna Datt Sharma was put to vote and negatived. The amendments for reference of the Bill to a Select Committee and for circulation of the Bill for eliciting opinion were, thereafter, put to vote and negatived, except the amendment moved by Shri Abdul Ghani Dar which was withdrawn by leave of the House.

The motion for consideration of the Bill was then put to vote and adopted without any division.

Clause-by-clause consideration of the Bill commenced on the 30th July, 1969. An unusually large number of amendments to the clauses of the Bill had been tabled starting with Clause 2 which had 52 amendments in all. The clause was adopted with a Government amendment making a minor grammatical change therein.

Clause 3 was adopted without any amendment.

Further discussion was resumed on the 31st July, 1969 when clause 4 was taken up. This clause was also adopted without any amendment.

Clause 5, which was taken up next, was adopted with three Government amendments, moved by Shri P. C. Sethi, Minister of State in the Ministry of Finance. All the three amendments sought to make minor changes in the text of the clause.

Consideration of clauses 6 to 9 was held over by the Deputy Speaker as the Government wanted to move certain fresh amendments to these clauses which had not been circulated earlier.

Clause 10, which was then taken up, was adopted with the amendment moved by Shri P. C. Sethi seeking to empower the Central

Government to change the Custodian if the Chairman of the existing bank declined to function as the Custodian of the corresponding new bank.

Further consideration of the clauses was resumed on the 1st August, 1969 when clause 11 of the Bill was adopted with a minor amendment moved by Shri P. C. Sethi.

After five days of protracted discussion, only 11 clauses out of a total of 27 clauses in the Bill were adopted. At the end of the week, clause 12 was still under discussion when the House took up Private Members' business.

Discussion on clause 12 of the Bill, which had remained inconclusive on the 1st August, 1969, was resumed on the 4th August, 1969. An amendment to this clause, moved by the Minister of Law, was adopted by the House. The amendment provided for representatives of depositors and employees of the banks, farmers, workers, artisans and such other persons as the Central Government might appoint, to constitute the Advisory Board created under the clause to aid and advise the Custodian of every nationalised bank.

Clause 13 was adopted with three Government amendments. One of the amendments dealt with the power of the Central Government to make schemes covering all matters relating to the constitution or amalgamation of the new banks either wholly or partly. Another amendment provided for representatives of depositors and employees of the banks, farmers, workers, artisans and such other persons as the Central Government might appoint, to be elected or nominated to the Board of Directors. The third amendment to this clause was of a minor nature.

After adopting clause 13, the House took up clauses 6, 7, 8 and 9 which were held over on the 31st July, 1969. These clauses, which provided for the mode of payment of compensation to the shareholders of the nationalised banks, were adopted with some verbal amendments moved by the Law Minister.

The House then took up the remaining clauses of the Bill which were adopted without much discussion. Clauses 14, 16, 17, 18, 23 and 26 were adopted without any amendment. Clauses 15, 19, 20, 21, 22, 24, 25 and 27 were adopted as amended.

Schedules I to III to the Bill, which were put to vote after all the clauses had been disposed of, were also adopted as amended.

During the third reading of the Bill, the House rescinded one of its previous decisions after the Minister of Law had moved the following motion:—

“That the decision of the House adopting Amendment Nos. 135 and 136 to clause 22 of the Banking Companies (Acquisition and Transfer of Undertakings) Bill, 1969, be rescinded.”

The Bill was, thereafter, passed after a debate lasting six days and taking nearly twenty hours.

Question of Privilege

On the 22nd July, 1969, the Deputy Speaker, Shri R. K. Khadilkar, informed the House of a notice received on the 22nd June, 1969 by the former Speaker, Shri N. Sanjiva Reddy, from the High Court of Delhi for appearance in that court in the matter of a suit filed by Shri Tej Kiran Jain and others against the former Speaker (Shri N. Sanjiva Reddy) and Sarvashri Narendra Kumar Salve, B. Shankaranand and S. M. Banerjee, Members of Lok Sabha, and Shri Y. B. Chavan, Minister of Home Affairs.

The issue had arisen out of certain observations made on the floor of the House by the respondents regarding the Shankaracharya of Puri during the debate on a Calling-attention notice on the 2nd April, 1969. It was the contention of the plaintiffs that the references to Shankaracharya were highly defamatory as a result of which they had been offended. They, therefore, sought damages from the High Court of Delhi to the tune of Rs. 26,000.

Raising a question of privilege (regarding the notice received by him for appearance in the Court), Shri N. K. P. Salve (Cong.) said that the issue of notice by the Court involved a very grave and serious contempt of the House and breach of privilege of the Members. Article 105(2) of the Constitution, he said, granted immunity to Members from all proceedings in a court of law in respect of anything said in Parliament, and it was surprising that the judge had overlooked this fact in summoning the former Speaker and the Members to the Court. Shri Salve asked that the matter be referred to the Privileges Committee with the direction to instruct the defendants as to what they should do on the date of summons.

The Minister of Law and Social Welfare, Shri P. Govinda Menon, said that the provisions of Article 105(2) were absolute in their terms and this suit ought to be dismissed *in limine*. The plaintiffs, by the fact of having made the allegations and a complaint to the Court, were guilty of a breach of privilege, he said.

The Law Minister said that on the date of hearing, the Court would be asked by the Government Counsel to dismiss the suit *in limine*. Thereafter, the Privileges Committee of the House or the House itself could call the plaintiffs to order under the rules regarding privilege. He suggested that the matter might be kept pending till then. The Deputy Speaker agreed with the Law Minister to keep the matter pending.

On the 4th August, 1969, the House was informed by the Minister of Law, Shri Govinda Menon, that the High Court of Delhi had dismissed the suit *in limine*, as the matter was covered by Article 105(2) of the Constitution. In regard to the question of privilege arising out of the serving of notices on the Speaker and the Members by the Court, the Deputy Speaker said that the matter would be taken up on a later date.

Discussion on the question of privilege was resumed on the 18th August, 1969. Continuing his arguments for reference of the matter to the Committee of Privileges, Shri Salve said that it involved certain important and fundamental questions concerning the dignity of the House, the honour of the Speaker and the privileges of the Members. The plaintiffs, he said were not interested in seeking redress of their grievance but were motivated solely by a feeling of retaliation and vengeance, knowing fully well that the High Court could not sit in judgement over the proceedings of the House.

Shri Madhu Limaye (SSP) referred to Article 105(2) of the Constitution giving immunity to Members of Parliament from any proceedings in a Court of law in respect of anything said on the floor of the House, and said that by issuing summons to the Members, the Judge and the Registrar of Delhi High Court had encroached upon the rights of Members of Parliament.

Shri Nath Pa (PSP) said that the issue was whether the High Court was justified in issuing the summons when Members were trying to discharge their duty. He said that the matter should be referred to the Committee of Privileges so that no conflict arose in future between the judiciary and the legislature.

The Minister of Law and Social Welfare, Shri P. Govinda Menon, agreed with the view that a breach of privilege had been committed. He said that the matter should go to the Committee of Privileges which could consider as to who were the persons to be summoned or punished in this matter.

The matter was, thereupon, referred to the Committee of Privileges with the unanimous consent of the House.

Statement against the Constitution of India

A Calling-attention notice on the reported statement made by Shri E. M. S. Namboodiripad, Chief Minister of Kerala and Shri A. K. Gopalan, M.P., that the Communist Party (Marxist) would seek to destroy the Constitution from within and that their Governments in Kerala and West Bengal were to foment discontent among the masses, was tabled by Sarvashri Nugehalli Shivappa, Ram Gopal Shalwale, Bal Raj Madhok, Hardayal Devgun and Surendra Kumar Tapuriah. The matter was raised in the House by Shri Nugehalli Shivappa on the 23rd July, 1969.

However, before the Minister could make a statement in reply, Shri P. Ramamurti (CPM), raising a point of order, said that the House could not proceed on the version of the statement, attributed to Shri Namboodiripad and Shri Gopalan that had appeared in the newspapers. He said that Shri Gopalan, a Member of the House, should first be asked to produce the full text of his statement which should be circulated to all Members.

The matter was held over by the Deputy Speaker who said that a contradiction of what had appeared in the newspapers had been published by the honourable Member. The Deputy Speaker said that the Member should first be given an opportunity to make his submission and also lay an authentic copy of his statement on the Table of the House.

Shri A. K. Gopalan, thereafter, laid on the Table of the House a copy of the statement issued by him and Shri Namboodiripad on the 7th July, 1969.

Replying to the Calling-attention notice on the 24th July, 1969, the Minister of State in the Ministry of Home Affairs, Shri V. C. Shukla, said that there was no doubt that the statement of Shri

Namboodiripad and Shri A. K. Gopalan was against the basic principles of the Constitution and that it put forward a theory which was the very negation of parliamentary democracy.

Replying to questions, the Minister said that the Government wanted to deal with such issues in legal and constitutional ways rather than by banning certain political parties as had been suggested by some. He said that the matter would be discussed with the leaders concerned before deciding upon the steps to be taken in this regard.

Resignation by the Vice-President acting as President

A matter under Rule 377 of the Rules of Procedure and Conduct of Business in Lok Sabha regarding the constitutionality of the resignation by the Vice-President, Shri V. V. Giri, acting as President, was raised in the House by Shri Madhu Limaye (S.S.P.) on the 31st July, 1969.

Shri Limaye said that the Constitution neither envisaged nor provided for a situation under which the Vice-President, who was acting as President, could resign his office before the office of the President was filled up. In view of this, the procedure adopted for the resignation of Shri V. V. Giri from his office appeared to be strange and peculiar as there was no President to whom the resignation letter could be addressed, Shri Limaye added. He, therefore, asked that the House should have an opportunity to discuss the matter and make necessary changes in the existing law for such kind of situations.

Replying to the point raised by Shri Limaye, the Deputy Minister in the Ministry of Law, Shri Mohammad Yunus Saleem, said that nowhere had it been provided that the Vice-President who was acting as President would continue to act as such until the President was elected. If there was no President and the Vice-President wanted to resign, he could do so since, under the proviso to Article 67, it was not necessary that the resignation submitted by him must also be accepted by the President. The resignation became effective the moment it was submitted, Shri Yunus Saleem added.

After he had finished his statement, the Deputy Speaker asked the Deputy Minister of Law to make a fuller statement at the next sitting of the House and also lay on the Table the opinion of the Attorney-General which the Deputy Minister had referred to in his speech.

In accordance with the directions of the Deputy Speaker, the Deputy Minister of Law laid on the Table of the House on the 1st

August, 1969 a statement reiterating his earlier stand on the constitutionality of the resignation by the Vice-President acting as President, and also a copy of the opinion of the Attorney-General dated the 18th July, 1969, tendered to the Vice-President of India.

According to the Attorney-General the resignation by the Vice-President could become effective by a unilateral declaration by him in that behalf. However, 'for the sake of greater safety and in order to comply with the form referred to in proviso (a) to Article 67 of the Constitution', he had advised the Vice-President to have the letter of resignation addressed to the President of India deposited in the President's Secretariat.

Vandalism by Policemen in West Bengal Assembly Premises.

A Calling-attention notice on the "Vandalism by policemen in West Bengal Assembly premises" was tabled by Sarvashri Yashpal Singh, Atal Bihari Vajpayee, K. N. Tiwari, Madhu Limaye and Kanwarlal Gupta. The matter was raised in the House by Shri Yashpal Singh on the 4th August, 1969.

Making a statement in reply, the Minister of Home Affairs, Shri Y. B. Chavan, said that some West Bengal police personnel in the 24 Parganas Police lines had become highly agitated over their demand for immediate handing over of the dead body of one of their colleagues for taking out a funeral procession. In the afternoon of 31st July, 1969, about 500 of them took out a procession and reached the South-east gate of the Assembly House. They wanted to get inside the Assembly compound but the Calcutta policemen posted at the Assembly gate tried to prevent them. This resulted in an altercation and a scuffle.

The Home Minister said that a section of the processionists made their way forcibly and rushed inside the Assembly building. They caused damage to the furniture and fittings in the lobby and entered the Assembly Hall. They also caused damage to microphones and other furniture and injury to some Members of the Legislative Assembly. The Assembly session was adjourned but the frenzied policemen caused damage to the furniture in the Speaker's room and ran towards the Deputy Chief Minister's room in the Assembly House. One of the security personnel of the Deputy Chief Minister was injured.

The processionists then left the Assembly House to avoid a clash with another big procession which was moving towards the Assembly House, the Home Minister added.

Deploring the conduct of the policemen, the Home Minister said that there could be no justification whatsoever for the reprehensible and objectionable act of the policemen. Their disorderly and indisciplined conduct deserved to be condemned in the strongest possible terms, he said.

The matter came up in the House again on the 6th August, 1969 when Shri Hem Barua (PSP) moved the following motion:—

“That the statement made by the Minister of Home Affairs on the 4th August, 1969 regarding violation of the sanctity of the West Bengal Legislature premises, be taken into consideration”.

Opening a four-hour debate on the motion, Shri Hem Barua said that the invasion of the Assembly premises of West Bengal was a challenge against parliamentary democracy. He blamed the incident on the United Front Government of West Bengal who, he said, had encouraged indiscipline which had now permeated to the police force. Shri Barua asked the Central Government to take note of the law and order situation prevailing in West Bengal and immediately order a judicial inquiry into all aspects of the police vandalism.

Shri N. G. Ranga (Swa.), speaking on the motion, said that the happenings in West Bengal were likely to prove disastrous to the whole of the country if the Government of India did not exercise its responsibilities under the Constitution. He said the United Front Ministry was threatening to rouse the people against the police and it was the duty of the Central Government under these circumstances to declare a state of emergency and take over the Government of the State.

Shri Prakash Vir Shastri (BKD) spoke of the increasing number of incidents of violence, gherao, murders, attacks on police stations and a growing sense of insecurity among the people of West Bengal and asked as to how long could the Central Government remain a silent spectator of such happenings.

Shrimati Sucheta Kripalani (Cong.) said that the police march into the Assembly was a danger signal for democracy. She blamed the United Front Government for encouraging indiscipline and accused it of playing a dual role of administrators as well as agitators, of defenders of law as well as breakers of law.

Dr. Ranen Sen (CPD) saw in the incident a conspiracy hatched by the reactionaries, including Congress leaders and top police officers of the State. He cautioned the Central Government against interfering in the affairs of the State, adding that the people of West Bengal could not tolerate it.

Shri Humayun Kabir (Ind.) felt an attempt was being made by the Communist Party (Marxist) to become supreme and to terrorise the people of West Bengal with a view to putting democracy, integrity and independence of the country in jeopardy. He suggested that a delegation of Members of Parliament consisting of representatives of all parties should be sent to West Bengal for an on-the-spot study of the situation.

Shri P. Venkatasubbaiah (Cong.) said an attempt was being made to make the people lose confidence in law and order and the democratic process of Government. He asked the Home Minister, as the custodian of the Constitution and parliamentary democracy, to take steps to see that confidence was restored among the people and that the Constitution was preserved and normal democratic processes were continued without any fear or favour.

Acharya Kripalani (Ind.) ridiculed the Communists for condemning the Assembly incidents. On the contrary, he said, they should rejoice and declare that the pseudo-democracy was disappearing.

Replying to the discussion, the Minister of Home Affairs, Shri Chavan, said that the West Bengal Government was looking into all aspects of the matter. He observed that a judicial inquiry by the Centre, as suggested by some Members, would be unrealistic unless the cooperation of the State Government was forthcoming. He wanted the House to appreciate the political reality in the country today with different parties, having different approaches and outlooks, in power in different States and reminded the Members that India of 1969 was not the India of twenty years ago. In the end, he asked the Members not to lose heart and feel panicky but to have faith in the people.

Among others who took part in the discussion were Shrimati Ila Pal Chaudhuri, Shri Jagannath Rao Joshi, Shrimati Sharda Mukerjee, Shri Tridib Chaudhury, Shri Era Sezhiyan, Shri K. N. Tewari, Dr. Maitreyee Bose, Shri Sitaram Kesri, Shri Bimalkanti Ghosh, Shri S. M. Joshi, Shri P. Ramamurti, Shri Sheo Narain, Shri S. M. Banerjee, Shri T. Ram, Shri B. P. Mandal, Shri Kanwarlal Gupta, Shri P. D. Himmat-singka, Shri Jyotirmoy Bosu, Shri Kartik Oraon and Shri Samar Guha.

The Salaries & Allowances of Members of Parliament (Amendment) Bill, 1969

The motion for consideration of the Salaries and Allowances of Members of Parliament (Amendment) Bill, 1969, was moved on the 5th August, 1969 by the Minister of Parliamentary Affairs and Shipping & Transport, Shri K. Raghuramaiah. Initiating the discussion on the Bill, Shri Raghuramaiah said that the legislation had been brought forward in pursuance of the recommendations of the Joint Committee on Salaries and Allowances of Members of Parliament. While some of the recommendations regarding increased daily allowance (from Rs. 31 to Rs. 51) and certain travel facilities had been accepted, certain other recommendations in regard to secretariat assistance and free postage upto a limit of Rs. 1200 per annum were not acceptable to Government in view of the enormous cost to the exchequer.

Shri M. R. Masani (Swa.) said that the Bill should be circulated for the purpose of eliciting public opinion. He also suggested that the Speaker or the Deputy Speaker and the Chairman of Rajya Sabha should jointly invite some distinguished persons who should give their considered opinion as to what was to be done in the light of high cost of living, the conditions in the country, the requirements of the Members for rendering service to the constituents.

Shri Tulsi Das Jadhav (Cong.) said that if the Members had to *discharge their duties properly, it was necessary that they should have proper facilities. That was possible only when they were paid well.*

Shri Hukam Chand Kachwai (JS) said that the Bill should be *circulated for eliciting public opinion thereon.*

Shri Chengal Raya Naidu (Cong.) said that there were some middle class people among the Members who could not meet the expenditure and they wanted this increase.

Shri H. N. Mukerjee (CPI) said that when six crores of our people went to bed every night hungry because they had not enough to eat, the image of Parliament should not be blackened in the eyes of the people by having the increased allowance.

Shri J. B. Kripalani (U.A.) said that if the daily allowance was increased, people would think that the Members were here not to *serve the country but to serve themselves.*

Shri Ganga Reddy (Cong.) said that the high prices made it necessary that the salaries and allowances of Members of Parliament were increased.

Shri Samar Guha (PSP) said that the Bill would give an impression to the people that Members of Parliament had become too eager to usurp the sacred trust that had been vested in them for their personal self-interest.

Shri Sheo Narain (Cong.) said that the increased daily allowance of Rs. 51 would compensate the increased cost of living.

Shri Yashwant Singh Kushwah (U.A.) said that the Bill should provide all the amenities which were necessary for Members of Parliament to discharge their duties properly.

Shri Randhir Singh (Cong.) said that the Members of Parliament had to discharge great responsibilities and the present pay and allowances were inadequate.

Shri K. M. Abraham (CPM) said that when the common people were struggling for their existence and for a need-based minimum wage, it was not proper for the Members to ask for an increase in their daily allowance.

Shri Panna Lal Barupal (Cong.) said that those who opposed the Bill could refuse to draw the increased amount and also give up other facilities.

Shri Ram Sewak Yadav (S.S.P.) said that if the process of increasing the daily allowance from time to time continued, people would not tolerate it.

Shri A. S. Saigal (Cong.) wondered why the Bill was now being opposed by certain Members when the Select Committee had unanimously accepted it.

Shri Abdul Ghani Dar (U.A.) said that if the Members had to serve the people well, it was necessary that they were paid better.

Shri M. A. Khan (Cong.) said that a majority of the Members came from ordinary families and if their daily necessities were not met, they would not be able to serve the people properly.

Replying to the discussion, Shri Raghuramaiah said that the Bill was the result of the majority recommendation of the Select Committee appointed for the purpose. He said that the Government did

not want the membership of this House to be the monopoly of only a few rich people who could afford to come without the payment of allowance but they wanted the common man also to come and have such means of living as would keep him above corruption. It was in that spirit that they had brought forward the present Bill.

After Shri Raghuramaiah's reply, the motion for consideration of the Bill was adopted.

Speaking during the clause-by-clause consideration, Shri S. M. Banerjee (CPI) suggested that the Bill should be referred to the National Commission for Labour.

Shri Mrityunjay Prasad (Cong.) said that those Members who did not need the increased allowance could refuse to accept it and let others have it.

Shri T. M. Sheth (Cong.) said that the question of salaries and allowances of Members and the amenities they should get should be left to a Committee consisting of a Judge of the Supreme Court or a High Court, a Member of Parliament and an Accountant-General or some other person of the same rank.

Shri S. Kundu (PSP) said that the daily allowance of the Members of Parliament should be fixed at Rs. 30, and it should also be provided that the daily allowance should not be available to those Members who had additional income to the tune of Rs. 2000. per month from any other profession.

Shri Nitiraj Singh Chaudhary (Cong.) said that it should be provided that a Member of Parliament should get daily allowance for each day he attended Parliament and also for the weekend and other holidays intervening between two sittings of Parliament.

