

# ***THE JOURNAL OF PARLIAMENTARY INFORMATION***

**THE IMPORT LICENCES CASE : SOME IMPORTANT  
PRIVILEGE ISSUES**

— S. L. Shakhder

**ENERGY CRISIS AND THE PARLIAMENTARIANS**

— Salil Kumar Ganguli, M.P.

**LEGISLATIVE ROLE—DIFFERENTIATION IN CONTEMPORARY  
SOCIETIES : AN OVERVIEW**

— Dr. R. B. Jain

**THE PARLIAMENT : THEN AND NOW**

— J. P. Chaturvedi

# THE JOURNAL OF PARLIAMENTARY INFORMATION

*Editor*: S. L. SHAKDHER

The Journal of Parliamentary Information, a quarterly publication brought out by the Lok Sabha Secretariat, aims at the dissemination of authoritative information about the practices and procedures that are continuously being evolved in Indian and foreign legislatures. The Journal also purports to serve as an authentic recorder of important parliamentary events and activities and provides a useful forum to Members of Parliament and State Legislatures and other experts for the expression of their views and opinions thereby contributing to the development and strengthening of parliamentary democracy in the country.

The Editor would welcome articles on constitutional, parliamentary and legal subjects for publication in the Journal. A modest, token honorarium is payable for articles etc. accepted for publication in the Journal. The articles should be typewritten on only one side of the paper.

Latest standard books are reviewed in the Journal by Members of Parliament. Books intended for review should be sent to the Editor.

The views expressed in the signed articles etc. published in the Journal are those of the authors and the Lok Sabha Secretariat does not accept any responsibility for them.

Articles appearing in this Journal are indexed in *ABC POL SCI: Advance Bibliography of Contents: Political Science and Government* published by ABC Clio Inc., Riviera Campus, 2040 Alamda Padre Serra, Santa Barbara, California, USA.

Copyright for the articles, notes and reviews published in the Journal vests with the Lok Sabha Secretariat and prior written permission from the Editor should be obtained for the reproduction of any material from the Journal. A copy of the publication in which an article is so reproduced should be sent to the Editor.

Correspondence concerning the subscription and sales should be addressed to Sales Branch, Lok Sabha Secretariat, Parliament House, New Delhi-1.

Price per copy : Rs. 3.00

Annual Subscription : Rs. 12.00

# THE JOURNAL OF PARLIAMENTARY INFORMATION

Vol. XXI, No. 3

July—September, 1975

## CONTENTS

	PAGE
EDITORIAL NOTE . . . . .	335
ARTICLES	
The Import Licences Case : Some Important Privilege Issues —S.L. Shakhder	339
Energy Crisis and the Parliamentarians —Salil Kumar Ganguli, M.P.	355
Legislative Role—Differentiation in Contemporary Societies : An Overview —Dr. R. B. Jain	360
The Parliament : Then and Now —J.P. Chaturvedi	375
SHORT NOTES	
Parliamentary Events and Activities . . . . .	379
Privilege Issues . . . . .	390
Procedural Matters . . . . .	400
Constitutional and Legal Matters . . . . .	410
Parliamentary and Constitutional Developments . . . . .	412
SESSIONAL REVIEW	
Lok Sabha—Thirteenth Session . . . . .	440
Rajya Sabha—Ninety-first and Ninety-second Sessions	457
BOOK REVIEWS	
Woodrow Wyatt: <i>Turn Again, Westminster</i> —Jagannath Rao, M.P.	471
Brahma Bharadvaja : <i>Delegated Legislation in India</i> —Dr. N. N. Kailas, M. P.	476
RECENT LITERATURE OF PARLIAMENTARY INTEREST . . . . .	479
APPENDICES . . . . .	487
865 LS—1.	

## EDITORIAL NOTE

The import licences case, which prominently figured during the last monsoon and winter sessions of the Parliament, engaged the attention of the intelligentsia and the common man. Questions of privilege were sought to be raised by the Members against some senior Ministers. An article dealing with some important privilege issues raised in connection with the case is being published in this issue.

In another article, Shri Salil Kumar Ganguli, M.P., exhorts the parliamentarians to play their useful role towards solving the growing energy crisis the world over.

The range and magnitude of governmental activities in the present day would suggest the need for Parliament to shift its emphasis from its law-making activity to "oversight of Administration". In fact, because of the complexity and technical nature of the present day legislation, Parliament alone, it may be said, is not fully equipped to "make" law, with the result that in many countries, initiative in this field has already been mostly taken over by the Executive. This and other aspects of the functioning of legislatures, particularly those in the developing countries, are attracting the attention of parliamentary scholars. Dr. R. B. Jain in his thought-provoking article does not think that the long-term trend in the developing countries is towards the 'decline' or 'demise' of legislatures. In his view, their future is far from bleak.

Shri J. P. Chaturvedi, a senior press correspondent, in his article on "The Parliament: Then and Now" compares his notes about the role played by the Parliament and its members during the formative years after Independence and at the present time.

Recently, there were a few changes in the Council of Ministers at the Centre. Shri Kamalapati Tripathi was appointed the new Railway Minister in place of late Shri L. N. Mishra who had succumbed to his injuries in the Samastipur bomb blast. Shri Mohan Dharia resigned as Minister of State for Works and Housing from the Union Cabinet.

As a result of the recent delimitation of the Constituencies, some states would have more seats in Lok Sabha after the next general elections when the House would comprise of a total of 540, as against the present 525 seats.

The most important development at the State level was the Government of India's agreement with Sheikh Mohammed Abdullah and his swearing-in as the Chief Minister of the State of Jammu and Kashmir. It may be hoped that the agreement which received the support of the State Legislature Congress Party would open a new chapter of progress and stability in the State.

Besides the State of Jammu and Kashmir, new Ministries were formed in Bihar and Maharashtra and the existing Ministries were expanded in Manipur, Sikkim and Uttar Pradesh. Minor ministerial changes took place in West Bengal also, consequent on the resignations of some Ministers who were found guilty of corruption and nepotism by the Wanchoo Commission. There was re-allocation of portfolios of the Ministers in Haryana and Tamil Nadu. The Coalition Ministry in Kerala suffered a set-back with a split in the Muslim League and withdrawal of support by the dissidents, but was able to get the "unconditional" support of the two-member Kerala Congress Party to continue in power.

The Vizol Ministry in Nagaland fell a victim to the repeated defections of MLAs, but even the Jasokie Ministry which followed it could not survive for more than twelve days due to the same reason. This led to the imposition of the President's rule in the State.

We extend our felicitations to the people of the Union Territory of Arunachal Pradesh in securing a Legislative Assembly and a Council of Ministers and hope that the new legislature would maintain and uphold high parliamentary traditions in its functioning.

We welcome the election of Shri Sheonath Singh Kushwaha as the Deputy Speaker of the Uttar Pradesh Vidhan Sabha.

Of the seven by-elections to the State Legislatures in Bihar, Haryana, Jammu and Kashmir, Karnataka and Uttar Pradesh, four seats were secured by the Congress and one each by the B.L.D., Jan Sangh and an independent candidate. Of the ten election petitions decided by the Supreme Court and the High Courts, the election of candidates in five cases was upheld and in the other five it was declared void.

How far is the presiding officer of a legislature dependent upon the support of the ruling party, for his continuance in office? This question was posed and answered in the Australian House

of Representatives when the Speaker, Mr. James Cope had to resign after he failed to get Government support to a motion seeking to name a member. One can only hope that such situations were better avoided in the interest of the strengthening of parliamentary institutions and the development of healthy conventions and traditions.

Following the new constitutional change-over in Bangladesh, a single-party system was launched by President Sheikh Mujibur Rahman; all the members of the *Jatiyo Sangsad* (Parliament) were directed to become members of the new party, viz., Krishak Sramik Awami League.

The National Awami Party has been banned in Pakistan. In this connection it may perhaps be pointed out that although party system is regarded as an axiomatic desideratum of parliamentary democracy, political institutions in each country take their shape and complexion from the total political culture of the society and the particular genius of the people and there can be no fixed model for all nations and all times.

It is interesting to note that in Iran also, the new party "Renewal of Iran" with its explicit aim of safeguarding the Constitution and the monarchy has replaced the existing two political parties.

There have been governmental changes in a number of other countries. New cabinets were formed in Cambodia, Chile, Denmark, Egypt, Kuwait, Portugal, South Africa, Spain, Thailand and Turkey. The "3000-year old monarchy" was abolished in Ethiopia following a major cabinet reorganisation. Cabinet was reshuffled in Nepal, Sudan and Togo. After an abortive coup, a draft Constitution gave virtually unlimited powers to the armed forces in Portugal. The President of Honduras was overthrown by the army, though, soon after, a civilian cabinet was appointed to run the country's administration.

President Amir Ibrahim Nasir of the Maldives removed the Prime Minister Mr. Ahmad Zaki and imposed President's rule in the country. In Saudi Arabia, after King Faisal Ibn Abdul Aziz Al-Soud's assassination by his nephew, Crown Prince Khaled Ibn Abdul Aziz was proclaimed the King.

In view of the mounting civil disorder, a state of emergency was declared in Peru soon after the Chief of the Army Staff, General Francisco Morales Bermudez assumed Prime Ministership.

The emergency promulgated in Pakistan in 1971 was extended indefinitely through a Bill passed by the National Assembly.

King Birendra of Nepal announced the appointment of a Commission, representing the interests of all the major political parties before they were banned, to recommend suitable reforms in the country's party-less Panchayat system.

A referendum on the Constitution gave the South Korean President almost unlimited powers.

The Presidency of the Republic of Yugoslavia decreed the formation of a "Federal Council for the Defence of the Constitutional Order" designed to ensure the settlement of the succession problem after the present President's death.

General elections to Parliament were held in North Vietnam and Rumania. Elections to Portugal's Constituent Assembly also took place with the Socialists emerging as the largest party.

The election of Mrs. Margaret Thatcher as leader of the Conservative Party in the U.K. House of Commons is indeed one of the major events in this International Women's Year. No woman has ever occupied this position in U.K.'s long history of Parliament.

The Australian Opposition Liberal Party elected Mr. Malcolm Frazer as its leader.

We offer our congratulations and felicitations to Mr. Prasit Kanchanawat on his election as Speaker of the House of Representatives of Thailand.

Italy has lowered the voting age from 21 to 18 years.

The United Kingdom has followed Australia and New Zealand, among the Commonwealth countries, in deciding about live broadcasts of parliamentary proceedings over the radio. In India, the proceedings of the House are not broadcast. There have, however, been occasions when speeches of historic importance made in the House were recorded and later broadcast by the All-India Radio with the permission of the Speaker. It may be recalled that the Committee on Broadcasting and Information Media in its report on "Radio and Television" had observed that it did not consider the live broadcast of parliamentary debates in India necessary. It felt that "this will not be possible here with both Houses in session (simultaneously) and with the number of channels available."

## THE IMPORT LICENCES CASE: SOME IMPORTANT PRIVILEGE ISSUES\*

At the height of the long and often bitter controversy in the Lok Sabha over what has come to be known as the Import Licences case, the Speaker, Dr. G. S. Dhillon, gave two important rulings on December 2 and 16, 1974, which are notable for their comprehensiveness and clarity in restating certain basic principles underlying the admissibility and scope of privilege motions. The related developments may be briefly recapitulated first to set the rulings in the right perspective.

It was a political weekly of Bombay—the *Blitz*—which first disclosed on March 30, 1974 that the Commerce Ministry had sometime back received “a letter signed by nearly two dozen Congress M.Ps pleading for a licence to a particular party” and that “Prompt action was initiated thanks to the galaxy of supporters”. The *Blitz* report went on to say:

However, out of sheer curiosity the officer who processed it rang up one of the signatories. He was shocked to learn that he had not signed it. Some more signatories were contacted with the same result.

Finally, the officer called in the Congress M.P. who headed the list. After some polite interrogation, the worthy broke down and admitted that he had taken from the party for whom the licence was recommended a lakh and a half rupees. And the horror of horrors was that all the signatures except his were forgeries.<sup>1</sup>

On August 27, 1974, in reply to a question in the Rajya Sabha which, *inter alia*, specifically asked for the names of the M.Ps. who had allegedly signed the representation for the grant of a licence, referred to in the *Blitz* report, the Commerce Minister, Shri D. P. Chattopadhyaya, laid a statement on the table of the House. The

---

\*Shri Shakdher is the Secretary-General, Lok Sabha and President of the Association of Secretaries-General of Parliaments.

<sup>1</sup>*Blitz*, Bombay, March 30, 1974, p. 3.



statement, besides disclosing the names of 21 M.Ps—all belonging to the Lok Sabha and the ruling Congress Party—who were “purported to have signed” a memorandum recommending the issuance of import licences to certain firms, confirmed that the said memorandum was received in the Commerce Ministry on November 23, 1972 and that subsequently import licences of a total value of about Rs. 29.15 lakhs had been given to seven firms of Yanam in the Union Territory of Pondicherry, on whose behalf representations had been made. It was also stated that after the news item published in the *Blitz* came to the Government’s notice “secret verification through the CBI (Central Bureau of Investigation) was initiated”. In reply to supplementaries, the Commerce Minister further stated that the decision to grant the import licences to the seven firms had been taken “strictly according to rules and regulations”, and that “all norms were observed.”<sup>2</sup>

The Minister’s reply drew sharp protests from members from both sides of the House who maintained that before giving the names of the M.Ps who were alleged to have signed the memorandum in question, the Minister should have verified whether the signatures were genuine or not, or he could have said that the matter was being inquired into by the CBI and before the inquiry was completed he would not be able to give the names. Points of orders were raised questioning the Minister’s right to make a statement which by chance or implication involved the names of Members of Parliament in an allegedly shady deal.<sup>3</sup>

A few hours later, in compliance with a directive from the Deputy Chairman to verify the signatures on the memorandum and report to the House, the Commerce Minister made another statement in the Rajya Sabha to the effect that 18 of 21 M.Ps, whom he had personally contacted in the meanwhile, had denied that they had signed the memorandum. He had not been able to contact the remaining three members, but he hoped to check up with them and inform the House before the end of the Session—that is the Monsoon Session which was then progress.<sup>4</sup>

---

2R. S. Debates (Cyclostyled), Part I, August 27, 1974, p. 63—Statement in reply to S. Q. No. 730, and also *Ibid.*, p. 78.

3*Ibid.*, pp. 74-75—speech of Shri Chandra Shekhar. Also see speeches of Sarvashri Mahavir Tyagi (*Ibid.*, p. 76), Lal Advani (*Ibid.*, p. 76) and Krishan Kant (*Ibid.*, pp. 77-80)

4*Ibid.*, Part II, pp. 512-13.

On the same evening, the issue was raised in the Lok Sabha by some Opposition members who drew the attention of the House to the fact that the conduct of some of its Members had been under discussion in the other House, and demanded that the matter be taken up for discussion immediately as the honour of Members of the House was involved.<sup>5</sup> Thereafter, during the rest of the Monsoon session as also for a major part of the subsequent Winter session, the import licences issue dominated the proceedings of the Lok Sabha and the matter came up for discussion again and again in one form or the other.

On August 28, 1974, 20 of the 21 Members, who were alleged to have signed the memorandum for the grant of import licences to some firms, offered personal explanations in the House declaring that they had no concern with any such memorandum and that their signatures on the said document were forged.<sup>6</sup> The only Member who was yet to deny on the floor of the House that he had signed the memorandum was Shri Tulmohan Ram who headed the list of the alleged signatories.

On the same day, during discussion on a question of privilege relating to the Commerce Minister's statements in the Rajya Sabha in connection with the import licences issue, certain allegations were made against the Railway Minister, Shri L. N. Mishra. It was said that it was during Shri Mishra's tenure as Minister of Foreign Trade that the whole conspiracy in regard to the memorandum seeking import licences was hatched—either in Shri Mishra's office or at his residence.<sup>7</sup> Referring to the allegations, Shri Mishra said by way of personal explanation:

I recollect having received a letter purporting to bear the signatures of a number of MPs when I was in charge of the former Ministry of Foreign Trade. As far as I remember, I passed on the letter to the officer concerned in the normal course of business. No order was passed by me, nor any licence was issued during the period I remained in that Ministry. I strongly repudiate the allegation that I had anything to do with the obtaining of signatures on the

---

<sup>5</sup>L. S. Debates, Vol. XLIII, August 27, 1974, cc. 317—320—speeches of Sarashri Madhu Limaye, A. B. Vajpayee and S. N. Mishra.

<sup>6</sup>*Ibid.*, August 27, 1974, cc. 194—209 and 317-318.

<sup>7</sup>*Ibid.*, August 28, 1974 cc. 169—172—speech of Shri Madhu Limaye.

application or grant of licence. I repeat, Sir, none of these licences were issued during my stewardship of the Ministry of Foreign Trade."

From the very beginning of the controversy, the Opposition had persistently demanded a parliamentary probe into the import licences scandal. On September 9—the last day of the 1974 Monsoon Session—the House discussed an Opposition motion, proposing constitution of an 11-member Parliamentary Committee "to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations."<sup>9</sup>

Initiating the discussion, Shri A. B. Vajpayee, the mover of the motion, said that the existing position was that except for Shri Tulmohan Ram all the other alleged signatories to the memorandum seeking import licences had stated in the House that their signatures on the memorandum were forged. Shri Tulmohan Ram had, however, chosen to remain silent and his silence amounted to a confession of the charge that had been levelled against him that he had forged the signatures of the other Members. Shri Vajpayee further said that, according to his information, the memorandum was prepared at the instance of Shri L. N. Mishra who was Foreign Trade Minister when the representation for licences was made. Maintaining that Shri Mishra had 'close connections' with Shri Tulmohan Ram, Shri Vajpayee alleged that the latter was having a school constructed in his village in the name of Shri Mishra's father, Pandit Ravindra Nath Mishra, and that donations had been collected for the purpose.<sup>10</sup> Shri Mishra promptly intervened to say, "I have no knowledge".<sup>11</sup>

Shri Vajpayee was not in favour of the C.B.I. inquiry, as the C.B.I., being a Government agency, would not be able to probe into a case in which Ministers and M.Ps were involved. The public, the press and the common man believed, Shri Vajpayee said, that all facts in this case would not come to light unless it was referred to

---

<sup>8</sup>*Ibid.*, cc. 216-17.

<sup>9</sup>*Ibid.*, Vol. XLIV, September 9, 1974, cc. 153 and 172.

<sup>10</sup>*Ibid.*, cc. 156-159.

<sup>11</sup>*Ibid.*, c. 158.

a Parliamentary Committee. That apart, since the conduct of the Members of the House was involved, only the House could inquire into the matter and not an outside agency.<sup>12</sup>

Intervening in the debate, the Minister of Commerce, Shri D. P. Chattopadhyaya, said that for many years the importers of Yanam and Mahe—two former French possessions—had been representing their case for securing additional special licences and some of them had also filed writ petitions. After the writ petitions were withdrawn the Ministry re-examined the matter “from a point of view whether the denial of licences was consistent with principles of equity and justice”. Shri Chattopadhyaya added:

In this connection this memorandum which has been the subject matter of our discussion for the last few days, addressed to the then Minister of Foreign Trade, was received on November 23, 1972. Even prior to the receipt of the memorandum three other representations on the identical subject were received in the Ministry and were under examination. The earlier representations of the importers of Yanam and Mahe and this memorandum were duly examined and processed. After a thorough examination we came to the conclusion that some injustice had been done to the importers of Yanam and Mahe, even though this was not the intention of Government. I therefore, decided in September 1973, that some relief may be accorded to such of the importers of Yanam and Mahe, who fulfilled the rules of eligibility. I would like to submit here, Sir, that these firms were not black-listed, debarred or non-existent.<sup>13</sup>

Asked if the firms to whom the licences had been issued had started selling them, Shri Chattopadhyaya said:

Nothing to our knowledge has been brought raising or warranting any doubt that these licences have been trafficked into. If it is brought to our notice, we will look into it.<sup>14</sup>

Shri Chattopadhyaya also informed the House that he had received a Report from the C.B.I. on August 31, 1974 containing its preliminary findings. According to the Report, only one of the alleged signatories to the memorandum, Shri Tulmohan Ram, had admitted his signatures. Shri Chattopadhyaya added that the investigation

---

12Ibid., cc. 162—170.

13Ibid., cc. 243—245.

14Ibid., c. 249.

by the C.B.I. would cover all aspects of the matter and "if any mal-practices came to light in the course of the investigation, necessary action will follow." On the basis of the preliminary findings of the C.B.I., a case had already been registered on September 2, 1974.<sup>15</sup>

The Minister of Home Affairs, Shri Uma Shankar Dixit, also intervened in the debate. He opposed Shri Vajpayee's motion on the ground that in the present case there was suspicion of a crime and hence it was not a fit case to be handled by a Committee of the House. He, however, conceded that at a later stage—after the inquiry was completed—the matter could possibly go to Parliament or a Committee of the House and said:

I am making a promise, I am giving an assurance, that, after this investigation is over, the first thing that we will do is to come to Parliament and say, 'This is where we have arrived; please tell us what we should do'. It is only after that, according to the wishes of Parliament, that we will proceed. We are not closing the door for further investigation by Parliament. There can be one remote possibility when the matter can go to a Committee. As it is, today, my request is that the matter should not be pressed.<sup>16</sup>

While replying to the debate on the motion, Shri Vajpayee said that there was an evident conflict between the Home Minister's statement assuring the House that after the completion of the C.B.I. inquiry Government would apprise Parliament of the position and proceed further in accordance with the wishes of Parliament, and what the Law Minister, Shri Gokhale, had said in the House on September 3, 1974<sup>17</sup>, viz:

This is our view that these matters can only be looked into by a Court of law. The proper agency, statutory agency, that can investigate into the matter is the Court.<sup>18</sup>

---

15Ibid., c. 246. The actual date when the case was registered was given to the House by the Minister of Law, Shri H. R. Gokhale, in response to pointed queries by some Members—see Ibid., col. 194.

16Ibid., cc. 318-319.

17Ibid., cc. 327-328.

18Ibid., September 3, 1974, c. 32.

Shri Gokhale, thereupon intervened to say:

Please refer to my remarks on the subsequent occasion.<sup>19</sup> I have said at that time that we shall take the House into confidence after the investigation report was available. After the results of the investigation are available we shall take the House into confidence, the whole matter is open to the House to consider at that time.<sup>20</sup>

At the end of the debate, Shri Vajpayee's motion for the constitution of a Parliamentary Committee to probe into the import licences issue was put to vote and negatived. The House then adjourned *sine die*.<sup>21</sup>

On November 11, 1974, the day of the opening of the Winter Session of Parliament, the C.B.I. having completed its enquiry in the import licences case, filed a charge-sheet in the Court against Shri Tulmohan Ram, M.P., Shri Yogendra Jha, ex-M.P., and Shri Gurbachan Singh, a 'contact man', charging them, among other things, with forgery, cheating, accepting illegal gratification and using undue influence.<sup>22</sup>

Immediately on the opening of the Winter Session (1974), the issue was raised in the Lok Sabha through a number of privilege notices by Opposition members. On the 12th, 20th, 21st, 22nd, 25th, 26th and 27th November, 1974, Sarvashri Madhu Limaye, Jyotirmoy

---

<sup>19</sup>Shri Gokhale was evidently referring to his speech in the House on September 5, 1974, wherein he had, *inter alia*, observed:

As I had occasion to mention in this case, on the basis of that report (i.e. the preliminary verification report of the C.B.I.) some offences seem to have been committed and the offences have been registered...and a proper investigation into the criminal offences is in progress. As a result of the investigation, if there is enough material to establish that these offences have been committed and it is possible to identify the offenders also, I have no doubt that no efforts will be spared to see that the offenders are brought to book in a court of law. I want to assure the House that, when the results of the C.B.I. investigation are known, the Government will take the House into confidence and at that stage it will be proper for the Parliament, for the House to consider as to what appropriate steps are to be taken for protecting the rights of the hon. members—*L. S. Debs.* Vol. XLIV, September 5, 1974, c. 153.

<sup>20</sup>*Ibid.*, September 9, 1974, c. 329.