Shri George Fernandes (SSP) said that the daily allowance should be decreased to Rs. 21. He also suggested that if the allowance was increased it should not be payable to Members who were former I.C.S. officials, or owning private motor cars, or whose total assets exceeded rupees one lakh, or who were paying income tax of more than rupees one thousand per year or who were directors of companies incorporated in India or abroad.

Shri T. H. Sonavane (Cong.) said that the public money should not be wasted by giving unnecessary facilities.

Shri R. K. Amin (Swa.) said that the facility of air travel should be withdrawn as this would only be utilised by the rich people or by the party leaders for party purposes.

The debate on the Bill, which was resumed on the 6th August, 1969, was adjourned after some discussion, on a motion moved by Shri M. R. Masani (Swa.) and adopted by the House.

On the 7th August, 1969, when the discussion on the Bill was resumed, Shri Raghuramaiah moved two amendments seeking to provide greater facilities to Members for journey by air and rail. Under the first amendment (new Clause 2-A) it was provided that a Member could perform a journey by air for visiting any place in India not more than four times during a session lasting more than 75 days, not more than twice during a session lasting for 75 days or less and not more than once during a session of the Committee. Under the first amendment (new Clause 2-A), it was provided that a Member would be entitled (i) to travel by any railway in India at any time in first class air-conditioned on payment of difference between the railway fares for first class air-conditioned and first class; (ii) to one free third class railway pass for one person to accompany the Member when he travelled by rail; and (iii) to one free non-transferable first class railway pass for the spouse, if any, of the Member to travel from the usual place of residence of the Member to Delhi and back, once a year.

Both the amendments were generally welcomed by the Members and adopted by the House. The Bill was, thereafter, passed on the same day.

Congress President on termination of President's Rule in Bihar

A Calling-attention notice on the "reported efforts made by the Congress President to bring pressure and undue influence on Bihar M.L.As. by promising them termination of President's rule and opportunity to form a Ministry, thereby jeopardising free and fair election of the President of the Republic, and the reaction of the Government of India thereto", was tabled by Sarvashri Madhu Limaye, George Fernandes and Rabi Ray. The matter was raised in the House by Shri Madhu Limaye (SSP) on the 7th August, 1969.

Making a statement in reply, the Minister of Law and Social Welfare, Shri P. Govinda Menon, said that the Government was not aware of any efforts made by the Congress President to bring pressure and undue influence on Bihar M.L.As., as alleged by the Members. He quoted excerpts from the "*Indian Nationa*", Patna, which in

a report had alleged that the Congress President had met the M.L.As. in Patna and told them to give Shri Sanjiva Reddy (Congress candidate for Presidentship of the Indian Union) their first preference votes equal to the strength they were claiming in the Assembly, and then their case for forming a Ministry would be considered. The report, Shri Menon said, had since been contradicted by the Congress President, Shri Nijalingappa.

Replying to a question by Shri Limaye whether it was for Shri Nijalingappa to promise to induct a popular Ministry in a State or for the Governor or the President (of India) to take a decision in the matter, the Law Minister said the question whether undue influence had been exerted or whether any corrupt practice had taken place could be raised in the Supreme Court after the election of the President of India.

Several Congress Members took strong objection to the admission of the Calling-attention notice on the ground that Shri Nijalingappa had contradicted the report accusing him of using pressure on the Bihar M.L.As. The objections were over-ruled by the Deputy Speaker who said he could not adopt double standards since Calling-attention notices on statements made by others, had been admitted on previous occasions. The Chair's ruling was followed by a walk-out by nearly fifty Congress Members led by Shri Asoke Sen and Shri P. Venkatasubbiah and joined, among others, by Shri C. K. Bhattacharya, Shri Manubhai Patel, Smt. Sharda Mukerji, Shri S. K. Patil and Shri N. P. C. Naidu.

New Speaker of Lok Sabha

Shri Gurdial Singh Dhillon, a Congress Member of Lok Sabha, was unanimously elected its Speaker on the 8th August, 1969, succeeding Shri N. Sanjiva Reddy who had resigned his office to contest the Presidential election.

The motion proposing the name of Shri Dhillon for the office of the Speaker was moved by Shri K. Raghuramaiah, Minister of Parliamentary Affairs, and seconded by Shri Bibhuti Mishra (Cong.).

The motion was adopted by the House unanimously.

Immediately after the motion was adopted and Shri Dhillon declared elected as the Speaker, he was conducted to the Speaker's Chair by the Prime Minister, Shrimati Indira Gandhi, and Shri N. G. Ranga, representing the Opposition. The Prime Minister and the

leaders of Opposition parties and groups, thereafter, felicitated the Speaker.

Congratulating him on his election, the Prime Minister said it was "a happy augury that your election to this high office should have been unanimous, and thus met with the approval of all sections of this House." Praising the qualities and achievements of Shri Dhillon, the Prime Minister said: 'to this distinguished Chair you bring long years of valuable experience as Presiding Officer. But you also bring to it the rich past of a varied public life—as a political worker, as a social worker, as a journalist and, last but not the least, as a keen sportsman.' The Prime Minister concluded by saying that she had 'no doubt that the rights of all sides of the House and every hon'ble Member will be secure in your hands.'

Shri N. G. Ranga described the unanimous election of Shri Dhillon to the high office of Speaker as "a rare moment" of unanimity for the House. He said that the new Speaker was "a very good man" and expressed the hope that they would find in him "a big enough man also for this House" which had become "quite a powerful House in the recent past". He added that in electing him as Speaker "we do not take any risk at all."

Shri Atal Bihari Vajpayee made reference to the high reputation that Shri Dhillon had enjoyed for conducting proceedings in the Punjab Legislative Assembly with "great ability, firmness and impartiality".

Shri H. N. Mukherjee said that they had no doubt that the new Speaker would be "a principled occupant" of the Chair.

Declaring that it required bravery for anyone to agree to be the Speaker of "this turbulent House", Shri P. Ramamurti called the Speaker "a very brave man".

Shri S. N. Dwivedy praising the Speaker for his qualities of head and heart said, "I have no doubt that with your goodness, with your gentle behaviour and with your general approach to the problems of the country, you will prove to be a good Speaker, and will carry the House with you."

Dr. Karni Singh said that the Speaker had endeared himself to every section of the House by his "mild and kind manner" and his "fair attitude".

Shri Tenneti Viswanathan said that he was today “seeing the Chair being filled fully by a gentleman with equanimity of temper and balance of language”.

Shri Muhammad Sheriff said that the Speaker had proved himself to be “very impartial” towards all sections of this House on previous occasions when he presided over it in the capacity of Chairman.

Replying to the felicitations, Shri Dhillon thanked the Members for the confidence reposed in him by electing him to the high office of the Speaker. He said he felt ‘a sense of nervousness and diffidence’ as he was succeeding ‘a great Speaker, Dr. N. Sanjiva Reddy, who earned from the House a unanimous tribute for the dignity and success with which he had presided over the deliberations for more than two years.’ Shri Dhillon added that he was ‘emboldened by the promises of cooperation which I have received from all sides of the House’.

In the end, Shri Dhillon announced his resignation from the Executive Committee, Standing Committees and ordinary membership of the Congress Party in Parliament in keeping with the practice he had followed as Speaker of the Punjab Vidhan Sabha.*

The Gold (Control) Amendment Bill, 1969

The motion for consideration of the Gold (Control) Amendment Bill, 1969, was moved on the 8th August, 1969 by the Minister of State in the Ministry of Finance, Shri P. C. Sethi. The Bill had been introduced in Lok Sabha on the 28th July, 1969.

Before the motion for consideration of the Bill was moved, Shri Kanwarlal Gupta (JS) moved a resolution under Article 123(2)(a) of the Constitution seeking to disapprove the Gold (Control) Amendment Ordinance, 1969, promulgated on the 3rd July, 1969 which the Bill sought to replace.

The object of the Bill was to replace certain sections of the Gold Control Act which had been declared invalid by the Supreme Court on some writ petitions filed by licensed dealers and/or money lenders.

Initiating a combined discussion on the resolution and the Bill, Shri Kanwarlal Gupta (JS) said that he had no objection to the Bill since it sought to amend the Act in the light of the judgment of the Supreme Court, but he was basically against the Gold Control legislation. He contended that the Gold Control Act had failed to achieve

*For a detailed account of the speeches made on the occasion. see pp. 22—41.

any of its three main objectives, namely checking of smuggling, discouraging people from the lure of gold and improving the foreign exchange position.

The Minister of State in the Ministry of Finance, Shri P. C. Sethi, said that the scope of the present Bill was very limited, namely, to amend or modify those sections of the Act which had been declared invalid by the Supreme Court, and to make certain consequential changes in the Act. The Minister said that criticism that the Gold Control Act had failed to achieve its objectives had nothing to do with the Bill which had only a limited purpose.

Shri Onkarlal Berwa (JS) said that the harassment of goldsmiths on account of possession of gold in excess of the prescribed quantity, even though it was deposited with them by customers, should be stopped.

Shri Bedabrata Barua (Cong.) said that legislative process alone could not correct certain imbalances in our traditional life. A nationwide publicity campaign should be launched against the possession of gold and to remove the in-built sentiment connected with gold, he said.

The discussion was resumed on the 11th August, 1969.

Shri S. M. Banerjee (CPI), opposing the Bill, said it was high time Government reconsidered whether gold control had served its purpose, with the increase in gold smuggling and the acute difficulties and starvation faced by the goldsmiths.

Shri K. Narayan Rao (Cong.) said that Government should withdraw the Gold Control Act in view of its failure to stop gold smuggling and the large number of goldsmiths rendered destitute.

Shri Prakash Vir Shastri (B.K.D.) said that if smuggling and hoarding of gold was to be stopped, Government should import enough gold so that people were assured that they could purchase it at any time.

Shri Lobo Prabhu (Swa.) said that an important cause of gold smuggling was that people had lost faith in money after the nationalisation of banks and could repose faith only in gold. He pleaded for scrapping of the Gold Control Act.

Shri K. Ramani (CPM) said that if Government were really serious about stopping smuggling of gold, they should nationalise import and export trade.

Shri Maharaj Singh Bharati (SSP) said that the Gold Control Act had thrown lakhs of goldsmiths out of their profession and had done harm to the country instead of doing any good.

Shri Randhir Singh (Cong.) said that it would be better if the Government, before getting the present Bill passed by Parliament, reconsidered it in the light of the effects the parent Act had had in the country.

Shri G. Viswanathan (DMK) said that the Gold Control Act was an anti-people measure which had received the united opposition of all the parties in the House. It had brought about untold misery to a very large number of people.

Shri Beni Shankar Sharma (JS) said that the Gold Control Act was a dead legislation because it had not served the desired purpose.

Shri Yashpal Singh (U.A.) said that Gold Control Act had not done any good either to the Government or to the people and the Government should, therefore, withdraw it.

Replying to the discussion, Shri P. C. Sethi said that the Gold Control Act was not intended to dispossess people of their gold ornaments but only to restrict possession of or free trade in gold. The present Bill, he said, sought to improve some of the provisions of the parent Act, particularly in regard to the matter of greater administrative power to the Administrator, grant of licences and their renewal, etc.

After the general discussion on the Bill was over, the resolution moved by Shri Kanwarlal Gupta was put to vote and negatived. The motion for consideration of the Bill was, thereafter adopted.

All the clauses of the Bill were adopted without any amendment after some discussion.

Speaking during the third reading of the Bill, Shri Madhu Limaye (SSP), said that gold was a symbol of man's attachment to property and the Gold Control Act had not been able to discourage the lure of gold, which was one of the objects of the enactment.

Shri K. Ananda Nambiar (CPM) said that when certain sections of the parent Act had been declared illegal by the Supreme Court, Government should give them up rather than take them back in another form, as was being done through the present Bill.

Shri S. M. Banerjee (CPI) said that Government should reconsider the matter in consultation with the representatives of goldsmiths and leaders of political parties.

Shri Balraj Madhok (JS) said that Government should withdraw the Bill as it aimed at circumventing the decision of the Supreme Court.

Shri Abdul Ghani Dar (U.A.) said that gold worth about rupees one thousand crore was being smuggled every year and Government was doing service to the smugglers by retaining the Act on the Statute Book.

Shri Sheo Narain (Cong.) said Government should not enact legislation such as the Gold Control Act which caused hardship to the people.

Shri N. K. Somani (Swa.) said that the entire legislation on gold control was contrary to what the people wanted and was going to be completely futile.

Shri J. J. Shinkre (U.A.) said it was not possible to check smuggling of gold because the Government did not have the machinery to enforce the provisions of the law.

Shri O. P. Tyagi (JS) said that gold control could not be successful since the demand for gold and gold ornaments was very great.

Replying to the discussion, the Minister of State for Finance, Shri P. C. Sethi, said that the entire purpose of the Gold Control Act was to regulate the trade in gold so that the imports might be restricted. Admitting that smuggling of gold had increased, Shri Sethi said that seizures (of gold) had also been mounting, but at the same time all possible steps to check smuggling were being taken. In regard to the difficulties faced by goldsmiths, Shri Sethi said that the problem was of a socio-economic nature, with centuries old traditions behind it, but Government would try to give all possible facilities to the goldsmiths.

After Shri Sethi's reply, the motion that the Bill be passed was adopted and the Bill was passed.

Right of Union Territories to vote in Presidential Election

A question (S.Q. No. 483) regarding the right of the Union Territories to vote in the Presidential election like other legislative Assemblies of States was raised in the House on the 12th August, 1969

by Sarvashri Suraj Bhan, Jagannath Rao Joshi, Atal Bihari Vajpayee, Brij Bhushan Lal, Ram Gopal Shalwale and Ranjeet Singh.

Replying to the question, the Minister of Law, Shri P. Govinda Menon, said that the Union Territories were represented in the electoral college, constituted under Article 54 of the Constitution, through the Members of Parliament because, under Article 80(2) and (5) and Article 81 (1)(b), all the Union Territories had been given representation in Rajya Sabha and Lok Sabha.

Replying to a supplementary as to why the Union Territories were deprived of this right when Members of State Legislative Assemblies, who were also represented through Parliament, had this right, the Deputy Minister of Law, Shri Yunus Saleem, said that under Article 54 of the Constitution, only Members of Lok Sabha and Rajya Sabha and Members of State Assemblies had the right to vote in the Presidential election. Since Union Territories did not come under the definition of a 'State', they did not have the right to vote.

Replying to another supplementary, the Deputy Minister said that the right to vote in the Presidential election did not belong to the people but to the Members of Parliament and State Legislative Assemblies. He said that Article 54, dealing with the Constitution of an electoral college for the election of the President, did not make any mention of the Assemblies of Union Territories but mentioned only the State Assemblies and the two Houses of Parliament for the purpose. Shri Saleem added that there was no proposal before the Government to amend the Constitution with a view to confer this right on the Union Territories.

The Lokpal and Lokayuktas Bill, 1968

The motion for consideration of the Lokpal and Lokayuktas Bill, 1968, as reported by the Joint Committee, was moved on the 13th August, 1969 by the Minister of State for Home Affairs, Shri V. C. Shukla.

The Bill sought to set up an institution of Lokpal and Lokayuktas to look into the complaints and grievances regarding the work done by Ministers and Secretaries and other Government officials. Shri Shukla said that the Prime Minister was excluded from the scope of the institution for the reason that if a Minister resigned on an adverse finding against him, he merely demitted his office but when a Prime Minister demitted his office, the entire Government went out of office. This, he said, was a political process which was the exclusive right of

this House to bring about and to give this power to any particular functionary, however high he might be, was not proper.

Shri P. K. Deo (Swa.) said that no person exercising any executive authority in the country, including the Prime Minister, the Governors and the Lt. Governors should be excluded from the scope of the institution. He said that only the Head of the State could qualify for such an exception. He suggested the creation of a Parliamentary Committee to go into the reports of the Lokpal which should also be entrusted with the task of pursuing the implementation of the recommendations of the Lokpal and Lokayuktas.

Shri M. B. Rana (Cong.) supporting the Bill, asked as to how the Lokpal, who was to be appointed by the Prime Minister, inquire into matters relating to the Prime Minister.

Shri N. S. Sharma (JS) said that the Prime Minister as well as Governors and Lt. Governors should be brought within the purview of the Bill.

Shri B. P. Mandal (U.A.) said that the Bill should be circulated for eliciting Public opinion thereon.

Shri Bakar Ali Mirza (Cong.) said it was in the interest of the Prime Minister to be brought within the ambit of the Bill in order to be protected from mud-slinging in the House.

Shri S. Kandappan (DMK) said that the competent authority to implement the recommendations of the Lokpal and the Lokayuktas should be somebody other than the executive head of the Government. He said that neither the Prime Minister nor the Chief Ministers should be precluded from the purview of the Bill.

Shri Shradhakar Supakar (Cong.) said that persons of great eminence, common sense and judicious temperament should be appointed to the posts of Lokpal and Lokayukta.

Shri Abdul Ghani Dar (UA) said that nobody, however high he or she might be, should be exempted from the application of the provisions of the Bill.

Shri Yogendra Sharma (CPI) said that the Lokpal should have the authority to investigate charges even against the Prime Minister and that he should function in an impartial and fearless manner.

Shri Randhir Singh (Cong.) said that the Prime Minister had been rightly kept out of the purview of the Bill. If there were any charges against the Prime Minister, the President and the House could take action in the matter.

Shri Raghuvir Singh Shastri (UA) said that the person to be selected for the office of the Lokpal should be such as would have no connection with any political party.

Shri Umanath (CPM) said that the Chief Ministers as well as the Prime Minister should be included within the scope of the Bill.

Shri Bedabrata Barua (Cong.) justifying the exclusion of the Prime Minister and the Members of Parliament from the scope of the Bill, said it was not a good thing to place the politicians under the dual control of the public as well as some other body.

Shri S. M. Joshi (SSP) said if the Prime Minister was also brought under the jurisdiction of the Bill, it would be an example for others and this would also have a preventive effect.

Shri Sheo Narain (Cong.) said that in the interest of a clean administration in the country, it was necessary that every body irrespective of his official position and status, was treated at par for the purposes of the Bill.

Shri A. Sreedharan (PSP) said that exclusion of the Prime Minister from the purview of the Bill would not generate the necessary social climate to fight against corruption in the country.

Shri S. S. Kothari (JS) said what had to be guarded against was that the Lokpal was not influenced by the ruling party.

Speaking during the resumed debate on the Bill on the 14th August, 1969, Shri N. Sreekantan Nair (UA) said that political parties which exercised their influence on Ministers and officials and compelled them to do certain things for which they were not answerable should also be brought within the purview of the Bill. The office-bearers of political parties, whether at the Central or State level or in the municipal or local administrative bodies, must also be brought in.

Replying to the discussion, the Minister of State for Home Affairs, Shri Vidya Charan Shukla, rejected the demand for inclusion of the Prime Minister and State Governors within the purview of the Bill but said that Lieutenant-Governors were included because they functioned in the Union Territories. In regard to the suggestion for the creation

of a parliamentary committee to consider the Lokpal's report, Shri Shukla said that Parliament could always appoint such a Committee without making provision for it in the Bill. Regarding employees of public sector undertakings, he said they would be under the purview of the Lokpal as far as matters of allegations were concerned but so far as grievances were concerned, they would not be included under the purview of the Lokpal.

Shri Shukla said the States could pass legislation making this particular Bill applicable for their own purposes.

After Shri Shukla's reply, the motion for consideration of the Bill was put to vote and adopted.

Speaking during the clause-by-clause consideration of the Bill on the 18th August, 1969, the Minister of Home Affairs, Shri Y. B. Chavan, said that the Prime Minister was the key-stone of the entire Government structure and if he were to resign on the basis of a recommendation of the Lokpal, the entire Government would fall. He said that the agency to bring about the fall of the Government could not be any other than Parliament, and the Lokpal was not even the agent of Parliament. On these considerations and in order to make the scheme workable, practical and perfect, it was much better to exclude the Prime Minister from the operation of the Act.

All the clauses of the Bill were adopted on the 20th August, 1969. Clauses 9, 16 and the Third Schedule were adopted as amended and the rest of the clauses were adopted without amendment.

Speaking during the third reading of the Bill on the 20th August, 1969, Shri N. G. Ranga (Swa.) said it was extremely regrettable that the Government had chosen to assert its innate conservatism in its refusal to bring the Prime Minister within the ambit of the Bill.

Shri Shiv Chandra Jha (SSP) said that this legislation proved that the Government had chosen to assert its innate conservatism in its the country.

Shri Narendra Singh Mahida (Cong.) said that a corrupt man, especially one holding high office, should be put to public shame and the punishment should be so severe that he might not re-enter public life.

Shri S. S. Kothari (JS) said that anonymous complaints should not be excluded from the purview of the Bill. He suggested that a Committee of Parliament should be attached to the Lokpal to sort out the

complaints, review them and, where a *prima facie* case appeared to be there, forward them to the Lokpal.

Shri P. Viswambharan (PSP) said that the main inadequacy of the Bill was the exclusion of the Prime Minister and Members of Parliament from the purview of the Bill.

Shri R. K. Birla (UA) said it should be clarified whether there would be a separate Lokayukta for the armed forces or whether the provisions of the Bill would be applicable to the armed forces also.

Shri Ramavatar Shastri (CPI) said that Lokpal should be a person who could perform his duties impartially without any favour to any group of people or party.

Shri Abdul Ghani Dar (UA) said that the Lokpal or Lokayukta should take cognizance of even those allegations about which specific complaints were not made and they should look into anonymous complaints also.

Shri Beni Shanker Sharma (JS) said it was difficult to say that all the future Prime Ministers would be such persons as would not be corrupt and so, the Prime Minister and Members of Parliament should also be brought within the ambit of the Bill.

In reply, the Minister of State for Home Affairs, Shri V. C. Shukla, said that inclusion of the Prime Minister within the purview of the Bill was likely to create some practical difficulties in the implementation of the Act. He said that safeguards had been provided in the Bill for quick disposal of complaints. The Bill, he said, was not only aimed at eradicating corruption but would also help in checking irresponsible and baseless allegations against the Ministers and Government officers. It could not be expected to solve all problems, but it was a step in the right direction, Shri Shukla concluded.

After the Minister's reply, the motion that the Bill be passed was adopted and the Bill was passed.

Allegations against Officials

A Calling-attention notice on the letter reported to have been written by Shri B. D. Kalelkar, Director-General of Technical Development, to the General Manager of M/s. Asian Cables Limited, Bombay on 15th March, 1969 demanding Rs. 4 lakhs for the issue of diversification permission to manufacture polythene pipes, was tabled by Sarvashri N. P. C. Naidu, Madhu Limaye and Kanwarlal Gupta.

The matter was raised in the House on the 22nd August, 1969 by Shri N. P. C. Naidu (Cong.).

Making a statement in reply, the Minister of Industrial Development, Internal Trade and Company Affairs, Shri Fakhruddin Ali Ahmed, said that the officer concerned had submitted a statement saying categorically that the document in question was forged and had been fabricated. The Central Bureau of Investigation (C.B.I.), to whom the photostat copy of the letter was forwarded, had also stated in their report that the photostat copy was probably a forgery. Further investigation was in progress, the Minister said.

Shri Ahmed appealed to the Members to exercise the greatest circumspection in matters where officials of Government, who could not defend themselves in the House, were sought to be involved.

Replying to questions implicating him in the affair, the Minister denied that the photostat copy of the letter had been passed by him to his officers who had invented the reply that the letter was a forged one. He said that the photo copy of the letter was given to the Prime Minister and from her office it had gone to C.B.I. for investigation.

The Press Council (Amendment) Bill, 1969

The motion for consideration of the Press Council (Amdt.) Bill, 1969, as passed by Rajya Sabha, was moved on the 26th August, 1969, by the Minister of State for Information and Broadcasting Shri I. K. Gujral.

Before the motion for consideration of the Bill was moved, Shri Yashpal Singh (UA) moved a resolution under Article 123(2)(a) of the Constitution, disapproving the Press Council (Amendment) Ordinance, promulgated on the 30th June, 1969. The Bill sought to replace that Ordinance.

Initiating a combined discussion on the resolution and the motion for consideration of the Bill, Shri Yashpal Singh said that the Bill should be withdrawn and a more comprehensive Bill incorporating the socialistic aims should be brought forward so that the Press could be freed from the clutches of big business houses.

Shri Prem Chand Verma (Cong.) said that the increasing monopolistic tendency in the press must be brought to an end and the smaller papers should be protected against competition from the big ones.

Shri Hardayal Devgun (JS) said that in order to be useful, the Press Council should have sufficient representatives of Small newspapers and the Chairman of the Council should be from amongst the journalists.

Shri C. K. Bhattacharyya (Cong.) said that the difficulties created in the way of the freedom of the press by newspaper proprietors appearing as editors would have to be removed by legislation.

Shri S. Kandappan (DMK) said that unless the structural defects in the Press Council were rectified, it could hardly do any good to the Press or the country.

Shri Bishwanath Roy (Cong.) said that Government should see that politics did not interfere with the freedom of the newspapers and newsagencies, especially where public money was invested.

Shri Vasudevan Nair (CPI) said that Government should devise ways and means to make available the necessary finances to genuine journalists and non-journalists employees and others to come together and form cooperative societies or corporations so that they could promote their own newspapers.

Smt. Ila Palchowdhury (Cong.) said that small and independent newspapers must be sponsored and given all encouragement by the Government.

Shri Prakash Vir Shastri (BKD) said that some provision should be made to ensure that the freedom of the Press was not curtailed by the Government or the owners of newspapers. The Government should also have the least say in the Press Council.

Shri Onkarlal Bohra (Cong.) said that steps should be taken to ensure that the small newspapers, journalists and the press employees were also represented in the Press Council.

Shri C. K. Chakrapani (CPM) said it was hoped that the new measure would be able to check the evil of foreign money being received by many correspondents and editors.

Shri Samar Guha (PSP) said that the freedom of the press was in danger due to pressure of the Government, monopolistic tendencies and foreign influence. The Press Council could, to a large extent, help in ensuring and maintaining the freedom of the press provided the selection of the personnel of the Council was proper.

Shri Randhir Singh (Cong.) said that Government should take steps to see that there was more and more circulation of daily newspapers in the rural areas.

Shri Shiv Chandra Jha (SSP) said that all newspapers and periodicals with a circulation of more than 10,000 should be nationalised and Government should give subsidy of Rs. 5 lakhs annually to the newspapers owned by recognised political parties.

Shri Meetha Lal Meena (Swa.) said that Government should not interfere with the freedom of the Press and the Press should not be nationalised.

Shri B. P. Mandal (UA) said that Government should take steps to improve the standard of newspapers in the country.

Replying to the discussion, the Minister of State for Information and Broadcasting, Shri I. K. Gujral, said that a comprehensive Bill in the light of the recommendations of the Committee of the Members of Parliament would be brought forward in the next session. In regard to the freedom of the Press, he said it was a fundamental right enshrined in the Constitution and the Government was committed to it.

In regard to the influence of newspapers proprietors over the editors, Shri Gujral said that supremacy of the editor must be established and Parliament should evolve a system whereby the freedom of the press became synonymous with the freedom of the editor.

Regarding help to small and medium newspapers, Shri Gujral said that several facilities were being given to such papers to put them on a proper footing.

The Minister said that the last Press Commission was appointed fifteen years ago and time had come when another Press Commission should be set up to go into all aspects of the growth of the Press.

Regarding the flow of the foreign money, Shri Gujral said it posed a danger to our freedom itself and was causing deep concern to the Government.

Replying to the debate on his resolution on the 28th August, 1969, Shri Yashpal Singh said that the Press in India had failed to discharge its duties to the people. The Government had also failed to control the monopolistic tendencies in the Press during the last fifteen years. All these wrongs should be undone by bringing a comprehensive Bill

which would be in conformity with the principles of Gandhism and socialism.

After Shri Yashpal Singh's reply, the resolution was put to vote and negatived. The motion for consideration of the Bill was, thereafter, adopted.

Clause-by-clause consideration of the Bill was then taken up. All the clauses were adopted without any amendment.

Speaking during the third reading of the Bill Shri Jaipal Singh (Cong.) wondered what was the use of appointing a second Press Commission when the recommendations of the first had not been implemented.

Shri E. K. Nayanar (CPM) said more encouragement should be given to regional language papers and there should be no discrimination in the matter of Government advertisements.

Shri Kanwarlal Gupta (JS) said that the trend of the newspapers showed that their freedom was being curbed in a planned and systematic manner. He said that monopoly control over the Press should not be replaced by State control. An early enquiry into the use of foreign funds in the Press should also be instituted.

Shri Arjun Singh Bhadoria (SSP) said that steps should be taken to improve the conditions of service of the employees of *Samachar Bharati*.

Shri Abdul Ghani Dar (UA) pleaded for an equitable distribution of Government advertisements to newspapers in all languages.

Shri Krishna Kumar Chatterjee (Cong.) said that a second Press Commission should be appointed to go into the working of the Press for the benefit of the people and recommend how the Press could be mobilised to serve the public and the country.

Shri Sheo Narain (Cong.) said that Government should treat all the newspapers equally.

Shri Shashi Bhushan (Cong.) said it would be better if advertisements were given only to small newspapers.

In reply, the Minister of state for Information & Broadcasting Shri I. K. Gujral said that most of the recommendations of the Press Commission had already been implemented. Referring to the criticism in

the matter of advertisements, Shri Gujral said advertisements were released on the basis of the type of programme, the area selected for the programme and the audience to be addressed and no discrimination was exercised in this matter.

Shri Gujral added that there was no intention to have State control over the Press, either directly or indirectly, but some kind of institutional check must be there. He said that freedom of the Press must be preserved but it must not lead to licence.

After Shri Gujral's reply, the motion that the Bill be passed was adopted and the Bill was passed.

The Banaras Hindu University (Amendment) Bill, 1969

The motion for consideration of the Banaras Hindu University (Amendment) Bill, 1969 was moved on the 28th August, 1969 by the Minister of Education and Youth Services, Dr. V. K. R. V. Rao.

Before the motion for consideration was moved, Shri Shri Chand Goyal (JS) moved a resolution under Article 123(2)(a) of the Constitution disapproving the Banaras Hindu University (Amendment) Ordinance, 1969 promulgated on the 17th July, 1969. The Bill sought to replace that Ordinance.

Initiating a combined discussion on the resolution and the Bill, Shri Goyal said that a nominated Executive Council for the University which the Bill sought to create would not be able to improve the atmosphere in the University. There were apprehensions that certain vested interests might thus get nominated because the Bill did not contain any guidelines for nominating persons. He said that suitable permanent arrangements for the running of the University should be made before long.

Shri V. K. R. V. Rao said that the Bill had been introduced specially for a temporary period and was not intended to be a permanent solution of the structure of the Banaras Hindu University. Their effort was to create the right atmosphere so that the University could reopen in a climate of peace. Shri Rao said that political or party consideration would not be allowed to influence nominations to various bodies. He also said that the new Vice-Chancellor would be appointed on the recommendation of the Selection Committee which the Visitor himself would appoint.

Shri R. K. Amin (Swa.) said that the assurance that the Bill would only be a very temporary measure and the broad question of the governance of all Universities in the country would be examined, should have been embodied in the Bill.

Shri N. K. P. Salve (Cong.) said that the Bill was expected to be instrumental in bringing relief and restoring normalcy to the disturbed and strife-torn campus of the Banaras Hindu University.

Shri S. Kandappan (DMK) said that in an atmosphere surcharged with suspicion and fear, one did not know how far the provisions of the Bill would satisfy the demands of the students as well as the teaching community there.

Shri Vishwa Nath Pandey (Cong.) said that unless the interference of the political parties in the University was checked, peace could not be restored there.

Shri Jharkhande Rai (CPI) said that the problem in the Banaras Hindu University was political in nature and a political solution has to be found.

Shri Ram Dhan (Cong.) said that a reviewing committee must be formed as recommended by the Inquiry Committee and all those guilty must be punished.

Shri Satya Narain Singh (CPM) said that it would have been better if the report of the Inquiry Committee was first discussed in the House and then a Bill was brought on the lines of the recommendations made therein so that a solution could be found of the present ills.

Shri Bibhuti Mishra (Cong.) said that Government should again order a thorough inquiry so that full facts could come to light about the affairs of the Banaras Hindu University. He said that the overall responsibility for discipline should vest in the Central Government and the Education Minister should look after the administration of the University.

Shri Janeshwar Mishra (SSP) said that it was unfair and unjust to provide for a nominated Executive Council and a nominated Court. He said that students should be given representations in order that they might have a sense of participation.

Shri Chandrajeet Yadav (Cong.) said that in order to find a lasting solution to the problem, the Minister should call a meeting of all

eminent teachers and professors and students' representatives. The representatives of the students should be taken in the Executive Council and the Academic Council so that they may have a sense of participation.

Shri Raghuvir Singh Shastri (UA) said that the first thing to do was to see that no political party or leader interfered in the affairs of the University.

Replying to the discussion, the Minister of Education Dr. V. K. R. V. Rao said that the Gajendragadkar Committee had recommended a nominated Court and a nominated Executive Council because in their view there should be no persons on the Executive Council or on the Court who were involved either with one group or another. The new Banaras Hindu University Act would be based on the principle of elections and there was no question of nomination being the basis of the structure of the University permanently, he said. In regard to student participation, Dr. Rao said that it could not be done in a temporary measure of this nature but it would take time.

Replying to the debate on his resolution, Shri Shri Chand Goyal said that the Inquiry Committee had commented on the conduct of the Vice-Chancellor contrary to assurances given on the floor of the House and had thus gone beyond the scope of its inquiry. He said that strong action should be taken against the parties which wanted to use the students as tools for achieving their objectives and only then the atmosphere could be cleaned.

After Shri Goyal's reply, the resolution was put to vote and negatived. The motion for consideration of the Bill was, thereafter, adopted.

Speaking during the clause-by-clause consideration of the Bill, Shri Mahant Digvijay Nath (UA) said that the provision for nominated Executive Council and a nominated Court would defeat the purpose for which the Bill was being brought forward. He said that the Education Minister himself should become the *ex-officio* Vice-Chancellor of the University and set its affairs in order.

Shri Shiv Chandra Jha (SSP) said that the tendency to debar the students from participating in politics should be condemned since it was a big necessity and provision for it should be made in the Bill.

Shri K. M. Madhukar (CPI) said that if the Vice-Chancellor was elected by the students, they would have more confidence in him.

Shri Raj Deo Singh (Cong.) said that the atmosphere in the University should be completely freed from groupism and casteism.

Shri C. K. Bhattacharyya (Cong.) said that the element of elections should be removed from the University as far as possible as was recommended by the Radhakrishna Commission and the Inquiry Commission headed by Shri G. C. Banerjee.

Shri Om Prakash Tyagi (JS) said that politics was mainly responsible for the problems which the Banaras Hindu University was facing today.

Shri Madhu Limaye (SSP) said that a scheme relating to the students' unions, teachers' organisations and participation of students and teachers in the management of the University should be incorporated in the Bill in respect of the Banaras Hindu University.

Replying, Dr. V. K. R. V. Rao, Minister of Education, said that a Selection Committee would advise the Visitor in regard to the appointment of the Vice-Chancellor for the University. On the question of nomination of the Executive Council and the Court of the University, Dr. Rao said that nomination was only a temporary feature and would be replaced by election. In regard to student participation in politics, Dr. Rao said it was neither desirable nor possible to insulate students from political thinking or political ideas but non-violence should be the rule of accepted political behaviour within the campus. He said that he had emphasised upon the Deans and Professors of the University the importance of having student-teacher dialogues, student-teacher councils or some kind of machinery which would see that disciplinary action, when necessary, was taken in a manner that would give the students a feeling that justice was being done. He also appealed to the political parties not to bring in any kind of propaganda or agitation within the University.

After Dr. Rao's reply, the motion that the Bill be passed was adopted and the Bill was passed.

Political Situation in U.P.

On the 28th August, 1969, Shri S. M. Banerjee (CPI) sought to move an adjournment motion to discuss the situation arising out of the developments in the U.P. Legislative Assembly. Shri Banerjee said that the incidents in the U.P. Assembly posed a great danger to parliamentary democracy and the House should, therefore, discuss it.

Supporting Shri Banerjee, Shri R. Umanath (CPM) said that a discussion was permitted when police entered the West Bengal Legislative Assembly premises. A discussion on the U.P. Assembly episode should also, therefore, be allowed subject to the caution that there should be no reference to the conduct of the Speaker of that Assembly.

Shri Nath Pai (PSP) said that Lok Sabha, as the ultimate guardian of all democratic institutions in this country, could not abdicate its duty to discuss the conduct of the police and to express its feelings on what transpired in the U.P. Assembly. In doing so, it would not encroach upon the autonomy of the U.P. Assembly nor indulge in any indignity towards the Speaker of the Assembly.

Shri Madhu Limaye (SSP) said that the State legislatures and the Parliament functioned under the Constitution and when it was alleged that the Constitution had been violated, the House had the right to discuss the situation arising therefrom.

Shri Prakash Vir Shastri (BKD) said that the Speaker of the U.P. Assembly had adjourned the House after the ringing of the division bell. This was unconstitutional and by doing so, the Speaker of the Assembly had violated the Constitution. When a discussion on the West Bengal Assembly was permitted in similar circumstances, it should also be permitted in this case, Shri Shastri said.

Shri H. N. Mukerjee (CPI) said that in the case of U.P., certain aspects of parliamentary government as a whole had been brought into disrepute and, as such, Lok Sabha had jurisdiction to discuss it, especially in view of the fact that a discussion was permitted in the case of West Bengal Assembly.

Shri Atal Bihari Vajpayee (JS) said that Government should lay all the facts before the House and, thereafter, if the Speaker permitted there should be a discussion.

Saying that in all such matters, he would be guided by the accepted procedure of the House, the Speaker, Shri Gurdial Singh Dhillon, observed:

“.....All this time, I have been thinking whether by allowing it (discussion), I may not also wrong the accepted procedure and conduct of business in this House..... Hon. Members had invited my attention to what had happened in the past in the case of Bengal and other mattersI have been thinking all this time whether it

would be proper and whether it was proper at that time also to allow a discussion concerning the autonomy within the State Legislatures, concerning their procedures and conduct of business inside the House, to be raised here in this House or not. As to what is the solution we can adopt, we must be very serious about it; we must give serious thought to it. I intend to discuss it with the Presiding Officers I am going to call for the past proceedings. I will look into them and will discuss it with leaders of the Opposition.”

The demand for a discussion in the U.P. Assembly incidents was made again on the 29th August, 1969 by Shri S. M. Banerjee (CPI), Shri Indrajit Gupta (CPI), Shri S. Kundu (PSP), Shri Umanath (CPM), Shri S. N. Dwivedy (PSP) and some Jan Sangh Members.

Turning down the demand for a discussion after forty-five minutes of arguments and counter arguments, the Speaker, Shri Gurdial Singh Dhillon, ruled:

“Yesterday we discussed it and I put forth my view that if we start discussing what is happening inside every State Legislature, what the Speaker did, right or wrong, what the Members did, why did he enforce this rule, why did he not enforce this rule, why did he use the Marshal, etc., there will be no end. There are guarantees given by the rules and by the Constitution. In the case of Punjab, the House had already adjourned and the police came after the adjournment of the House. Everybody knows it. In the case of West Bengal, the Speaker adjourned the House and there was no date fixed. There was nothing on the merits of that case. That was about the adjournment of that House. Anyway, I did not question it. I am not very happy at the precedents. If something wrong was set, that should not continue for all the time. I told them (Members) yesterday : let me discuss this matter in the Conference of Presiding Officers; that is the proper forum and I would lay this case fully from your point of view”.

“I am not very happy with what happened inside the Legislature. I unequivocally say that I am not happy with what happened inside but we have no power to discuss this. tomorrow it may be the Madras Legislature and

the day after some other Legislature. Then they will also start discussing our conduct in Parliament in their own Legislatures. There will be no end to it. I am very sorry I cannot allow it."

B—WORK TRANSACTED

PERIOD OF THE SESSION—21st July to 30th August, 1969.

NUMBER OF MEETINGS HELD—29.

TOTAL NUMBER OF SITTING HOURS—178 hours 11 minutes.

NUMBER OF DIVISIONS HELD—23.