<sup>21</sup>*Ibid.*, c. 344.

<sup>22</sup>*Hindustan Times*, November 12, 1974.

Bosu, Shyamnandan Mishra, and Atal Bihari Vajpayee sought to raise questions of privilege against four of the Union Ministers on grounds of non-fulfilment of assurances given to the House and/or misleading statements before the House and against Shri Tulmohan Ram—a Member of the House—for alleged misconduct involving bribery and forgery by him in the Import Licences case, as concluded by the C.B.I. after investigating into the matter.

The contention of the Opposition was that, as per the assurance given, the Government should have come before the House with the C.B.I. report instead of rushing to the Court, and inasmuch as this was not done Shri Umashankar Dikshit and Shri H. R. Gokhale, as the Ministers who gave the assurance and Shri Brahmananda Reddy as the Minister now in charge of the Home Portfolio were guilty of breach of privilege. Shri Reddy and Shri Gokhale dealt with the points raised by Members in this behalf.

In a statement made in the House on November 12, 1974, when the question of the non-fulfilment of the assurance was raised by several members, Shri Brahmananda Reddy explained in detail the legal obligations and the circumstances under which the C.B.I. had to rush to the Court before the Government could come to the House in the matter after the C.B.I. inquiry was over. According to Shri Reddy, as soon as the inquiry was completed, the C.B.I. was compelled, under the law, to submit its report to the Court and Government could not interfere with the processes that ought to take place under the law.<sup>23</sup>

Later, on November 21, Shri Reddy while refusing to meet the Opposition's demand for placing the C.B.I. report on the Table of the House, agreed to have the copies of the C.B.I. charge-sheet made available to the Parliament Library for the use of Members. Reverting to the Opposition charge that by instituting proceedings in the Court without first communicating the results of the C.B.I. investigations to the House, the Government had acted in violation of the assurance given to the House, Shri Reddy said:

In his speech on the 5th September the Law Minister had clearly indicated that the investigation may result in criminal prosecutions. He could not have been more explicit. The assurance to inform the House of the results of the investigation did not, therefore, preclude the possibility of charge-sheets being filed in respect of those against

---

23L. S. Debs., Vol. XLV, November 12, 1974; cc. 305, 317—319.

whom criminal offences were *prima facie* made out. The House was equally aware of its own rules and practices and so were the Ministers concerned. We should not read into their speeches, intentions that would be wholly inconsistent with their knowledge of parliamentary practice and of law. The law requires that as soon as the investigation is complete, either a charge-sheet or a final report should follow. The rules of parliamentary procedure exclude discussion on matters which are *sub judice*. Hence when my predecessor and the Law Minister spoke in the House, they should not be assumed to have promised a discussion which would be either violative of the legal requirements or of the parliamentary practice. What was promised was only what would be consistent with law as well as parliamentary practice.<sup>24</sup>

Speaking on November 25, 1974, the Minister of Law, Shri Gokhale, maintained that the assurance that he had given to the House on September 9, could not be treated in isolation and had to be considered in the context of the remarks made by him in the House on two earlier occasions (i.e. September 3 and 5). And, if all of his remarks on the three occasions (September 3, 5 and 9) were taken together, it would be found, he asserted, that there had been no breach of the assurance he had given to the House. Explaining the position, Shri Gokhale observed:

I have said that the House will be taken into confidence on the results of the investigation. Now that has been done. . . . I emphasized that if crimes are seen to have been committed, and if the offenders are identified, the Government is of the opinion that the proper forum is the Court of law. I said that the Government will take the House into confidence, which meant that the results of the investigations will be intimated to the House which, I submit, has been done. . . . I have given no such assurance that the C.B.I. report would be placed on the Table of the House. I may also submit that the C.B.I. report is part of the investigation process and such reports are never placed before the House.<sup>25</sup>

Another point of privilege raised was that Shri Brahmananda Reddy, the Home Minister, and Shri D. P. Chattopadhyaya, the Minister of Commerce, had made misleading statements in the House in connection with the Import Licences case. Shri Reddy was alleged to have made a misleading statement in the House on

---

<sup>24</sup>*Ibid.*, November 21, 1974, cc. 190 and 201—204.

<sup>25</sup>*Ibid.*, November 25, 1974, cc. 240-241.



November 12, 1974, when he said: "The investigations did not disclose that any of the officers who dealt with the matter were involved in the commission of the offence."<sup>26</sup> Also, during the debate on the issue on November 20, some Members drew attention to press reports to the effect that the C.B.I. report and charge-sheet implicated some officers of the Foreign Trade Ministry in the Import Licences deal.<sup>27</sup> Clarifying the position in this regard Shri Brahmananda Reddy observed on November 21:

One other statement which I made was that investigations did not disclose that any of the officers who dealt with the matter was involved in the commission of the offence—that is, the offence indicated in the charge-sheet, that Shri S. M. Pillai had stated that (Shri) Tul Mohan Ram and Shri Yogendra Jha had informed him that Shri N.K. Singh (*O.S.D. in the Foreign Trade Ministry*) had advised Shri Tul Mohan Ram that he should submit a fresh representation signed by several Members of Parliament to strengthen the hands of the Minister for reopening the case and that Shri Tul Mohan Ram had also represented to Shri S. M. Pillai that an additional sum of Rs. 20,000 would be needed for paying to Shri N. K. Singh. In the course of investigation no evidence became available to corroborate the statement of Shri S. M. Pillai. It was this information which I had communicated in my statement and nothing more should be read into my observation.<sup>28</sup>

The complaint against Shri Chattopadhyaya, Minister of Commerce, was that he had misled the House by his statement made in the House on September 9, 1974 wherein he had said, *inter alia*, that the firms to which the licences were issued fulfilled the rules of eligibility and that nothing to his knowledge warranted any doubt that the licences had been trafficked into. It was stated by some Members that the subsequent impounding of the licences in this case indicated that the said statement of Shri Chattopadhyaya was incorrect and misleading.<sup>29</sup>

---

<sup>26</sup>*Ibid.*, November 12, 1974, cc. 304-305.

<sup>27</sup>*Ibid.*, November 20, 1974, c. 201—speeches of Shri Madhu Limaye and cc. 216-17—speech of Shri Shyamanandan Mishra. Also see *Hindustan Times* and *Times of India*, dated November 13, 1974.

<sup>28</sup>*L. S. Debs.*, Vol. XLV November 21, 1974, c. 189. Brackets and words in italics not in original.

<sup>29</sup>See *L. S. Debs.* Vol. XLV, November 12, 1974, cc. 210—Speech of Shri A. B. Vajpayee, and *Ibid.*, November 20, 1974—speech of Shri Madhu Limaye.

On November 26, 1974, Shri Chattopadhyaya made a statement in the House, in which he, *inter alia*, said:

This has reference to the privilege motion against me which, to my mind, deals with the following points. Firstly, if the licences were issued according to the rules, why they have been impounded since? During the course of the CBI investigation, trafficking in licences was suspected. The Chief Controller of Imports and Exports issued a show-cause notice on the licencees, asking them to explain why their licences could not be cancelled and, during the pendency, the licences have been rendered inoperative. The act of rendering the licence inoperative is on the ground of suspected trafficking and not on the eligibility or otherwise of the licence. . . . I also said then and I would like to reiterate now "If it is brought to our knowledge, we will look into it." This is precisely what is being done. . . . Available records show that these firms are established quota-holders, do not figure in the list of firms debarred or kept in abeyance by the Chief Controller of Imports and Exports, and their income-tax verifications, either in respect of payment or exemption, were duly ascertained before the grant of licences.<sup>30</sup>

After hearing both the sides, the Speaker, Dr. G. S. Dhillon, delivered his ruling on December 2, 1974. Disallowing the notices of breach of privilege against the four Union Ministers, the Speaker first dealt with the question of privilege relating to the alleged non-fulfilment of the assurances given to the House on September 9, 1974, by the then Minister of Home Affairs, Shri Umashankar Dikshit and the Minister of Law, Shri H. R. Gokhale, namely, that after the C.B.I. investigation in the case was over, the Government would bring the issue before the House and take it into confidence before initiating any further action in the matter. As regards Shri Dikshit, the Speaker, taking note of the fact that Shri Dikshit had relinquished charge of the office of Home Minister before the C.B.I. investigation was completed and the C.B.I. charge-sheet was submitted to the court, ruled:

Obviously, the statement that he (Shri Dikshit) made in the House on the 9th September, 1974, was on behalf of the Government and not in his personal capacity. He cannot be said to be personally responsible for non-fulfilment of the assurance given by him since he had relinquished charge of that Ministry (i.e. Ministry of Home Affairs) before the investigation was completed.<sup>31</sup>

<sup>30</sup>Ibid., November 26, 1974, cc. 212-213.

<sup>31</sup>L. S. Debs., Vol. XLVI, December 2, 1974, cc. 224-225.

Similarly, the Law Minister, Shri H. R. Gokhale, the Speaker said, had given an assurance on behalf of the Government. Dealing with the charge of breach of privilege against Shri Gokhale and Shri Brahmananda Reddy, Minister of Home Affairs, for their not having fulfilled the assurance in question, the Speaker referred to the explanations given by the two Ministers subsequently as to the context in which the assurance was given and the legal compulsions under which the C.B.I. had to submit the matter to the Court, immediately after completing its inquiry. He then ruled:

As I stated in the House on 12th Nov., 1974, the assurances given by the Home Minister and the Law Minister were categorical, and the Government were bound by them. However, it is not the case of the Ministers that they would not fulfil them. Indeed they have come to the House though a little later and have placed before the House, the gist of the enquiry held by the CBI, the charge-sheet filed in the court against the accused and have explained the manner in which the assurances have been fulfilled. There is therefore, no question that the Government have deliberately declined to implement the assurance. There may be a dispute that the assurance was not implemented fully or in due time, and it can only be resolved by a debate in the House. The House knows that it has various remedies available to it to call the Government to account and secure compliance with its directions, but inadequate compliance of an assurance or delay in its fulfilment will not constitute a breach of privilege.<sup>32</sup>

The Speaker, however, let it be known that propriety demanded that the Government should have made a statement in the House on the opening day of the Session (November 11, 1974) and taken the matter to the court thereafter, particularly when the case was instituted in the Court on that very day.<sup>33</sup>

On the question whether the Home Minister, Shri Brahmananda Reddy, and the Commerce Minister, Shri D. P. Chattopadhyaya, had committed breach of privilege by making misleading statements in the House, the Speaker ruled that "in order to constitute a breach of privilege or contempt of the House, it has to be proved that the statement was not only wrong or misleading but it was made deliberately to mislead the House".<sup>34</sup> Speaker Dhillon also

---

<sup>32</sup>L. S. Debs., Vol; XLVI, December 2, 1974, cc. 225-226.

<sup>33</sup>Ibid., c. 226.

<sup>34</sup>L. S. Debs., Vol. XLVI, December 2, 1974, c. 227.

cited in this connection the following ruling given by his predecessor Sardar Hukam Singh, on April 18, 1966:

If there is any discrepancy or a statement is not correct, there is no question of any privilege motion unless it is proved that a wrong statement has been made deliberately, knowing the true position.<sup>35</sup>

On this basis, and in view of the clarifications given by the two Ministers in regard to their statements which were alleged to be misleading, the Speaker held that there was no question of any breach of privilege or contempt of the House on the part of either Shri Brahmananda Reddy or Shri D. P. Chattopadhyaya, as they could not be said to have made any statement deliberately to mislead the House.<sup>36</sup>

As regards Shri Tulmohan Ram, M.P., the Speaker observed that Members had charged him with having received bribe for furthering the cause of some import licence applicants with the Government and forging the signatures of some Members of Parliament. The C.B.I. had also after investigation come to that conclusion. The Speaker also referred to Shri Tulmohan Ram's letter<sup>37</sup> to him pleading that since the matter had become *sub-judice* it should not be discussed in the House. Rejecting Shri Tulmohan Ram's plea, the Speaker ruled that the rule of *sub judice* would not apply to matters of privilege or where disciplinary jurisdiction of the House with respect to its own Members was concerned, though, of course, in order to constitute a breach of privilege or contempt of the House, the misconduct of a Member should relate to the business in the House. In the instant case, the Speaker said, the allegations of bribery and forgery, which had been *prima facie* established against the Member by the C.B.I. enquiry, were very serious and unbecoming of a Member of Parliament and the Member might be held guilty of lowering the dignity of the House. The House was, therefore, free to discuss any motion relating to the conduct of Shri Tulmohan Ram and the rule of *sub judice* would not come in the way.<sup>38</sup>

---

35See L. S. Debs., April 18, 1966.

36L. S. Debs., Vol. XLVI, December 2, 1974, cc. 227-228.

37Shri Tulmohan Ram's letter, dated the 14th Nov., 1974, was earlier read out by the Speaker in the House on November 20, 1974—see L. S. Debs., Vol. XLV, November 20, 1974, cc. 195—198.

38L. S. Debs., Vol. XLVI, December 2, 1974, cc. 228-229.

The other question of privilege was against Shri L. N. Mishra, then Minister of Railways. He was the central target of the Opposition attack in the Import Licences case inasmuch as he was the Minister of Foreign Trade when the representation for licences was received in the Ministry in November, 1972. On the 4th, 5th, 11th and 12th December, 1974, Sarvashri Atal Bihari Vajpayee, Madhu Limaye, Jyotirmoy Bosu and Shyamnandan Mishra sought to raise a question of privilege against Shri L. N. Mishra alleging that he had deliberately misled the House by certain of his statements relating to the Import Licences case.<sup>39</sup> The statements in question were: (1) Shri Mishra's assertion in the House on August 28, 1974 that while he recollected having received a letter purported to have been signed by several M.Ps. when he was Minister of Foreign Trade, he had not passed any order or issued any licence to the parties during his tenure as Minister of Foreign Trade, and (2) his denial of any knowledge when Shri Vajpayee alleged in the House on September 9, 1974 that Shri Tulmohan Ram, M.P. was having a school constructed in his village in the name of Shri Mishra's father and that donations had been collected for the purpose.

In support of their contention, the Opposition Members quoted passages from the C.B.I. charge-sheet against Shri Tulmohan Ram, M.P., and others to show that "on November 23, 1972 Shri Tulmohan Ram after meeting Shri L. N. Mishra in his office" had told certain persons connected with the applicant firm that "the Minister had asked the Chief Controller of Imports and Exports to examine the position and put up the case early", and that on February 5, 1973, the day Shri Mishra relinquished charge of the Ministry of Foreign Trade and took over as Railway Minister, Shri N. K. Singh, O.S.D. in the Ministry of Foreign Trade, had recorded a note to the effect that "the Minister desires that this case should be finalised quickly as it has been pending for a long time...MFT (Minister for Foreign Trade) also feels that if an injustice has been done to the appellant, remedial action should be taken and such reliefs as are possible under the Import Control Regulation should be given to them."<sup>40</sup> It was argued that on principle of ministerial responsibility, Shri Mishra should be held responsible for his officer's action.<sup>41</sup>

<sup>39</sup>See *L. S. Debs.*, Vol. XLVI and XLVII, December 4, 1974, cc. 218—236; December 5, 1974, cc. 188—198; Dec., 11, 1974, cc. 194—223; December 12, 1974, cc. 155—182.

<sup>40</sup>See *L. S. Debs.*, Vol. XLVI, December 4, 1974—speeches of Sarva Shri A. B. Vajpayee (cc. 218—224), Madhu Limaye (cc. 224—231) and Jyotirmoy Bosu (cc. 231—236).

<sup>41</sup>*Ibid.*, December 5, 1974 cc. 195—196,—speech of Shri Shyamnandan Mishra.

As regards the alleged construction of a school in the village of Shri Tulmohan Ram M.P., Shri Vajpayee referred to the proceedings of a meeting of the Managing Committee of the school where Shri Tulmohan Ram had suggested that the school might be named after Shri Mishra's father so that it might be free from financial difficulties. Shri Tulmohan Ram was further recorded as saying that he had talked to Shri Mishra in this connection personally.<sup>42</sup>

Shri L. N. Mishra denied the Opposition charge that he had made misleading statements in the House on August 28, and September 9, 1974. In a statement, laid on the Table of the House on December 9, 1974, Shri Mishra observed, *inter alia*:

My hon'ble friends opposite have tried to make much of a note (referred to in the charge-sheet) recorded by Shri N. K. Singh, O.S.D., on the relevant file. The date of the note is admitted to be 5-2-1973, the date on which I ceased to be Minister of Foreign Trade. Since this note has been quoted to establish that it is in conflict with my statement before this House of August 28, 1974, I would like to submit that any such assumption is unwarranted and baseless. Even taking the note as it is, I would emphatically assert that by no stretch of imagination can it be construed as an order or directive from me sanctioning the licence. In fact, no order relating to the issue of these licences, as already stated earlier, was issued until seven months after this note....

I reiterate that my entire statement of 28th August, 1974 is factually correct and in no way conflicts with the contents of the charge-sheet....

On 4th December, 1974 Shri Vajpayee quoted from a document which he described as the proceedings of a meeting of the school Managing Committee held on 22nd February, 1973. According to this document, at the meeting, Shri Tulmohan Ram had suggested the naming of the school after the Railway Minister's late father, Shri Ravindra Nath Mishra. My father's name is *Pandit Ravi Nandan Mishra* and not *Ravindra Nath Mishra*.

According to the document from which Shri Vajpayee has quoted, Shri Tulmohan Ram is reported to have said that he had talked to me about this subject. Sir, it is not for me to explain Shri Tulmohan Ram's statements. I

---

<sup>42</sup>*Ibid.*, December 4, 1974, cc. 218-219.

repeat that what I said on 9th September, 1974 is factually correct. Shri Tulmohan Ram had at no stage discussed with me any proposal in this regard.<sup>43</sup>

Intervening in the discussion on December 12, 1974, Shri L. N. Mishra emphasized the fact that he had ceased to be the Minister of Foreign Trade on the morning of February 5, 1973, and, as such, he could not be held responsible for anything that happened in the Ministry of Foreign Trade after he had left it.<sup>44</sup>

The Speaker, Dr. G. S. Dhillon, delivered his ruling on the questions of privileges against Shri L. N. Mishra on the 16th December, 1974. Withholding his consent to the notices of privilege, the Speaker observed that the two statements made by the Minister on August 28, and September 9, which were the basis of the questions of privilege by the Members, had not been proved to be false. Ministers, said the Speaker, were no doubt responsible for all the actions of their officers, but, he added, Shri Mishra had left the Ministry of Foreign Trade on February 5, 1973 and that being so he could not be held responsible for any noting done in that Ministry on that day, for "strictly speaking, the constitutional position is that any noting done after a Minister has ceased to be a Minister of a Ministry will be the responsibility of the Minister who has assumed office of that Ministry on that day and not of the Minister who had left the Ministry". With regard to Shri Vajpayee's reference to Shri Tulmohan Ram's statement before the school managing committee, the Speaker pointed out that it had not been shown anywhere that the statement was made with the knowledge of Shri L. N. Mishra. He ruled that in a question of privilege the responsibility and the act of commission or omission must be direct.<sup>45</sup>

---

<sup>43</sup>*Ibid.*, December 9, 1974, cc. 229-231.

<sup>44</sup>*Ibid.*, Vol. XLVII, December 12, 1974, c. 176.

<sup>45</sup>*Ibid.*, December 16, 1974, cc. 233-235.

## ENERGY CRISIS AND THE PARLIAMENTARIANS

There is a world-wide shortage of crude petroleum which has been a very popular source of energy for nearly a century. The world resources of crude petroleum are getting fast depleted to meet the increasing needs of developed nations. Together with this natural shortage, increase in crude oil prices by certain countries having rich crude petroleum deposits has brought about an energy crisis which has been further aggravated, because in many countries demand for electricity is daily exceeding the supply.

During the past several decades, people have been wasting fossil fuel recklessly—burning the same as if there was an ever-lasting source of supply. Governments of different countries are still competing with each other in quoting ever-increasing figures of so-called production of coal and crude oil, although uptill now only extraction of fossil fuel has taken place and none has ever really produced any coal or crude oil. Extraction of coal was done in some places in such a fashion that coal, located at lower layers, has virtually gone out of the reach of mankind. The energy crisis of this decade has been a blessing in disguise for mankind, because it has awakened mankind with a jerk from its complacency before it is too late.

There is now a growing recognition that fossil fuel supplies are limited and a sense of urgency has been created for tapping every alternate source of energy known to mankind. This energy crisis has given mankind a warning that unless the fossil fuels are replaced quickly by other basic fuel sources the entire civilization will collapse. The warning has been very timely. It has come at a time when the co-operation of different nations in the research relating to controlled use of thermonuclear fusion is at a very high level.

Thermonuclear fusion in future would be the principal mode for generation of energy. Hydrogen isotope as the source of fusion fuel is cheap and almost inexhaustible, risk of pollution is much less

---

\*Shri Ganguli is a Member of Parliament (Rajya Sabha)



than fission type reactors and helium gas which would be the chief by-product of the fusion process would revolutionise the transport system by enabling mankind to build large dirigible type airships which will be a major mode of transportation of the future. Cars will run on batteries charged with cheap electricity. Cheap energy will help to increase production of everything and the standard of living of the human race will improve beyond all recognition.

At this critical and historic moment of human existence the parliamentarians have a great role to play. They are in a position to study the problem in detail and make the Governments and people of their respective countries realise that thermonuclear fusion is the greatest instrument to bring undreamt of prosperity to every human being and is not merely an instrument of mass destruction. The parliamentarians should try to achieve international understanding, so that there may be no restriction in exchange of information in these matters and there may be global planning and co-operation in the matter of construction and peaceful utilisation of fusion reactors. International co-operation in the matter of installation of plants, supply of materials and technology should be extended in the same fashion as is the case to-day with coal or oil-based power generation plants. Till thermonuclear fusion of hydrogen atom becomes everywhere a practical reality for the generation of energy, nuclear fission method should be utilised and other non-traditional methods should also be developed. Hydel, Solar, Geothermal, Wind and Tidal energy should also be harnessed. Coal and Petroleum should be preserved for production of steel, synthetic oil and plastics and as a reserve source of energy.

The waste matter is a very important source of not only energy but also of fertilizers and cattle fodder. After utilising the gasses emitted from waste matter as fuel, the residue can be used as fertilizer. But in a very few countries only partial utilisation is made of waste matters. According to the theory of conservation of matter nothing is really wasted; almost everything can be recycled.

The parliamentarians have a role in forming and representing the opinions of political parties and the people. It is the duty of every political person to demand that generation of cheap energy be the immediate target of national and international planning with the ultimate object of free supply of electricity to all. The Democratic People's Republic of Korea is an example in this respect. By socialist planning it has been able to produce so much hydro-electric

power that the price of domestic electricity is only 1 per cent of the wages. The parliamentarians can make it understood that knowledge cannot be kept monopolised for ever and undoubtedly in course of time men of science everywhere will come to learn the know-how of thermonuclear fusion in the same manner as motor mechanics today know the principles of an internal combustion engine. Although because of various factors, mainly economic, very few countries today manufacture internal combustion engines or motor cars, in every country these are used and repaired. Some day it is bound to be the same with thermonuclear energy generation plants. Already some developed countries have helped some less-developed countries to build nuclear fission type reactors for peaceful purposes. There should be a global planning and co-operation for construction, because these would be safer and cheaper in the source of fuel. The sooner it is done the better, the whole world would prosper, and civilization will enter a new era.

Certain countries have rich underground deposits of crude oil. In course of time these natural resources will get exhausted. The natural anxiety of these countries to get the best value for their diminishing capital assets is quite understandable, but the question arises as to what will happen to these countries in the not so very distant future when these natural resources will get nearly exhausted. It may so happen that the world community which shall by that time be using other sources of energy in abundance will give royalty to the countries whose sub-soil contains fossil fuel for not extracting these, so that the fossil fuel may be preserved as global reserve source of energy for future. These things are bound to happen. The quantum of this royalty or benefit, by whatever name called would depend on the extent of reserves then in existence in each country. Therefore, it would perhaps be beneficial for the countries having rich crude oil deposits to organise a global programme for production of energy from alternate source within a short period. The capital they are receiving by selling their capital assets may provide the capital for production of energy from non-traditional sources.