GOVERNMENT BILLS:

(i) Pending at the commencement of the Session		33
(ii) Introduced	..	15
(iii) Laid on the Table as passed by Rajya Sabha		8
(iv) Returned by Rajya Sabha with any amendment/ recommendation and laid on the Table		Nil
(v) Referred to Select Committee	..	2
(vi) Referred to Joint Committee	..	1
(vii) Reported by Select Committee	..	Nil
(viii) Reported by Joint Committee	..	Nil
(ix) Discussed	..	20
(x) Passed	..	17
(xi) Withdrawn	..	Nil
(xii) Negatived	..	Nil
(xiii) Part-discussed	..	Nil
(xiv) Discussion postponed	..	Nil
(xv) Returned by Rajya Sabha without any recom- mendation	..	4
(xvi) Pending at the end of the Session	..	39

PRIVATE MEMBERS' BILLS:

(i) Pending at the commencement of the Session		196
(ii) Introduced	..	16
(iii) Laid on the Table as passed by Rajya Sabha		Nil

(iv) Returned by Rajya Sabha with any amendment/ and laid on the Table	..	Nil
(v) Reported by Joint Committee	..	Nil
(vi) Discussed	..	4
(vii) Passed	..	Nil
(viii) Withdrawn	..	2
(ix) Negatived	..	1
(x) Circulated for eliciting opinion	..	Nil
(xi) Part-discussed	..	1
(xii) Discussion postponed	..	Nil
(xiii) Motion for circulation of Bill negatived	..	1
(xiv) Referred to Select Committee		
(xv) Removed from the pending Bills Register		2
(xvi) Pending at the end of the Session	..	207

NUMBER OF DISCUSSIONS HELD UNDER RULE 193:**(Matters of Urgent Public Importance)**

(i) Notices received	..	96
(ii) Admitted	..	3
(iii) Discussion held	..	3

NUMBER OF STATEMENTS MADE UNDER RULE 197:**(Calling-attention to matters of urgent public importance)**

Statements made by Ministers	..	24
Half-an-hour discussions held	..	11

STATUTORY RESOLUTIONS:

(i) Notices received	..	8
(ii) Admitted	..	8
(iii) Moved	..	7
(iv) Adopted	..	1
(v) Negatived	..	6
(vi) Withdrawn	..	Nil

GOVERNMENT RESOLUTIONS:

(i) Notices received	..	Nil
(ii) Admitted	..	Nil

(iii) Moved	..	Nil
(iv) Adopted	..	Nil
PRIVATE MEMBERS' RESOLUTIONS:		
(i) Received	..	9
(ii) Admitted	..	9
(iii) Discussed	..	3
(iv) Withdrawn	..	Nil
(v) Negatived	..	2
(vi) Adopted	..	Nil
(vii) Part-discussed	..	1
(viii) Discussion postponed	..	Nil
GOVERNMENT MOTIONS:		
(i) Notices received	..	4
(ii) Admitted	..	4
(iii) Moved	..	1
(iv) Adopted	..	1
(v) Part-discussed	..	Nil
PRIVATE MEMBERS' MOTIONS:		
(i) Received	..	198
(ii) Admitted	..	81
(iii) Moved	..	4
(iv) Adopted	..	Nil
(v) Part-discussed	..	2
(vi) Negatived	..	1
(vii) Withdrawn	..	Nil
MOTIONS REGARDING MODIFICATION OF STATUTORY RULES:		
(i) Received	..	11
(ii) Admitted	..	3
(iii) Moved	..	1
(iv) Adopted	..	Nil
(v) Negatived	..	Nil
(vi) Withdrawn	..	Nil
(vii) Part-discussed	..	1

Number of Parliamentary Committees created, if any, during the Session. ..	Nil
Total number of Visitors' Passes issued during the Session. ..	30027
Maximum number of Visitors' Passes issued on any single day, and date on which issued	2388 on 29-9-1969

NUMBER OF ADJOURNMENT MOTIONS:

(i) Brought before the House ..	6
(ii) Admitted and discussed ..	1
(iii) Barred in view of Adjournment Motion admitted on the subject ..	Nil
(iv) Consent withheld by Speaker ..	53
(v) Consent given by Speaker but leave not granted by House ..	Nil

TOTAL NUMBER OF QUESTIONS ADMITTED:

(i) Starred ..	840
(ii) Unstarred (including Starred Questions converted as Unstarred Questions) ..	5380
(iii) Short-notice Questions ..	12

NUMBER OF REPORTS OF VARIOUS PARLIAMENTARY COMMITTEES PRESENTED TO THE LOK SABHA

(i) Estimates Committee ..	11
(ii) Public Accounts Committee ..	1
(iii) Committee on Public Undertakings ..	Nil
(iv) Business Advisory Committee ..	3
(v) Committee on Absence of Members from the Sittings of the House ..	1
(vi) Committee on Subordinate Legislation ..	Nil
(vii) Committee on Petitions ..	Nil
(viii) Committee of Privileges ..	2
(ix) Committee on Private Members' Bills and Resolutions ..	3
(x) Committee on Government Assurances ..	1
(xi) Joint Committee on Offices of Profit ..	Nil

NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE .. 7

PETITIONS PRESENTED .. 5

NUMBER OF NEW MEMBERS SWORN WITH DATES AND
CONSTITUENCIES:

<i>Name of Member sworn</i>	<i>Date on which sworn</i>	<i>Constituency</i>
Shri Shripat Mishra	21-7-1969	Sultanpur (U.P.)

BILLS PASSED DURING THE EIGHTH SESSION OF FOURTH LOK SABHA

- (1) The Indian Railways (Amendment) Bill, 1969.
- (2) The Unlawful Activities (Prevention) Amendment Bill, 1969.
- (3) The Coal Bearing Areas (Acquisition and Development) Amendment Bill, 1967, *as passed by Rajya Sabha.*
- (4) The Criminal and Election Laws Amendment Bill, 1969.
- (5) The Banking Companies (Acquisition and Transfer of Undertakings) Bill, 1969.
- (6) The Salaries and Allowances of Members of Parliament (Amendment) Bill, 1969.
- (7) The Central Sales Tax (Amendment) Bill, 1969.
- (8) The Gold (Control) Amendment Bill, 1969.
- (9) The Delhi High Court (Amendment) Bill, 1969.
- (10) The Lokpal and Lokayuktas Bill, 1969.
- (11) The Appropriation (Railways) No. 3 Bill, 1969.
- (12) The Appropriation (Railways) No. 4 Bill, 1969.
- (13) The Appropriation (No. 4) Bill, 1969.
- (14) The Press Council (Amendment) Bill, 1969, *as passed by Rajya Sabha.*
- (15) The Banaras Hindu University (Amendment) Bill, 1969, *as passed by Rajya Sabha.*
- (16) The Bihar State Legislature (Delegation of Powers) Bill, 1969, *as passed by Rajya Sabha.*
- (17) The Foreign Marriage Bill, 1969, *as passed by Rajya Sabha.*

QUESTION HOUR DURING THE EIGHTH SESSION OF FOURTH LOK SABHA, 1969*

Commencement of Session

Summons for the commencement of the Eighth Session from the 21st July, 1969 were issued on the 24th May, 1969. During the Eighth Session, Lok Sabha held 29 sittings out of which 28 sittings started with Question Hour. The Session terminated on the 30th August, 1969.

Receipt of Notices of Questions

Rule 33 of the Rules of Procedure and Conduct of Business in Lok Sabha (5th Ed.) regarding maximum period of 21 days for giving notice of a question remained relaxed for this Session also, to enable Members to give notices of questions under the procedure which was in vogue prior to the amendment of the said Rule. Accordingly, the number of notices of questions received from 144 Members between the date after the issue of Summons and the seventh day thereafter *i.e.* from the 26th May, 1969 (25th being Sunday) upto 10.00 hours on the 31st May, 1969 was 8,159 (including 69 Unstarred Questions). In accordance with the procedure laid down, these questions were balloted on the 2nd June, 1969 from 12.00 hours to 18.45 hours in order to determine the priority *inter se* of these notices of questions.

The break-up of the total number of notices of questions received during the Session is as follows:—

Starred	..	..	..	..	18,108
Unstarred	..	..	..	..	686
Short Notice	..	..	..	..	1,143
					19,937

Admission of Questions

Out of the total notices of 18,794, both Starred and Unstarred Questions, 840 questions were admitted as Starred and 5,380 as Un-

*Prepared by the Question Branch of the Lok Sabha Secretariat.

starred (including those converted). The total number of admitted questions during the Eighth Session represented about 33 per cent of the total receipt of notices, both Starred and Unstarred. Replies to Starred Questions included in the list for the 19th August, 1969 were laid on the Table on the 20th August, 1969 as the House adjourned without transacting any business due to the death of Prof. Humayun Kabir, M.P.

Out of the total receipt of 1,143 Short Notice Questions, 12 notices were admitted and 11 answered on the floor of the House. One Short Notice Question admitted for the 19th August, 1969 could not be taken up due to the adjournment of the House on account of the death of Prof. Humayun Kabir, M.P. It was taken up for answer on the 22nd August, 1969, as agreed to by the Minister of State in the Ministry of Home Affairs.

As in the Seventh Session, not more than 200 admitted questions were included in the Unstarred Lists of Questions, in accordance with the decision of the Rules Committee in this regard. The Starred Lists contained 30 questions as heretofore. During this Session, 1,541 questions were removed from the list being in excess of 200 in respect of 28 sittings for which there was Question Hour as against 963 during the Budget Session, 1969. The average came to 55 questions per sitting. The maximum number of admitted questions which could not be included in a day's list of Unstarred Questions being in excess of 200 was 251. Unstarred List of Questions contained less than 200 questions on 6 days.

Revival of Notices

In accordance with the decision of the Rules Committee, the questions which could not be included in a day's List either being in excess of 5 or 200, the Members concerned were informed accordingly to enable them to revive the notices of these questions for the subsequent sittings available during the Session. Substantial percentage of such notices were revived by the Members for the next available dates.

Daily average of Questions

During this Session of 29 sittings, 28 sittings, as already stated, started with Question Hour. Each Starred List contained 30 questions whereas the average of questions in the Unstarred List came to 192 as against the maximum limit of 200 questions. Out of 30 questions in the Starred List, 4 questions on an average were orally answer-

ed in the House daily. The minimum number of questions orally answered was 2 on the 21st July and 7th August, 1969 and the maximum questions answered were 7 on the 29th July, 26th and 29th August, 1969.

Notices under Rule 40

One notice of question under Rule 40 was received from Shri Yajna Datt Sharma, M.P. which was addressed to Shri Morarji R. Desai. It was disallowed as it did not relate to some Bill, resolution or other matter connected with the Business of the House, for which the Member to whom it was addressed was responsible.

Half-an-hour Discussions

Under Rule 55 of the Rules of Procedure, 704 notices of Half-an-Hour Discussions were received during the Session. Out of these, 14 were put down on the Order Paper. The admitted notices covered seven Ministries.

Out of the 14 admitted Half-an-Hour Discussions, 11 were actually taken up for discussion. One Half-an-Hour discussion fixed for 18th August, 1969 could not be taken up as the Member in whose name it was admitted was absent. Two Half-an-Hour discussions fixed for the 4th and 6th August, 1969 were postponed due to discussion on other important business in the House and were, therefore, taken up on the 11th and 13th August, 1969, respectively.

Members took keen interest in participating in the Half-an-Hour Discussions. As the requests from the Members for participation far exceeded the prescribed limit of 4 for each discussion, the names of these Members had to be balloted to determine the first four names of the Members.

BOOK REVIEW

THE ORGANISATION OF THE BRITISH CENTRAL GOVERNMENT, 1914—69 (2ND EDITION) By F. M. G. WILSON, Allen and Unwin, London 1968, pp. 521, Price 55s.

This formidable tome of some five hundred closely printed pages is a fair example of painstaking and comprehensive research on a subject which is sure to be of considerable interest to a country like ours which has patterned its political system largely on the British model. It is the latest and substantially enlarged edition of a book which was first published twelve years ago and was widely acclaimed.

World War I (1914—18) seems today to be aeons away, but it is a good point of departure for purposes of studying the changing role of the central administration even in a country like Britain which is reputed to be phlegmatic and averse to change. It appears at present to be an almost prehistoric conception when one discovers that round about 1914, when the world crisis of those days erupted and its lava continues still, there were three main activities of the government that was answerable to Parliament in Westminster. These were the maintenance of law and order, the defence of the realm and the conduct of external relations. To make sure of internal and external security of the State and to leave almost everything else to the idea of *laissez faire, laissez aller* about summed up the tasks of administration.

Since then, something of a sea-change has taken place. Gone, it seems, are the days of 18th century complacency when the poet as well as the politician could affirm: "That Government is best which governs least", the tasks of Government have proliferated; the arm of the administration has extended tremendously. To adopt a 17th century metaphor, "it sups in our cup, it dips in our dish". Administration, in today's "welfare state" or what have you, is a ubiquitous business.

In complete contrast to 1914 and all that, Government today, even in supposedly change-resisting Britain, decides matters affecting the economy, industry and commerce, looks after—well or badly—the development of science and technology and the social life of the nation. To organise one's knowledge about this change, it is essential

to amass and then sort out a multitude of details. In this case the job was done by a highly equipped study group of the Royal Institute of Public Administration, and the editing which is crucial, was the contribution in the first edition of D. N. Chester and in the second, of F.M.G., Wilson. In this truly cooperative work, care has been taken to check every significant point emerging out of the study of detail—each major government department contributing a memorandum on the changes in its own field since 1914 and independent research by the study group supplementing, correcting (wherever needed) and collating the information gleaned. It is a stupendous instance of the coordination of academic and administrative expertise.

There is an encyclopaedic quality about this book which makes it difficult to review. There are masses of facts, not always easy reading for the layman regarding each of the major spheres of Government action, whether it is finance, industry & trade, justice & public order, social services, external affairs, defence and scientific research without which defence, the old time *raison d'être* of the sovereign state, becomes impossible. There are chapters on the information services, a new-comer in administration, or changes in the structure and composition of the Cabinet and its committees, and on ways and means of coordinating policy at the highest rung of the Government. There are tabulated accounts of every change of note in the shape of the Cabinet, in the distribution of functions between departments during the half-century after 1914. In the concluding chapter, Professor Willson analyses and discusses the continuously emerging problems regarding distribution of work among departments and keeping an optimum check on their number. The terrific increase in functions has given rise to pressure for appointment of more Ministers on one hand and on the other requirements of coordination and the benefits of control by a small and well knit body of Ministers have called for caution in the increase of the number of Ministers. As expected a sort of golden mean is what can be prescribed and this book seeks to do it with a great deal of documentation.

If the intellectual climate of our country was propitious, similar studies would have been made in India also. The expansion of the ambit of administration and the proliferation of Ministries are often railed at, but its background is hardly ever studied carefully. Meanwhile, a study of the kind that is before us is very welcome.

—H. N. MUKERJEE

TWENTY YEARS OF NATIONALISATION—THE BRITISH EXPERIENCE By R. KELF-COHEN, Macmillan & Co. Ltd., 1969, pp. 339, Price 70s. net

This is an analytical history, competently executed, of the nationalised industries in Britain during the two decades from 1947 to 1968 and deals in a forthright manner with various aspects of these industries, particularly the political, industrial and economic. It is a learned and well-documented account of their growth and the problems confronting them. Complex issues have been presented with ease; the style is lucid, at times pungent, and the exposition clear. With steady increase in the importance of the public sector in the British economy and the sizable investment therein, the subject has assumed great relevance and a concise and comprehensive Book on the subject, such as this, should command wide attention.

All is not well with the public sector in Britain. Their inability to generate sufficient surpluses for reinvestment, their losses, and the subsidies they require do not present a bright picture. "Either they are declining like coal or railways or they are requiring huge sums for development—such as electricity and lately gas." Nor is the steel industry, nationalised in 1967, likely to prove an exception. Besides, during 1967-68 all the nationalised industries, except electricity, will have incurred deficits.

The author has given in Part two of the Book a detailed account of various nationalised industries such as coal, transport, electricity, gas and steel. With each chapter has been appended statistical tables in respect of financial performance over the years. The tables, no doubt, are useful but consistency with regard to the nature of information has not been maintained; a clear-cut picture of the financial position, operating results and other allied information is not available in all the cases.

Labour's Dilemma

The author has tried to be objective and to present facts dispassionately, yet, it becomes apparent to the reader that the author is not a protagonist of the Labour party or of nationalisation. Nationalisation of steel, according to him, was a "a purely political effort; it is in no way relevant to the economic needs of Britain in 1967."

The author, in two separate chapters, one at the beginning and one at the near-end, analyses the Labour Party's policy on nationalisation

upto 1945 and thereafter. Labour would have further gone ahead with its nationalisation programme, but for the fact that the enormous sums required for financing of the existing nationalised industries proved to be an important constraining factor. "Labour, coming into power in an expansionist mood after thirteen years in the wilderness, may have thought that the purse of the tax-payer was bottomless. They have discovered otherwise." The massive sums required for capital development and the deficits "must give pause to any Government."

He argues that the expansion of the public sector during the past twenty years has resulted in considerable addition to the powers of the executive; and parliamentary control, particularly in respect of nationalised undertakings, has been eroded considerably. But instead of suggesting measures to strengthen Parliament's control over the nationalised industries, as one would legitimately expect, he says, "It is ironical that Labour back-benchers who demand more nationalisation do not realise that if their wishes were met, their own status in Parliament would be diminished even more than at present. Public ownership and parliamentary procedure do not go well together." The conclusion is hardly logical and would appear to be shaped by the author's own predilections. It is almost in the nature of a *non sequiter*.

Control Versus Autonomy

The third part of the Book contains six interesting chapters dealing with the relationship of the nationalised industries with Parliament, Government workers and the consumer, as also the finances and economics of these industries and the Board Members and their staff.

The author has traced how the Public Corporations in Britain were originally accorded independent legal status, but the compulsion of events and circumstances gradually resulted in an erosion of their autonomy. During the 1950s, there was the least of interference, but thanks to their mounting difficulties and losses and the enormous funds requisitioned by them from the Treasury for capital expenditure and subsidies, governmental control mounted year after year. The outer facade of non-interference was maintained but through informal discussions and directives and in a variety of ways, often subtle, Government pressure and interference became a reality.

The financial responsibilities and the basis on which nationalised industries would operate were not clearly spelled out in the Nationalisation Acts. "As 'profit' is as dirty a word as 'lechery' to the Socia-

2069 (c) LS—14.

list (to quote Mr. Gunter) the word, of course, does not appear in the statutes; they merely require 'that the revenues are not less than sufficient to meet their outgoings properly chargeable to revenue account taking one year with another' Gas Act 1948, Section 41(1)". But later, inevitably, a review of their finances became necessary. The White Paper on Financial and Economic Obligations (April 1961) sought to set financial objectives for the five years 1962—67 and provide for surpluses and self-financing of part of capital expenditures by the nationalised industries. Some improvement in financial performance did occur.

In September, 1967, it was decided that all applications for tariff and price increases by nationalised industries shall be referred to the Price and Incomes Board, which would scrutinise in depth the legitimacy of the claim before sanctioning the increase. These constitute landmarks in the history of Governmental control over public undertakings in Britain. The Transport Act, 1967, provides for further extensive supervision by the Minister of Transport over transport undertakings. The Corporations would have only a fraction of their original powers, says the author.

With regard to workers, the author states that it would be a fair assessment that the workers in nationalised industries have fared neither better nor worse than workers in the private sector. The only industry in which workers have derived benefit from nationalisation is the railways. Had railways not been nationalised, they would not have received sizable subsidies and would have shrunk considerably in size.

The author further states that during the first ten years when it was a producer's market, the consumer had to take products of nationalised industries, even though they were of poor quality and prices had escalated. In that period, the burden of rising costs was passed on to the consumer and he had to accept it; but in the subsequent decade, consumers' resistance developed. In the case of coal and transport, the consumer avoided the products or services of these industries. Where he had to consume the product, as in the case of electricity, his protests were vocal and the Government had to take cognizance of the criticism.

But surprisingly, Mr. Kelf-Cohen pleads for more rigorous, though rationalised, control. "One of the contentions of this book has been the inability of government departments to supervise adequately the Public Corporation for which they are officially responsible." Pleading

for early evolution of some machinery to assist the sponsoring Ministry to supervise the financial and economic performance of State-owned industries, whose gross fixed capital formation is about 20 per cent of the national total, he concludes that otherwise "the results will be serious."

The implication of the learned author's contention appears to be that increased state superintendence and control could divest the public industries of their increasing difficulties.

It is interesting to note that this conclusion is diametrically opposed to the pronounced trend of opinion—official and knowledgeable—in India in the direction of relaxation of Governmental control over public undertakings. The poor performance of many of the enterprises and the mounting losses have resulted in a clamour for wide autonomy so that they could operate on a commercial basis without interference and for replacement of bureaucratic management by professional managers and technocrats.

The Indian experience negatives the assumption that more rigorous control from Whitehall could provide the alchemy of touch which would release the springs of productivity and efficiency and convert deficits into surpluses. What is necessary is to evolve a synthesis between control and autonomy. This, the author does not appear to have attempted in earnest.

The Book, on the whole, is eminently readable and a valuable addition to the literature on the subject of nationalised industries in Britain. Public Undertakings constitute a challenge to democratic governments the world over, for whom their successful functioning has become almost an article of faith. To the extent, this book contributes to a better appreciation of the problems facing nationalised industry and resolution of their difficulties, it renders useful service to the cause of democracy. The Book, no doubt, should be of considerable interest to the public, politicians and administrators alike.

—S. S. KOTHARI

THE REPUBLIC OF INDIA—THE DEVELOPMENT OF ITS LAWS AND CONSTITUTION, BY ALAN GLEDHILL, STEVENS & SONS, LONDON 1964, PP. 372, PRICE RS. 67.50.

This is the second edition of volume 6 in the series *The British Commonwealth—the Development of its Laws and Constitution*. Although much has happened by way of constitutional changes and

amendments to laws since 1964, which renders this book out of date, this second edition incorporates the changes that occurred between 1950 and 1964, as well as some case-law. In spite of its being out of date, it can be used with profit by foreigners.

The value of the work is however greatly vitiated because of the prejudice of the author and his desire to justify the Raj, and to secure for the British Empire a 'favourable verdict at the bar of History' (page 10). In addition to a very long introduction of little historical value, the author has sought to put in, wherever he could, historical discourses which show but a meagre understanding of the history of India and its institutions. For example, while several British and European authors, writing in the 18th Century, have strongly criticized the view that in India there was no rule of law, the author persists in the assertion that it was Cornwallis (Governor-General of Bengal 1786—1793) who introduced the rule of law in India (page 5). This view hardly fits in with the observations of a more knowledgeable contemporary, Philip Francis, a member of the Governor General's Council, who wrote in a Minute in 1776 that:

"The natives of those kingdoms, which we call our territorial acquisitions, had laws, and rights, and property, which were respected and secure under the dominion of Mahomedan, but which, under a British Government, have neither been regarded nor understood." (*Original Minutes of the Governor-General Council of Fort William on the Settlement and Collection of the Revenues of Bengal, London, 1784, p. vi*).