The countries which are making today lots of money due to increase in the price of oil may consider whether it would not be good long-term investment of capital as well as of goodwill, if they or some of them jointly finance a programme of construction of thermonuclear power generation plants in the less-developed countries on a big scale. It may be recalled that after the invention of the

steam engine for more than a century and a half the developed countries were supplying the less-developed countries with steam engines to be used for developing industries and transport and generating electricity.

By this process the manufacturers and the buyers both were benefited in varying degrees and it was not an absolutely 'one-way traffic' although the balance of the cost-benefit ratio tilted invariably in favour of the manufacturers. But, then, in those days the urgency for an international understanding of world economic problems and the necessity of a global effort to solve these was not felt as keenly as it is now. The political atmosphere was also quite different. Nevertheless, even in those days the technicians of less-developed countries learnt how to handle those machines and to repair them. In any case the buyers of those steam engines did not ever disown their liability to pay for these machines. Today the big problem facing the oil-rich countries is twofold. The first is where and how to invest safely the huge amount of money they are receiving by selling their oil and the second is what they would do when in not a very distant future their oil deposits would get exhausted. The bankers in the developed countries where these moneys are deposited are faced with the problem of reinvesting these moneys profitably. The money of the oil-rich countries and the technical ability of the developed countries combined together in a global programme can stop the current recession and usher in a new era of prosperity for the entire mankind and also remove the danger of a war in this world for ever. This investment, one can predict with certainty, will not be lost; nobody will repudiate the credit involved because everyone will become prosperous if this is done. The countries of the world are bound to become more and more inter-dependent as days go by, because all mineral resources are getting exhausted. The energy crisis would be comparatively easy to overcome, because there are many alternate sources of energy in sight, but crises which will be caused by scarcity of many other things would be more difficult unless there should be a perfect international understanding and a conscious effort in the minds of people and government of every country to rise above short-term national interest and to have a long-term international view of the problems of scarcity.

So far as thermonuclear experiments are concerned one should appreciate that these experiments are no more dangerous than making an experiment in a laboratory with bacteria and viruses. **A**

little carelessness with a deadly virus in a laboratory may result in mass destruction of mankind but should careful and cautious efforts to find out antibodies be banned for that reason? Just as weapons for a bacteriological war should be banned, experiments with nuclear weapons should also be banned but not every nuclear experiment. Every country has to improve its nuclear technology for generation of energy. One should realise that bacterias, viruses and germs are no less destructive than a nuclear weapon, although they do not make a loud noise. The parliamentarians, I hope, will try their best to bring about international co-operation and understanding with a view to provide energy for all.

---

## LEGISLATIVE ROLE-DIFFERENTIATION IN CONTEMPORARY SOCIETIES : AN OVERVIEW

In these days of executive ascendancy and of its glorification, it is not generally recognised that legislatures make significant impact and have distinct role to perform in relation to the policies of their country. Ever since Bryce bemoaned the decline of legislatures<sup>1</sup>—an idea echoed by Wheare, when he declared that “the unwillingness of legislatures to do all these things [to be the sole forum of debate, or the sole committee of grievances in the country’s political system] has resulted, in many countries, in a decline not in powers but in efficiency”<sup>2</sup> the notion of the so-called ‘demise of parliaments’ has been in vogue. The general assumption is that in the years to come parliaments, legislative assemblies or congresses would have no effective role, at least in the realm of basic economic and social policies or in the decision-making process. This is because of the widespread criticism and doubts about legislative competence, efficiency, integrity, and even its representative character—misgivings and criticism that have gathered considerable momentum in the years following World War II. Even the devices available with the legislative institutions to supervise the executive have either been inadequate and ineffective or at best been deployed only to further partisan ends. Legislatures have therefore suffered in prestige, and not merely for minor and temporary lapses but for weightier reasons. Confronted with such criticism one is tempted to believe that if this trend were to continue unchecked, legislatures would eventually collapse—an assumption that has led political scientists to lose interest in them. They have come to think that in the last analysis, legislatures in general have been reduced to mere sound boards or mere rubber stamps endorsing policies already framed by the executive.

---

\*Dr. Jain is Reader in Political Science, University of Delhi.

<sup>1</sup>Lord Bryce, *Modern Democracies*, London, Macmillan, 1921, pp. 367—77.

<sup>2</sup>K. C. Wheare, *Legislatures*, London, Oxford University Press, 1963.

The recent writings on the subject and the growing interest of the academicians in the study of legislatures during the last few years have, however, sought to explode this myth of legislative inactivity.<sup>3</sup> Studying legislative behaviour in contemporary societies through empirical analysis, scholars have viewed the emergence of a distinctive type of legislative role in the political processes and in policy-decision making. An attempt is made in this paper to analyse some of the recent research findings on the subject, with a view to examine the changing role differentiation of legislatures in modern societies.

### I. THE TRADITIONAL ROLE

It may well be true that the origins of legislative assemblies in Europe are traceable to conciliar bodies created to foster consensus in the consolidation of monarchical power. However, we must distinguish between such origins and the later changes which occurred with the gradual but hesitant recognition of peoples' sovereignty simultaneous with the decline of monarchical power. From the theorists of the seventeenth century to those of the contemporary world, it has been held as axiomatic (and indeed the point was demonstrated logically by Locke) that the function of legislatures was to make laws, i.e., to pass the most general rules under which countries were to be governed.<sup>4</sup> The argument generally made is that if the "people" are to be sovereign, their represen-

---

<sup>3</sup>See for example, Allan Kornberg and Lloyd D. Musolf, *Legislatures in Developmental Perspective* (Durham, North Carolina, Duke University Press, 1970); Weston Agor, *Latin American Legislatures; their Role and Influence* (Praeger, New York, 1971); Herbert Hirsch and M. Donald Hancock, *Comparative Legislative Systems* (New York, The Free Press, 1971); Gerhard Loewenberg (ed.), *Modern Parliaments; Change or Decline?* (Chicago, Aldine, Atherton, 1973); Samuel C. Patterson and John C. Whalke, *Comparative Legislative Behavior: Frontiers of Research* (New York, Willy Interscience, 1972); Allan Kornberg, (ed.), *Legislatures in Comparative Perspective* (New York, David McKay Company Inc., 1973); Jean Blondel, *Comparative Legislatures* (Englewood Cliffs, N. J., Prentice Hall, 1973); and a large number of Conference papers presented at the Second International Conference on Legislative Development held at the Comparative Development Studies Centre, State University of New York at Albany, New York, January 20—24 1975, in particular Abdo Baaklini "Legislature in Contemporary Societies: An over view," Richard Sisson and Leo Snowiss "Legislatures in the Context of Modernization" and J. Heaphy, "Legislatures and Land Reform".

<sup>4</sup>John Locke, *Second Treatise on Civil Government*, Chapter XI. Also see Montesquieu, *Spirit of Laws*, Book XI, Chapter 6.

tatives should be concerned primarily with the most general rules. Executive are needed to keep the country going, but legislatures could and should decide on the general rules. Such a conception was apparently logical and seemed to tie liberal governments (and later democracies) to the existence of healthy and lively legislatures. This further led to their most important function, *i.e.*, to criticize the governments. In many countries of the parliamentary system they make or unmake governments. They debate great issues of public concern. They constitute, 'a grand inquest of the nation'. They act as what John Stuart Mill called 'a committee of grievances', and 'a congress of opinions'. Legislatures, thus, concern themselves with many important functions other than the making of laws. However, many of these important functions of legislatures are connected with and arise from their function of law-making. The discussion of grievances and the criticism of the executive and the debating of great or small issues are naturally and necessarily linked with the process of making or amending the law. In particular it is proper that a representative should seek redress of grievances before passing a law to authorise the spending of money by the executive or the collection of taxes from the citizens. The occasion of law-making provides the opportunities for that debate and discussion and criticism which occupy so large a part of the time of many assemblies.

Thus traditionally speaking, the role of a well-organized assembly is to analyse, criticize, and pass or reject the policies and proposals of the government; to voice the desires and anxieties of the mass of the citizens; to protect their liberties against any abuse of power by the government; to educate public opinion through its debates; and finally—as the term legislature implies—to participate in the process of law-making to the extent this is still possible in an area that relies increasingly on the expert and the administrator.

However, for a variety of reasons, the weight of the government in many countries has shifted from the legislature to the executive, and this development cannot fail to affect the image of parliament in the eyes of the public. The great growth of the executive power has been a result largely of the demands made by two world wars, economic crises, the adoption of collective or socialist or welfare policies, and the persistence of international tension. Governments now do a great deal that they did not do formerly, but most of what they do was not done by anybody before. In particular it was not

done by the legislature. The increase of powers by the executive has not been the result of taking away from the legislatures things which they did before. Thus as Wheare has contended, legislatures, indeed, do more than they did and legislators work longer hours and interest themselves in a wider range of subjects. Absolutely, their powers have increased. Relatively to the executive government, however, they have in almost all cases declined.<sup>5</sup> Even as a forum for the executive leadership's pronouncements on important issues, legislatures have lost their significance.

It should, however, be noted that the conclusions that representative assemblies were declining in quality and in political importance, were often the result of applying the standards of a previous stage of institutional development to the parliamentary behaviour of the moment. Late nineteenth-century criticism of democratically elected parliaments, for example, applied standards of eloquence in debate, courtesy among members, and independence of party, which were derived from the bourgeois, oligarchical parliaments of the eighteenth century. Twentieth century criticism of specialized, committee-ridden parliaments used standards derived from nineteenth century parliaments operating in political systems of limited scope. Criticism of the parliaments of newly independent states compares them to long-standing parliaments in highly developed systems rather than to parliaments during the nation-building stages of western political history. 'Decline, in short', as observed by Gerhard Loewenberg, "is in the eye of the beholder and depends on his analytical perspectives."<sup>6</sup>

Legislatures thus continue to attract lively controversies. There is disagreement about what it does and what it can do. However, repeated prophecies of the death of the institution have proved to be premature if not clearly mistaken. Old parliaments have not only not survived, even new ones are constantly being established. "The institution thus seems to be one of the most enduring and widely applicable inventions of political man".<sup>7</sup> Even the most newly formed states create legislatures, and in the large majority of cases, do states, which dispense with their legislatures,

---

<sup>5</sup>Wheare, *op. cit.*, p. 221, n. 2.

<sup>6</sup>Gerhard Loewenberg, ed., *Modern Parliaments: Change or Decline?* Chicago, Aldine Athestor Inc., 1971, p. 15.

<sup>7</sup>*Ibid.*, p. 19.



quickly create assemblies. According to a recent survey of the approximate 138 countries of the world today, only five, all in the Middle East, have never had a legislature. Four of these States have traditional absolutist regimes and the fifth, Yemen, moved from an absolutist system to a "progressive" republican form of government without transition. There are other traditional states in which a monarch still plays a large part in the government, but they do have legislatures even if, as in Tudor or Stuart England, these bodies have few powers and little authority. In 1971, eleven states fit in this category, though variations exist from Bhutan to Iran, and from Kuwait to Laos.<sup>8</sup>

## II. THE EMERGENCY ROLE OF LEGISLATURES

Arguing that the primary legislative functions of modern assemblies are derivative from their capacity to influence governing power and to facilitate representative consent, Richard Sisson and Leo Snowiss have suggested three different dimensions to the emerging role of legislatures in the contemporary societies.<sup>9</sup>

(a) *Legislatures as Law-Affecting Bodies*: The involvement of legislatures in the making of law must be considered their central and most fundamental function. This is not to assert their abstract right or prerogative to "initiate" legislation. Neither it is an assertion that law-making should be the sole justification for the existence of legislatures. Indeed, as the founders of the American regime and other advocates of modern representative government were well aware, elected assemblies would not be fit instruments of governance if they asserted exclusive prerogative over law-making in all areas of public policy any more than they would be viable if they could do no more than make law. It is the overall effect on the making of law which is crucial. And in that regard the power with which legislative assemblies have to influence the

---

<sup>8</sup>Some of the countries without legislatures as in January 1971 were: Algeria, Bahrein, Iraq, Libya, Muscat and Oman, Qatar, Saudi Arabia, South Yemen, Syria, Yemen, Burma, Burundi, Central African Republic, Congo-Brazzaville, Congo-Kinshasa, Dahomey, Mali, Nigeria, Somalia, Sudan, Togo, Argentina, Cuba and Peru. For details see Blondel, *op. cit.*, p. 7, n. 3.

<sup>9</sup>See Richard Sisson and Leo M. Snowiss, "Legislatures in a Context of Modernisation", a paper presented at the Second International Conference on Legislative Development, State University of New York, Albany, January 20-24, 1975.

direction and contours of public policy-making is decisive. So fundamental is this process that we find it difficult to imagine legislatures performing any other functions effectively without somehow participating in the formulation of law.

(b) *Legislature and the Control of Executive Power*: The capacity to control the potential excesses of executive initiative and power has always been considered a basic task of legislatures in modern theories of representative government. It is intrinsic to the idea of cabinet responsibility in parliamentary systems and to congressional overview in presidential system. The critics are often concerned that legislatures seem to be ill-equipped to exercise effective control over the activities of executive departments. The problem is that the control of the executive will be ineffective, if it is no more than the assertion of a right, however sound the principle behind that right may be. We cannot expect legislatures to establish effective staffs and committees without the certain knowledge that the information generated can be put to effective use in the formation of policy alternatives to executive actions. Even the essential sources of information—interest groups and lobbies—can hardly be expected to associate themselves with assemblies whose overview functions are fundamentally exhortatory. Only when popular assemblies participate in the moulding of law can the necessary power for controlling the bureaucracy be built and expanded.

(c) *Legislatures and the Mobilization of Consent*: The advocates of strong executive-centered government for modern or modernizing societies assume that legislative institutions ought to serve as auxiliaries in the mobilization of public support for policies advocated by executives. It is even suggested that a proper understanding of the historic development of parliaments in England and Continental Europe substantiates that view. As Crick observes: "we have never had government by Parliament...but always government *through* Parliament."<sup>10</sup>

If contemporary legislatures are to perform any functions effectively, executives will have to govern through them by governing with them. There is every reason to doubt that an essentially important institution would have the resources or the popular esteem needed to mobilize effective support for governmental programmes.

---

<sup>10</sup> Emphasis by the author.

This is not, after all, simply a matter of generating propaganda— influential executives surely have more effective means of accomplishing that through access to the mass media of communication. The effective mobilization of consent through legislative institutions must be accomplished through a complex infrastructure of political support which is ultimately grounded in the capacity of the legislature to affect law-making. It is the ultimate effect which legislatures have upon public policy which transforms election into vigorous systems which mobilize consent by encouraging the articulation of interests and the organization of groups to pursue those interests in the larger political system.<sup>11</sup>

Thus viewed in this fashion the function of the legislature is to provide a means of ensuring that there are channels of communication between the people and the executive, as a result of which it is possible for demands to be injected into the decision-making machinery whenever they exist and for the executive decisions to be checked if they raise difficulties, problems, and injustices.

### III. LEGISLATURES, POLITICAL DEVELOPMENT AND MODERNIZATION

In the process of political modernization, Parliament seems to have experienced the fate of many older institutions. Typically, political development brings a multiplication of political structures, each more specialized than the multi-functional institutions of the old regime. Parliament, originally a consultative body for monarchs, then a body declaring the law and registering grievances, has increasingly faced competition from more specialized consultative, law-making, and adjudicative agencies. Experts in the civil service exercise much of the legislative initiative today, interest groups provide direct consultative links between specialized publics and the relevant government departments, and mass media give political leaders direct access to the whole citizenry. This does not mean that parliament has ceased to perform policy-making or communications functions but rather that it now shares these functions with newer institutions.<sup>12</sup>

It is generally believed that in the West, legislatures have promoted political development by channelling inter-group conflict, by giving representation to the several social groups in a society, by enhancing the rule of law, by ratifying and legitimizing public

---

11 *Ibid.*

12 Loewenberg, p. 17, n. 6.

policies, by strengthening the responsive administration of governmental programmes, and by helping to promote national integration and the development of a national identity. Although the influence of environmental and cultural factors in this process is not denied, the legislatures in the West did contribute in their own way towards bringing about political stability and were helpful in improving the capacity of political systems to bear the ever-increasing burden of the problems of the then emerging nations.

To understand the role of legislatures in the process of development, whether they facilitate or impede development, we need to agree on the concept of 'development'. In the context of developing nations, it is wrong to equate political development exclusively or even principally with political democracy of the Western liberal type. In some of these nations economic and social developments are such critical and pressing tasks that less ambitious kinds of political systems are not only more feasible but probably more relevant and preferable for achieving these economic and social goals. Thus in the underdeveloped world, greater national integration and identity, more governmental capacity and authority increased participation in national affairs, more equitable distribution of economic and social values, and a minimal protection of basic individual liberties tend to be realistic and more appropriate goals of political development. Thus political development in this context must be defined as the will and capacity of the system to cope with, and to generate, continuing transformation toward whichever values seem appropriate in a particular context—among them three values, economic development, personal freedom and socio-economic justice would usually rank higher than the Western type democracy or strong legislatures.<sup>13</sup>

The exigencies of political development assume that what needs to be stressed and strengthened in a developing society is the bureaucracy and not the legislature, since the latter has very little role to play in rational decision-making, integration and the eradication of sources of conflict. Even when 'participation' as an attribute of political development is stressed, political parties and the bureaucracies turn out to be the main channels for this participation. The representative institutions need not be the legislature, since the argument was made that the legislatures will inevitably appear once the development is achieved. Thus it was assumed that legislatures

---

<sup>13</sup> Robert A. Packenham, "Legislatures and Political Development", in Kornberg and Musolf, *op. cit.*, p. 578, n. 3.

in developing countries are a by-product of development rather than a necessary instrumental institution in the process of development. Generally speaking, Western scholars in developed societies do not feel the need to study legislatures as a mechanism of change, since they do not conceive of their societies as in need of political development. Developing societies need only to emulate the Western experience if they want to achieve their development. "This attitude", as Professor Baaklini points out is reinforced by the anti-institutional reductionism of recent political scientists which led them to discount all formal institutions as agents of change and to seek such agents in social forces like "intellectuals", "charismatic leaders" etc.<sup>14</sup>

Through his study of the Brazilian National Congress, and extending the applicability of his conclusions to many other nations, like Tanzania, the Central African Republic, Chad, Congo-Brazzaville, Gabon, Liberia, Guinea, Ghana, Egypt, Turkey, Latin America, and Japan, Robert Pakenham has outlined a variety of legislative roles which he thinks are performed by most of the legislative bodies in the developing world.<sup>15</sup>

First of these is the legitimation function (whether latent or manifest), i.e. fostering acquiescence in, or support for, the moral right to rule of the government among the population at large as well as political elites. Either by simply meeting regularly and uninterruptedly, or by overt, conscious, legislative stamp of approval on executive initiative, the legislature produced, among the relevant populace and elites, a wider and deeper sense of the government's moral right to rule than would otherwise have been obtained.

Secondly, legislatures in these countries perform what are termed as the "Safety-Value" or "Tension-Release" functions. Apart from their occasional influence in "making decisions" at certain times through the process of law-making, the legislatures have significant consequences for the political system insofar as they reduce tensions, provide reassurance, and generally enhance satisfaction with or acquiescence in the policies and programme of the ruling government.

---

14 See Abdo I. Baaklini, "Legislatures in Contemporary Societies: An Overview", A paper presented at the Second International Conference on Legislatures in Contemporary Societies, Albany, New York, January 20-24, 1975, p. 30.

15 Pakenham, *op. cit.* pp. 521-82, n. 12.

Some other aspects of influence in decision-making are the "Exit-Function" and the "Interest-Articulation Function". When the political system seems to have reached an impasse and the normal decision making process seems incapable of providing a way out of the situation, the elites sometimes turn to the legislature for either the substance or the form, or both, of a decision which will take the system out of the impasse. This 'exit' function is a special case of the decision-making function. Similarly, legislatures do perform the "Interest-Articulation" function when their debates and discussions receive the attention of powerful elites in the executive branch or in the military. Similarly, many of the compromises in respect of political interests are reached at the legislative levels.

A third variety of functions of modern assemblies are inherent in their traditional responsibilities of *administrative overview, patronage, recruitment, socialization* and *training* functions. Although many legislatures may not be quite effective as a check upon the powerful bureaucracy or the executive power, nevertheless through the instrument of 'budgeting' and 'patronage' they do exert some influence. Similarly, the legislatures recruit, socialize, and train politicians to and for other roles in the political system in which they may wield more power than they do as national legislatures. By serving as training ground for future political leadership they can strengthen "consensual institutional continuity", and they often constitute the only means of administrative overview available within the country, function particularly valuable where the art of public administration is weak.

However, despite such role-variations, Packenham argues that the attempt to strengthen and modernize legislatures in developing countries is likely to impede modernization in some countries of the third world since in his opinion, "legislatures tend to represent all over the world more conservative and parochial interest than executives, even in democratic politics. This seems especially to be the case in presidential, as contrasted with parliamentary, political systems. In societies that need and want change, and where political modernization may be defined as the will and capacity to cope with and generate continuing transformation, it may not make much sense to strengthen the decision-making power of an institution that is likely to resist change."<sup>16</sup> Against this view Baaklini argues that "the so-called obstructionist role of legislatures is no more than a healthy resistance against a one-sided executive initiative that does not meet the support

---

<sup>16</sup>*Ibid.*, p. 579.

of a large segment of the population. After all, the choice of values is not a prerogative of the professional, rather it is the right of the people affected, expressed through their representatives".<sup>17</sup> The real problem in developing countries is not one of enactment of progressive laws but of application of these laws. Laws in these countries tend to be very progressive to an extent that makes them inapplicable. Similarly, the claim that bureaucratically—and military-dominated regimes tend to be more progressive and likely to contribute more to the socio-economic development of developing countries, has also been refuted by actual performance.

As to the role of Members of Parliament in developing areas, it has been suggested that Members of legislatures of the developing world play an important role towards the modernization process. On the whole, Members of Parliaments in these societies are often more modernised than the people they legislate for, at least in matters concerning the material progress of their countries. However, they are always very conscious of their own personal and political interests, and this often causes them to oppose measures which by all arguments are necessary for modernisation. Because of this a strong legislature can be an unfortunate thing for a dedicated and committed modernising executive. It has, therefore, been argued that rather than do away with the legislature in the name of removing a possible obstacle to modernisation, only the powers of the chief executive need be strengthened *vis-a-vis* the legislature. Even in such a situation, modernisation efforts may come to nothing without at least a viable and reasonably effective parliamentary system, a system which cannot exist without a legislature. This is because, firstly, parliamentary debates often help improve legislation. Parliament may not make the laws, in the strict sense of the term but it can make them *better*. Secondly, without parliament and the parliamentary system, good laws may be written, but lacking a satisfactory legitimate basis, they may come to very little. Finally, the role that Members of Parliament can play in linking the people with the government and traditionalism with modernisation should not be ignored.<sup>18</sup>

---

<sup>17</sup>Baaklini, *op. cit.*, p. 77, n. 3.

<sup>18</sup>For a case study of the role of legislatures in the setting of a strong executive see Dent Ocaya-Lakidi, "The Uganda Parliament and Land Reform", a paper presented at the Second International Conference on Legislative Development, State University of New York, Albany, January 20-24, 1975.

#### IV. A TYPOLOGY OF MODERN LEGISLATURES

The above discussion of emerging legislative activities in developing countries does not suggest that all such functions are fulfilled equally well in all countries. There are considerable variations in patterns of their activities throughout the world. It is significant that although many of these may meet infrequently, or concentrate upon one or the other activity, the legislatures where the discussion of bills is adequate, where the number of discussions other than on legislation is significant, and where the total number of days of meeting is relatively large, are not confined only to the Western liberal democracies. Many of the Latin American countries and some of the developing Commonwealth countries can score fairly highly on these indicators of activities. With the available data on the functions of the legislatures in modern societies, Blondel constructs four different typologies of legislatures in the contemporary world.<sup>19</sup>

*'Nascent' or 'Inchoate' Legislatures:* These are the lowest type of legislatures whose ostensible activities are very small and almost non-existent and whose effectiveness and influence cannot be said to be significant. The most extreme examples are the legislature in East Germany or in Soviet Union during the Stalin period. Although such legislatures may not be wholly rubber stamps, for they do perform a minimum of real functions, they are nearer to "limited surgeries" or to "low-grade ombudsmen" than they are to legislatures in the proper sense of the word.

*The 'Truncated' Legislatures:* The second are the type of legislatures where a number of bills, and occasionally general policies, are discussed, and discussed with reasonable effectiveness, but where these constitute only a segment of the matters which "should" come to the legislature. Such legislatures have a degree of influence within the context of their activities, but it is difficult to grant them more than a limited influence overall inasmuch as they do not appear to concern themselves with some of the most important aspects of the life of the country, whether on foreign affairs or on broad social and economic matters. Such legislatures exist in African countries, Singapore, where the legislature meets infrequently, and Jordan.<sup>20</sup> Such legislatures often suffer from a

19 Blondel, *op. cit.*, pp. 136-41, n. 3.

20 For a detailed role of the legislature in Jordan, see Kamel Abu, Jaber, "The Role and Function of the Legislature of the Haghemite Kingdom of Jordan: An Appraisal", a paper presented at the Second International Conference on Legislative Development, Albany, N. Y., January 20-24, 1975.



real discussion or debate on matters of general concern, and the area of legislative activity remains essentially at a low level.

*The more 'Inhibited' than 'truncated' Legislatures:* The third are the type of legislatures which do discuss all matters of government and are therefore appreciably involved in general questions as well as intermediate matters but are not, for a variety of reasons, really equipped to influence the executive to any considerable extent on broader questions, even though they may be quite influential in intermediate matters—possibly because the executive realizes the political expediency of giving the legislature an appreciable say in this area. Latin American countries, such as Uruguay and Venezuela, Lebanon, France since the Fifth Republic, Switzerland etc. fall in this category.

*The 'True' Legislatures:* The fourth type are those which can be said to fulfil in a generally adequate way the functions of channelling demands and discussing general problems as well as having various means of intervention in order to veto some of the more exaggerated suggestions of the executive or in order to initiate a number of new ideas, even in the field of general matters. Most of the older Commonwealth countries, of the United States and possibly of India fall in this category. It is interesting to note that Blondel places Indian legislature in the third category, presumably because of the fact of "one-party dominance", which inhibits its capacity to exert influence on the executive in the manner as done in the established Western liberal democracies. However, to the extent that the legislature in India does perform the functions of channelling demands and discussing general problems, it is appropriate to consider it in the fourth category of 'True' Legislature rather than the third, irrespective of the kind of party system existing in the country.

Such a typology of legislatures is helpful in understanding their activities in a comparative perspective but many more studies, both single-country and cross-national, are needed before we can become reasonably confident about the extent of activities and levels of influence corresponding to these legislatures in general. It may be possible at a later date to assign a number of "points" in terms of certain agreed indicators of their role-differentiation to the various legislatures in the contemporary world and to determine their respective places on a continuum of influence.

## V. CONCLUDING OBSERVATIONS

In the final analysis, it could thus be seen that although legislatures in the transitional developing societies are not as effective as they should be, or as they may be in developed Western democracies they, nonetheless, do serve a function. That function is of acting as a check against the otherwise unlimited authority of the executive branch. They do act as sounding platforms for ideas that otherwise will not be exposed elsewhere. Members of Parliament, whether appointed or elected, are political creatures who are responsive, by definition must be, to the desires and wishes of the people. In many cases they are a barometer that measures the likes and dislikes of the public at large: groups or even individuals. Sometimes, even unwillingly, they have to raise issues which force the executive to reconsider its activities. In some cases, Parliament has an important petitionary function, enabling the citizens, individuals and groups, to find redress. The legislature also serves as a training ground for potential leaders. The sessions of the legislature, regardless of their ultimate effectiveness, serve at least to focus popular attention and interest and provide topics for the mass media to discuss activities which help to keep alive the idea of parliamentary representative democracy.

Their presence represents an embryo of responsible government; a hope that must be cherished and nourished. It is heartening to note that after a lapse of more than half a century, political scientists and observers have once again begun to take interest in legislatures and are quite concerned about the expansion of their roles and activities. Indeed steps have been taken in a number of countries, among the most developed ones, the developing and the socialist countries alike, to increase the role of legislatures. Those nations who had for some reasons suspended their institutions have now reopened their legislatures. Even in the African continent legislatures have been created in many of the newly independent nations. Legislatures in developing countries exist because people want them to exist. The hope that all countries of the world will have active and effective legislatures, which may be equally concerned with detailed, intermediate and general matters, and would exercise their influence adequately at all levels, may not be a very distant possibility, but it is certain that the long-term trend is not toward the 'demise' or 'decline' of legislatures as has been made out by the earlier writers. The future of the legislature is thus far from bleak. Legislatures are an important channel of communication and pressure. Invented by mankind in the course of history

for purposes of debate and discussion, they were temporarily, for very special reasons, given exalted missions which they could not fulfil. They have nonetheless survived. They have expanded their activities markedly in most of the countries where they were first given these exalted powers, despite many cries about their impotence and inadequacy. As legislatures begin slowly to return to their role of communication and pressure in most of the polities, they are also slowly but increasingly seen to have "adequate" function and a profound relevance. No doubt they are bound to play a key part in the development of political societies in the coming decades.<sup>21</sup> If such be the case, it is necessary that a healthy approach towards the study of legislatures in general and in developing countries in particular should be adopted, which should give due consideration to the rapidly changing social, economic, political, international and environmental perspectives of the complex societies of the twentieth century.

---

<sup>21</sup> Blondel, *op. cit.*, p. 142, n. 3.

## THE PARLIAMENT: THEN AND NOW

I had the privilege of watching the proceedings of the Constituent Assembly since early 1947. The parliamentary work was done through the Constituent Assembly (Legislative), which sat in the same chamber in which the Lok Sabha sits today. After January 26, 1950, it changed into Provisional Parliament and after the first general elections in 1952 into the House of the People and the Council of States, which were later designatd as Lok Sabha and Rajya Sabha. Although these names occur in the Hindi text of the Constitution, they were adopted later on.

There has been a sea change in the composition of Parliament during these last 27 years. [Originally it was an organisation of the elite. Only those who were known for their debating qualities and that too in English found an entry into it. All those who could not belong to that group did not dare enter it.] And although these persons were duly elected, before 1952 it was an indirect election and it was the opinion of the political bosses that mattered much. At that time Congress was the only political party, its only contender being the Muslim League which disappeared from the scene after Independence. Both among Ministers and Members, there were several persons who were well-known speakers and when they spoke in the House the debates assumed a sort of holy atmosphere. It was the Congressmen themselves who sat on the opposition benches and sitting there they functioned like a real opposition. They tabled cut motions and spoke against the Government as vehemently as they could. [There were speakers like Shri H. V. Kamath and Shri S. L. Saxena who kept the Government on the toes.] These were the persons who raised points of order and condemned even the Ministry of Sardar Patel, when Mr. Laiq Ali, a former Prime Minister of Hyderabad escaped from jail custody. Sardar Patel's reputation had been reduced to its lowest that day and such was the tempo of the debate that if a vote were taken perhaps Shri Kamath might have carried the day with him.

---

\*Shri Chaturvedi is Parliamentary Correspondent of *Kesari* (Marathi), Poona.

There were persons like Pandit Hridaynath Kunjru who criticised the Government without any qualms of conscience and brought to light the famous jeep scandal which pursued Shri Krishna Menon to the last. There were members belonging to the Congress party like Shrimati Durgabai Deshmukh and Shri M. L. Dwivedi, whose sharp criticism of the then Finance Minister, Dr. John Matthai, forced the Prime Minister to get Dr. Matthai resign. May be Dr. Matthai had made up his mind earlier, but his resignation came immediately after his Budget speech was bitterly criticised by these Members.

Such a spectacle has not been seen for sometime now, except for a stray Mohan Dharia or Bhagwat Jha Azad making a statement on any particular issue that may be liked more by the opposition than by the Congress. [The Congress member cannot move a motion of adjournment or a motion of no-confidence. Nor can he move cut motions to the Demands for Grants. The time is allocated between the ruling party and the opposition and as the opposition gets much more time than its strength, the Congress party's quota is automatically reduced. Moreover, the Minister incharge takes a lot of this time and, therefore, Congress members as a whole feel frustrated as far as the debates are concerned.]

[There is a strict rationing of the time of the House. It is necessary that every State and interest is represented in the discussions.] But it has been seen that Members from States having a larger number generally find it difficult to take part in the debates in proportion to their strength. On the other hand, the language barrier always works.]

The system of debates has not encouraged specialisation of subjects. Apart from the party leaders who have perforce to speak, there are few members who get opportunity to speak on subjects of their choice. Also, there seems to be such a dearth of constitutional lawyers among the Congress party that a chartered accountant, Shri Salve, has to take upon himself the responsibility to speak on constitutional issues. He has been successfully backed by two other members—Shri H. K. L. Bhagat and Shri B. R. Gupta. Shri Narayan Rao also occasionally speaks on constitutional topics. [On the other hand, the opposition seems to have more of them, led by persons like Madhu Limaye who has every rule of the House on his finger tips. But it has to be conceded that in other matters the opposition has also failed to specialise. Formerly, Shri Kunjru and Shri Uma Charan Patnaik used to speak on defence matters. Now

there is not a single member either on Government side or in the opposition, who can be trusted with knowledge of those details relating to defence, which other members do not know, barring, of course, Kotah Brijraj Singh on air force.

When Shri Nehru was alive, practically in every session of Parliament there used to be a debate on the international situation. The discussion on foreign affairs would crop up every year either on an independent resolution or on the budget demands relating to the Ministry of External Affairs. There were many issues on which Parliament expressed itself forcefully. The question whether we should be in the Commonwealth or not was debated till 1957 and even later in 1971, when a demand was made by Shri Bhagwat Jha Azad that in view of the British policy on the war in Bangladesh, India should think of snapping her relations with the Commonwealth. It must, however, be said that in spite of the debates forced on us by Pakistan's aggression or Chinese threat in 1965 and 1971, the debate on foreign affairs has practically withered away and there are very few speakers who would like to say something substantial on this subject. Possibly by now we have developed more or less a national policy on foreign affairs, non-alignment has been accepted and there is difference only on emphasis. [But it has been seen that Members of Parliament as a whole do not attach that importance to foreign affairs now as they used to do in the fifties and early sixties.] Of course, so far as the question of the security of the country's borders is concerned, the Members have been seen to express their vigilance, but the general impression seems to be that the Government would adequately deal in such matters on its own.

Questions and calling attention motions are still the biggest forum where Members from all parties can express themselves. Half-an-hour discussions have also become popular. The zero hour discussions generally take much time of the House, with the result that many other important items of business suffer, and during this hour it is the vociferous element among the opposition which remains in possession of the floor. This year, the Demands for Grants of only six Ministries could be considered and many Members who wanted to express themselves on many issues could not do so. The tendency of extending the zero hour to any length of time works against the opportunities available to ordinary Members, whether belonging to Government or opposition.

One casualty of parliamentary life has been the lack of publicity to Committee reports. During the last Budget session itself, eleven

reports of Estimates Committee, 41 of Public Accounts Committee and 12 of the Committee on Public Undertakings were laid on the Table of the House. It so happened that most of the reports were laid on days when there were other important items of business engaging the attention of the House and these reports, although very useful, were only briefly noted. It is worth noting that reports of Parliamentary Committees, whether they related to the jeep scandal or the steel transactions, have proved very powerful in debates. It is, therefore, essential that the important points mentioned in these reports are brought out forcefully by the Press, as it is likely that even members of Parliament do not notice them, in view of their very busy programme after the Parliament session.

It is a happy augury that there are now Members in Parliament representing and pleading causes of interests, which were not earlier represented. Whenever one listens to a discussion on the Scheduled Castes or Scheduled Tribes, or on women, he listens to a number of speakers who do not otherwise speak. [It is felt that the parliamentary life would be richer, if an attempt were made to interest these persons in other subjects also.]

Something seems to be wrong with the working of the whip system. Some members often complain that those persons who come prepared to speak on some subjects do not get the opportunity, because the presiding officers generally go by the lists provided by the whips and not exactly by 'catching the eye'. Thus, Members do not know when their turn would come. When they wait, they are not called and when they are called, they are not present in the House. This system is one of the reasons for the lack of interest in general debates and debates on Bills etc. among many Members. Formerly, those who were present had always a prior chance and that encouraged Members to stay in the House and speak. Now, [they spend more time outside Parliament than in the Chamber. It requires to be remedied.]

## PARLIAMENTARY EVENTS AND ACTIVITIES\*

### A. SYMPOSIA AND CONFERENCES

*Spring meetings of the Inter-Parliamentary Union:* The Spring Meetings of the Inter-Parliamentary Union were held in Colombo (Sri Lanka) from April 1 to 5, 1975. Dr. G. S. Dhillon, Speaker, Lok Sabha and President of the Inter-Parliamentary Council presided over the meetings. The Indian delegation included Shri Om Mehta, M.P., Minister of State, Home and Parliamentary Affairs (Leader of the delegation); Shri Moinul Haque Choudhury M.P.; Shri S. S. Mariswamy, M.P.; Shri Atal Bihari Vajpayee, M.P.; Shri P. Venkatasubbaiah, M.P.; Shri S. L. Shaktiher, Secretary-General, Lok Sabha and President of the Association of Secretaries-General of Parliaments; and Shri B. N. Banerjee, Secretary-General, Rajya Sabha (Secretary to the delegation).

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

The following subjects were discussed at the I.P.U. meetings and resolutions adopted thereon:

(i) The urgency of achieving universal adherence to the treaty of non-proliferation of nuclear weapons, of prohibiting chemical weapons and of banning environmental and climatic modifications for military and other purposes inconsistent with the interests of ensuring international security and the well-being and health of the people.

(ii) Forms and methods of voters' participation in the parliamentary legislative process.

(iii) The Role of Parliament in defending the rights of women, in particular as workers and mothers.

(iv) Study of the part the Union could play in preventing cruel, inhuman or degrading treatment or punishment, and in particular, the possibility of setting up within the Union a procedure for examining and treating communications concerning human rights matters.

---

\*Contributed by the Conference Branch, Lok Sabha Secretariat.



(v) Development and international economic co-operation.

(vi) Use of audio-visual aids and other modern techniques for the promotion of education, including a system for the dissemination of information on education.

(vii) Measures that should be taken, bearing in mind the favourable changes in the international situation, with a view to the full implementation of the declaration on the granting of independence to colonial countries and peoples.

The Association of Secretaries-General of Parliaments also met in Colombo during this period. Shri S. L. Shakdher, Secretary-General of Lok Sabha who is the President of the Association, presided over the meetings.

*Conference of Chairmen of Public Undertakings Committees:* The First Conference of the Chairmen of Committees on Public Undertakings was held on March 8 and 9, 1975 under the Chairmanship of Shri Nawal Kishore Sharma, M.P., Chairman of the Committee on Public Undertakings of Parliament. The Chairmen of the Committees on Public Undertakings of Assam, Himachal Pradesh, Kerala, Karnataka, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu and West Bengal attended the Conference. The Conference was inaugurated by Dr. G. S. Dhillon, Speaker of Lok Sabha. The Chairman of the Conference, Shri Nawal Kishore Sharma, M.P. also addressed the inaugural session.\* The Conference discussed the following points on the agenda:

(i) Criteria for appraisal of the working of the public undertakings;

(ii) Horizontal examination of the subjects;

(iii) (a) Desirability of bringing departmental undertakings under the jurisdiction of the Committee;

(b) Examination by the Committee of the working of companies where share capital participation by Government is less than 51 per cent.;

(c) Examination of the activities of co-operative societies by the Committee;

(d) Is it not necessary to bring the organisations, like the L.I.C., State Bank and Nationalised Banks or other institutions, owned, controlled or created by the State public re-

---

\*See also *J. P. I.*, Vol. XXI, No. 2, April-June 1975, p. 220.

sources under the purview of the audit by the Auditor-General in order to enable the Public Undertakings Committee to have a correct and real picture of the state of affairs of these institutions?

(iv) Competence of the Committee on Public Undertakings to examine matters of policy.

(v) (a) Term of one year is considered too short to enable the Committee to discharge the functions entrusted to it efficiently and effectively. What should be the 'term' and 'period' of the Committee?

(b) Whether after the expiry of the term of the Committee, entire members be replaced by new members or a portion of the members be retired every one year or two years of working?

(vi) (a) Improvements in the internal rules of the working of the Committee to ensure that the recommendations made by it are fully and properly implemented by Government.

(b) How to ensure prompt action by Government on the recommendations of the Committee?

(vii) Should the Action Taken Reports of the Committee on Public Undertakings be discussed in the House?

(viii) (a) Should the Committee associate specialists and experts at the time of the examination of various undertakings? If so, the ways and means the Committee should adopt to find out suitable persons for the purpose as also the procedure to be followed by the Committee for such association.

(b) Since many of the public undertakings including corporations deal with subjects like transport, electricity and banking, an expert body is essential to assist the Public Undertakings Committee to effectively discharge its functions. To achieve this objective what are the steps to be taken?

(ix) Whether the Bureau of Public Enterprises (Ministry of Finance, Government of India) should play a bigger role than its present one so as to cover the activities of the public undertakings of the various States of the country or the States should have their own organisations of the nature of the Bureau?

(x) Whether the Committee can examine the irregularities, etc., that come to their notice either through representations or through the Press about public undertakings?

(xi) Desirability of having a uniform code of classification, recruitment, conduct, discipline and appeal rules applicable to employees of all public undertakings in the States; desirability of having uniform cadres and pay scales of such employees and the desirability to set up a Service Commission for public undertakings in the States.

(xii) In the States the public undertakings including corporations are subject to only Test Audit by the Accountant-General. Is it not necessary that a regular and complete audit is made by the Accountant-General?

(xiii) Whether the Committee on Public Undertakings of a State Legislature can act as delegate of the Parliamentary Committee on Public Undertakings in the matter of inspection of public undertakings situate within that State and report thereon to the Parliamentary Committee?

*Conference of Chairmen of Committees on Subordinate Legislation:* The Second Conference of the Chairmen of the Committees on Subordinate Legislation was held from March 14 to 16, 1975 under the Chairmanship of Dr. N. N. Kailas, M.P., Chairman of the Committee on Subordinate Legislation of Lok Sabha. The Chairmen of the Committees on Subordinate Legislation of Rajya Sabha, Andhra Pradesh Legislature, Assam Legislative Assembly, Bihar Vidhan Parishad, Haryana Vidhan Sabha, Himachal Pradesh Vidhan Sabha, Jammu and Kashmir Legislative Council, Karnataka Legislature, Madhya Pradesh Vidhan Sabha, Maharashtra Legislature, Meghalaya Legislative Assembly, Orissa Legislative Assembly, Punjab Vidhan Sabha, Rajasthan Legislative Assembly, Uttar Pradesh Vidhan Sabha, West Bengal Legislative Assembly and Goa, Daman & Diu Legislative Assembly attended the Conference. The Conference was inaugurated by Dr. G. S. Dhillon, Speaker of Lok Sabha on March 14, 1975. The inaugural address was followed by an address by Dr. Kailas.\* The conference discussed the following points on the Agenda on March 15 and 16:

(i) Whether the Committee on Subordinate Legislation should invite comments and suggestions from non-official bodies like trade organisations which are likely to be affected by a set of rules or from experts or professional bodies

---

\*See also *ibid*, p. 218.

possessing special knowledge of such rules, and if necessary, hear their representatives on the provisions of the rules?

(ii) Is it desirable for Government to give retrospective effect to rules, regulations, bye-laws made in pursuance of the provisions of the Constitution/Acts of Legislature?

(iii) The need to have expert legal advice to the Committees on Subordinate Legislation for proper and thorough scrutiny of such legislation, on the lines of Counsel to the Speaker in the House of Commons, U.K.

(iv) The manner and extent of parliamentary control over rules, regulations, etc., as framed by authorities in States and laid on the Table of the Houses of Parliament during the period when the States are under President's rule under article 356 of the Constitution.

(v) Whether the Committee on Subordinate Legislation can examine the scope and validity of executive orders, regulations, circulars, notifications, etc., concerning public interest in the same way as it does in respect of statutory rules, regulations, etc.?

(vi) Whether it will be desirable for the Committee on Subordinate Legislation to scrutinise the rules regulating the recruitment and conditions of service of persons serving the State, framed by the Governor under the proviso to article 309 of the Constitution?

(vii) Whether the Committee on Subordinate Legislation can examine rules regulating conditions of service of officers and servants of a High Court framed under clause (2) of article 229 of the Constitution?

(viii) Whether it is proper for the Committee on Subordinate Legislation to examine rules framed under the Constitution and various enactments which are not laid on the Table of the Legislature?

(ix) Will it not be desirable for the Committee on Subordinate Legislation to examine statutory rules and orders at draft stage?

(x) In its fourteenth report, the Law Commission has, *inter alia*, referred to the need for prior scrutiny of subordinate legislation before promulgation. Whether, in order to minimise the scope for litigation, it will not be desirable that subordinate legislation is examined by the Committee on Subordinate Legislation, prior to its publication in the Gazette?

(xi) Parliament while enacting certain laws for the Indian Union (e.g., the Essential Commodities Act, Motor Vehicles Act) is delegating powers to State Governments to frame or make rules. In pursuance of the powers so delegated, the State Governments are making or framing certain rules. Whether the rules thus framed are subject to review at all, and if so, the authority competent to review these rules?

(xii) Laying of rules framed by State Governments under Central Acts before State Legislatures/Parliament.

(xiii) What is the effect of failure to lay on the Table of the House or Houses, rules made under any Act containing provisions that rules made under the Act, shall, as soon as may be, laid on the Table of the House or Houses?

(xiv) When powers to frame rules are delegated by the Act and which are framed by the Government, the amendments suggested by the Committee in the rules should be approved or rejected by the authority empowered to frame Rules. Whether a departure in the above principle can be made at the level of Secretary concerned without taking the approval of the Government?

(xv) What should be done if a recommendation made by the Committee on Subordinate Legislation which has been reiterated once is not accepted by Government?

(xvi) How to make the recommendations of the Subordinate Legislation Committee more effective, especially when there are bicameral Legislatures? Whether the reports of the Committee on Subordinate Legislation of one House should be presented to the other House?

(xvii) It is seen that generally the State Governments take a long time in framing rules under Acts. What should be the maximum period within which the State Government should frame rules?

(xix) Sometimes the provision for delegated legislation in various Acts passed by the State Legislatures is not enforced by the State Government by not framing rules for a long time, thereby defeating the purpose of the Act. What procedure should be adopted to bring the delegated legislation within a reasonable time?

(xx) Whether a law can confer on the executive Government a power to remove difficulties in wide terms and if so, to what extent?

*Conference of Chairmen of Estimates Committees:* The Fourth Conference of the Chairmen of the Estimates Committees was held on April 26 and 27, 1975 under the Chairmanship of Shri R. K. Sinha, M.P., Chairman of the Committee on Estimates of Parliament. The Chairmen of the Estimates Committees of Andhra Pradesh, Assam, Bihar, Himachal Pradesh, Karnataka, Kerala; Madhya Pradesh, Maharashtra, Manipur, Orissa, Punjab, Rajasthan; Tripura and Uttar Pradesh attended the Conference. The Conference was inaugurated by Dr. G. S. Dhillon, Speaker, Lok Sabha. The inaugural address was followed by an address by Shri R. K. Sinha. The Conference discussed the following points on the agenda:

(i) Necessity of Co-ordination between Financial Committees, evolving procedure thereof.

(ii) Horizontal examination of subjects.

(iii) Steps to be taken for speedy implementation of recommendations of the Estimates Committee.

(iv) Review of action taken by Government in pursuance of the recommendations made by the Committee in their original and Action Taken Reports.