The worn-out 'two-nation theory' is sought to be emphasised in season and out of season. The prejudice of the author is further reflected in the assertion that "In October 1947 tribesmen, with Pakistan aid, started a *revolt* too formidable for the Maharaja to contain." (page 154).

Even from the point of view of constitutional law, it would not be easy to accept the interpretations given by the author. For example, he asserts that the President "would not be obliged to accept the advice of a Prime Minister who had lost the confidence of Parliament; he could dismiss him and his Ministers, if he could find others capable of forming an alternative stable Government. If present political situation changes to one in which Government is only possible by a coalition, the President might be forced to choose between a change of Prime Minister and dissolving the House." (page 116). Such a

view can, at best, be regarded as one of doubtful constitutional validity.

A number of inaccuracies have crept into the work, such as Jawaharlal Nehru being referred to as "Mr. J. H. Nehru" in the Preface and on page 13; and the Sadr-i-Riyasat of Jammu and Kashmir as "Sardar-i-Riyasat" on pages 156, 159. etc.

—S. NURUL HASAN

ADMINISTRATIVE LEGISLATION IN MODERN INDIA, BY B. GANGULY, S. C. SARKAR & SONS, CALCUTTA, 1968, PP. 195, PRICE RS. 15.00.

After the commencement of the Indian Constitution on the 26th January, 1950 with its objective of achieving justice, liberty, equality and fraternity and consequent adoption of the policy of planning on national scale, the legislative activities of the State have expanded enormously, almost touching every aspect of a citizen's life. With this increase, the Administrative Legislation has also increased both in bulk and the area of its application because the Legislatures in India, as in other democratic countries, have to delegate to the administrative agencies the power to supply, as it were, the flesh and blood to the skeleton laws enacted by them. The subject has naturally, therefore, attracted the attention of parliamentarians, lawyers, university professors engaged in the teaching of law and public administration research scholars and the vigilant public. The present book "The Administrative Legislation in Modern India" is the result of such an interest shown by Dr. Bangendu Ganguly of Calcutta University. Dr. Ganguly submitted, as he writes in the preface, his thesis on "Administrative Legislation" for his D. Phil. (Arts) degree of the University of Calcutta in 1965, which was approved for the degree in 1966. The book is the reproduction, with certain changes, of that thesis. It is a welcome addition to the existing meagre literature on the subject. There are very few books on Administrative Legislation wherein one could get adequate information about the practice and procedure as well as the contents of such legislation in India.

The author, while treating his subject, reckons "Modern India" since May, 1952 i.e. the beginning of the first Parliament. The study, however, covers not only those sub-laws which were framed under statutes enacted during this period but under earlier statutes as well. In the first two chapters, the author analyses the nature of administrative legislation, by discussing its general principles and characteristics,

its growth, its nomenclature and its various forms besides the authorities that make such laws. The remaining chapters are devoted to an examination and analysis of the safeguards against the abuse of delegated powers. The author has paid special attention by devoting three chapters to judicial and parliamentary supervision over administrative legislation.

In the first chapter the author enumerates the six reasons given in the Report of the Committee on Ministers' Powers (U.K.), popularly known as "Donoughmore-Scott Committee", for delegation of legislative powers by Parliament which are equally applicable to India. These reasons are: (1) pressure upon parliamentary time; (2) technical nature of the subject matter of legislation; (3) need to meet unforeseen contingencies and to provide for varying local conditions; (4) need for constant adaptation of laws to future conditions; (5) need for an opportunity for experimentation; and (6) to meet occasions of urgency and emergency. To these, the author adds one more *viz.*, availability of inadequate time for drafting Bills and their emergence from Parliament in "generally unsatisfactory" form. This he quotes from the evidence given before the Committee on Ministers' Powers (U.K.) by William Graham Harrison. On scrutiny, it will be found that this reason is covered by the first because if there is no pressure upon parliamentary time the Bills could also be prepared and passed in leisure and their subject matter arranged "in a logical and intelligible shape". The author then proceeds to give a historical retrospect of the beginning of the delegation of legislative power in India from 1854 onwards. Dr. Ganguly observes that administrative legislation in India has assumed two basic forms *viz.*, conditional legislation and delegated legislation and then he sets out the general principles of delegation of legislative powers including the doctrine of constitutional trust, the maxim "Delegatus Non Potest Delegare", the retrospective operation and the duration of the operation of administrative laws and their legal effect.

In the second chapter the author has described in detail the various forms of administrative legislation *viz.*, rules, regulations, bye-laws etc. He has also discussed in this chapter the topics like the delay in making rules, wide scope of rule-making power delegated to subordinate authorities, power to impose penalty and levy of taxes through administrative legislation, commencement of statutes and their extension and suspension etc. It is not clear how these topics have been considered relevant in discussing the "nomenclature and

forms" of administrative legislation. For instance under the heading "Wide Powers" (pp. 42-44), the author refers to rule 6A of the Cinematograph (Censorship) Rules, 1951 which provides that no act or proceeding of the Board shall be called in question on the ground merely of the existence of any vacancy in, or defect in, the constitution of the Board. Similarly, he refers to the Nasirabad Cantonment Bye-laws, the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956 and Delhi (Control of Building Operations) Regulations, 1955—all instances quoted from the Reports of the Committee on Subordinate Legislation of Lok Sabha—but these instances do not indicate in any manner the nomenclature or form of administrative legislation. They only show, as the sub-heading suggests, the excess of the limit prescribed for the exercise of power to make subordinate laws. Again, the references to "Penal Provisions" (p. 44) indicate the nature of the parent Acts rather than the "nomenclature and form" of administrative laws. These topics, with advantage, could have been dealt with separately.

The remaining chapters have been devoted to the discussion of safeguards—general *i.e.* the steps which should be taken before or at the time of making administrative laws; and judicial *i.e.* the safeguards which are available to the citizens on or after the commencement of such laws—against the abuse of powers of administrative legislation by the executive. Among the general safeguards, the author has suggested that at the time of legislation of the parent Act limits of the exercise of legislative powers by administrative authorities should be well-defined and that such powers should be entrusted only to trustworthy authorities. Certain procedural safeguards for exercise of such power should also be laid down as condition precedent for the operation of such laws e.g., the requirement of consulting the interests likely to be adversely affected and previous publication thereof. The administrative authorities should be required to give correct citation of the authority under which that power is exercised. Besides, it should be insisted upon that short titles, explanatory notes to the sub-laws should be given for the sake of facility of reference and easy understanding by the public. Adequate publicity should also be given to such laws. The qualitative drafting is also necessary to make the purport of administrative legislation clear and unambiguous. The author also suggests the creation of the office of Ombudsman to look into the complaints from the public about the misuse of legislative powers. As regards judicial supervision the author proceeds to discuss the doctrine of *ultra vires* both procedural and substantive.

In the next chapter he discusses the methods by which the jurisdiction of the courts could be invoked. He groups these methods into two categories *viz.*, (a) methods based on the Constitution; and (b) methods based on ordinary law. The first group consist of various kinds of "Writs" which are available under Articles 32 and 226 of the Constitution. The methods based on the ordinary law include resort to Action in Damages, Declaratory Judgment and Injunction. In the penultimate chapter the author discusses various devices adopted by Parliament to control and supervise the exercise of legislative powers delegated to the administrative agencies. These devices are debates on Bills, laying of rules, affirmative and negative procedures, discussions through questions and various Motions, Resolutions, Discussion on matters of Urgent Public Importance for Short Duration, Motion for Papers, Calling Attention to matters of Urgent Public Importance, Half-an-Hour Discussion, Adjournment Motion and also through its Committee on Subordinate Legislation. The Committees on Petitions and Government Assurances also help in proper implementation of administrative legislation. The author concludes this discussion by quoting from "Law and Orders" by C. K. Allen "At every turn we meet two lions in the path-time and procedure" *i.e.* the paucity of time and cumbersome procedure are the two obstacles which come in the way of effective parliamentary supervision over delegated legislation. According to the author, however, the greatest obstacle is the apathy of the majority of members towards problems that arise out of such legislation and for this the author rightly puts "there is no easy remedy for this malaise".

In the concluding chapter after surveying, in brief, the general trend of delegation of legislative powers and exercise thereof, the author complains that the techniques of supervision as provided for in the Rules of Procedure are not being properly utilised by the Members of Parliament who are ultimately responsible to hold the administrative agencies "in leash". The author observes, "Administrative legislation regulates human conduct in the same way as the statutes do. But the people accept the statutes more readily than they accept sub-laws, particularly those framed by the Government. They regard such sub-laws with suspicion. To the people in general administrative legislation is the synonym for autocracy. And this has its inevitable ill-effects on the relationship between the government and the governed. It is thus the bounden duty of the Government and the legislators to see to it that people have no reason for apprehension as regards administrative legislation". The author hopes that besides the control envisaged through Parliament and the Courts of Law, the effective

control over administrative legislation might also be exercised by the Press and vigilant public opinion, but he rightly finds that the Press criticism in India on this subject is negligible and also there is complete absence of alert public opinion.

The author, in his treatment of the subject, has heavily drawn upon the reports of the Committee on Subordinate Legislation of Lok Sabha. This becomes evident while going through various pages of the book. He has extensively quoted from these reports. The subject matters dealt with in the reports of the Lok Sabha Committee seem to have been, in the main, classified, arranged and commented upon.

The book is informative and useful to the members of the legal profession, university professors and also to all those who are interested in studying the subject of delegated legislation in India.

—M. C. CHAWLA

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APPENDIX 'I'

I.—Statement showing the activities of the Houses of Parliament/State Legislatures during the period 1st January, 1969 to 31st August, 1969

Session held	Legislation		Questions				Committee that met				
	Govt. Bills passed	Pri- vate Mem- bers Bills Passed	Starred	Unstarred	Short Notices	Names	Sittings No. held of	re- ports pre- sented			
1	2	3	4	5	6	7	8	9	10	11	12
Lok Sabha											
Two Sessions :											
(i) Seventh Session from 17th February to 16th May, 1969	21	1	31,788	1,771*	1,213	10,033**	2,163	28	(1) Committee on Government Assurances.	13	3
(ii) Eighth Session from 21st July to 30th August, 1969	17	..	18,108	(a) 840	686	(b) 5,464	1,143	12	(2) Joint Committee on Salaries and Allowances of Members of Parliament. (3) Business Advisory Committee	12	9

(4) Committee on Absence of Mem- bers	3	3
(5) Library Com- mittee	1	Nil
(6) Library sub- Committee	4	Nil
(7) Estimates Com- mittee	31	45
(8) Committee on Private Members' Bills and Re- solutions	12	11
(9) House Commit- tee	2	Nil
(10) Accommoda- tion sub-Committee	2	Nil
(11) Joint Committee of Chairman of both the Houses	4	Nil
(12) Joint Commit- tee on Offices of Profit	6	1

*Includes 43 Short Notice Questions admitted as Starred Questions.

**Includes 9327 Starred and 37 Short Notice Questions admitted as Unstarred Questions.

(a) Includes Short Notice Questions admitted as starred Questions.

(b) Includes Starred and Short Notice Questions admitted as Unstarred Questions.

1	2	3	4	5	6	7	8	9	10	11	12
										6	1
										4	1
										3	1
										5	1
										19	Nil
										8	Nil

(13) Joint Committee on the Constitution (Twenty Second) Amendment Bill, 1968

(14) Joint Committee on the Contract Labour (Regulation and Abolition) Bill, 1967

(15) Joint Committee on the Government (Liability in Tort) Bill, 1967

(16) Joint Committee on the Lok Pal and Lokayuktas Bill, 1968

(17) Joint Committee on the Patents Bill, 1967*i*

(18) Joint Committee on the Scheduled Castes and

Scheduled Tribes orders (Amendment) Bill, 1967.

(19) Select Committee on the Enlargement of the Appellate (Criminal Jurisdiction of the Supreme Court Bill, 1968 by Shri Anand Narain Mulla, M.P.

4 Nil

(20) Select Committee on the Indian Penal Code (Amendment) Bill, 1967

3 Nil

(21) Committee on Petitions

6 1

(22) Committee on Privileges

6 Nil

(23) Committee on Subordinate Legislation

4 Nil

(24) General Purposes Committee

1 Nil

	1	2	3	4	5	6	7	8	9	10	11	12
										(25) Joint Committee on Judges (Inquiry Rules)	4	Nil
										(26) Rules Committee	Nil	Nil
										(27) Committee on Public undertakings	48	29
										(28) Public Accounts Committee	34	45
Rajya Sabha												
Three Sessions :												
(i) Sixty-Seventh Session (30 days)	39	1	*10190	1437	773	*5084	185	15	(1) Business Advisory Committee	8	Nil	
(ii) Sixty-Eighth Session (17 days)									(2) House Committee	6	Nil	
(iii) Sixty-Ninth Session (28 days)									(3) Committee on Petitions	10	3	
									(4) Committee on Subordinate Legislation	4	2	
									(5) Joint Committee on the Monopolies and Restrictive Trade Practices Bill, 1967	2	2	

(6) Joint Committee on the Foreign Marriage Bill, 1963	2	2
(7) Joint Committee on Contempt of Courts Bill, 1968	3	Nil
(8) Joint Committee on the Indian Medicine and Homeopathy Central Council Bill, 1968	8	Nil
(9) Joint Committee on the Hire Purchase Bill, 1968	5	Nil
(10) Joint Committee on the Code of Civil Procedure (Amendment) Bill, 1968	3	Nil
(11) Joint Committee on the Architects Bill	2	Nil

* includes 4511 Starred Questions admitted as Unstarred Questions.

Bihar Legislative Assembly

	3	—	3669	3167	1148	1098	593	532		65	5
Two Sessions									(1) Business Advisory Committee		
(i) First from 10th March, 1969 to 26th March, 1969 (13 Sittings)									(2) Committee on Assurances	10	1
									(3) Committee of Privileges	5	Nil
(ii) Second from 28th May, 1969 to 1st July, 1969 (33 Sittings)									(4) Committee on Undertakings	3	Nil
									(5) Estimates Main Committee	6	—
									(6) Estimates Sub-Committee	8	9
									(7) Housing Committee	8	—
									(8) Public Accounts Committee	13	3
									(9) Rules Committee	6	1

Bihar Legislative Council

	3**	Nil	939	634	1	101†	80	76		7	1
Two Sessions									(1) Assurance Committee		
(i) First from the 13th March, 1969 to 26th March, 1969 (9 days)									(2) Business Advisory Committee	7	6
(ii) Second from 28th May, 1969 to 1st July, 1969 (22 days)									(3) Housing Committee	4	Nil
									(4) Library Committee	6	Nil
									(5) Petitions Committee	6	2

*Eighth Report of the Committee on Government Assurances.

**Three Assembly Bills passed.

†Starred Questions admitted as Unstarred.

1	2	3	4	5	6	7	8	9	10	11	12
									(6) Privilege Committee	7	Nil
									(7) Private Members, Bills and Resolutions Committee	5	5
									(8) Public Accounts Committee	9	Nil
									(9) Public Undertakings Committee	10	Nil
									(10) Rules Committee	4	Nil
									(11) Subordinate Legislation Committee	14	Nil
Gujarat Legislative Assembly											
One Session from 3rd February, 1969 to 3rd April, 1969 (41 sittings)	8	N	3359	1685	1865	825	719	73	(1) Business Advisory Committee	4	4
									(2) Committee on Private Members' Business	5	5
									(3) Estimates Committee	8	4
									(4) Privileges Committee	Nil	Nil
									(5) Public Accounts Committee	11	1

(6) Public Undertakings Committee	7	Nil
(7) Committee on Members' Allowances Rules	2	1
(8) Committee on Absence of Members	2	2
(9) Committee on Government Assurances	1	1
(10) Members' Accommodation Committee	2	1
(11) Petitions Committee	Nil	Nil
(12) Rules Committee	2	1
(13) Subordinate Legislation Committee	4	Nil

Haryana Legislative Assembly

One Session from 28th January, 1969 to 12th February, 1969 (12 days)	22*	Nil	197	152	71	65	3	Nil	(1) Committee on Subordinate Legislation	7	1
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* One Bill was referred to the Select Committee.

- (10) Privileges Committee 2 Nil
- (11) Committee on Petitions Nil Nil
- (12) Library Committee 2 Nil

Jammu and Kashmir Legislative Assembly

One Session from 3rd March, 1969 to 3rd May, 1969 (25 days)	6	1	901	801	237	184	6	1	(1) Public Accounts Committee	25	Nil
									(2) Assurance Committee	5	1
									(3) House and Library Committee	1	Nil
									(4) Privilege Committee	12	4
									(5) Rules Committee	Nil	Nil
									(6) Business Advisory Committee	Nil	Nil

Jammu and Kashmir Legislative Council

One Session summoned on 3rd March	*12	1	472	436	116	103	2	2	(1) Committee on Subordinate Legislation	1	Nil
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Bills received from the Legislative Assembly.

1	2	3	4	5	6	7	8	9	10	11	12
1969 and Prorogued on 3rd May, 1969 (24 days)									(2) Committee on Government Assurances	Nil	Nil
									(3) Rules Committee	1	Nil
									(4) Committee on Privileges	Nil	Nil
									(5) Library Committee	Nil	Nil
									(6) House Committee	Nil	Nil
									(7) General Purposes Committee	Nil	Nil
									(8) Committee on Petitions	Nil	Nil
Kerala Legislative Assembly											
One Session from 3rd January, 1969 to 27th March, 1969 (46 Days)	23	Nil	3128	2556	Nil	Nil	23	6	(1) Committee on Private Members Bills and Resolutions	8	8
									(2) Public Accounts Committee	21	3

(3) Committee on Petitions	4	1
(4) Estimates Committee	17	4
(5) Committee on Subordinate Legislation	7	1
(6) Committee on Government Assurances	5	1
(7) Committee of Privileges	3	Nil
(8) Committee on Public Undertakings	9	Nil

Madhya Pradesh Legislative Assembly

Three Session

(i) from 17th February, 1969 to 12th March, 1969 (12 sittings)	4	Nil	3532	656	938	256	14	1	(1) Business Advisory Committee.	2	2
(ii) from 20th March, 1969 to 26th March, 1969 (2 sittings)									(2) Committee on Private Members Bills and Resolutions	4	1
									(3) Committee on Petitions	4	Nil

1	2	3	4	5	6	7	8	9	10	11	12
(iii) from 23rd June, 1969 to 8th July, 1969 (Upto 30th June, 1969. 7 sittings)											
									(4) Committee on Delegated Legislation	6	1
									(5) Committee on Government Assurances	9	Nil
									(6) Committee on Public Accounts	15	1
									(7) Committee on Estimates	5	Nil
									(8) Committee on Privileges	10	1
									(9) House Committee	9	Nil
									(10) Library Committee	2	Nil
									(11) Rules Committee	Nil	Nil
									(12) Select Committee on the Madhya	3	Nil

Pradesh Vishwavidyalaya Bill, 1969
(No. 35 of 1968)

Uttar Pradesh Legislative Assembly

	22	1	6340	2904	276	148	332	60	(1) Business Advisory Committee	10	Nil
*Two Sessions (i) from 10th March, 1969 to 8th April, 1969 (22 days)									(2) Private Members Bills and Resolutions Committee	6	6
									(3) Subordinate Legislation Committee	7	1
									(4) Joint Committee on L. A. Bill No.LXXXXV of 1968-the Bombay Building Repairs Board, Bil 1968	14	Nil
									(5) Public Accounts Committee	2	2
									(6) Petitions Committee	1	Nil
									(7) Public Undertakings Committee	17	2
									(8) Assurances Committee	13	1

* The Second Session of 1969 has commenced on 16th June, 1969. It has not concluded as yet. Hence the duration of this Session has not been given.

Maharashtra Legislative Council

*Two Sessions ! (i) from 10th March, 1969 to 11th April, 1969 (25 sittings)	22	1**	1462	836	17	101***	71	26	(1) Business Advisory Committee.	9	Nil
									(2) Committee on Private Members' Bills and Resolutions.	7	7

Mysore Legislative Assembly

One Session : from 13th January, 1969 to 29th January, 1969 and 21st February, 1969 to 4th April, 1969 (44 sittings).	12	Nil	1105	1006	252	208	130	36	(1) Business Advisory Committee.	3	3
									(2) Committee on Petitions.	2	1
									(3) Committee on Public Accounts.	18	1
									(4) Committee on Estimates.	Nil	1
									(5) Committee on Subordinate Legislation.	7	Nil

*The Second Session of 1969 has commenced on 16th June, 1969. It has not concluded as yet. Hence the duration of this Session has not been given.

**As passed by the Assembly.

*This includes questions received as starred but admitted as unstarred.