(v) Procedure for pursuance of recommendations made by the Estimates Committee of Lok Sabha in respect of subjects which are also the responsibility of State Governments like Agriculture, Education, Road Transport, Tax on Films, etc.

(vi) What should be the procedure to deal with the Departments of Government which instead of implementing the recommendations of the Committee publish a counter-report criticising the recommendations of the Committee and lay it on the Table of the Upper House.

(vii) Functions of the Committee—whether there should be any limitations on Committee's power of investigation.

(viii) (a) Would it be proper for the Estimates Committee to summon the Minister-in-charge of a particular Department before it during the course of examination of its estimates to enlighten the Committee over policy matters;

(b) In what manner the interference of the Minister-in-charge of the affairs of the Department which put the State Government to a loss of lakhs of rupees be incorporated in the report of the Committee.

(ix) Staff and facilities to the Chairman for the effective functioning of the Committee.

*Indian Parliamentary Association Symposium:* A symposium on the "Twenty-five years of the working of the Constitution with special reference to the working of Parliament" was held from April 18 to 20, 1975 under the auspices of the Indian Parliamentary Association, in Parliament House.

Inaugurating the symposium in the Central Hall of Parliament House on April 18, Dr. G. S. Dhillon, Speaker, Lok Sabha said that the parliamentary system adopted by the country derived its legitimacy from the people and Parliament and the State Legislatures had been rightly accorded a primacy of place in national affairs. The country owed as much to the people of India as to their representatives in the legislatures for the substantial success it had been able to achieve as a democracy. He added:

"So long as the Legislatures remain the instruments of popular will, so long as they serve as the primary channel of political communication for the democratic forces in the country, so long as they act as the vibrant link between the people and the Government, all should, I think, be well with us."

A Background Note prepared by the Library, Reference, Research, Documentation and Information Service of the Lok Sabha Secretariat was circulated to the participants. The following issues were raised for consideration at the symposium:

(i) How far have the parliamentary institutions in India been functioning productively enough to strengthen the argument that parliamentary democracy has struck deep roots in the Indian soil;

(ii) What are the concerted and positive steps that can be taken in the direction of curbing fissiparous tendencies and building a more integrated society and a nation unified in spirit, emotion and ethos?

(iii) What has been the record of Parliament and the State Legislatures in implementing the various Directive Principles?

(iv) Does the Constitution, as it now stands, strike a proper balance between individual freedom and social control? In particular, does the 25th Amendment to the Constitution go far enough to facilitate needed socio-economic reforms, or else, does it go too far in permitting Parliament and the State Legislatures to take away or abridge the fundamental rights?

(v) Since many of the more important Directives relate to matters in the State List (e.g., prohibition of the consumption of intoxicating liquors, introduction of free and compulsory education for children, land reforms), how far would it be desirable, (i) to have a measure of uniformity in these matters, and (ii) to devise suitable machinery for securing necessary Inter-State co-ordination?

(vi) In view of the significant role that planning has come to play in the socio-economic transformation of our society, what specific measures are needed to make for greater and more effective involvement of Parliament and State Legislatures in the processes and implementation of planning and devising measures for accountability in these processes?

(vii) What further measures can be taken to make for greater efficiency and effectiveness in regard to Parliament's three cardinal functions, viz., legislation, surveillance of the Administration and ventilation of grievances?

Discussion on the issues took place on April 19, under the chairmanship of Shri Godey Murahari, Deputy Chairman of Rajya Sabha and on April 20, with Shri R. T. Leuva, Speaker of the Gujarat Legislative Assembly in the Chair.

The other participants at the symposium included Members of Parliament—Shri K. Hanumanthaiya, Shri H. N. Mukerjee, Shri Subramanian Swamy, Shri P. K. Deo, Shri B. R. Bhagat, Shri Dinesh Chandra Goswami, Shri Erasmo de Sequeira, Shri Era Sezhiyan and Shri Shyamnandan Mishra—and members of State Legislatures—Shri Ram Singh, Deputy Speaker, Rajasthan Vidhan Sabha; Shri Phool Chand (Haryana); Shri J. B. L. Khachi (Himachal Pradesh) Sarvashri R. P. Shukla and K. C. Joshi (Madhya Pradesh); Dr. Diwakar Prasad Singh, Dr. P. N. Sinha and Shri Bhola Prasad Singh (Bihar); Shri Satyapal Dang (Punjab); Shri Ram Kishan (Rajasthan); Shri Badan Chandra Talukdar (Assam); Shri Shailen Mahapatra (Orissa), Shri M. Narayan Reddy (Andhra Pradesh) and Shri M. Meghachandra (Manipur).

#### B. FOREIGN PARLIAMENTARY DELEGATIONS IN INDIA

*Members of the Parliament of Colombia:* Mr. Hector Charry, M.P., President of the Foreign Relations Committee, Mr. Ramon Fernandez, M.P. and Mr. Fernando Sanclemente, M.P. of Colombia and their wives visited India from February 13 to 17, 1975. They watched the proceedings of Lok Sabha and Rajya Sabha on February



17, and attended a dinner hosted in their honour by the Speaker, Lok Sabha on February 13, 1975. Besides Delhi, they visited Agra.

**Mongolian Parliamentary Delegation:** In response to an invitation from India, a six-member Mongolian Parliamentary Delegation led by Mr. Tsedendambyn Gotov, M.P., Secretary of the Presidium of the Mongolian People's Republic visited India from February 26 to March 7, 1975. The delegation called on the Speaker, Lok Sabha on February 27 and watched the proceedings of both the Houses. A meeting between the delegation and Members of Parliament and a dinner in their honour by the Speaker were also held on that day. Besides Delhi, the delegates visited some places of cultural and industrial interest, viz. Agra, Bangalore and Bombay.

**Parliamentary Delegation from North Korea:** In response to an invitation from India, a five-member Parliamentary Delegation from the Democratic People's Republic of Korea (North Korea) led by H.E. Mr. Hwang Jang Yop, Chairman of the Standing Committee of the Supreme People's Assembly visited India from March 20 to 25, 1975. On March 20, the delegation called on the Speaker, Lok Sabha, watched the proceedings of both the Houses and attended a dinner hosted by the Speaker in their honour. The delegation visited Agra.

**GDR Parliamentary Delegation:** A four-member GDR Parliamentary Delegation visited India in March, 1975 on their way to Colombo. On March 26, the delegation called on the Speaker, Lok Sabha and watched the proceedings of the two Houses. The members also visited Agra.

**H.E. Mr. Milko Tarabanov:** In response to an invitation from the Speaker of Lok Sabha, H.E. Mr. Milko Tarabanov, First Deputy Chairman of the National Assembly of Bulgaria, visited India from April 7 to 15, 1975. On April 9, he watched the proceedings of Lok Sabha and also attended a dinner hosted by the Speaker. He also visited Madras, Agra and Srinagar.

**Yugoslav Parliamentary Delegation:** A five-member Yugoslav Parliamentary Delegation led by Dr. Zarko Bulajic, M.P. of Yugoslavia visited India from April 7 to 9, 1975 on their way back from the Spring Meetings of the Inter-Parliamentary Union held in Colombo (Sri Lanka) during the month. The Speaker, Lok Sabha hosted a dinner in their honour on April 8, 1975. The delegates watched the proceedings of Lok Sabha on April 9, 1975 and also visited Agra.

*Nepalese Parliamentary Delegation:* Three members of the Nepalese Parliamentary Delegation to the Spring Meetings of the Inter-Parliamentary Union held in Colombo, led by Hon. Mr. Pitamber Dhob Khati, M.P. visited India from April 7 to 10, 1975 on their way back. The Speaker hosted a dinner in their honour on April 8. The delegates watched the proceedings of Lok Sabha on April 9 and also visited Agra.

*Soviet Parliamentary Delegation:* In response to an invitation from India, a ten-member Soviet Parliamentary Delegation led by H.E. Mr. S. B. Niyazbekov, M.P., Deputy Chairman of the Presidium of the Supreme Soviet of the USSR and Chairman of the Presidium of the Supreme Soviet of the Kazakh SSR visited India from April 10 to 17, 1975. The delegation called on the Speaker at Parliament House and watched the proceedings of Lok Sabha on the day of their arrival. A meeting between the delegation and Members of Parliament and a dinner in their honour hosted by the Speaker were also held on that day. The delegates were taken to some places of cultural and industrial interest, viz., Chandigarh, Agra, Bombay and Bangalore.

*The Secretary-General of C.P.A.:* Sir Robin Vanderfelt, Secretary-General of the Commonwealth Parliamentary Association, London visited India from April 20 to 27, 1975. During his stay at New Delhi, he called on the Speaker and also met the Secretary-General of Lok Sabha. He discussed about the arrangements for the Commonwealth Parliamentary Conference to be held in New Delhi in October-November, 1975. He was shown round the Sansadiya Soudha, the new Parliament House Annexe where the Conference would be held. A dinner was hosted in his honour by the Speaker, and a lunch by the Secretary-General.

---

## PRIVILEGE ISSUES\*

### LOK SABHA

*Alleged misleading statement by a Minister in the House:* On February 24, 1975, Shri Jyotirmoy Bosu sought to raise<sup>1</sup> a question of privilege against the Minister of Home Affairs, Shri K. Brahma-nanda Reddy, for allegedly making a wrong statement in the House regarding a girl, Miss Farida, who was hurt in shooting in the Jama Masjid area, Delhi, while replying to the debate on the incidents in the Jama Masjid area. The Speaker disallowed the question of privilege and ruled<sup>2</sup> *inter alia* as follows:

“There is no privilege involved... The procedure is that in the case of an incorrect statement or observation if a member says that it is not correct or that there is something wrong, we send it, under direction 115, to the Minister and he makes a reply. After that the member concerned has a right again to bring it to the notice of the Speaker and he can make his own statement. That is how the matter is settled... if the Minister says something and you bring some statement from outside, you cannot confront the Minister with that....

*Reporting the proceedings of the House by a newspaper:* On December 20, 1974, the Speaker, Dr. G. S. Dhillon, informed<sup>3</sup> the House as follows:

“Shri Jyotirmoy Bosu gave notices of questions of privilege on the 1st August and 18th November, 1974, against the *Jugantar*, Calcutta, complaining that while reporting certain proceedings of the House of the 29th July and of the 15th November 1974, in its issues dated the 30th July and 16th November, 1974, respectively, the newspaper deliberately suppressed the name of Shri Jyotirmoy Bosu.

The matter was taken up with the editor of the *Jugantar*. The editor has, in his letter dated the 12th December, 1974, stated *inter alia* as follows:

---

\*Contributed by Committee Branch I of the Lok Sabha Secretariat.

1L. S. Debs., February 24, 1975, cc. 232—36.

2Ibid.

3Ibid., December 20, 1974, 242-43.

'It is not possible for a newspaper to publish the full proceedings in regard to any matter and the editor is obliged to reduce the report and publish a summary thereof. In the summaries of the proceedings of the 15th November, 1974 and 29th July, 1974 as published, it appears the name of Shri Jyotirmoy Bosu, M.P. was omitted among the members who had spoken on the motion. It is not correct to say that the name of Shri Bosu was deliberately omitted or that the Jugantar is in the habit of suppressing the name of Shri Bosu.

From the proceedings it appears that there were also other speakers who spoke on the question whose names could not be included in the report.

We want to make it clear that there was no intentional or deliberate omission of the name of Shri Bosu. We respectfully, submit that there has been no breach of privilege. We, however, express our deep regret and tender our sincerest apology for the omission which may have caused some pain to the Hon. Member and which we had no intention to cause'.

In view of the above, the matter is treated as closed."

*Misreporting of the Proceedings of the House by All-India Radio:*  
On December 19, 1974, Shri R. N. Goenka sought to raise<sup>4</sup> a question of privilege against the All-India Radio for broadcasting in its news bulletin and in the broadcast entitled "Today in Parliament" on December 4, 1974, certain matters as proceedings of the House, which in fact were not in the official record of the proceedings of the House of that day. The Minister of Information and Broadcasting, Shri I. K. Gujral thereupon made a statement<sup>5</sup> explaining the position. The Speaker, Dr. G. S. Dhillon, reserved<sup>6</sup> his ruling.

On December 20, 1974, the Speaker, while advising the House to waive its privilege in the case, ruled<sup>7</sup> *inter alia* as follows:—

"I am... of the view that the All India Radio should not have broadcast the observations of members as proceedings of the House which did not form part of the official record of the proceedings and the news agencies and the Press should not have similarly carried the alleged report of the speeches in the House. It is, however, admitted that

4L. S. Debs., December 19, 1974, cc. 191—208.

5Ibid.

6Ibid.

7Ibid., December 20, 1974, cc. 238—42.

there was terrible noise in the House at that time and in the din and uproar it is possible that the Press correspondents and other representatives did not clearly hear my orders, and as Shri Goenka has also said that there may have been a genuine misunderstanding in the Press Gallery and he wanted the Press Correspondents to have the benefit of doubt, I think, the same benefit of doubt may also be extended to the correspondent and commentator of the All-India Radio since they are also placed in the same position in the Press Gallery as other press correspondents and the House may be well advised to waive its privilege in this case and leave the matter where it is.

I should, however, make it quite clear that in future serious notice would be taken of such lapses and in order to prevent their repetitions, I would advise the press correspondents in the Press Gallery to make sure from the official reporters about the correct position so that the proceedings are reported or broadcast faithfully."

*Alleged misconduct of a member:* On December 13 and 16, 1974, Sarvashri Priya Ranjan Das Munshi, Bhogendra Jha, S. M. Banerjee, K. P. Unnikrishnan, Dinesh Chandra Goswami, Darbara Singh and Shashi Bhushan sought to raise<sup>8</sup> a question of privilege against Shri R. N. Goenka, another member, for alleged misconduct involving charges of cheating, forgery and criminal conspiracy against him arising out of the following news report published in the *Patriot*, New Delhi, dated the 4th December, 1974:

"Three directors of the Indian Express group are to stand trial for cheating, forgery and criminal conspiracy. Besides the directors—Mr. R. N. Goenka, his son, Mr. B. D. Goenka and Mr. B. D. Goenka's wife, Mrs. Saroj Goenka—two other employees of the Express group of companies will stand trial on similar charges.

The case was committed for trial by the Special Metropolitan Magistrate of Madras to the court of the Chief Metropolitan Magistrate, New Delhi on Saturday.....

The prosecution case was that the accused entered into a criminal conspiracy in 1968, to cheat the bank, commit forgeries and falsify the account books and stock records of the companies with a view to obtaining excess cash credit facilities from the bank."

---

8L. S. Debs., December 13, 1974, cc. 216 56; December 16, 1974, cc. 6—51.

The members contended that the conduct of Shri R. N. Goenka, as reported in the said newsreport, was derogatory to the dignity of the House and inconsistent with the standards expected of a Member of Parliament.

Shri R. N. Goenka made his submission in the House on December 18, 1974. He stated that these allegations related to a period when he was not a member of the House. He added that he was not in a position to go into the merits of the case since the matter was pending in a court of law and that he would present his rebuttal in the court. He also submitted that the allegations and charges made by some members against him should not have been permitted to be made and pleaded that a question of privilege against a member could arise only if the member had been guilty of misconduct or misdemeanour as a member of the House.<sup>9</sup> The Speaker, Dr. G. S. Dhillon, reserved<sup>10</sup> his ruling in the matter.

On December 20, 1974, the Speaker disallowed the question of privilege and ruled<sup>11</sup> as follows:

“...in order to constitute a breach of privilege or contempt of the House, the misconduct of a member should relate to business in the House. In the present case, as the impugned conduct of Shri R. N. Goenka does not relate to business in the House, I do not give my consent to the notices of question of privilege.

The Chair shall in future disallow notices of questions of privilege in limine where it is not clearly shown that the alleged breach of privilege is connected with the business of the House.

There may, however, be cases where it may be alleged that a member's conduct involves moral turpitude and to that extent the member may be deemed to be guilty of lowering the dignity of the House. In such cases, appropriate procedure should be followed and the matter should *not* be brought as a question of privilege. I have already ruled in my ruling of 2nd December, 1974, that the rule of *sub judice* does not come in the way of disciplinary jurisdiction of the House. But the Chair and the House will have to consider each case on its merit.”

---

<sup>9</sup>*Ibid.*, December 18, 1974, cc. 223—250.

<sup>10</sup>*Ibid.*, cc. 250.

<sup>11</sup>*Ibid.*, December 20, 1974, cc. 236—38.

*Arrest of Members—Giving wrong information to the House:* On November 15, 1974, Shri Digvijay Narain Singh, seeking to raise a question of alleged wrong information given to the House about his arrest and that of Shri Satyendra Narayan Sinha, stated that according to the intimation sent to the Speaker by the District Magistrate, Patna, in his telegram dated the 5th November, 1974, which was published in the Lok Sabha Bulletin Part II dated the 6th November, 1974, the members were arrested on November 5, 1974 while they were actually arrested on November 4, 1974. He contended that the District Magistrate, Patna, had deliberately sent wrong information and had thus committed a contempt of the House. The Speaker, Dr. G. S. Dhillon, observed that he would look into the matter.

On December 12, 1974, the Minister of Home Affairs, Shri K. Brahmananda Reddy, explained <sup>12</sup> the position as follows:—

“According to information received from the Government of Bihar, Shri Digvijay Narain Singh, M.P., Shri Satyendra Narayan Sinha, M.P. and 15 others were arrested at Boaring Road, Patna on the 4th November, 1974 at about 12 noon, for violation of prohibitory orders u/s 144 Cr. P.C. and rule 69 of the Defence of India Rules. It has also been stated by the Government of Bihar that a telegram regarding the arrest of these two Members of Parliament was duly sent by the District Magistrate, Patna the same day, i.e. on the 4th November, 1974, but owing to the unsettled conditions in the town the telegram was not despatched from the Telegraph Office on that day and it was transmitted on the next day. A detailed report about the arrest of these Members of Parliament was subsequently sent on the 6th November to the Hon’ble Speaker by the District Magistrate, Patna, informing him that the aforesaid Members of Parliament had been arrested on the 4th November, 1974.”

The matter was thereafter closed.

*Alleged misleading statement in the House by a Minister:* On November 15, 1974, Shri Madhu Dandavate and some other members sought to raise a question of privilege against the Minister of Home Affairs, Shri K. Brahmananda Reddy, for allegedly making a misleading statement in the House on November 11, 1974, regarding lathi blows on Shri Jayaprakash Narayan at Patna on November 4, 1974. Shri Dandavate stated that on November 11, 1974, Shri Reddy had stated that if even by accident, any police lathi or any thing had touched Shri Jayaprakash Narayan in the demonstration at

---

<sup>12</sup>L. S. Deb., December 12, 1974, cc. 200-01.

Patna he would have been the first to express regret and that there was no statement by Shri Jayaprakash Narayan regarding assault on him. Shri Dandavate added that according to a signed statement issued by Shri Jayaprakash Narayan, he had received injuries on his person due to lathi blows. Shri Dandavate contended that the Minister of Home Affairs had thus deliberately made a wrong statement to mislead the House and thereby committed a contempt of the House. Shri Reddy thereupon stated that "now that Shri Jayaprakash Ji has chosen to say that he was hurt, I say we are sorry." The matter was then closed.

#### RAJYA SABHA

*Alleged withholding of information from the House by a Minister:*  
On March 26, 1975, Shri Bhairon Singh Shekhawat, sought to raise<sup>13</sup> a question of privilege against the Minister of Defence, Sardar Swaran Singh, for allegedly withholding certain information from the House, in connection with the leakage of some vital defence information by two officers of the Indian Air Force to two Soviet gentlemen. He said that during the discussion on a Calling Attention matter, in reply to the question by Shri Lokanath Mishra, on March 17, 1975 'whether the two gentlemen who indulged in these activities and who are from Soviet Union, belonged to the K.G.B. or they belonged to Soviet Embassy in India, or they were only private citizens of Soviet Union', the Minister had replied that 'I would like to say quite clearly that they were not private citizens, which class they belong to, I do not know' Shri Shekhawat stated that in a writ petition filed by an Indian Air Force Officer in the Delhi High Court, it had been stated *inter alia* that 'he had been instrumental in causing security leakage on vital defence information to one major I. V. Kanavsky, Assistant Military Naval and Air Attache of the Embassy of the USSR at New Delhi'. According to Shri Shekhawat, this indicated that the Minister was aware on that day of the information, but he did not disclose the same to the House. Thus, he had committed a breach of privilege of the House. The Chairman, Shri B. D. Jatti, observed that he had not allowed the question of privilege but it would be better if the Minister of Defence clarified the position in the House. Thereupon, the Minister of Defence, *inter alia*, said:

"I never said that they do not belong to the Soviet Embassy. It is true that the name of the person was Major

---

<sup>13</sup>R. S. Debs., March 26, 1975 (Original in Hindi)



Kanavsky and he was an Assistant Military Adviser.....  
 Even now I cannot say, no body can say whether they belong to K.G.B. or to which other branch they belong.....that I did not know on that day to which particular branch of the Soviet Embassy he belonged.....The question that was asked was as to which branch of the Soviet Embassy he belonged, to which I said 'I have no information'. I have now made enquiries and I find that his designation was Assistant Military Adviser. At that time I had no information as to which branch of the Embassy he belonged. I do not see what is the point for me to suppress if I did not know to which particular branch of the Soviet Embassy he belonged."

Thereafter, the matter was closed.

#### PUNJAB VIDHAN SABHA

*Non-fulfilment of assurance by Government:* On January 23, 1975, the Speaker, Dr. Kewal Krishan, informed the House that he had received notice of a question of privilege from Sardar Basant Singh Khalsa, a member, against the Minister of Finance, Shri Hansraj Sharma, for not fulfilling an assurance given by him to the House regarding the setting up of a separate Directorate for Primary Education. The Speaker observed that he would give his ruling in the matter later.

On January 27, 1975, the Speaker disallowed the question of privilege and ruled as follows:—

"Non-implementation of an assurance given by a Minister on the Floor of the House is neither a breach of privilege nor a contempt of the House, because the process of implementation of a policy matter is conditional on a number of factors contributing to such policy, but this does not mean that the assurances given by Ministers should not be implemented or have no importance.

I have seen the Budget speech of the Minister for Finance and I find that he stated during the course of his speech that 'the Government have also decided to set up a Directorate of Primary Education'.

Keeping in view the sanctity of the assurances given by the Minister, I wrote a letter to the Minister for Finance requesting him to clarify the position. He has replied as under:

'It is correct that in the Budget Speech 1974-75 the Finance Minister had announced that separate Directorate of Primary Education would be set up. There is no basis

for concluding that the Government has gone back on its commitment. This task requires a good deal of spade work. As a step towards this direction, a decision has been taken to bifurcate the Directorate of Education into separate Directorates for colleges and schools. In the Directorate of schools, there is to be a D.P.I. for schools and an Additional D.P.I. to assist him for Primary Education. It has been decided to appoint two Officers on Special Duty of whom one has already been appointed and he has been working for the last 3-4 months on the process of bifurcation. Action would be gradually taken towards this end.'

I feel that the delay of one year in the implementation of the assurance has resulted in the loss of utility and importance of the assurance and such delays should be avoided, but in view of the position I have stated above and the clarification given by the Minister for Finance, I do not give my consent to the question of privilege being raised."

#### HOUSE OF COMMONS (U.K.)

*Threat of disciplinary action against members: On July 17, 1974, Mr. Tyler, a member, raised<sup>14</sup> a question of privilege against the Glasgow Freelance Branch of the National Union of Journalists, of which he was a member, for sending him the following letter threatening him and some other members, of disciplinary action, for voting in the House against an amendment to the Finance Bill on June 19, 1974:—*

"Dear Colleague, I have received a complaint against you from one of our members, Mr. George Findlay. . . . Our Branch complaints committee has arranged a hearing of the complaint for 2 P.M. on August 2 at the Trades Union Centre, Carlton Place, Glasgow and in accordance with Rule 18, I am inviting you to attend. I am also sending a copy of the complaint to the Secretary of the Branch to which you belong, in order that your branch may also be represented."

The complaint read as follows:—

"It is laid down in clause one of the Union Code of Professional Conduct that a member should not act against the interests of the Union. I wish to invoke Rule 18 in regard to a breach of this clause by the undernoted members of other branches of the Union.

In the House of Commons on June 19, 1974, a motion which, if it had been successful, would have been to the

<sup>14</sup>H. C. (U.K.) Debs., July 17, 1974, cc. 466—68.

financial interest of the trade union movement as a whole and this Union in particular was before Parliament. As Members of Parliament all the above-named members were entitled to vote on this issue and, as members of this Union, had a clear obligation under the Code of Conduct to support the motion. All the members above-named in fact voted against the motion which was lost. It is my contention that members of this Union do not become absolved from their obligations, freely undertaken when they apply for membership, when they become members of other organisations, including the House of Commons. The purpose of this complaint is to attempt to ensure that all members of this Union remember and honour the obligations they have undertaken by becoming members and to eliminate any possible suggestion that certain members of the Union, by virtue of holding office totally unconnected with the Union, are relieved of these obligations. I shall be pleased, therefore, if you will take the necessary steps to set up the procedure for dealing with this complaint as laid down in Rule 18."

The Speaker, Sir Selwyn Lloyd, reserved his ruling till the next day.

On July 18, 1974, the Speaker observed<sup>15</sup> as follows:—

"My ruling is that I consider that the matter of the complaint made by the hon. Member relating to a communication which he had received from the Secretary to a branch of the National Union of Journalists is such that I would permit a motion relating to it to be given precedence over the Orders of the Day.

However, I should inform the House that I have today received a letter from the General Secretary of the National Union of Journalists in the following terms:—

'I learned yesterday from Mr. Tyler's statement in the House of Commons that Mr. George Findlay, a member of the National Union of Journalists, had made complaints to our Glasgow Freelance Branch against other Members of Parliament. I was not aware of the complaints until Mr. Tyler made his statement.

The rules of the NUJ make provision for a member complaining against another about a trades union or professional grievance. They provide a fair complaints and appeal procedure.

---

<sup>15</sup>*Ibid.*, July 18, 1974, cc. 673-74.

I have never known them involved in a matter touching the Parliamentary rights and duties of a member of the Union who is a Member of Parliament. They were not designed for that purpose, and I made clear yesterday that in my view any attempt to use them for that purpose was extremely ill advised.

On my advice Mr. Findlay last night withdrew his complaint against Mr. Tyler and other Members of Parliament. I ask you to accept my assurance on behalf of the Union, its branch, and Mr. Findlay that the complaints have been withdrawn.

I should be grateful, too, if you would accept my apology on behalf of the Union for you and your House having been troubled with this matter, and for any apparent offence by the National Union of Journalists to your, Mr. Tyler's or Parliament's dignity and powers. No such offence was intended.

I have given these assurances and apology to Mr. Tyler by telephone and by a copy of this letter.'

I hope that in those circumstances the House will decide to leave the matter there."

The matter was, thereafter, closed.

---

## PROCEDURAL MATTERS

### LOK SABHA\*

*Supplementary List of Business:* On February 19, 1975 several members from the Opposition made submissions that the matter regarding incidents in the Jama Masjid area, on which a Calling Attention motion had been included in the List of Business for that day, might be allowed to be discussed in some other form. It was ultimately agreed that the discussion on the subject would be held under rule 193 on that day. Accordingly, a Supplementary List of Business was issued and circulated to Members. The item stood in the names of the same Members in whose name the Calling Attention had been put down, except that at the request of a member (Shri C. H. Mohammed Koya) in place of his name the name of another member (Shri E. Suleman Sait) was substituted. The subject for discussion also remained the same as of Calling Attention. The discussion was held from 14.30 hrs. to 19.35 hrs.

Again, on February 20, 1975 a Supplementary List of Business was issued and circulated to members to discuss the matter regarding the Jute strike in West Bengal, on submissions having been made by several members from the Opposition. The item stood in the regular List of Business as a Calling Attention motion and it was discussed under rule 193 on the same day. It remained in the Supplementary List in the name of the same members in whose name the Calling Attention had been put down. The subject of the discussion remained the same as of the Calling Attention. The Speaker, however, observed that this would not make a precedent.

On April 8, 1975, after the Question Hour, the Speaker informed the House that he had admitted a motion under Rule 184 given notice of by Shri Shyam Nandan Mishra, seeking to deplore the recent violent incident in Calcutta in which Shri Jayaprakash Narayan's car was attacked and a member of the House, Shri Samar Guha and his colleagues were injured, and that the discussion would

---

\*Contributed by the Table Office, Lok Sabha Secretariat.

take place at 3 p.m. on that day. Accordingly, a Supplementary List of Business was issued and circulated to members in the House. The motion was discussed from 3 p.m. to 11.40 p.m.

*Discussion on Statutory Resolution:* On February 27, 1975 in connection with a discussion on the Statutory Resolution for the continuance in force of the President's Proclamation in Gujarat, when a point of order was raised about the disclosure of the Governor's report on the basis of which the President's rule was being extended, the Deputy Speaker observed that technically there was nothing to stand in the way of the discussion and it was not necessary for the Governor to submit a report but a convention had been set up that it was only on the Governor's report that action was taken. As the Minister might be in constant touch with the Governor, he could give in his speech the reasons for bringing the resolution.

*Presentation of Budget:* On March 5, 1975, at 14.40 hrs. when the Minister of State for Finance, Shri Pranab Kumar Mukherjee, was called to present the Gujarat Budget for 1975-76, Shri P. G. Mavalankar raised a point of order objecting to the presentation of the Gujarat Budget first in Rajya Sabha.\*

The Minister then explained the circumstances under which the Budget was presented in Rajya Sabha first and apologised for the impropriety. The Deputy Speaker, thereupon referred to the provisions of articles 109 and 112 of the Constitution and observed that although constitutionally there was no bar to the presentation of Budget in Rajya Sabha, propriety demanded that it should be presented to Lok Sabha first, as Lok Sabha had primacy in financial matters. The Minister then presented the Gujarat Budget for 1975-76.

*Shouting of slogans and throwing of papers:* On March 6, 1975, at 12.02 hours, three visitors, Sarvashri Pema Wangyal, Tsering Chophel and Ven N. C. Gyastso, shouted slogans and threw some papers which fell in the Gallery. They were taken into custody by the Watch and Ward Staff. At 17.02 hrs. the Chairman, Shri Vasant Sathe, informed the House of the facts of the matter. Thereafter, the Minister of Parliamentary Affairs moved the following motion:—

"This House resolves that the persons calling themselves Pema Wangyal son of Shri Karma, Tsering Chophel, son

---

\*The Budget was presented in Rajya Sabha at 12.46 hours on that day.

of Shri Chokdhondup and Ven. N. C. Gyastso, son of late Shri Wangyal, who shouted from the Visitors' Gallery, attempted to throw some leaflets from there on the floor of the House and assaulted the Watch and Ward Staff on duty in the Visitors' Gallery at 12.02 hours 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.

The House further resolves that without prejudice to any other action to which they may be liable under the law, the said Pema Wangyal, Tsering Chopel and Ven N. C. Gyastso be sentenced to rigorous imprisonment till 6 P.M. on Wednesday the 19th March, 1975 for the aforesaid contempt of the House, and sent to Central Jail, Tihar, New Delhi.'

After the motion was moved, some members made submissions. Shri Kushok Bakula, one of the two members through whom passes were issued to those visitors, pleaded that they might be pardoned and Shri S. M. Banerjee moved the following amendment:

'That instead of the punishment suggested by the Minister of Parliamentary Affairs to these three young boys, they should be given a chance to improve themselves, to believe in parliamentary democracy and they should be warned not to do it in future.'

The amendment was negatived. The motion moved by the Minister of Parliamentary Affairs was adopted. Thereafter, the visitors were sent to Tihar Jail, New Delhi under warrant signed by the Speaker.

On March 7, 1975, Shri Madhu Limaye gave notice of a motion for suspension of rule 186 in its application to a motion sought to be moved by him regarding reduction of period of imprisonment. The notice was disallowed as according to the practice such a notice should come through the Leader of the House.

*Laying of Presidential Order:* On March, 7, 1975, when the item regarding the presentation of Supplementary Demands for Grants in respect of Pondicherry was reached, Shri Era Sezhiyan raised a point of order contending that it would not be in order to present the Supplementary Demands for Grants in respect of Pondicherry in the absence of laying on the Table the Presidential Order extending the President's rule in Pondicherry. The Minister of State for Finance explained the position and stated, *inter alia*, that the Government of Union Territories Act did not require the

laying of such Orders on the Table. The Speaker, thereupon, observed that the Order should have been laid on the Table of the House, as it was the basic right of Parliament to know the position. The Minister of State for Finance then presented the Supplementary Demands for Grants in respect of Pondicherry. The requisite Notifications, containing Presidential Orders in relation to Pondicherry were laid on the Table of the House on March 12, 1975.

*Allegations by Members:* On March 3, 1975, during his speech on the motion regarding a statement in relation to the State of Jammu and Kashmir, Shri Syed Ahmed Aga alleged that a foreign cheque had been received by the organisers of Peoples' March to Parliament of March 6. On objection being taken by members, Shri Aga stated that his remark was based on a press report. Members demanded withdrawal of the remark by Shri Aga, but he did not do so. Shri Hukam Chand Kachwai thereupon alleged that according to newspaper reports Shri Aga was a Pakistani agent. On protest by several members, the Speaker observed that such remarks should be avoided.

On March 7, 1975, when the Speaker called Shri Syed Ahmed Aga to make personal explanation with regard to the remarks made against him by Shri Hukam Chand Kachwai, Shri Atal Bihari Vajpayee raised a point of order that while making personal explanation a member could not bring in debatable matter whereas the matter on which Shri Aga intended to make personal explanation envisaged issues which were debatable. Several members then made submissions and thereafter Shri Kachwai withdrew the remarks made by him. The Speaker then observed that in view of the withdrawal of remarks by Shri Kachwai, Shri Aga might not make the personal explanation. A demand was made by several members of the Opposition that Shri Aga should also withdraw the remarks made by him. Shri Aga then stated that he had no *locus standi* to withdraw the remarks in question, as he had only quoted a newspaper report in that regard. The Speaker, thereupon, observed that members should not base their allegations on press reports, unless they had satisfied themselves about the correctness of the matter.

When after the Speaker's observation and persuasion by several members, Shri Aga did not relent, the Speaker observed that Shri Aga should either withdraw his remarks or substantiate them. Shri Aga then stated that he was sorry for his remarks. The Speaker observed that the remarks would be deemed to have been withdrawn.



*Playing of tape recorder in the House:* On March 12, 1975, when Shri Jyotirmoy Bosu made a statement under Direction 115 with regard to the Home Minister's statement on February 19, about the incidents in the Jama Masjid area, he showed a tape-recorder which, according to him, contained the statement of one Kumari Farida. When the Home Minister commenced his reply to Shri Bosu's statement, Shri Bosu played the tape recorder in the House. On objection being taken by Shri Vayalar Ravi that there should not be any other voice except that of the Minister in the House the Speaker observed that the tape-recorder could not be played in the House and it would not go on record.

*Taking notice of Galleries:* On March 17, 1975, during the discussion on the Demands for Grants (Railways) for 1975-76, Shri Darbara Singh pointed out that Officers of the Railway Board were not present in the Official Gallery. The Deputy Speaker observed that the House did not take notice of anything in the Galleries except on rare occasions when the Speaker made reference to the presence of dignitaries. So far as the House was concerned, it was the Minister who was responsible.

*Constitutional validity of papers laid:* On March 24, 1975, when the Minister of Home Affairs laid on the Table a copy of the President's Proclamation relating to the State of Nagaland, Shri Era Sezhiyan wanted to raise a point of order that the proclamation had not been issued in the proper form and was therefore unconstitutional and invalid. The Speaker observed that objections relating to validity or legality of a paper could not be raised at the time of its being laid on the Table. More so the Proclamation was required to be laid under article 356 and it was not for the Speaker to see whether they were in order or not.

*Demands for Grants:* Nagaland came under President's rule on March 22, 1975 and the Budget for the State was presented in Lok Sabha in the evening of March 24, 1975. Since Lok Sabha was to adjourn for a break on March 26, 1975 to meet again on April 7, 1975 and the Vote on Account had to be passed by March 31, 1975, the statement of detailed estimate under each grant divided into items had not been furnished by the Government in respect of the Vote on Account due to shortage of time. On March 25, 1975, the following motion moved by the Minister of State in the Ministry of Finance was adopted:

“That in relation to the Demands for Grants for expenditure of the Government of Nagaland during the financial

year 1975-76 so much of sub-rule (2) of Rule 206 of the Rules of Procedure and Conduct of Business in Lok Sabha, as relates to a statement of the detailed estimate under each grant divided into items may be suspended for the purpose of granting Vote-on-Account by this House."

Thereafter, discussion on Vote on Account along with the general discussion on the Budget was taken up.

*Calling Attention Notice:* On April 10, 1975, when the item about the Calling Attention Notice regarding Shri Morarji Desai's decision to go on an indefinite fast demanding early poll in Gujarat was reached, members protested against non-supply of copies of the statement in reply to the Calling Attention Notice by the Ministry of Home Affairs. The Speaker observed that there was no rule requiring supply of copies of the Minister's statement in advance. There was, however, a practice to supply copies of the statement. While submissions were being made by members to take up the item at a later hour, copies of the statement were received from the Ministry and were made available to members. It was however, decided to take up the Calling Attention Notice at 15.00 hrs. This was done interrupting the discussion on the Demands for Grants of the Ministry of Agriculture and Irrigation.

*Personal explanation by members:* On April 15, 1975 the Prime Minister made a statement regarding elections in Gujarat. The statement, *inter alia*, referred to Shri Morarji Desai and the fast undertaken by him in connection with the holding of elections in Gujarat. On April 18, 1975, Shri Morarji Desai wrote to the Speaker seeking permission to make a personal explanation clarifying his position with regard thereto and also stated that a copy of the personal explanation would be sent by him on April 21, 1975. On that day after seeing the copy of Shri Desai's statement the Speaker permitted him to make the personal explanation. A copy of Shri Desai's statement was also given to the Minister of Parliamentary Affairs for the information of the Prime Minister.

On April 22, 1975, Shri Shyamnandan Mishra raised a point of order objecting to the supply in advance to Prime Minister of a copy of the text of the personal explanation of Shri Desai, contending that neither rule 357 nor Direction 115C by the Speaker made provision for advance copy of the statement being made available to the member, whose remarks had warranted the personal explanation. Ruling out the point of order the Speaker observed that

according to the practice, when personal explanation was made with respect to which a Minister was involved, the Minister was informed just as was being done in the case of statements under Direction 115; as the principle involved was almost the same, so that the Minister could, where necessary, correct the information given by him to the House. The Speaker also observed that if the member so wanted, he could take up the matter with the Rules Committee.

*Proceedings of the meeting of the Speaker with the Leaders of Parties/Groups:* On December 17, 1974, Shri Atal Bihari Vajpayee, drew the attention of the Speaker to a news item published in certain newspapers of that date regarding the proceedings of a meeting of the Speaker with the Leaders of Parties/Groups in Lok Sabha in connection with the perusal of the C.B.I. Report and connected documents in the Import Licences case by the Leaders of Parties/Groups. He said that the news report was not correct and requested the Speaker to contradict it. The Speaker, Dr. G. S. Dhillon, thereupon observed *inter alia* as follows:—

“It is really very unfortunate that what happened inside the Committee should have come out in the press though in a wrong way and due to that the reactions should have come in this House....Whatever has appeared in the press is not correct. There was no walk-out, nor did I give any ruling that this should be the condition or that should happen... I wish to point out that in case of the Leaders' Committee also the same Direction (that is Direction 55\* of the Directions by the Speaker) goes. So I would request the members that they observe these rules in regard to whatever we do inside also... So, I end this note with my request to both of you and also to the Press that in dealing with this matter they should be helpful to me.”

---

\*Direction 55(1) & (1A) of the *Directions by the Speaker* provides as follows:—

‘55(1). The proceedings of a Committee shall be treated as confidential and it shall not be permissible for a member of the Committee or any one who has access to its proceedings to communicate, directly or indirectly, to the press any information regarding its proceedings including its report or any conclusions arrived at, finally or tentatively, before the report has been presented to the House.

(1A). The provisions of clause (1) shall also *mutatis mutandis* apply to the proceedings of meetings held by the Speaker with the Leaders of Parties and Groups in Lok Sabha’.

## STATE LEGISLATURES\*

### ANDHRA PRADESH LEGISLATIVE ASSEMBLY

*Withdrawal of a Bill:* When on February 6, 1975 Shri Ayyapu Reddy moved the motion for consideration of the Criminal Procedure Code (Andhra Pradesh Amendment) Bill, 1974, introduced by him on July 19, 1974, and made an elaborate speech explaining the purpose of the Bill, Shri Asif Pasha, Minister for Law stated that the Government was seized of the matter and requested the member to withdraw the Bill, as the Government proposed to undertake legislation on the lines suggested by him Shri Reddy and some other members stated that the Minister could not ask the member for withdrawal of the Bill at that stage. Shri M. Narayana Reddy, on the other hand, expressed the view that as the Minister had accepted the principles of the Bill and wanted to bring the same legislation on behalf of the Government, the time of the House should be spared for other business by allowing the member to withdraw if he was willing to withdraw the Bill.

Shri Ayyapu Reddy moved for withdrawal of the Bill on the assurance given by the Government that a comprehensive amendment Bill to the Criminal Procedure Code would be brought before the House.

There was however some controversy about the procedure to be followed in respect of the withdrawal of the Bill. Rule 302 of the Assembly Rules provides for withdrawal of motion and rule 133 provides for withdrawal of Bill. Some members opposed the withdrawal of the motion and suggested that rule 302 should be followed as the motion moved by Shri Ayyapu Reddy was a motion for withdrawal of a Bill. But Shri M. Narayana Reddy clarified that rule 302 should not be applicable to withdrawal of a Bill as rule 133 provided the procedure for withdrawal of the Bill. The Speaker thereafter reserved his ruling. Giving his ruling on February 14, 1975, the Speaker, *inter alia*, observed:

A distinction is made when a question is put to the House for taking the pleasure of the House with respect to motions and a question is put to the House for leave to

---

\*Contributed by the Research and Information service, Lok Sabha Secretariat and based on the materials received from the respective State Legislature Secretariats.

withdraw the Bill.....As there is specific provision for withdrawal of a Bill, i.e., rule 133, or 144, as the case may be, that rule has to be applied with respect to Bills. Hence a member incharge of a bill, may at any stage of the Bill move for leave to withdraw the Bill and if such leave is granted no further discussion shall be made with reference to the Bill. If any member opposes the withdrawal of the Bill the mover of the motion as well as the member who opposes the motion will be allowed to state what they have to state and then the motion for withdrawal of the Bill shall be put to vote.

#### HARYANA LEGISLATIVE ASSEMBLY

*Reports of Comptroller and Auditor General:* When on January 1, 1975, Ch. Ram Lal Wadhwa raised a question regarding discussion on the report of the Comptroller and Auditor General of India for the year 1972-73, concerning the Haryana State Electricity Board and other Departments of the State Government, already presented to the House, the Speaker observed that the audit reports of the Comptroller and Auditor General stood automatically referred to the Committee on Public Accounts and these formed the basis of investigation by the Committee which submitted its reports thereon to the legislature. In case the House wanted to have any information from the Comptroller and Auditor General it could do so through that Committee. But in case a Committee had not been constituted, it was for the Speaker to decide as to what should be done in the matter, provided members gave a notice for raising a discussion in one form or the other.

#### PUNJAB VIDHAN SABHA

*Allegations against officials:* When on January 29, 1975, during the consideration of the Punjab Appropriation Bill, 1975, a member levelled allegations against a Deputy Commissioner, the Speaker observed that it was against the rules of parliamentary debate and decorum to make defamatory statements or allegations of incriminatory nature against an officer who was not in a position to defend himself on the floor of the House. However, specific charges against the Officer/officials relating to their official misconduct would be allowed to be levelled, provided due notice was given by the member to the Minister concerned, giving him all the facts so that he could make such investigations as he deemed fit and thereafter make a statement in the House, clarifying the position.

## TAMIL NADU LEGISLATIVE ASSEMBLY

*Demands for Grants: Moving a Demand when The Audit Report had not been laid on the Table:* On March 17, 1975, as soon as the Chair called upon the Minister for Religious Endowments to move his Demand—'Administration of Hindu Religious Endowments Act', a member rose on a point of order and stated that inasmuch as the Report of the Auditor-General on the functioning of the Hindu Religious Endowments had neither been laid on the Table of the House, nor furnished to the members, the Minister had forfeited his right to come before the House and move the Demand. The Speaker held that they were not just then concerned with the problem whether the Audit Report had been laid on the Table or not. As the rules did not prohibit a Minister from moving a Demand even if the Audit Report had not been laid on the Table, the Minister could move the Demand.

*Questions:* A member, who came to the House late on March 11, 1975 after the Question Hour was over requested that just as the Ministers who came late were permitted to answer the questions as soon as they came, he too might be permitted to put his question included in the List of Questions for the day. The Chair quoting the relevant rule observed that such a procedure might be followed if the question had not been answered. But, inasmuch as his question had been answered and also supplementary questions had already been put and answered, it would not be in order to raise it again.

---

*Return of Money Bill by Upper House:* A constitutional issue was raised in the U.P. Legislative Assembly on March 12, 1975 by the Jan Sangh Leader Shri Madhav Prasad Tripathi, when the Secretary of the House was giving information to the House, as required by the rules of procedure, about the return of a Money Bill from the Council. The Uttar Pradesh Taxation and Land Revenue Laws Bill, 1974 was passed by the Legislative Assembly on January 1, 1975. It was transmitted to the Legislative Council and was received in the Legislative Council Secretariat on February 11, 1975. The Bill was passed by the Legislative Council on February 28, 1975 without any recommendation and was returned to the Legislative Assembly on March 1, 1975. The Speaker had certified it to be a Money Bill. Shri Tripathi's objection was that the Bill was not returned within 14 days of the receipt thereof by the Legislative Council, as required under article 198 of the Constitution of India. The Speaker, referring to a ruling given by the Speaker of the U.P. Assembly in a similar matter in 1958, said that it was an important constitutional matter and he would give his ruling later on after hearing the views of Shri Tripathi and other leaders in his Chamber. Giving his ruling in the matter on May 24, 1975, the Speaker observed that the answer to the question raised would depend on the answer to the following questions—

(i) Whether the words "the Legislative Council shall... from the date of its receipt" would mean the receipt of the Bill in the Legislative Council Secretariat or its laying on the Table of the Legislative Council; and

(ii) Whether the period of 14 days means 14 calendar days or 14 sitting days of the Legislative Council.

Analysing the provisions of article 109, article 197, sub-clause (4) of articles 101 and 190, clause (2) of articles 123 and 213 and referring to the meaning of the word 'days' given in various legal dictionaries, the debates of the Constituent Assembly relating to article 109 and also to the general consensus of the Presiding Officers' Conference on a similar question referred to it by the State Assembly, the Speaker ruled that the date of receipt of a Money Bill in the Upper House would be the date of receipt in its Secretariat and the period of 14 days would mean 14 calendar days and

would also include the days the Upper House was adjourned or prorogued.

So far as the Bill under question was concerned, the Speaker, referring to the earlier decision of the Speaker as well as the observation of the Speaker Lok Sabha on August 1, 1955 on almost a similar question raised in the House, observed that as by the time the Assembly could take any action the Bill duly passed by the Upper House had been returned back, the objection had become infructuous. Though he did not express a final opinion in the matter, he observed that *prima facie* it appeared that the words, "It shall be deemed to have been passed" in clause (5) of article 198 of the Constitution seemed to be directory and not mandatory. The Speaker also agreeing with the observations of the Speaker, Lok Sabha in 1955 desired the Government to so arrange its programme as to ensure that such Money Bills are returned by the Upper House within 14 days of its receipt and no such difficulty arises in future.