1 2 3 4 5 6 7 8 9 10 11 12

(6) Committee on Government Assurances.	6	Nil
(7) Committee on Private Members' Bills and Resolutions.	3	3
(8) Rules Committee.	1	1
(9) Special Committee on the question of recognition of Leader of Opposition Status etc.	1	Nil

Mysore Legislative Council

One Session : from 13th January, 1969 to 29th January 1969, 21st February, 1969 to 12th March, 1969 and 26th March, 1969 to 14th April, 1969. (38 sittings).	14	Nil	265	244	62	60	37	15	18	1
								(1) Committee on Public Accounts.		
								(2) Committee on Privileges.	1	Nil
								(3) Committee on Subordinate Legislation.	7	Nil

(4) Committee on Government Assurances.	3	1
(5) Business Advisory Committee.	5	1

Nagaland Legislative Assembly

One Session : from 6th March, 1969 to 21st March, 1969 (12 sittings).	4	Nil	30	26	28	25	11	3	(1) Estimates Committee.	3	Nil
									(2) Government Assurances Committee.	2	Nil
									(3) Public Accounts Committee.	1	1
									(4) Rules Committee	1	1
									(5) House Committee	2	Nil

Orissa Legislative Assembly

One Session : from 24th February, 1969 to 17th April, 1969 (36 sittings).	14	Nil	3199	1964	995	624	454	71	(1) Committee on Public Accounts.	10	2
									(2) Committee on Estimates.	27	1
									(3) Committee on Public Undertakings.	17	Nil

1	2	3	4	5	6	7	8	9	10	11	12
									(4) Committee on Petitions.	3	Nil
									(5) Committee on Government Assurances.	4	Nil
									(6) Committee on Subordinate Legislation.	4	Nil
Punjab Legislative Assembly											
One Session : from 13th March, 1969 to 25th April, 1969 (29 sittings).	9	Nil	849	642	207	163	21	10	(1) Public Accounts Committee.	1	Nil
									(2) Committee on Estimates.	12	1
									(3) Committee on Government Assurances.	4	1
									(4) Committee on Subordinate Legislation.	2	Nil
									(5) Committee on Privileges.	4	Nil

One Session :
from 14th March,
1969 to 1st May,
1969 (2:1 sittings).

Punjab Legislative Council

	9	Nil	756	582	77	74	35	17	(1) Business Advisory Committee.	5	Nil
(6) Business Advisory Committee.											
(7) House Committee.										2	Nil
(8) Library Committee.										5	Nil
(9) Ad hoc Committee.										2	Nil
(1) Business Advisory Committee.										4	Nil
(2) Committee on Subordinate Legislation.										1	Nil
(3) Ad hoc Committee.										1	Nil
(4) Committee on Petitions.										6	Nil
(5) Committee on Government Assurances.										3	Nil
(6) Library Committee.										2	Nil
(7) House Committee.										3	Nil
(8) Committee on Public Undertakings.											

1	2	3	4	5	6	7	8	9	10	11	12
Rajasthan Legislative Assembly											
One Session : from 24th February, 1969 to 3rd April, 1969 (25 sittings)	12	Nil	2953	705	499	574*	98	Nil	(9) Committee on Privileges.	Nil	1
									(1) Committee on Public Accounts	43	2
									(2) Committee on Estimates.	31	4
									(3) Committee on Public Undertakings.	38	Nil
									(4) Committee on Privileges.	22	6
									(5) Committee on Subordinate Legislation.	14	1
									(6) Committee on Government Assurances.	20	1
									(7) Rules Committee.	2	Nil
									(8) House Committee.	9	Nil

(9) Committee on Petitions.	25	2
(10) Business Advisory Committee.	2	2
(11) Select Committee on the Rajasthan Urban Land Tax (Amendment) Bill, 1968	3	Nil
(12) Select Committee on the Rajasthan Homoeopathic Medicine Bill, 1968.	Nil	1

Tamil Nadu Legislative Assembly

One Session : from 25th to 29th January 1969 and from 21st February to 31st March, 1969 (33 days).	10	Nil	5012	3395	Nil	560*	22	13	(1) Committee on Estimates.	8	6
									(2) Committee on Public Accounts.	6	2
									(3) Committee on Government Assurances.	9	1

* Starred questions admitted as unstarred.

1	2	3	4	5	6	7	8	9	10	11	12
	10† Nil	1593	889	330	267	7	7	7	(4) Committee on Subordinate Legislation.	8	2
									(5) House Committee.	3	Nil
									(6) Committee on Privileges.	3	5
									(7) Committee on Rules.	1	1
									(1) Business Advisory Committee.	3	Nil
									(2) Committee on Government Assurances.	1	Nil
										Nil	Nil
										Nil	Nil

Tamil Nadu Legislative Council

One Session :
from 25th January,
1969 to 13th June,
1969 (22 days).

Uttar Pradesh Legislative Assembly

One Session :
from 17th March,
1969 to 25th March,
1969 and the House
was prolonged on
27th March, 1969.
(7 sittings).

Uttar Pradesh Legislative Council

One Session : from 15th March, 1969 to 26th March, 1969 (9 sittings)	1	Nil	1150	881	65	65	Nil	Nil	Nil	Nil	Nil
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West Bengal Legislative Assembly

One Session : from 6th March, 1969 to 26th March, 1969 (14 days)	2	Nil	179	102	144	88	35	5	(1) Business Advisory Committee	1	1
									(2) Committee on Estimates.	7	Nil
									(3) Committee on Public Accounts	9	1

West Bengal Legislative Council

One Session : from 6th March, 1969 to 28th March, 1969 (15 days)	8*	Nil	16	11	1	1	4	4	Nil	Nil	Nil
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Goa, Daman and Diu Legislative Assembly

One Session : (24 sittings)	5	Nil	691	486	2	Nil	6	3	(1) Assurances Committee	7	2
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†Bills transmitted by the Assembly for concurrence or recommendation as the case might be.

*Two Government Bills were transmitted from the West Bengal Legislative Assembly. One Government Bill was rejected by the Council. Besides two Government Bills being Money Bills were returned to the Assembly.

(5) Committee on Petitions	3	Nil
(6) Rules Committee	Nil	Nil
(7) House Committee	5	Nil
(8) Committee on Privileges	7	Nil
(9) Business Advisory Committee	2	1
(10) Library Committee	4	Nil

Manipur legislative Assembly

One Session : (17 sittings)	Nil	142	129	Nil	Nil	2	1	(1) Estimates Committee	60	1
								(2) Public Accounts Committee	32	1
								(3) Committee on Government Assurances	13	1
								(4) Committee on Petitions	10	2

†Including starred reclassified as unstarred (13)

(6) Committee on Privileges 2 Nil

Tripura Legislative Assembly

Two Sessions :

(i) from 29th January, 1969 to 6th February, 1969 (7 sittings) 6 Nil 796 741 44 44 2 2 (1) Rules Committee 3 Nil (2) Public Accounts Committee 8 1

(ii) from 17th March, 1969 to 8th April 1969 (17 sittings),

(3) Business Advisory Committee 2 2

(4) Absence of Members from the Setting of the House 2 1

(5) Estimates Committee 9 2

(6) Committee on Privileges 3 3

(7) Committee on Tripura Legislative Assembly (Members Hostel) Rules, 1967. 3 1

(8) Library Committee 1 Nil



	1	2	3	4	5	6	7	8	9	10	11	12
(9) House Committee										1		Nil
(10) Committee on Delegated Legislation											Nil	Nil
(11) Committee on Petitions											Nil	Nil

APPENDIX II

List of Bills passed by the Houses of Parliament and assented to during the period 1st January to 31st August, 1969.

S. No.	Title of Bill	Date of assent of the President
1	2	3
1.	The Public Employment (Requirement as to Residence) Amendment Bill, 1969	19-3-1969
2.	The Appropriation (Vote on Account) Bill, 1969	23-3-1969
3.	The Armed Forces (Special Powers) Continuance Bill, 1969.	26-3-1969
4.	The Appropriation Bill, 1969	26-3-1969
5.	The Appropriation (No. 2) Bill, 1969	26-3-1969
6.	The Appropriation (Railways) Bill, 1969	26-3-1969
7.	The Appropriation (Railways) No. 2 Bill, 1969	26-3-1969
8.	The Payment of Bonus (Amendment) Bill, 1969	26-3-1969
9.	The Public Wakfs (Extension of Limitation) Amendment Bill, 1969	26-3-1969
10.	The Limitation (Amendment) Bill, 1969	26-3-1969
11.	The Delhi Motor Vehicles Taxation (Amendment) Bill 1969	28-3-1969
12.	The Customs (Amendment) Bill, 1969	28-3-1969
13.	The Appropriation (No. 3) Bill, 1969	13-5-1969
14.	The Finance Bill, 1969	13-5-1969
15.	The Estate Duty (Distribution) Amendment Bill, 1969	19-5-1969
16.	The President (Discharge of Functions) Bill 1969	28-5-1969

1	2	3
17.	The Companies (Amendment) Bill 1969	28-5-1969
18.	The Registration of Births and Deaths Bill, 1969	31-5-1969
19.	The Union Territories (Separation of Judicial and Executive Functions) Bill, 1969	31-5-1969
20.	The Constitution (Twenty-second Amendment) Bill, 1969	Awaiting assent (See proviso to Art. 368 of the Constitution.)
21.	The West Bengal Legislative Council (Abolition) Bill, 1969	25-7-1969
*22.	The Indian Railways (Amendment) Bill, 1969	8-8-1969
23.	The Banking Companies (Aquisition and Transfer of Undertakings) Bill, 1969	9-8-1969
24.	The Coal Bearing Areas (Acquisition and Development) Amendment Bill, 1969	11-8-1969
25.	The Unlawful Activities (Prevention) Amendment Bill, 1969	13-8-1969
26.	The Salaires and Allowances of Members of Parliament (Amendment) Bill, 1969 . . . . .	..
27.	The Gold Control (Amendment) Bill, 1969	29-8-1969
28.	The Press Council (Amendment) Bill, 1969	19-8-1969
29.	The Central Sales Tax (Amendment) Bill, 1969	30-8-1969
30.	The Appropriation (Railways) No. 3 Bill, 1969	30-8-1969
31.	The Appropriation (Railways) No. 4 Bill, 1969	30-8-1969
32.	The Appropriation (No. 4) Bill, 1969	30-8-1969
33.	The Bihar State Legislature (Delegation of Powers) Bill, 1969	31-8-1969

*The Bill was introduced in Lok Sabha as "The Indians Railways (Second Amendment) Bill, 1968." The Short Title of the Bill was changed to "The Indian Railways (Amedment) Bill, 1969" when passed by Lok Sabha.

1	2	3
34.	The Foreign Marriage Bill, 1969	31-8-1969
35.	The Banaras Hindu University (Amendment) Bill, 1969	31-8-1969
**36.	The Indian Penal Code (Amendment) Bill, 1969 .	8-9-1969

**The Bill was piloted in Lok Sabha by Shri Tenneti Viswanathan on behalf of Shri Diwan Chand Sharma.

APPENDIX III

Subject-wise list of Bills passed by the State Legislatures during the period 1st January to 30th June, 1969.

Administration

BIHAR

Bihar District Boards and Local Boards (Control and Management) (Amendment) Bill, 1969.

GUJARAT

- (1) The Bombay Provincial Municipal Corporations (Gujarat Amendment) Bill, 1969, (L.A. Bill No. 6 of 1969).
- (2) The Gujarat Electricity Supply Undertakings (Acquisition) Bill, 1969 (L.A. Bill No. 2 of 1969).

HARYANA

- (1) The Punjab Municipal (Haryana Octroi Surcharge Validation) Bill, 1969. . .
- (2) The Punjab Security of the State (Haryana Amendment) Bill, 1969.

JAMMU & KASHMIR

A bill further to amend the Jammu and Kashmir Village Panchayat Act, 1958.

KERALA

The Kerala Panchayats (Amendment) Bill, 1969.

MAHARASHTRA

- (1) The Maharashtra Municipalities Act, 1965 (Amendment) Bill, 1969 (L.A. Bill No. III of 1969).
- (2) The Bombay Municipal Corporation (Amendment) Bill, 1969 (L.A. Bill No. IV of 1969).
- (3) The Bombay Municipal Corporation (Second Amendment) Bill, 1969. (L.A. Bill No. XIX of 1969).

- (4) The Maharashtra Zilla Parishad and Panchayat Samitis (Amendment) Bill, 1969 (L.A. Bill No. VIII of 1969).
- (5) The Maharashtra Zilla Parishad and Panchayat Samitis (Second Amendment) Bill, 1969. (L.A. Bill No. XXXIII of 1969).
- (7) The Maharashtra Cooperative Societies Act, 1961 (Amendment) Bill, 1969. (L.A. Bill No. IX of 1969).
- (8) The Maharashtra Cooperative Societies Act, 1961 (Second Amendment) Bill, 1969. (L.A. Bill No. X of 1969).

MYSORE

- (1) The City of Bangalore Municipal Corporation (Amendment) Bill, 1969.
- (2) The Mysore Shops and Commercial Establishment (Amendment) Bill, 1968.

ORISSA

- (1) The Societies Registration (Orissa Amendment) Bill, 1969.
- (2) The Orissa, Orissa Kendu Leaves (Control of Trade) (Amendment) Bill, 1969.

PONDICHERRY

- (1) The Pondicherry Town and Country Planning Bill, 1969 (Bill No. 7 of 1969).
- (2) The Societies Registration (Pondicherry Amendment) Bill, 1969 (Bill No. 8 of 1969).

PUNJAB

The Pepsu Townships Development Board (Amendment) Bill, 1969.

RAJASTHAN

The Rajasthan Panchayat Laws (Amendment) Bill, 1969.

TAMIL NADU

The Madras Panchayats (Amendment) Bill, 1969.

TRIPURA

The Societies Registration (Tripura Amendment) Bill, 1969
(Bill No. 5 of 1969).

WEST BENGAL

- (1) The Chandernagor Municipal (Amendment) Bill, 1969.
- (2) The Bengal Municipal (Amendment) Bill, 1969.
- (3) The Calcutta Municipal (Amendment) Bill, 1969.

Education**ASSAM**

- (1) The Assam Elementary Education Bill, 1968.
- (2) The Gauhati University (Amendment) Bill, 1969.

GUJARAT

The Bombay Secondary School Certificate Examination
(Extension and Amendment) Bill 1969 (L.A. Bill No. 8
of 1969).

HARYANA

- (1) The Punjab Local Authorities (Aided Schools) Haryana
Amendment Bill, 1969.
- (2) The Haryana Board of School Education Bill, 1969.

KERALA

Kerala University Bill, 1967.

MADHYA PRADESH

Madhya Pradesh Secondary Education (Special Provisions)
Bill, 1969 (No. 24 of 1969).

MAHARASHTRA

The Maharashtra Secondary Education Board (Amendment)
Bill, 1969. (L.A. Bill No. II of 1969).

MYSORE

The Bangalore-Karnatak and Mysore Universities (Amend-
ment) Bill, 1968.

ORISSA

- (1) The Orissa University Laws (Amendment) Bill, 1969.
- (2) The Orissa Education Bill, 1968.

Finance

ANDHRA PRADESH

- (1) The Andhra Pradesh Appropriation (Vote on Account) Bill, 1969.
- (2) The Andhra Pradesh Appropriation Bill, 1969.

ASSAM

- (1) The Assam Appropriation (No. I) Bill, 1969.
- (2) The Assam Appropriation (No. II) Bill, 1969.
- (3) The Assam Money Lenders (Amendment) Bill, 1969.
- (4) The Assam Finance Bill, 1969.
- (5) The Assam Local Fund (Accounts and Audit) Amendment Bill, 1969.
- (6) The Assam Contingency Fund (Augmentation of Corpus) Bill, 1969.
- (7) The Urban Immovable Property Tax Bill, 1969.
- (8) The Assam Amusements and Betting Tax (Amendment) Bill, 1969.
- (9) The Assam Non Government School and College Employees Centralised Provident Fund Scheme Bill, 1969.

BIHAR

- (1) Bihar Appropriation (Vote on Account) Bill, 1969.
- (2) Bihar Appropriation Bill, 1969.
- (3) Bihar Appropriation (No. 2) Bill, 1969.

GOA, DAMAN AND DIU

- (1) The Goa, Daman and Diu Appropriation * (Excess Expenditure 1964-65) Bill, 1969. (Bill No. 1 of 1969).

- (2) The Goa, Daman and Diu Appropriation (Excess Expenditure 1965-66) Bill, 1969 (Bill No. 2 of 1969).
- (3) The Goa, Daman and Diu Supplementary Appropriation Bill, 1969 (Bill No. 3 of 1969).
- (4) The Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1969 (Bill No. 4 of 1969).
- (5) The Goa, Daman and Diu Appropriation Bill, 1969 (Bill No. 5 of 1969).

GUJARAT

- (1) The Gujarat (Supplementary) Appropriation Bill, 1969. (L.A. Bill No. 7).
- (2) The Gujarat Appropriation Bill, 1969 (L.A. Bill No. 9 of 1969).

HARYANA

- (1) The Indian Stamp (Haryana Amendment) Bill, 1969.
- (2) The Punjab Motor Spirit (Taxation of Sales) Haryana Amendment Bill, 1969.
- (3) The Punjab Passengers and Goods Taxation (Haryana Amendment) Bill, 1969.
- (4) The Punjab Entertainments Tax (Cinematograph Shows) Haryana Amendment Bill, 1969.
- (5) The Punjab Urban Immovable Property Tax (Haryana Amendment) Bill, 1969.
- (6) The Haryana Appropriation Bill, 1969.
- (7) The Haryana Appropriation (No. 2) Bill, 1969.
- (8) The East Punjab Ministers' Salaries (Haryana Amendment) Bill, 1969.

HIMACHAL PRADESH

- (1) The Himachal Pradesh Appropriation Bill (No. 2) (Bill No. 6 of 1969).

- (2) **The Himachal Pradesh Appropriation (Vote on Account) Bill (Bill No. 4 of 1969).**
- (3) **The Himachal Pradesh Appropriation Bill, 1969.
(Bill No. 5 of 1969)**
- (4) **The Himachal Pradesh Appropriation Bill, 1969.
(Bill No. 15 of 1969)**
- (5) **The Himachal Pradesh Tax on Income from Agriculture Produce Bill, 1969 (No. 18 of 1969).**
- (6) **The Himachal Pradesh Passengers and Goods Taxation (Amendment) Bill, 1969 (No. 20 of 1969).**

JAMMU & KASHMIR

- (1) **A Bill further to amend the Jammu and Kashmir Land Revenue Act, 1896.**
- (2) **A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Jammu and Kashmir State for the Services of the Financial Year 1968-69.**
- (3) **A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Jammu and Kashmir State for the Services of the Financial Year 1969-70.**

KERALA

- (1) **The Thiruppuvaram Payment (Abolition) Bill, 1968.**
- (2) **The Kerala Toddy Tappers, Welfare Fund Bill, 1968.**
- (3) **The Kerala Appropriation Bill, 1969.**
- (4) **The Kerala Appropriation (No. 2) Bill, 1969.**
- (5) **The Kerala Appropriation (No. 3) Bill, 1969.**
- (6) **The Kerala Land Tax (Amendment) Bill, 1969.**
- (7) **The Kerala Sales Tax (Levy and Validation) Amendment Bill, 1969.**
- (8) **The Kerala Appropriation (No. 4) Bill, 1969.**
- (9) **The Kerala General Sales Tax (Amendment) Bill, 1969.**
- (10) **The Abkari (Amendment) Bill, 1969.**

MADHYA PRADESH

- (1) Madhya Pradesh Appropriation Bill, 1969 (No. 18 of 1969).
- (2) Madhya Pradesh (Vote on Account) Bill, 1969 (No. 20 of 1969).

MAHARASHTRA

- (1) The Maharashtra (Supplementary) Appropriation Bill, 1969 (L.A. Bill No. XVI of 1969).
- (2) The Maharashtra (Vote on Account) Bill, 1969 (L.A. Bill No. XVII of 1969).
- (3) The Ministers' Salaries and Allowances (Amendment) Bill, 1969.

MANIPUR

- (1) The Manipur Appropriation (No. 1) Bill, 1969.
- (2) The Manipur Appropriation (Vote on Account) Bill, 1969.
- (3) The Manipur Appropriation (No. 2) Bill, 1969.
- (4) The Assam Amusement and Betting Tax (Manipur Amendment) Bill, 1969.
- (5) The Manipur Ministers' (Salaries and Allowances) Amendment Bill, 1969.

MYSORE

- (1) The Mysore Appropriation Bill, 1969.
- (2) The Mysore Appropriation (No. 2) Bill, 1969.
- (3) The Mysore Appropriation (No. 3) Bill, 1969.
- (4) The Mysore Land Revenue (Amendment) Bill, 1969.

NAGALAND

- (1) The Nagaland Appropriation (No. 1) Bill, 1969.
- (2) The Nagaland Appropriation (No. 2) Bill, 1969.
- (3) The Nagaland Appropriation (No. 3) Bill, 1969.
- (4) The Nagaland Appropriation (No. 4) Bill, 1969.

ORISSA

- (1) The Orissa Appropriation Bill, 1969.
- (2) The Orissa Appropriation (Vote on Account) Bill, 1969
- (3) The Orissa Appropriation (No. 2) Bill, 1969.
- (4) The Orissa Motor Vehicles (Taxation of Passengers) Bill, 1968.

PONDICHERRY

- (1) The Appropriation (No. 1) Bill, 1969 (Bill No. 1 of 1969).
- (2) The Appropriation (Vote on Account) (Bill No. 2 of 1969).
- (3) The Appropriation (No. II) Bill, 1969 (Bill No. 3 of 1969).
- (4) The Appropriation (No. III) Bill, 1969 (Bill No. 10 of 1969).

PUNJAB

- (1) The Punjab Appropriation Bill, 1969.
- (2) The Punjab Appropriation (Vote on Account) Bill, 1969.
- (3) The Punjab Appropriation (No. 2) Bill, 1969.

RAJASTHAN

- (1) The Rajasthan Appropriation (No. 1) Bill, 1969.
- (2) The Rajasthan Appropriation (No. 2) Bill, 1969.
- (3) The Rajasthan Taxation Laws (Amendment) Bill, 1969.
- (4) The Rajasthan Commercial Crops Cess Bill, 1969.
- (5) The Rajasthan Motor Vehicles Taxation (Amendment) Bill, 1969.

TAMIL NADU

- (1) The Madras General Sales Tax (Amendment) Bill, 1969.
- (2) The Madras General Sales Tax (Second Amendment) Bill, 1969.
- (3) The Tamil Nadu Appropriation Bill, 1969.
- (4) The Tamil Nadu Appropriation (No. 2) Bill, 1969.

(5) The Tamil Nadu Appropriation (No. 3) Bill, 1969.

(6) The Tamil Nadu Appropriation (No. 4) Bill, 1969.

TRIPURA

(1) The Appropriation (Vote on Account) Bill, 1969 (Bill No. 2 of 1969).

(2) The Appropriation (No. 2) Bill, 1969 (Bill No. 3 of 1969).

(3) The Appropriation (No. 3) Bill, 1969 (Bill No. 4 of 1969).

(4) The Tripura Land Revenue and Land Reforms (Amendment) Bill, 1969 (Bill No. 6 of 1969).

UTTAR PRADESH

(1) Uttar Pradesh Appropriation (Second Supplementary of 1968-69) Bill, 1969.

(2) Uttar Pradesh Appropriation (Vote on Account) Bill, 1969.

WEST BENGAL

(1) The West Bengal Appropriation (Vote on Account) Bill, 1969.

(2) The West Bengal Appropriation Bill, 1969.

Health and Housing

GUJARAT

The Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Bill, 1969 (L.A. Bill No. 4 of 1969).

HARYANA

(1) The Punjab Ayurvedic and Unani Practitioners (Haryana Amendment and Validation) Bill, 1969.

(2) The Punjab State Legislative Officers, Ministers and Members (Medical Facilities) Haryana Amendment Bill, 1969.

- (3) The Punjab Requisitioning and Acquisition of Immovable Property (Haryana Amendment) Bill, 1969.

MAHARASHTRA

- (1) The Maharashtra Nurses (Amendment) Bill, 1969 (L A. Bill No. XI of 1969).
- (2) The Bombay and the Madhya Pradesh Housing Board (Amendment) Bill, 1969.

MYSORE

- (1) The Mysore Homoeopathic Practitioners (Amendment) Bill, 1968.
- (2) The Mysore Ayurvedic and Unani Practitioners Registration and Medical Practitioners Miscellaneous Provisions (Amendment) Bill, 1969.
- (3) The Mysore Public Premises Eviction of Unauthorised Occupants (Amendment) Bill, 1968.
- (4) The Mysore Rent Control (Amendment) Bill, 1969.

ORISSA

The Orissa House Rent Control (Amendment) Bill, 1969.

PONDICHERRY

The Pondicherry Rent Control Bill, 1969 (Bill No. 6 of 1969).

PUNJAB

The Punjab Ayurvedic and Unani Practitioners (Amendment) Bill, 1969.

Industrial Development

KERALA

The Kerala Industrial Establishments (National and Festival Holidays) Amendment Bill, 1968.

MYSORE

The Beedi Industrial Premises (Regulation of Conditions of Work) Repealing Bill, 1969.

RAJASTHAN

The Rajasthan State Aid to Industries (Amendment) Bill, 1969.

Labour**KERALA**

The Plantation Labour (Kerala Amendment) Bill, 1968.

MAHARASHTRA

The Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Bill, 1968 (L.A. Bill No. XCIX of 1968).

RAJASTHAN

The Minimum Wages (Rajasthan Amendment and Validating) Bill, 1969.

Land and Agriculture**GUJARAT**

The Bombay Inams (Kutch Area) Abolition (Amendment) Bill, 1969 (L.A. Bill No. 5 of 1969).

HARYANA

The Haryana Land Revenue (Additional Surcharge) Bill, 1969.

HIMACHAL PRADESH

The Himachal Pradesh Surcharge on Purchase of Forest Produce Bill, 1969 (No. 16 of 1969).

JAMMU AND KASHMIR

A Bill to make provisions for the Preservation of certain species of trees and for regulation of felling and export thereof.

KERALA

(1) Madras Preservation of Private Forests (Amendment) Bill, 1969.

- (2) The Kerala Land Development (Amendment) Bill, 1968.
- (3) The Sreepadam Lands Enfranchisement Bill, 1968.
- (4) The Kerala Irrigation Works (Execution by Joint Labour Amendment) Bill, 1968.

MAHARASHTRA

- (1) The Maharashtra (Vidarbha Region) Agricultural Debtors Relief Bill, 1969 (L.A. Bill No. XXX of 1969).
- (2) The Maharashtra Sale of Trees by Occupants belonging to Scheduled Tribes (Regulation) Bill, 1969 (L.A. Bill No. XXI of 1969).
- (3) The Bombay City (Inami and Special Tenures) Abolition and Maharashtra Land Revenue Code (Amendment) Bill 1969 (L.A. Bill No. XXVI of 1969).

ORISSA

- (1) The Orissa Land Reforms (Amendment) Bill, 1969.
- (2) The Orissa Agricultural Land (Utilisation) Bill, 1968.

PUNJAB

- (1) The Land Acquisition (Punjab Amendment) Bill, 1969.
- (2) The East Punjab Holdings (Consolidation of Prevention of Fragmentation) Validation Bill, 1969.

RAJASTHAN

The Rajasthan Holdings (Consolidation and Prevention of Fragmentation) (Amending and Validating) Bill, 1969.

TAMIL NADU

- (1) The Tamil Nadu Agricultural Lands Record of Tenancy Rights Bill, 1969 (L.A. Bill No. 18 of 1968) as amended by the Select Committee.
- (2) The Madras Cultivating Tenants Protection and Payment of Fair Rent (Amendment) Bill, 1969.

TRIPURA

- (1) The Tripura Plant Diseases and Pests Bill, 1969 (Bill No. 1 of 1969).

- (2) The Tripura Land Revenue and Land Reforms (Amendment) Bill, 1969 (Bill No. 6 of 1969).

WEST BENGAL

- (1) The West Bengal Requisitioned Land (Continuance of Powers) (Amendment) Bill, 1969.
- (2) The Calcutta Thika Tenancy Stay of Proceedings (Temporary Provisions) Bill, 1969.
- (3) The West Bengal Premises Requisition and Control (Temporary Provision) Bill, 1969.

Legal**GUJARAT**

The Presidency Small Cause Courts (Gujarat Amendment) Bill, 1968 (L.A. Bill No. 33 of 1968).

HARYANA

The Punjab State Legislature (Prevention of Disqualification) Haryana Amendment Bill, 1969.

KERALA

- (1) The Kerala Court-fees and Suits Valuation (Amendment) Bill, 1969.
- (2) The Kerala Official Language (Legislation) Bill, 1968.

MAHARASHTRA

- (1) The Probation of Offenders (Maharashtra Amendment) Bill, 1968 (L.A. Bill No. LXXVIII of 1968).
- (2) The Code of Criminal Procedure (Maharashtra Amendment) Bill, 1968 (L.A. Bill No. XCCII of 1968).

MYSORE

- (1) The Mysore Courts of Civil Judges (Validation of Proceedings) Bill, 1967.
- (2) The Mysore Court Fees and Suits Valuation (Amendment) Bill, 1968.

UTTAR PRADESH

The United Provinces Court of Words (Nirson) Vidheyak, 1967.

Parliamentary Affairs**ASSAM**

- (1) The Assam Legislature Assembly Members' Salaries and Allowances (Amendment) Bill, 1969.
- (2) The Assam Deputy Speaker's Salaries and Allowances (Amendment) Bill, 1969.

HARYANA

- (1) The Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries (Haryana Amendment) Bill, 1969.

JAMMU AND KASHMIR

A Bill to provide for the enhancement of Allowances of Members for certain matters relating to Ministers, Deputy Ministers, Speaker, Chairman and Deputy Speaker and Deputy Chairman.

MADHYA PRADESH

Madhya Pradesh Legislative Assembly Members' (Salaries and Allowances) Amendment Bill, 1969 (No. 23 of 1969).

MAHARASHTRA

- (1) The Ministers' Salaries and Allowances (Amendment) Bill, 1969 (L.A. Bill No. XXIII of 1969).
- (2) The Bombay Legislature Members' Salaries and Allowances (Amendment) Bill, 1969.

MANIPUR

- (1) The Manipur Legislative Assembly Speaker and Deputy Speaker (Salaries and Allowance) Amendment Bill, 1969.
- (2) The Manipur Legislative Assembly Members' (Salaries and Allowances) Amendment Bill, 1969.
- (3) The Manipur Legislative Assembly Standing Committee (Chairman's Salary and Allowances and Removal of disqualification) Amendment Bill, 1969.

ORISSA

The Orissa Legislative Assembly Members' Salaries and Allowances (Amendment) Bill, 1968.

PONDICHERRY

The Salaries and Allowances of Members of the Legislative Assembly (Pondicherry) Amendment Bill, 1969. (Bill No. 4 of 1969).

PUNJAB

- (1) The Punjab Legislative Assembly (Allowances of Members) Amendment Bill, 1969.
- (2) The Punjab Legislative Council (Allowances of Members) Amendment Bill, 1969.

RAJASTHAN

- (1) The Rajasthan Legislative Assembly (Officers' and Members' Emoluments) Amendment Bill, 1969.
- (2) The Rajasthan Legislative Assembly Members (Prevention of Disqualification) Bill, 1969.

WEST BENGAL

The Bengal Legislative Assembly (Members' Emoluments) (Amendment) Bill, 1969.

Social**HARYANA**

The Punjab Cinemas (Regulation) Haryana Amendment Bill, 1969.

MAHARASHTRA

The Probation of Offenders (Maharashtra Amendment) Bill, 1968 (L.A. Bill No. LXXVIII of 1968).

Transport and Communication**KERALA**

The Motor Vehicles (Kerala Amendment) Bill, 1969.

ORISSA

The Orissa Express Highway (Amendment) Bill, 1969.

RAJASTHAN

The Motor Vehicles (Rajasthan Amendment) Bill, 1969.

Miscellaneous

HARYANA

- (1) The Haryana Official Language Bill, 1969.
- (2) The East Punjab War Awards (Haryana Amendment) Bill, 1969.

HIMACHAL PRADESH

The Himachal Pradesh Tolls Bill, 1969 (No. 17 of 1969).

KERALA

- (1) The Kerala Essential Articles (Temporary Powers) Continuance Bill, 1969.
- (2) The Kerala Stay of Eviction Proceedings (Amendment) Bill, 1969.
- (3) The Abkari (Amendment) Bill, 1969.

PONDICHERRY

The Indian Partnership (Pondicherry Amendment) Bill, 1969 (Bill No. 9 of 1969).

MAHARASHTRA

The Bombay Lifts (Amendment) Bill, 1968 (L.A. Bill No. XCVII of 1968).

MYSORE

The Mysore Gifts Goods (Unlawful Possession) (Amendment) Bill, 1968.

ORISSA

The Orissa Weights and Measures (Enforcement) (Amendment) Bill, 1969.

PONDICHERRY

The Pondicherry Monts-de-Piete Institutions (Abolition) Bill, 1969 (Bill No. 5 of 1969).

TAMIL NADU

The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1969.

Appendix IV*Ordinances issued during the period 1st January, 1969 to 31st August, 1969.*

S. No.	Subject	Date of promulgation	Date on which laid before the House	Date of cessation	Remarks
1	2	3	4	5	6
			Union		
1.	The Custom (Amendment) Ordinance, 1969 (No. 1 of 1969).	3-1-69	18-2-69	—	* Replaced by Legislation.
2.	The Payment of Bonus (Amendment) Ordinance, 1969 (No. 2 of 1969).	10-1-69	18-2-69	—	** Replaced by Legislation
3.	The Indian Railway (Amendment) Ordinance, 1969 (No. 3 of 1969).	4-6-69	Yet to be laid	—	Do.
4.	The Central Sales Tax (Amendment) Ordinance, 1969.	9-6-69	21-7-69	—	Do.
5.	The Press Council (Amendment) Ordinance, 1969.	30-6-69	21-7-69	—	Do.

6	The Gold Control (Amendment) Ordinance, 1969 (No. 6 of 1969).	3-7-69	21-7-69	—	Do.
7	The Banaras Hindu University (Amendment) Ordinance, 1969 (No. 7 of 1969).	17-7-69	21-7-69	31-8-69	Lapsed.
8	The Banking Companies (Acquisition and Transfer of Undertakings) Ordinance, 1969 (No. 3 of 1969).	19-7-69	21-7-69	—	Do.

Ordinances issued during the period 1st January to 30th June, 1969.

Bihar

1	Bihar District Boards and Local Boards (Control and Management) (Amendment) Ordinance, 1969.	19-4-69	30-5-69	8-7-69	—
2	Bihar Panchayat Samiti and Zila Parishad (Amendment) Ordinance, 1969.	22-4-69	30-5-69	8-7-69	—
3	Bihar Hindu Religious Trust (Amendment) Ordinance, 1969.	22-4-69	30-5-69	8-7-69	—

*This Ordinance embodied with modifications the Provisions of the Customs Admendent Bill, 1968 which was Introduced in the Lok Sabha on 3-12-68. The pending Bill was withdrawn on 18-2-69 and a new Bill *viz.* The Customs (Amendment) Bill, 1969, replacing the ordinance was introduced on 18-2-69. Two statements one under Rule 71 (1) and another under rule 71 (2) were laid on the table of Lok Sabha in respect of this ordinance. The Bill was passed during the Seventh Session of Fourth of Lok Sabha.

*The Bill seeking to replace this ordinance was introduced in Rajya Sabha on the 24th Febuary, 1969 and passed during the 67th Session of Rajya Sabha.

1	2	3	4	5	6
4	Bihar Regulation of Supply and Purchase of Sugarcane Ordinance, 1969.	3-5-69	30-5-69	8-7-69	—
5	Bihar Hindu Religious Trust (Second Amendment) Ordinance, 1969.	20-5-69	30-5-69	8-7-69	—
Gujarat					
1.	The Gujarat Ordinance No. 1 of 1969—The Gujarat Municipalities (Amendment) Ordinance, 1969.	12-5-69	—	—	—
2.	The Gujarat Ordinance No. 2 of 1969—The Gujarat Municipalities (Second Amendment) Ordinance, 1969.	4-6-69	—	—	—
Haryana					
1.	The East Punjab Ministers' Salaries (Haryana Amendment) Ordinance, 1968 (Haryana Ordinance No. 1 of 1968).	24-9-68	29-1-69	—	The East Punjab Minister's Salaries (Haryana Amendment) Bill, 1969.
2.	The Punjab Legislative Assembly Speaker's and Deputy	24-9-68	29-1-69	—	The Punjab Legislative Assembly Speaker's, Deputy Speaker's

Speaker's Salaries (Haryana Amendment) Ordinance, 1968 (Haryana Ordinance No. 2 of 1968)				(Haryana Amendment) Bill, 1969.
3. The Haryana Land Revenue (Additional Surcharge) Amendment Ordinance, 1968 (Haryana Ordinance No. 3 of 1968).	5-10-68	29-1-69	---	The Haryana Land Revenue (Additional Surcharge) Bill, 1969.
4. The Punjab Local Authorities (Aided Schools) Haryana Amendment Ordinance, 1968 (Haryana Ordinance No. 4 of 1968)	12-10-68	29-1-69	---	The Punjab Local Authorities (Aided Schools) Haryana Amendment Bill, 1969.
5. The Haryana Official Language Ordinance, 1968 (Haryana Ordinance No. 5 of 1968).	3-10-68	29-1-69	---	The Haryana Official Language Bill, 1969.
6. The Punjab State Legislature (Prevention of Disqualification) Haryana Amendment Ordinance, 1968 (Haryana Ordinance No. 6 of 1968).	15-11-68	29-1-69	---	The Punjab State Legislature (Prevention of Disqualification) Haryana Amendment Bill, 1969.
7. The Punjab Ayurvedic and Unani Practitioners (Haryana Amendment and Validation) Ordinance, 1968 (Haryana Ordinance No. 7 of 1968).	23-10-68	29-1-69	---	The Punjab Ayurvedic and Unani Practitioners (Haryana Amendment and Validation) Bill, 1969.

1	2	3	4	5	6
Jammu and Kashmir					
1. The Jammu and Kashmir Preservation of Specified Trees Ordinance, 1968 (Ordinance No. X of 1968).	—	3-3-69	18-4-69	Replaced by the Legislation.	
2. The Jammu and Kashmir Land Revenue (Amendment) Ordinance, 1969 (Ordinance No. 1 of 1969).	—	3-3-69	18-4-69	Do.	
3. The Jammu and Kashmir Government Servants Prevention of Corruption (Commission) (Amendment) Ordinance, 1968 (Ordinance No. VIII of 1968).	—	3-3-69	18-4-69	Do.	
4. Delimitation Commission Order, dated November, 10th, 1966 respecting the Delimitation of Parliamentary Constituencies in the State.	—	5-3-69	20-4-69	Do.	
5. The Jammu and Kashmir General Sales Tax (Second Amendment) Ordinance, 1968 (Ordinance No. IX of 1968).	—	8-3-69	24-4-69	Do.	

6. The Jammu and Kashmir Prevention of Food Adulteration (Amendment), Ordinance, 1969 (II of 1969).	—	12.3.69	27.4.69	Do.
7. The Jammu and Kashmir Town Area (Amendment) Ordinance, 1969 (III of 1969).	—	12.3.69	27.4.69	Do.
8. The Jammu and Kashmir Municipal (Amendment) Ordinance, 1969 (IV of 1969).	—	12.3.69	27.4.69	Do.
9. Notification SRO—108 dated 21st February, 1969 amending the J. and K. Conduct of Elections Rules, 1965 in terms of Section 168 (3) of the J. and K. Representation of the People Act, 1957.	—	18.3.69	2.6.69	Do.

Kerala

1. The Kerala Stay of Eviction Proceedings (Amendment) Ordinance, 1968 (Ordinance No. 7 of 1968).	30.12.68	6.1.69	—	The Kerala Stay of Eviction Proceedings (Amendment) Bill, 1969 (passed on 10th February, 1969).
2. The Madras Preservation of Private Forests (Second Amendment) Ordinance, 1968 (Ordinance No. 8 of 1968).	30.12.68	17.1.69	—	The Madras Preservation of Private Forests (Amendment) Bill, 1969 (passed on 17-1-69).

1	2	3	4	5	6
			Madhya Pradesh		
1.	Madhya Pradesh University Law (Amendment) Ordinance, 1969 (No. 1 of 1969).	4.1.69	19.2.69	31.3.69	—
2.	Madhya Pradesh Agricultural Produce Market (Amendment) Ordinance, 1969 (No. 2 of 1969).	20.1.69	19.2.69	31.3.69	—
3.	Central Province and Barar Ayurvedic and Unani Medical Practitioners (Madhya Pradesh Amendment) Ordinance, 1969 (No. 3 of 1969).	29.1.69	19.2.69	31.3.69	—
4.	Madhya Pradesh Kumbh Parva Fair Ordinance, 1969 (No. 5 of 1969).	31.1.69	25.6.69	4.8.69	—
5.	Madhya Pradesh Legislative Assembly Members (Salaries and Allowances) Amendment Ordinance, 1969 (No. 6 of 1969).	31.3.69	25.6.69	—	Madhya Pradesh Legislative Assembly Members (Salaries and Allowances) Amendment Bill, 1969 (No. 23 of 1969).
6.	Madhya Pradesh Kumbh Parva Ujjain Fair Ordinance, 1969 (No. 4 of 1969).	29.1.69	19.2.69	31.3.69	—

7. Madhya Pradesh Secondary Education (Special Provisions) Ordinance, 1969 (No. 7 of 1969).	16.4.69	25.6.69	—	Madhya Pradesh Secondary Education (Special Provisions) Bill, 1969 (No. 24 of 1969),
8. Central Province and Barar Ayurvedic and Unani Medical Practitioners Supplementary Ordinance, 1969 (No. 8 of 1969).	28.4.69	25.6.69	—	Central Province and Barar Ayurvedic and Unani Medical Practitioners (Madhya Pradesh Amendment) Bill, 1969 (No. 26 of 1969).
9. Madhya Pradesh Forest Produce (Trade Regulation) Ordinance, 1969 (No. 9 of 1969).	7.6.69	25.6.69	—	Madhya Pradesh Forest Produce (Trade Regulation) Bill, 1969 (No. 29 of 1969).
10. Madhya Pradesh Land Revenue Code (Amendment) Ordinance, 1969 (No. 10 of 1969).	13.6.69	25.6.69	—	Madhya Pradesh Land Revenue Code (Amendment) Bill, 1969 (No. 30 of 1969).
11. Madhya Pradesh Agricultural Land Development Tax Repeal Ordinance, 1969 (No. 11 of 1969).	13.6.69	25.6.69	—	Madhya Pradesh Agricultural Land Development Tax Repeal Bill, 1969 (No. 31 of 1969).
Maharashtra				
1. The Maharashtra Co-operative Societies (Amendment) Ordinance, 1969.	22.1.69	10.3.69	—	L.A. Bill No. IX of 1969—The Maharashtra Co-operative Societies (Amendment) Bill, 1969.
2. The Maharashtra Zila Parishads and Panchayat Samitis (Amendment) Ordinance, 1969.	31.1.69	10.3.69	—	L.A. Bill No. VIII of 1969—The Maharashtra Zila Parishads and Panchayat Samitis (Amendment) Bill, 1969.