---



# PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS\*

(February 1, 1975 to April 30, 1975)

INDIA

## DEVELOPMENTS AT THE CENTRE

*Changes in the Council of Ministers:* Shri Kamalapati Tripathi was appointed as the new Railway Minister on February 10 in place of Shri L. N. Mishra who was killed in a bomb explosion on January 2. Shri Uma Shankar Dikshit, Minister without Portfolio, took over charge of the Shipping and Transport Ministry from Shri Tripathi.

Shri Mohan Dharia, Minister of State for Works and Housing, resigned from the Council of Ministers on March 2.

*Move for Electoral Reforms—Opposition Memorandum to P.M.:* At a meeting with the Prime Minister on April 22, eight non-CPI Opposition parties submitted a joint memorandum on electoral reforms, which among other things, suggested the setting up of an expert Committee to study in depth basic changes in the present electoral system, lowering of the voting age to 18, continuance of the ban on company donations to parties, right of recall and inclusion of party expenditure in the overall ceiling on election spending.

In a separate memorandum, the CPI referred to the "evils" of the present majority system under which some parties secured seats in legislatures out of proportion to the votes polled by them and preferred introduction of the list system of proportional representation.

On April 29, the Government agreed to certain electoral reforms following the second round of talks with the Opposition leaders. Some of the reforms agreed to are: (1) discontinuance of the present system of obtaining the voters' signature on the counterfoil of the ballot paper; (2) increase in the number of polling booths; and (3) supply of five copies of electoral rolls free to each recognised political party, instead of the present two.

---

\*This feature, prepared by the Research and Information Service of the Lok Sabha Secretariat, is based primarily on reports appearing in the newspapers and as such, no responsibility is accepted for the accuracy or veracity of information or views covered.

During the period under review, the Committee on electoral reforms appointed by Shri Jayaprakash Narayan with Shri V. M. Tar-kunde at its head also submitted its report on February 25.

*Increase in Lok Sabha Strength:* Minister of State for Law and Justice, Dr. Sarojini Mahishi, informed the Rajya Sabha on March 10 that the strength of the Lok Sabha after next general elections will be 540. The number of seats being increased Statewise are: Maharashtra and Madhya Pradesh (3 each), West Bengal, Gujarat and Rajasthan (2 each), Bihar, Andhra Pradesh, Karnataka, Orissa, Kerala and Haryana (1 each).

*Election upheld:* Supreme Court, on February 4, dismissed an appeal challenging the election of Shri Erasmo De Jesus Sequiera (BLD), to the Lok Sabha in 1971 from the Marmugao constituency in the Union Territory of Goa, Daman and Diu.

*Bye-election to Lok Sabha:* Shri Ismail Hossain Khan (Congress) was, on February 23, elected to Lok Sabha in the Barpeta Parliamentary bye-election defeating his nearest Socialist rival, Shri Biswa Goswami, by 27,693 votes in a four-cornered contest. The seat had fallen vacant following the election of Shri Fakhruddin Ali Ahmed as President of India.

## AROUND THE STATES

### ANDHRA PRADESH

*Salaries of Ministers and Presiding Officers:* On March 30, the State Legislative Assembly passed a Bill raising the salaries of Ministers, Speaker and Chairman from Rs. 1,000 to Rs. 1,500 per mensem and those of the Government Chief Whip in the Assembly and Government Whip in the Council, Deputy Speaker and Deputy Chairman from Rs. 500 to Rs. 1,000 per mensem with effect from January 1, 1975. The Bill also raised the house rent and conveyance allowance of Deputy Speaker, Deputy Chairman and the Government Chief Whip in the Assembly.

### ASSAM

*Resignation of Minister and MLA:* Shri Gajen Tanti, Minister of Supply and Co-operation, tendered his resignation from the Council of Ministers on March 2, Shri Mohitosh Purakayastha, MLA and a former Minister, has also resigned his membership of the State Assembly, as a protest against the "language policy pursued by the State Government."

## BIHAR

*Bye-Election to Legislative Council:* Shri Vijay Kumar Mishra (Congress), son of the late Shri Lalit Narayan Mishra, was elected to the State Legislative Council, defeating Shri Jagatanand Jha (Independent) on March 10, in a bye-election.

*Supreme Court upholds election:* The Supreme Court, on March 12, upheld the election of Shri Ismail Khan to the State Legislative Assembly from the Baghmara constituency, held in March 1972.

*New Ministry takes over:* A new 16-member Ministry, headed by Dr. Jagannath Mishra, younger brother of the late Shri Lalit Narayan Mishra, was sworn in on April 11. Earlier, on April 6, Dr. Mishra, was elected leader of the Bihar Congress Legislature Party following the voluntary resignation of Shri Abdul Ghafoor from the party leadership. Following is the composition of the new Ministry:—

Dr. Jagannath Mishra (Chief Minister) (*Home, Industries, Irrigation, Power and Law*); Smt. Ramdulari Sinha (*Labour and Employment*); Shri Ram Raj Prasad Singh (*Education*); Shri Ram Jaipal Singh Yadav (*Revenue*); Shri Ramashray Prasad Singh (*Civil Supplies*); Shri Vidyakar Kavi (*Public Works*); Shri Zawar Hussain (*Finance and Co-operation*); Shri Nawal Kishore Sinha (*Agriculture and Parliamentary Affairs*); Shri Narsingh Bhaitha (*Excise and Mines*); Shri Bindeshwari Dubey (*Health and Family Planning*); Shri Sukhdeo Prasad Verma (*Transport and Animal Husbandry*); Shri Theodore Bodra (*Forests and Tribal Welfare*); Shri Karam Chand Bhagat (*Urban Development, Housing and Public Health Engineering*); Shri Ram Ratan Ram (*Jails and Welfare*); and Shri Mohammad Hussain Azad (*Community Development and Panchayats*).

## GUJARAT

*Assembly Election in June:* Chief Election Commissioner, Shri T. Swaminathan, announced on April 21 that the elections to the State Assembly will be held on June 8 and 11.

Gujarat Lok Sangharash Samiti decided on April 26 to set up a "Janta Front" of all non-CPI Opposition parties, barring the Krishak Mazdoor Lok Paksha, led by Shri Chimanbhai Patel, to contest the forthcoming election to the State Assembly, Shri Morarji Desai, M. P. was made the leader of the "Janta Front."

## HARYANA

*Re-allocation of portfolios:* In a re-allocation of portfolios announced on February 17, the Haryana Chief Minister, Shri Bansi Lal, took over the Agriculture Department from his Cabinet colleague, Shri Bhajan Lal.

The re-allocation of portfolios has affected four members of the Council of Ministers. The revised allocations are:

Shri Bansi Lal, *General Administration (excluding Public Relations), Administration of Justice, Planning and Agriculture*; Shri R. S. C. Mittal, *Finance, Printing and Stationery, Wakf, Dairy Development and Animal Husbandry*; (Shri Bhajan Lal, *Social Welfare and Welfare of Scheduled Castes and Backward Castes*; and Shri Shyam Chand, *Excise and Taxation, Food and Supplies, Town and Country Planning, Colonization, Forests, Wild Life Preservation and Fisheries*.

*Bye-elections to Vidhan Sabha:* Three bye-elections to the State Vidhan Sabha in Rori, Meham and Nuh constituencies were held on February 17.

Shri Devi Lal (BLD) was elected from Rori by a majority of 16,438 votes over his Congress rival, Shri Indraj Singh. The Meham seat was won by Shri Sarup (Independent), supported by all Opposition parties, except the C.P.I. He secured 28,028 votes against 23,574 polled by Shri Raj Singh (Cong.). At Nuh, the Congress candidate, Shri Kabir Ahmed, got 33,054 votes against 20,015 polled by his only rival, Shri Sardar Khan (Ind.) who was also backed by Non-Communist Opposition parties.

*Elections upheld:* On February 11 and 20, the Supreme Court set aside the judgment of the Punjab and Haryana High Court and upheld the election of Shri Rizak Ram and Shri Pratap Singh to the State Vidhan Sabha in the elections held in March 1972.

## JAMMU AND KASHMIR

*Centre—State Accord on Constitutional Relationship—New Ministry assumes office:* Following prolonged talks, extending to over two years, between the emissaries of Prime Minister Shrimati Indira Gandhi and Sheikh Mohammad Abdullah, an agreement was

reached regarding the future constitutional relationship between the Centre and the State of Jammu & Kashmir.

The Prime Minister announced the main features of the agreement in Parliament on February 24. Formulated within the framework of the Indian Constitution, the agreement empowers the State Assembly to propose changes in Central laws concerning matters in the Concurrent List in so far as it concerns Jammu & Kashmir. The Prime Minister explained that the Centre would "sympathetically consider" giving assent to proposals of the State Government for amendment of Central laws passed by Parliament after 1953 "on matters in the Concurrent List such as social welfare measures, cultural matters, social security, procedural laws and the like".

The accord between the Centre and Sheikh Abdullah on the future set-up of the State was unanimously endorsed by the Jammu and Kashmir Congress Legislature Party at a special meeting held on February 22. The Congress Legislature Party, which met under the Chairmanship of Syed Mir Qasim, also unanimously adopted a resolution pledging its full support to Sheikh Abdullah and the Ministry to be formed by him in "consolidating secular and democratic forces in the State and in toning up the State administration to make it a more effective instrument for the progress and welfare of the people in all the three regions of the State—Kashmir, Jammu and Ladakh."

Soon thereafter, the Chief Minister, Syed Mir Qasim, tendered the resignation of his Ministry to the Governor, Shri L. K. Jha. On being invited to form a Government in the State, Sheikh Mohammed Abdullah was, on February 25, sworn in as the new Chief Minister by the Governor. Other Ministers in the four-man cabinet of Sheikh Abdullah, who were also sworn in are as follows: Mirza Mohammed Afzal Beg (*Revenue and Agriculture*); Shri D. D. Thakur, former Judge of the High Court (*Finance and Law*); and Shri Sonam Norbu, former Indian Ambassador to Mongolia, (*Public Works and Ladakh Affairs*).

The State Council of Ministers was expanded on April 24 when eleven Ministers of State and one Chief Parliamentary Secretary were sworn in by the Governor, raising the strength of the Council to 16. The new Ministers of State are: Sarvashri Kachu Mohammed Ali (*Irrigation and Flood Control*); Mohammad Aslam (*Animal Husbandry and Gujjar Welfare*); Ghulam Nabi Kochak (*Agriculture and Revenue*); Bhagat Chajjoram (*Industry and Parliamentary Affairs*); Mangat Ram (*Transport and Relief and Rehabili-*

tation); G. M. Shah (*Food and Civil Supplies*); Rangil Singh (*Education*); Attaullah Suhrawardy (*Health and Family Planning*); M. K. Tikku (*Law and Franchise*), Hakim Habibullah (*Public Works*); and Begum Zainab (*Labour and Social Welfare*); Shri Diwakar Singh is the Chief Parliamentary Secretary.

Six out of the eleven new Ministers (four from Jammu, one from Ladakh and one from Kashmir) belong to the Congress, three to the Plebiscite Front (two from Kashmir and one from Jammu) and two are Independents, both from Kashmir.

*Bye-elections to the Legislature:* Shri Narayan Das, a Jana Sangh candidate, defeated his main Congress rival, Shri Bodh Raj Suman, in a triangular contest for the bye-election to the State Assembly from Baderwah reserved constituency.

Shri Sonam Norbu, Minister of Works, was elected unopposed to the State Legislative Council on April 16, from a vacant seat.

#### KARNATAKA

*Resignation of Deputy Chairman:* On April 4, Shri P. N. Narasimhamurthy, resigned from the Deputy Chairmanship of the State Legislative Council in the wake of a no-confidence motion against him.

*Bye-elections to Assembly:* Shri B. S. Sariwade, Congress candidate, defeated his immediate Congress (O) rival, Shri B. A. Patil by a margin of over 4,700 votes in a triangular contest in the bye-election to the State Assembly from Sankeshmar constituency.

In another bye-election, Shri K. Prabhakad Reddy, Kannada Chaluvalligarh candidate, defeated his immediate Congress rival, Shri Y. Ramachandra by a margin of over 2,000 votes in a seven cornered contest from Chamarajpet constituency.

*Death of a Member:* Shri G. P. Nanjayyanamath, a sitting Congress MLA, passed away on March 20.

#### KERALA

*Split in Muslim League:* The State Muslim League, a partner in the coalition government, split on March 28 with the decision of six dissident MLAs to remove the Muslim League Party Minister in the Cabinet, Shri K. Avukaderkutty Naha from the Legislature party leadership. The six dissident MLAs elected Shri M. Moideenkutty

Hajee as their new leader ignoring a ban on the meeting by the party's national president, Mr. Ibrahim Sulaiman said, M.P.

On March 29, the six dissident MLAs were suspended from the Muslim League for "gross indiscipline". The dissidents immediately withdrew their support to the CPI-led coalition Government in the State.

However, with the two-member Kerala Congress (original) group pledging its "unconditional" support to the United Front Ministry on April 27, the ruling coalition gained a majority of one in the State Assembly thus averting a threat to its stability.

*Death of MLA:* Shri G. Kuttappan, MLA, passed away on March 20.

#### MADHYA PRADESH

*Election declared void:* On February 14, the Supreme Court declared void the election of an independent member of the State Vidhan Sabha, Shri A. K. Srivastava. On March 10, the Court upheld the election of Shri Shivpratap Singh (Jana Sangh) to the State Assembly from the Guna constituency in the 1972 elections, dismissing with cost the petition filed by the defeated Congress candidate, Shri Ramanlala Premy.

On March 19, the election of Shri Chandra Pratap Tiwari, MLA and a former Minister, to the State Assembly, was upheld by the Supreme Court.

On April 25, the High Court upheld the election of the Chief Minister, Shri P. C. Sethi, to the State Assembly from Mhow constituency and rejected the election petition filed by Shri Kishen Gopal Maheshwari, a defeated Jana Sangh candidate.

*Death of MLAs:* Three members of the Vidhan Sabha—Sarvasbri Manmohan Das (Deputy Minister), Shiv Lal Mehta (Congress) and Triveni Prasad Mishra (Jana Sangh), have died.

#### MAHARASHTRA

*Formation of New Ministry:* Following the resignation of the Ministry headed by Shri V. P. Naik, a new 25-member Council of Ministers, led by Shri S. B. Chavan, was sworn in by the State Governor on February 21. There are 14 Ministers of Cabinet rank and 11 Ministers of State in the new Ministry. While there were four new faces in the Ministry, five Ministers and three Ministers of State of the previous Ministry, have not been included.

The composition of the new Council of Ministers, along with the portfolios, given to each Minister, is as under:

**Cabinet Ministers—**

Shri S. B. Chavan, Chief Minister—*General Administration Home, Planning, Energy, Information and Publicity* and any other subject not specifically assigned to any other Minister, Shri V. B. Patil—*Irrigation, Prohibition and Excise*; Shri M. D. Choudhari—*Finance, Small Savings, Cultural Affairs, Sports and Youth Services*; Shri N. M. Tidke—*Industries (including Printing Presses), Legislative Affairs*; Dr. Rafiq Zakaria—*Revenue (including Rehabilitation), Urban Development, New Townships, Tourism, Protocol, Waqf*; Shri Y. J. Mohite—*Co-operation and Maharashtra State Road Transport Corporation*; Shri A. R. Antulay—*Buildings and Communication, Housing, Khar Lands, Law and Judiciary*; Shrimati Pratibha Patil—*Public Health, Social Welfare*; Shri S. B. Patil—*Labour, Animal Husbandry, Dairy Development, Fisheries*; Shri S. A. Solanke—*Rural Development*; Shri S. G. Pawar—*Agriculture*; Shri R. J. Deolates—*Forest, Transport, Jails*; Shri Ratnappa Kumbhar—*Food and Civil Supplies*; and Shrimati Prabha Rao—*Education*.

**Ministers of State:—**

Shri B. J. Khatal—*Planning, Revenue (including Rehabilitation), Law and Judiciary, Publicity and Information*; Shri K. M. Patil—*Irrigation and Agriculture*; Shri P. K. Kunte—*Urban Development, New Townships, Housing*; Shri U. N. Gaikwad—*Industries, Energy*; Shri R. P. Valvi—*Home, Forests*; Shri R. M. Pande, *Education, Labour*; Shri S. S. Shinde—*Social Welfare, Cultural Affairs, Sports, Youth Services, Animal Husbandry and Dairy Development*; Shri R. V. Belose—*Ports, Fisheries, Prohibition and Excise, Tourism*; Shri N. S. Sapkal—*Cooperation, Buildings and Communications, Rural Development*; Shri Jagesh Desai—*Food and Civil Supplies, Transport (including Maharashtra State Road Transport Corporation), Jails*; and Dr. Leon D'Souza—*Public Health, Protocol*.

**MANIPUR**

*Resignation of Deputy Speaker:* Shri N. Pauheau of the Opposition Manipur Hills Union, resigned as the Deputy Speaker of the State Legislative Assembly on March 10. His resignation was announced in the Assembly by the Speaker, Shri Mohammed Ali-muddin.

A no-confidence motion tabled by a member of the ruling party against Shri Pauheau was dropped after the Speaker's announcement.



Shri Ngurdingleen was, on April 8, unanimously elected Deputy Speaker following the withdrawal of his only rival, the nominee of the Manipur Hills Union.

#### MEGHALAYA

*Expansion of Cabinet:* The strength of the State Council of Ministers was raised to eleven on February 7, with the induction of four new Ministers Sarvashri P. K. Kyndiah, Peter Marbaniang, Salseng Marak and B. B. Shallam. As a result of this expansion the Chief Minister, Shri Stanley Nichols—Roy reallocated the portfolios of several of his colleagues.

#### NAGALAND

*Imposition of President's Rule:* Proclamation of President's Rule in Nagaland under Article 356 of the Constitution and the suspension of the State Assembly was announced in Parliament on March 22 by the Union Home Minister, Shri K. Brahmananda Reddy, following a report from the Governor regarding the breakdown of the Constitutional machinery in the State as a result of repeated defections by MLAs. Parliament gave its approval to the imposition of President's Rule on March 26.

Nagaland, brought under President's Rule for the first time, is the 15th State or Union Territory to have come under such rule.

Earlier, on March 9, Shri Vizol's one-year-old United Democratic Front Ministry had tendered its resignation following the loss of majority in the 60-member Legislative Assembly.

On March 10, a new Nagaland Nationalist Organisation Ministry, led by Shri J. B. Jasokie, was sworn-in by the Governor. Shri Jasokie had been elected leader of the NNO Legislature Party earlier in the day and had sent a letter to the Governor requesting him to allow the NNO to form the Ministry as they had 37 members in a House of 60.

The Ministry did not, however, survive for more than 12 days, on account of defections, thus necessitating the imposition of the President's Rule.

#### ORISSA

*Decision on Nilgiri Elections* The State Election Tribunal, on March 6, declared Shri R. C. Mardaraj Harichandan (BLD) duly elected to the Legislative Assembly unseating Shri Banamali Das (CPI-M) from Nilgiri constituency.

## PUNJAB

*Elections declared void:* The Supreme Court, on February 28, declared void the elections of Shri Jasdev Singh, Akali MLA and a former Minister, to the Vidhan Sabha on Grounds of corrupt practice. On March 14 the Punjab and Haryana High Court set aside the election of Shri Kirpal Singh (Congress) to the Vidhan Sabha from the Mijitha constituency.

## RAJASTHAN

*New Party alignments:* The Speaker, Shri Ram Kishore Vyas, announced in the Vidhan Sabha on February 18, that Sarvashri Ramji Lal (Swatantra) and Ummde Lal (Jana Sangh) had resigned from their parties and would sit in the House as Independents.

On March 3, he announced that eight Opposition members had joined the Congress raising the strength of that party in the Vidhan Sabha to 151 in the 184 member House.

A Janta Morcha formed by the Jana Sangh, Swatantra and the BLD in the Vidhan Sabha to fight the policies of the ruling Congress, has also been given recognition by the Speaker as an Opposition group. The morcha has eight Swatantra members, six Jana Sangh Members and three Socialists who have joined the BLD. The office-bearers of the morcha are: Maharawal Laxman Singh of Durgapur (*leader*), Shri Guman Mal Lodha (*deputy leader*), Shri Bhanu Prakash Shastri (*Whip*), Shri Gurdial Singh Sindhu (*deputy whip*) and Shri Mool Chand Samaria (*Secretary*).

*Death of MLA:* Shri Chiman Singh Bhati, MLA, passed away on March 19, following a heart attack.

## SIKKIM

*Sikkim becomes the 22nd State:* The Constitution (Thirty-fifth Amendment) Bill giving Sikkim an associate status came into force on March 1, following the President's assent on February 22. Under the Act, two Members were to be elected—one each for Lok Sabha and Rajya Sabha—to represent Sikkim in the Indian Parliament.

On March 29, the Chief Magistrate of Sikkim, Shri Haricomal Tarachand, passed an order restraining the Sikkim Assembly from electing a member each to the two Houses of Indian Parliament and

from discussing and putting questions about the Chogyal and members of the ruling family till the disposal of an interim injunction application filed by Shri M. M. Rassaily, a former Sikkim Government official.

Reacting sharply to this order, a resolution passed by the Sikkim Cabinet stated that "the will of the Sikkimese people as expressed by the State Assembly for participation of their representatives in Indian Parliament cannot be thwarted in any way". The Resolution further added that the "provisions of the tripartite agreement of May 8, 1973, and the Sikkim Government Act are paramount law to which all authorities in Sikkim are subordinate and whose validity cannot be challenged in any court of law in Sikkim". Close on the heels of these and other related developments, the Sikkim Assembly, on April 10, passed a resolution demanding abolition of the institution of the Chogyal and declaration of Sikkim as a constituent unit of the Indian Union. This resolution was put before the Sikkimese people on April 14, 1975 through a referendum. The result of the referendum was an overwhelming support for full-fledged statehood within India, the votes being 59,637 for the resolution and 1,496 against.

Responding to the will of the Sikkimese people expressed through this referendum and through their elected representatives, the Government of India decided to respect the people's verdict. On April 23, Lok Sabha adopted with a majority of 229 against 11, the Constitution (Thirty-eighth Amendment) Bill\* making Sikkim the 22nd State of the Indian Union. The Rajya Sabha adopted the Bill on April 26 with a majority of 157 votes against three.

*Ministerial Changes:* On February 21, two new Ministries, Sarvashri Nayan Tshering Lepcha and B.P. Kharel were included in the Cabinet of Kazi Lendhup Dorji. They were allotted the portfolios of Excise and Education, respectively, earlier held by Shri Dorji himself.

On March 19, Shri K. C. Pradhan, Minister for Agriculture and Animal Husbandry, was relieved of his post for "indulging in activities prejudicial to the Programme and accepted policies of the Sikkim Congress."

---

\*The Bill received the President's assent on May 16, 1975 and became the Constitution (Thirty-sixth Amendment) Act.

## TAMIL NADU

*Changes in portfolios:* A re-shuffle of portfolios involving four Ministers in the State Cabinet was announced on February 18.

The Chief Minister, Shri M. Karunanidhi, who had taken over the Industries portfolio from Shri S. Madhavan on December 24, 1974, has now allotted it to Shri S. J. Sadiq Pasha, whose portfolio of Revenue was given to Shri A. P. Dharmalingam. The Information and Public Relations portfolio, held by Shri Dharmalingam was assigned to the Minister for Religious Endowments, Shri M. Kannappan.

*Resignation of MLA:* Shri S. Arumugam, DMK member of the State Assembly, resigned his seat in the House on March 31, 1975.

## UTTAR PRADESH

*Expansion of Council of Ministers:* Nine new Ministers, all of Cabinet rank, were sworn-in on February 16, raising the strength of the Council of Ministers to 20. The new Ministers and their portfolios are: Shri Jagdish Saran Agarwal (*Local Self-Government and Housing*), Shri Charan Singh (*Excise*), Shri Prabhu Narayan Singh (*Health*), Shri Virendra Verma (*Agriculture*) Shri Narayan Singh (*Co-operation and Animal Husbandry*), Shri Lokpati Tripathi (*Tourism, Sports and Jails*), Shri Shiv Prasad Singh (*Public Works*), Shri Amar Rizvi (*Basic, Secondary and Technical Education*) and Smt. Mohsina Kidwai (*Harijan and Social Welfare*).