1	2	3	4	5	6
3.	The Maharashtra Nurses (Amendment) Ordinance, 1969.	12-2-69	10-3-69	..	L.A. Bill No. XI of 1969—The Maharashtra Nurses (Amendment) Bill, 1969.
4.	The Bombay Municipal Corporation (Amendment) Ordinance, 1969.	24-2-69	10-3-69	..	L.A. Bill No. XIX of 1969—The Bombay Municipal Corporation (Amendment) Bill, 1969.
5.	The Maharashtra Sale of Trees by Occupants belonging to Scheduled Tribes (Regulation) Ordinance, 1969.	3-3-69	10-3-69	..	L.A. Bill No. XXI of 1969—The Maharashtra Sale of Trees by Occupants belonging to the Scheduled Tribes (Regulation) Bill, 1969.
6.	The Maharashtra (Vidarbha Region) Agricultural Debtors Relief Ordinance, 1969.	7-3-69	14-3-69	..	L.A. Bill No. XX of 1969—The Maharashtra (Vidarbha Region) Agricultural Debtors Relief Bill, 1969.
7.	The Bombay Provincial Municipal Corporations (Amendment) Ordinance, 1969.	19-4-69	17-6-69	..	L.A. Bill No. XXXV of 1969—The Bombay Provincial Municipal Corporations (Amendment) Bill, 1969.
8.	The Maharashtra Zila Parishads and Panchayat Samitis (Second Amendment) Ordinance, 1969.	26-4-69	17-6-69	..	L.A. Bill No. XXXIII of 1969—The Maharashtra Zila Parishads and Panchayat Samitis (Second Amendment) Bill, 1969.

9. The Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Ordinance, 1969.	20-5-69	17-6-69	..	L.A. Bill No. XXXI of 1969— The Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Bill, 1969.
10. The Maharashtra Agricultural Lands (Ceiling on Holdings) (Second Amendment) Ordinance, 1969.	21-5-69	17-6-69	..	L.A. Bill No. XXXII of 1969— The Maharashtra Agricultural Lands (Ceiling on Holdings) (Second Amendment) Bill, 1969.
11. The Maharashtra Cooperative Societies and the Bombay Land Improvement Schemes (Amendment) Ordinance, 1969.	3-6-69	17-6-69	..	L.A. Bill No. XXXIV of 1969—The Maharashtra Cooperative Societies and the Bombay Land Improvement Schemes (Amendment) Bill, 1969.
Orissa Kendu Leaves (Control of Trade) (Amendment) Ordinance, 1969.	17-2-69	7-3-69	4-4-69	Replaced by the Orissa Kendu Leaves (Control of Trade) (Amendment) Bill, 1969.
Orissa				
Punjab				
1. The Punjab Ayurvedic and Unani Practitioners (Amendment) Ordinance, 1969 (Punjab Ordinance No. 1 of 1969).	14-2-69	19-3-69	25-4-69	Replaced by the Legislation. The Punjab Ayurvedic and Unani Practitioners (Amendment) Bill, 1969.

1	2	3	4	5	6
	2. The Punjab Agricultural Produce Markets (Amendment) Ordinance, 1969 (Punjab Ordinance No. 2 of 1969).¶	22-5-69	..	..	NIL (Continuing House not being in Session).
	3. The Punjab Land Revenue (Amendment) Ordinance, 1969 (Punjab Ordinance No. 3 of 1969).	7-6-69	..	..	NIL (Continuing House not being in Session).
	4. The Punjab Public Premises and Land (Eviction and Rent Recovery) Amendment Ordinance, 1969 (Punjab Ordinance No. 4 of 1969).	12-6-69	..	..	NIL (Continuing House not being in Session).
	5. The Punjab University (Amendment) Ordinance, 1969 (Punjab Ordinance No. 5 of 1969).¶	26-6-69	..	..	NIL (Continuing House not being in Session).
	Rajasthan				
1.	The Rajasthan Panchayat Laws (Amendment) Ordinance, 1969 (Ordinance No. 1 of 1969).	3-1-69	25-2-69	..	Replaced by the Rajasthan Panchayat Laws (Amendment) Bill, 1969.
2.	The Bombay Prohibition (Ra-	6-1-69	25-2-69	..	Not replaced by Bill.

jasthan Amendment) Ordinance (Ordinance No. 2 of 1969).

3. The Rajasthan Requisition of Goods Vehicles Ordinance, 1969.
4. The Rajasthan Legislative Assembly (Officers and Members Emoluments) (Amendment) Ordinance No. 4 of 1969.

Tamil Nadu

- | | | | | |
|--|----------|---------|--------|---|
| 1. The Madras General Sales Tax (Fifth Amendment) Ordinance, 1968 (Madras Ordinance 5 of 1968.) | 31-12-68 | 8-1-69 | 4-3-69 | The Madras General Sales Tax (Second Amendment) Bill, 1969. |
| 2. The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Ordinance, 1969 (Madras Ordinance 1 of 1969). | 22-1-69 | 25-1-69 | 3-3-69 | The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Bill, 1969. |

Uttar Pradesh

1. Uttar Pradesh Municipalities (Interim Provision) (Amendment) Ordinance, 1969.

1	2	3	4	5	6
2.	Uttar Pradesh Village Panchayats, Regional Committee and Zila Parishad (Extension of tenure and Miscellaneous Provisions) Ordinance, 1969.	50-4-69	..	..	..
3.	Uttar Pradesh Zamindari Abolition and Land Settlement (Amendment) Ordinance, 1969.	6-6-69	..	..	..
4.	Uttar Pradesh Village Panchayats, Regional Committees and Zila Parishads (Extension of tenure and Miscellaneous provision) (Amendment) Ordinance, 1969.	26-6-69	..	..	..
West Bengal					
1.	The Calcutta Municipal (Amendment) Ordinance, 1969 (West Bengal Ordinance No. 1 of 1969).	1-3-69	11-3-69	17-4-69	The Calcutta Municipal (Amendment) Bill, 1969.
2.	The Calcutta Municipal (Second Amendment) Ordinance, 1969 (West Bengal Ordinance No. II of 1969).	3-4-69	2-7-69	12-8-69	Not replaced by Bill.

3.	The West Bengal Land Reforms (Amendment) Ordinance, 1969 (West Bengal Ordinance No. III of 1969).	7-4-69	2-7-69	12-8-69	The West Bengal Land Reforms (Amendment) Bill, 1964.
4.	The West Bengal Zila Parishads (Amendment) Ordinance, 1969 (West Bengal Ordinance No. IV of 1969).	19-4-67	2-7-69	12-8-69	The West Bengal Zila Parishads (Amendment) Bill, 1969.
5.	The West Bengal Board of Secondary Education (Amendment) Ordinance, 1969 (West Bengal Ordinance No. V of 1969).	9-5-69	2-7-69	12-8-69	The West Bengal Board of Secondary Education (Amendment) Bill, 1969.
6.	The West Bengal (Rural) Primary Education (Temporary Provisions) Ordinance, 1969 (West Bengal Ordinance No. VI of 1969).	9-5-69	2-7-69	12-8-69	The West Bengal (Rural) Primary Education (Temporary Provisions) Bill, 1969.
7.	The West Bengal Acquisition and Settlement of Home Stead Land Ordinance, 1969.	22-5-69	2-7-69	12-8-69	The West Bengal Acquisition and Settlement of Home Stead Land Bill, 1969.
8.	The West Bengal Panchayat (Amendment) Ordinance, 1969 (West Bengal Ordinance No. VIII of 1969).	28-5-69	2-7-69	12-8-69	The West Bengal Panchayat (Amendment) Bill, 1969.

1	2	3	4	5	6
9.	The Howrah Improvement (Amendment) Ordinance, 1969 (West Bengal Ordinance No. IX of 1969).	31-5-69	2-7-69	12-8-69	The Howrah Improvement (Amendment) Bill, 1969.
10.	The West Bengal Utilisation of Land for Production of Food Crops Ordinance, 1969 (West Bengal Ordinance No. X of 1969).	3-6-69	2-7-69	12-8-69	The West Bengal Utilisation of Land for Production of Food Crops Bill, 1969.
11.	The Bengal Co-operative Societies (Amendment) Ordinance, 1969.	6-6-69	2-7-69	12-8-69	The Bengal Cooperative Societies (Amendment) Bill, 1969.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Maharashtra		45	37	1	—	—	2	—	1	2	—	1	1	45
Mysore		27	18	4	—	—	—	—	4	1	—	—	—	27
Nagaland		1	1	—	—	—	—	—	—	—	—	—	—	1
Orissa		20	6	9	—	—	—	—	4	1	—	—	—	20
Punjab		13	7	—	2	—	—	—	—	—	2	—	—	*11@
Rajasthan		23	12	5	2	—	—	—	—	—	2	2	—	23
Tamil Nadu		39	3	6	—	25	—	4	—	—	—	—	1	39
Uttar Pradesh		85	46	2	11	—	6	1	1	7	1	6	3	84@
West Bengal		40	15	—	—	—	5	5	1	1	8	—	4	39@
<i>Union Territories</i>														
Andaman & Nicobar Islands		1	1	—	—	—	—	—	—	—	—	—	—	1
Chandigarh		1	—	—	1	—	—	—	—	—	—	—	—	1
Dadra & Nagar Haveli		1	1	—	—	—	—	—	—	—	—	—	—	1
Delhi		7	1	—	6	—	—	—	—	—	—	—	—	7
Goa, Daman & Diu		2	—	—	—	—	—	—	—	—	1	—	1	2

PARTY POSITION IN LOK SABHA

Position as on 15.10.1969

S. No.	Name of Party/Group	Strength
1.	Congress Party	282
2.	Swatantra Group	42
3.	Jan Sangh Group	31
4.	D. M. K. Group	25
5.	C. P. I. Group	24
6.	C. P. I. (M) Group	19
7.	P. S. P. Group	17
8.	S. S. P. Group	17
9.	United Independent Parliamentary Group	23
10.	B. K. D. Group	11
11.	Unattached	27
12.	*Vacancies	4
		522
		(excluding the Speaker)

*(1) Shri Sohan Singh Basi (Resigned), (2) Shri Humayun Kabir (Died), (3) Shri V. Y. Tamaskar (Died), (4) Mahant Digvijai Nath (Died)

II. Rajya Sabha

(As on the 31st August, 1969)

1	Seats Cong. Swa. Jan Sangh		SSP PSP Communist Communist Ind.				(M)		Others	
	2	3	4	5	6	7	8	9		10	11
Andhra Pradesh	18	15	1	—	—	—	2	—	—	—
Assam	7	6	—	—	1	—	—	—	—	—
Bihar	22	14	—	1	4	1	1	—	1	—
Gujarat	11	8	2	—	—	—	—	—	1	—
Haryana	5	3	—	—	—	—	—	—	1	1 (1 B. K. D.)
Kerala	9	—	—	—	—	1	3	2	1	2 (1 R. S. P. 1 M. L.)
Madhya Pradesh	16	11	—	2	1	—	—	—	1	1 (*L. S. D.)
Maharashtra	19	16	—	—	—	—	—	—	—	3 (**1 S.M.S. 2 Rep.)
Mysore	12	9	—	—	—	1	—	—	2	—
Orissa	10	4	4	—	—	1	—	—	—	1 (Jana Cong.)
Punjab	7	2	—	1	—	—	—	—	1	3 (Ak. Dal.)
Rajasthan	10	6	2	1	—	—	—	—	—	(1 B. K. D.)
Tamil Nadu	18	8	3	—	—	—	—	1	—	5 (3 D.M.K. 2 M.L.)

	1	2	3	4	5	6	7	8	9	10	11
Uttar Pradesh		34	23	1	4	3	—	1	—	—	1 (B. K. D.)
West Bengal		16	7	—	—	—	—	2	3	1	3 (1 Forward Bloc, 1 Forward Bloc (M) 1 Bangla Cong.)
Jammu & Kashmir		4	4	—	—	—	—	—	—	—	—
Nagaland		1	1	—	—	—	—	—	—	—	—
Delhi		3	2	—	1	—	—	—	—	—	—
Himachal Pradesh		3	3	—	—	—	—	—	—	—	—
Manipur		1	1	—	—	—	—	—	—	—	—
Pondicherry		1	—	—	—	—	—	—	—	—	1 (D. M. K.)
Tripura		1	1	—	—	—	—	—	—	—	—
Nominated by the President		†12	—	—	—	—	—	—	—	—	—
		240	144	13	10	9	4	9	6	9	22—238 (including 12 Nominated Members)

Vacancies :

Tamil Nadu	1
Uttar Pradesh	1
	<hr/>
	2

†Nominated Members are: Shri M. Ajmal Khan, Shri M. N. Kaul, Shri G. Ramachandran
Shri Jairamdas Daulatram, Shri M. C. Setalvad, Dr. K. Ramiah, Shrimati Shakuntala Paranjpye,
Shri Ganga Sharan Sinha, Dr. H. R. Bachchan, Shri G. Sankara Kurup, Shri Joachim
Alva, Prof. Saiyid Nurul Hasan.

*Lok Sewak Dal.

**Sampurna Maharashtra Samiti.

PARTY POSITION IN RAJYA SABHA

As on the 31st August, 1969

S. No.	Name of the Party	Strength
1.	Congress	144
2.	Swatantra	13
3.	Jan Sangh	10
4.	S. S. P.	9
5.	P. S. P.	4
6.	Communist	9
7.	Communist (Marxist)	6
8.	Independents	9
9.	Others*	22
10.	Nominated	12
11.	Vacancies	2
		240

*B.K.D.-3; R.S.P.-1; M.L. -3; Lok Sevak Dal-1; Sampurna Maharashtra Samiti-1; Republican-2; Jana Congress-1; Akali Dal-3; D.M.K.-4; Forward Bloc-1; Forward Bloc (Marxist)-1; Bangla Congress-1.

III. State Legislative Assemblies

State	Seats	Cong.	Swa.	JS	CPI	CPI (M)	SSP	PSP	Rep.	Other Parties	Ind.	Nom.	Muslim League	Forward Bloc	DMK	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Assam (As on 30.6.69)	126	71	2	—	7	—	3	5	—	2(a)	26	—	—	—	—	116(b)
Bihar (As on 10-9-69)	319	118(tt)	3	34	25	3	53	18	—	42(aa)	22(bb)	1	—	—	—	319
Gujarat (As on 30.6.69)	168	101	55	1	—	—	1	3	—	1 (d)	6	—	—	—	—	168
Haryana (As on 10.7.69)	81	44(c)	—	7	—	—	—	—	—	28(e)	1	—	—	—	—	80(f)
Jammu & Kashmir (As on 24.7.69)	75	63	—	3	—	—	—	—	—	3(g)	3	—	—	—	—	72(h)
Kerala (As on 30.6.69)	134(hh)	9	—	—	20	50	6	—	—	26(j)	6	1	14	—	—	132(k)
Madhya Pradesh (As on 30.6.69)	297	174	—	60	1	—	8	3	—	45(l)	3	1	—	—	—	295(m)
Maharashtra (As on 30.6.69)	270	204	—	4	01	1	6	7	2	22(n)	11	—	1	1	—	269(o)
Mysore (As on 15.7.69)	217	135	13	3	3	—	5	22	—	12(p)	23	—	—	—	—	216(q)
Nagaland (As on 15.7.69)	52	—	—	—	—	—	—	—	—	52(r)	—	—	—	—	—	52
Orissa (As on 15.7.69)	140(t)	31	47	—	7	1	1	21	—	25(s)	5	—	—	—	—	138(u)
Punjab (As on 30.6.69)	104	34	1	8	4	2	2	1	—	48(v)	3	—	—	—	—	103(w)
Rajasthan (As on 13.8.69)	184	111	28	18	1	—	7	—	—	11(x)	6	—	—	—	—	182(y)
Tamil Nadu (As on 14.7.69)	235	49	19	—	3	10	2	4	1	1(z)	3	—	2	1	137(zz)	232(i)
Uttar Pradesh (As on 14.7.69)	426	213	5	48	4	1	32	3	1	100(ii)	16	1	—	—	—	424(iii)
West Bengal (As on 1.9.69)	282	55	—	—	30	80	9	5	—	69(v)	11(iv)	2	—	21	—	281(x)
Union Territories																
Goa, Daman & Diu (As on 3.7.69)	32	—	—	—	—	—	—	—	—	29(vii)	2	—	—	—	—	31(vii ₁)
Himachal Pradesh (As on 5.7.69)	63	39	—	7	—	2	—	—	—	—	12	3	—	—	—	63
Manipur (As on 19.8.69)	33	22	—	—	1	—	4	—	—	—	5	—	—	—	—	32(ix)
Pondicherry (As on 7.7.69)	30	10	—	—	3	—	—	—	—	—	2	—	—	—	15(vi)	30
Tripura (As on 8.7.69)	30	27	—	—	1	2	—	—	—	—	—	—	—	—	—	30

- (a) Revolutionary Communist Party of India—1 and unattached—Independent and others 1.
 (b) 10 Seats are vacant.
 (c) Including Honourable Speaker and one member who has been deprived of taking part in the Proceedings of the House or in the voting.
 (d) 1 Janata Parishad.
 (e) 19 Haryana United Front ; 9 Haryana Kisan Mazdoor Party.
 (f) One Seat vacant.
 (g) 3 National Conference.
 (h) 3 Seats are vacant.
 (hh) Strength of the Assembly is 134 (including the Speaker).
 (j) 12 Kerala Samyuktha Socialist Party ; 6 Revolutionary Socialist Party ; 2 Karshaka Thozhilali Party ; 1 Kerala Socialist Party ; 5 Kerala Congress.
 (k) One Seat vacant.
 (l) 29 Lok Sevak Dal ; 16 Pragatisheel Vidhayak Dal.
 (m) 2 Seats are vacant.
 (n) 21 Peasants and Workers ; 1 Hindu Sabha.
 (o) 2 Seats are vacant.
 (p) 1 R.P.I. ; 1 L.S.S. ; 10 Janta Paksha.
 (q) One Seat vacant.
 (r) 43 N-N-O. ; 9 United Front Nagaland.
 (s) Jan Congress.
 (t) Including Speaker.
 (u) One Seat vacant.
 (v) 48 Akali Party.
 (w) One Seat vacant.
 (x) 11 B.K.D. Members.
 (y) 2 Seats are vacant.
 (z) 1 Tamil Arasu Kazhagam.
 (zz) Including one affiliated member.
 (i) Two Seats vacant, and excluding Speaker.
 (ii) 98 Bhartiya Kranti Dal ; 1 Hindu Maha Sabha ; 1 Kisan Mazdoor Party.
 (iii) Excluding Speaker and Deputy Speaker.
 (iv) 9 Supported by the United Front (including Speaker) ; 2 other Independents.
 (v) 33 Bangla Congress ; 12 Revolutionary Socialist Party ; 7 Socialist Unity Centre ; 4 Gorkha League ; 4 Lok Sevak Sangha ; 2 Workers Party ; 2 Revolutionary Communist Party of India ; 1 Forward Bloc (Marxist) ; 3 Progressive Muslim League ; 1 Indian National Democratic Front.
 (vi) Including Speaker.
 (vii) Maharashtrawadi Gomantak Party—17; and United Goans Party—12.
 (viii) Excluding Speaker.
 (ix) One Seat vacant.
 (x) Excluding Speaker.
- (aa) Janta—14; Democratic Congress Party—9; Hull Jharkhand—7; B.K.D.—2; other than B.K.D.—4; Soshit Dal—6. The question of recognition to Jharkhand Party is under consideration. One member has given notice of severing his connection from Janata Party.
 (bb) Includes Independents (A)—11 and Independents (B)—11. [The question of recognition to Independents (B) is under consideration]. Two members have given notice to sever their connection from Independent (B).
 (tt) Including the Speaker.