Shri Jagdish Saran Agarwal, Minister for Local Self Government and Housing, was on February 19, appointed leader of the House in the Vidhan Parishad in place of Shri Baldeo Singh Arya, Minister for Community Development. Shri Gauri Shankar Rai (BLD), has been appointed leader of the Opposition in place of Shri Brahma Dutta (BLD). Shri Lakshmi Shankar Yadav, an erstwhile Minister, was on February 21, appointed President of the Uttar Pradesh Congress Committee.

*New Deputy Speaker:* Shri Sheonath Singh Kushwaha, a Socialist Party Member, was, on February 21, elected the Deputy Speaker of the Vidhan Sabha, with the opposition parties—the BLD, Jana Sangh and Congress (O)—boycotting the voting.

*Court decisions on election petitions:* The Allahabad High Court, on April 7, dismissed an election petition filed by Shri Hublal

Sharma (Congress) challenging the election of Shri Khubchand (erstwhile BKD) to the Vidhan Sabha from Saron constituency in the Etah District.

On April 9, the Court set aside the election of Shri Balwan Singh from the Sarwan Khera constituency and disqualified him from holding an elective office for six years. On the same day, the Court upheld the election of Shri Ved Prakash Agarwal to the Vidhan Sabha from the Ayodhya constituency, rejecting the election petition filed by Shri S. R. Dwivedy (erstwhile BKD).

The Lucknow Bench of the High Court, on April 25, set aside the election of Shri Sukhad Raj Singh (Jana Sangh) and declared Shri Ram Harsh Misra (Congress) elected to the Vidhan Sabha from the Mahsi constituency of Bahraich district. Another petition filed by Shri Shiv Lal Mittar (Jana Sangh) challenging the election of Shri Prabhu Dayal to the Vidhan Sabha from the Shorotgarh constituency in Basti district, was dismissed by the Court.

On April 29, the Court upheld the election of Shri Chandrapal Singh (erstwhile BKD) to the Vidhan Sabha from Kanth constituency in Moradabad district and dismissed the petition filed by Shri Naunihal Singh (Congress).

*By-election to Vidhan Parishad:* Shri Ran Bahadur Singh (Congress) was, on April 18, declared elected unopposed to the State Vidhan Parishad from the Vidhan Sabha constituency. By-election was caused by the death of the Congress (O) Member, Shri Gopalnarain Saxena, on July 28, 1974.

#### WEST BENGAL

*Implementation of Wanchoo Commission Report:* The Wanchoo Commission appointed by the State Government held the West Bengal Relief Minister, Shri Santosh Roy, and the Deputy Minister for Power and Irrigation, Shri Suniti Chattoraj, guilty of corruption and nepotism. Both of them resigned from the Ministry on January 29. The Health Minister, Shri Ajit Kumar Panja, the Forest Minister, Shri Sitaram Mahato, and the Minister of State for Health, Shri Gobinda Chandra Naskar, were exonerated by the Commission.

Following the acceptance of the resignations of the two Ministers, Chief Minister Ray inducted only one new Minister Dr. Motahar Hussain, to his Cabinet whose strength was reduced to 25 now. Dr. Hussain has been allotted the portfolio of Home Affairs under

the Chief Minister. Dr. Fazle Haque, who held this portfolio earlier, has been given charge of the Calcutta Metropolitan Development Authority and the Second Hooghly Bridge Affairs.

The portfolios of Relief, Rehabilitation and Fisheries, held by Shri Santosh Roy, were distributed between two other Cabinet Ministers, Shri Sitaram Mahato and Dr. Zainul Abedin, in addition to their own responsibilities. Shri Suniti Chatteraj, who was a Deputy Minister in the Department of Irrigation, was replaced by a Minister of State, Shri Denis Lakra.

#### ARUNACHAL PRADESH

*Provision for Assembly and Council of Ministers:* The Rajya Sabha adopted, on April 26, the Constitution (Thirty-seventh Amendment) Bill to constitute a Legislative Assembly and a Council of Ministers in Arunachal Pradesh. The Lok Sabha had adopted the Bill on April 23.

Under the Government of Union Territories (Amendment) Bill, 1975, also passed by Parliament Arunachal Pradesh will elect two members to the Lok Sabha from the next general election to that House. At present the Union Territory is represented by a nominated member.

#### DEVELOPMENTS ABROAD

##### AUSTRALIA

*Resignation of Speaker:* The Speaker of the House of Representatives, Mr. James Cope, resigned on February 27 following the defeat of a motion seeking suspension of Mr. Clyde Cameron, the Minister of Immigration, by 59 votes to 55, after he had been named by the Speaker. The House immediately elected Mr. G. Scholes, the Deputy Speaker, to succeed him.

While there were constant interjections and points of order during question time, the actual series of incidents that led to the Speaker's resignation began after question time, when Mr. Cameron rose to make an explanation of the John Stonehouse affair. It was alleged by the opposition that the Minister's statement that the Opposition spokesman on immigration, Mr. Mackellar, had declined to look into the Stonehouse file, was a "monstrous lie."

According to a report in *The Times* (London), this is believed to be the first time an Australian Government has failed to support a Speaker after a member has been named.

According to the leader of the Opposition, Mr. Svedden: "We have just witnessed a matter the like of which has never occurred in the lifetime of this Parliament. I would think it has never occurred in the lifetime of any other Westminster parliamentary system."

*Election of new Liberal Leader:* Mr. Maleoin Frazer was, on March 21, elected new leader of the Opposition Liberal Party, defeating the former leader, Mr. Bill Snowden, by 37 to 27 votes.

#### BANGLADESH

*Formation of new political party—Dr. Kamal Hussain sworn in:* On February 24, President Sheikh Mujibur Rahman launched a new political party, *Bangladesh Krishak Sramik Awami League*, the only legal party to function in Bangladesh under the constitutional change-over effected in January. The Sheikh is the Chairman of the party. With the Presidential announcement of the formation of the new party, all existing political parties in the country including the ruling Awami League stood automatically dissolved, thus ushering in a single party rule in the country.

On February 12, Mr. Moinul Hossain, proprietor of the Bengali daily "*Ittefaq*", had resigned his membership of the *Jatiyo Sangsad* (Parliament). He was the second M.P. to resign after the recent change in the political set-up of the country. Mr. Abdul Hasant Mohammad Adul Hai, independent member of *Jatiyo Sangsad* had been admitted to the new party on March 9.

Mr. Mohammad Hanif was, on April 3, declared elected unopposed in the by-election to the *Jatiyo Sangsad* from the Dacca 20th constituency.

On March 16, Dr. Kamal Hussain was sworn in as the Minister for Foreign Affairs, Petroleum and Minerals.

All members of *Jatiyo Sangsad* were directed on April 17 to become members of the new national party, *Krishak Sramik Awami League*, by April 25, as required by an earlier Presidential order.

#### CAMBODIA

*Changes in Government:* President Lon Nol, on March 11, accepted the resignation of Prime Minister Long Boret, and immediately renamed him to form a new Cabinet. The President also

announced that he had accepted the resignation of the Armed Forces Chief General Sosthene Fernandez.

On March 21, Prime Minister Long Boret reshuffled his cabinet. The newly appointed Army Chief, Lt. Gen. Saksuth Sakhanh, was appointed Defence Minister and the First Vice-Premier.

#### CHILE

*Formation of New Cabinet:* President Augusto Pinochet, on April 15, named a new civilian military cabinet with stronger representation for civilians.

#### CYPRUS

*Turkish Cypriots proclaim separate State:* On February 13, the Turkish Cypriot leaders proclaimed the Turkish occupied northern sector of the island as an independent State. A joint resolution adopted by the Turkish Cypriot "Council of Ministers and Legislative Assembly" pronounced the formation of the State and elected Mr. Rauf Denktash, Vice President of Cyprus Government under Archbishop Makarios, as the Head of State. According to the resolution, the State would be independent pending agreement at a later date with the Greek Cypriots on a federated Republic of Cyprus.

On February 15, the Greek Cypriot leaders rejected "as totally unacceptable" this "unilateral initiative" of the Turkish Cypriots for a political solution to the problems faced by the island.

#### DENMARK

*Formation of Minority Social Democratic Government:* Following the general elections held on January 9 and the subsequent resignation of the minority Liberal Democratic Government led by Mr. Poul Hartling, a one-party minority Social Democratic Cabinet under the premiership of Hr. Anker Jorgensen was sworn in on February 13. Though the Social Democratic Party has only 53 seats in the 179-member new Folketing, it is being supported by the Communist Party, the Socialist People's Party and the Left Socialist Party.

The composition of Hr. Jorgensen's 16-member Government, of whom fourteen had participated in the 1971—73 minority Social



Democratic administration, was as follows:

Hr. Anker Jorgensen, *Prime Minister*; Hr. Knud Borge Anderson, *Foreign Affairs*; Hr. Knud Heinesen, *Finance*; Hr. Per Haekkerup, *Economic Affairs*; Hr. Erling Dinesen, *Labour*; Hr. Ivar Norgaard, *Foreign Economic Affairs and Nordic Affairs*; Hr. Helge Nielsen, *Housing and Environment*; Hr. Egon Jensen, *Interior*; Hr. Niels Matthiasen, *Transport and Communications and Cultural Affairs*; Fru Eva Gredal, *Social Affairs*; Hr. Erling Jensen, *Commerce*; Hr. Orla Moller, *Justice and Defence*; Fru. Ritt Bjerregaard, *Education*; Hr. Svend Jakobsen, *Inland Revenue*; Hr. Jorgen Peder Hansen, *Ecclesiastical Affairs and Greenland*; and Hr. Poul Dalsager, *Agriculture and Fisheries*.

#### EGYPT

*Formation of New Government:* Following the resignation of Mr. Abdel Aziz Hegazy from the Prime Ministership on April 13, President Anwar Sadat called upon Mr. Mamdouh Salem, Deputy Prime Minister and Interior Minister, to form a new Government. On April 16, Mr. Salem announced a 35-member Cabinet which includes three Deputy Prime Ministers and 31 ministers.

The same day, the President announced the appointment of Air Marshal Mohammad Hosni Mubarak as the Vice-President.

*Minister sentenced:* Mr. Abdel Rehman Shazly, Minister of Supply was sentenced to two months' imprisonment and fined \$127.50 by a court for failure to reinstate a dismissed employee. The court verdict was the first in the last two decades against a Cabinet Minister.

#### ETHIOPIA

*Cabinet Reorganisation—Abolition of Monarchy:* The Provisional Military Council announced on March 4 a major cabinet reorganization in which the following new appointments were made:

Colonel Legesse Wolde Mariam, *Interior*; Ato Emanuel Amde Mikhail, *Justice*; Dr. Asrate Feleke, *Agriculture*; Dr. Aklilu Habte, *Culture and Youth*; Ato Haile Yemenu, *Mines and Power*; Ato Paulos Abraham, *Public Works and Housing*; and Ato Shiferaw Yamo, *Commissioner of Planning*.

The Ministry of Information was left vacant, its previous holder, Lij Mikhail Imru, being appointed political adviser to General Teferi Bēnti, the President of the Provisional Military Council.

By a proclamation issued on March 21, the Provisional Military Council put an end to Ethiopia's 3,000-year old monarchy and annulled last September's appointment of Crown Prince Asfa Wossen as King-designate. The proclamation also cancelled the titles of prince and princess.

#### HONDURAS

*President overthrown in Coup:* The President, Gen. Oswaldo Lopez Arellano, was overthrown on April 22 in a *coup d'etat* by the army and Col. Juan Alberto Melgar took over as the Head of State. This is the twenty-third *coup* in the country in her 151 years of independence from Spain. Next day, the Armed Forces Council announced a 12-man cabinet, composed of mainly civilian technocrats, to run the country.

#### IRAN

*Dissolution of Political Parties:* On March 2, the Shah of Iran announced the immediate dissolution of all the country's political parties and their replacement by one body, the "Renewal of Iran" whose aim would be to safeguard the Constitution and the monarchy. Iran had two main political parties—the ruling New Iran Party or Novin Party headed by the Prime Minister and the Opposition Mardom Party.

The Prime Minister, Mr. Amir Abbas Hoveyda has been made Secretary-General, President of the executive committee and president of the politburo of the new party, for a two-year period.

#### IRISH REPUBLIC

*Galway By-elections:* Parliamentary by-elections held in the constituencies of Galway North East and Galway West on March 4—in each case due to the death of the former deputy—resulted in both seats being retained by *Fianna Fail*. The winning candidates are from Galway North-East, Mr. Michael Kitt and from Galway West, Mrs. Maire Geoghegan-Quinn. Both have succeeded their late fathers.

## ITALY

*Voting Age Lowered:* On March 8, the Government announced the lowering of the voting age from 21 to 18, adding three million new voters to the country's 37 million electorate.

## KENYA

*Select Committee to investigate politician's murder:* A Select Committee of Parliament has been set up on March 14 to investigate the disappearance and murder of one of its principal opposition politician, Karuki.

## KUWAIT

*Formation of new Government:* The Emir of Kuwait, Sheikh Sabah as-Salem as-Sabah accepted, on February 1, the resignation of Crown Prince and Prime Minister Sheikh Jaber Al-Ahmed but immediately asked him to form a new Cabinet.

In the new 16-member Cabinet sworn in on February 9, the Ministry of Finance and Oil was divided into two. Mr. Abdel Rahman al-Atiqi who had headed the joint Ministry for eight years remained Minister of Finance. Mr. Abdel Muttaleb al-Kazimi, an economist, became Minister of Oil.

## MALAGASY

*Formation of new Government:* General Gabriel Ramanantsoa, the Head of State of the Malagasy Republic, had announced on January 26 the dissolution of the Government because the nation was passing through "a difficult period" and the Government needed "a new vitality". A new Government, he said, would be formed soon, and in the meantime the former ministers would carry on with day-to-day business.

On February 5, General Gabriel Ramanantsoa, President of the Republic, handed over his powers to Col. Richard Ratsimandrava, former Minister of the Interior, who thereupon became Head of State and of the Government as well as Minister of State for Defence and Planning.

General Ramanantsoa explained that he was taking this step in implementation of Article 3 of the provisional constitutional law which had been in force since the suspension of Parliament in May

1972. The following day, Col. Ratsimandrava stated that he had been entrusted with the General's powers because of the country's economic difficulties which, he said, were being politically exploited by those who wished for a return to the former regime. He declared that the new regime would immediately take necessary measures to fight inflation and unemployment and to decentralize powers.

Colonel Ratsimandrava's tenure as President, however, turned out to be very brief when, on February 11, he was shot at in Tananarive by a squad which attacked his car with machine-gun fire; he latter succumbed to his injuries.

Martial law was imposed by a hastily formed 19-member Military Committee headed by General Andriamahazo and a curfew imposed on the Capital.

It will be recalled that the previous Head of State. Gen. Ramanantsoa, had resigned on January 25 after warning that the nation was on the verge of a civil war. It was he who had led the military take-over which in May, 1972 ousted President Philibert Tsiranana, the civilian President who held office since the former French colony of Madagascar achieved independence in 1960.

#### MALDIVES

*Imposition of Presidential Rule:* President Amir Ibrahim Nasir, on Marh 6, imposed President's rule on the Republic and removed from office the Prime Minister Mr. Ahmad Zaki.

Mr. Zaki had been reappointed Prime Minister for a new term only on March 1 following his comfortable victory of 36 votes against 16 polled by his opponent in the election held on February 22. The elections to the *Majlis* (People's Chamber) were held last year.

#### MEXICO

*Removal of Governor:* Mr. Israel Nogueada Otero, Governor of Guerrero, changed earlier with fraud and under an arrest warrant, was on February 1 removed from office by a special Standing Committee of the Congress.

#### NEPAL

*Coronation of King Birendra:* King Birendra Bir Bikram Shah Deva was formally crowned as the 10th King of the Shah dynasty

in Kathmandu on February 24. The ceremony took place at 8-30 A.M. when the Royal Priest placed the diamond-studded crown on the head of the 30-year-old monarch. Queen Aishwarya Rajyalaxmi Devi sat beside him in the hooded-snake golden throne.

King Birendra, who succeeded his father, had ascended the throne on January 31, 1972.

*Constitutional Reforms Commission:* On February 9, King Birendra announced the constitution of a seven-member constitutional reforms Commission headed by former Supreme Court Chief Justice Shri Annirudra Prasad Singh, to recommend, within six months, appropriate reforms in the country's 13-year old partyless Panchayat system. The Commission represents the interests of all the major political parties of the country before they were banned.

Other members of the Commission are: Shri K. N. Bisht, former Prime Minister, Shri R. H. Sharma, former chairman of the Rashtriya Panchayat; Shri D. R. Sharma, chairman of the 'go to village' national campaign; Shri S. B. Sharma, former General Secretary of the outlawed Nepali Congress Party; and D. P. Adhikari, leader of the banned Pro-Peking Communist Party of Nepal. Dr. Mohammed Mohsin would be the member-secretary of the Royal Commission.

*Changes in Council of Ministers:* Shri Krishna Raj Arayal, former Education Minister, on April 15, took over as the new foreign Minister in a Cabinet reshuffle. King Birendra had reshuffled the Council of Ministers two days ago after the expiry of the constitutional term of the National Panchayat, but fresh portfolios were announced only on April 15.

#### NORTH VIETNAM

*Fifth General Elections:* On April 6, North Vietnam went to polls to elect the 425-member National Assembly in the country's fifth general elections. The elections to people's Councils at district, village and other corresponding levels were also held simultaneously.

#### PAKISTAN

*Ban on NAP:* The Government imposed a ban on February 10 on the National Awami Party (NAP), as it felt that the party was working against the solidarity and integrity of Pakistan. This

action of the Government removed the main opposition from the national political arena. The Government order also decreed that the properties and funds of the party would be forfeited to the Government.

Prime Minister Bhutto, explaining his moves against the National Awami Party, told the National Assembly: "It is necessary to save Pakistan for all times to come from secession and threat of secession and put an end to the politics of violence and bloodshed."

*Extension of emergency:* The Pakistan National Assembly passed, on February 12, a Bill extending the state of emergency in the country for an indefinite period. The emergency was promulgated in Pakistan a few days before the 1971 India-Pakistan conflict. It will now be no longer necessary for the Government to seek endorsement from the Senate and the National Assembly every six months for its emergency powers. The Bill gives Government wide powers to arrest anti-State persons and maintain law and order. The Opposition walked out of the House in protest against the extension of the state of emergency.

Maulana Mufti Mehmood, acting leader of the combined Opposition parties which form the United Democratic Front, said: "It is no longer possible for us to continue our participation in the House as the Government wants to press ahead with constitutional amendments restricting personal freedoms as well as to take action against the Opposition leaders."

#### PERU

*Declaration of National Emergency:* General Francisco Morales Bermudez, the Chief of Staff of the Army, was sworn in on February 1 as the new Prime Minister and Minister of War, replacing in these posts General Edgardo Mercado Jarrin, who had reached retirement age.

The military Government suspended, on February 5, all individual rights and declared a nation-wide state of emergency, sending tanks into the streets to back up tough security measures against mounting civil disorder. The crisis began when a large number of the 20,000-member national police force struck work for higher pay on February 3.

#### PHILIPPINES

*Presidentship of Marcos upheld:* The Supreme Court on February 1, upheld President Ferdinand Marcos as the *de jure* Presi-

dent and also his authority to call for a national referendum on February 27, on his martial law regime.

#### PORTUGAL

*Elections to Constituent Assembly:* There was an abortive *coup* attempt in Lisbon on March 11, by paratroops and air force units following which the military rulers assumed permanent political powers. On the following day, President Costa Gomes accused General Antonio de Spínola, former President, of being the ring leader of the uprising and dismissed him from armed forces with immediate effect, alongwith 18 other Officers who had accompanied him in a helicopter flight to Spain.

On March 14, the new Revolutionary Council, which is composed of members of the Armed Forces Movement and which was set up after unsuccessful *coup* of March 11, formally took over. The Council, exercising the functions of the Military Junta and the Council of State, both of which have been dissolved, nationalised all privately owned banks. On March 18, the 24-member Council of the Revolution was formally installed.

On March 25, Prime Minister Brig. Gonsalves, named a new Cabinet, just two weeks after the attempted *coup*. Socialist leader Dr. Mario Soares, was not given the Foreign Affairs portfolio held by him earlier, but remained in the Cabinet as Minister without portfolio.

A draft Constitution which gave armed forces virtually unlimited powers to rule the country was made public on April 11. The Portuguese people went to the polls on April 25, as scheduled, for their first ever free elections in half a century to the 247-member Constituent Assembly.

The Socialists emerged as the biggest party in the elections. The details are:

Electorate: 5,676,926, Votes Cast: 5,210,569 (91.79 per cent); Socialists: 1,980,782 (38.01 per cent)—88 seats; Popular Democrats (PPD): 1,356,619 (26.04 per cent)—55 seats; Communists: 663,963 (12.74 per cent)—24 seats.

## RUMANIA

*Elections for New Parliament—Changes in Government:* On March 9, people voted for a new Parliament and local Councils in the first-ever elections in 29 years with a choice of candidates. Every nominee had pledged to support the Communist Party. Top leaders of the ruling party were unchallenged, but 139 of the 349 parliamentary seats were contested by two candidates.

On March 17, Mr. Nicolae Ceausescu was re-elected President of Rumania by the National Assembly.

Mr. Teodor Coman was, on March 18, appointed Minister of the Interior to succeed Mr. Emil Bobu who has been made a Secretary of the Communist Party. Mr. Constonlin Ionescu was appointed Minister of Machine Tool Manufacturing and Electrical Engineering in place of Virgil Actarian, who was dismissed earlier after having been accused by the Communist Party of "deviations from the principles of socialist ethics."

## SAUDI ARABIA

*Proclamation of new monarch:* On March 25, King Faisal Ibn Abdul Aziz Al-Soud of Saudi Arabia was shot dead by a "mentally unsound" nephew, Prince Faisal Ibn Musaed Ibn Abdul Aziz. King Faisal's brother, crown Prince Khaled Ibn Abdul Aziz, was proclaimed King of Saudi Arabia. The new monarch has nominated his brother Prince Fahd as the new Crown Prince.

On March 29, King Khaled reshuffled the Cabinet, appointing the Crown Prince and Interior Minister, Prince Fahd, as the First Deputy Prime Minister.

## SOUTH AFRICA

*Election of President—consequential Cabinet Changes:* Dr. Nicolaas Diederichs, who had been Minister of Economic Affairs from October 1958 to January 1967 and Minister of Finance thereafter, was on February 21, unanimously elected by Parliament as the new State President to succeed Mr. J. J. Fouche. He was sworn in on April 19.

Prime Minister Vorster has announced new Cabinet appointments as follows:



Senator Owen P. F. Horwood, *Finance*; Mr. J. Chris Henuis, *Economic Affairs*; and Mr. S. J. Marais Steyn, *Indian Affairs* and *Tourism*.

On February 21, Mr. J. W. Rall resigned "for personal reasons" as Deputy Minister of Transport. While the resultant vacancy was not filled, it was announced that Mr. Louis le Grange would be appointed Deputy Minister of the Interior *vice* Mr. W. A. Cruywagen, who would become the third deputy to the Minister of Bantu Administration and Development and of Bantu Education, Mr. M. C. Botha (the first two being Mr. T. N. H. Janson and Mr. A. J. Raubenheimer). On February 28 it was announced that all the three deputies would be designated as Deputy Ministers of Bantu Affairs.

#### SOUTH KOREA

*Referendum on the Constitution:* On February 13, 1975, President Park Chung Hee won a referendum on the Constitution which is designed to give him almost unlimited power.

Opposition Members of Parliament occupied the Speaker's rostrum in the National Assembly on March 19 in protest against a bill banning South Koreans from criticising the Government.

On March 31, four prominent opponents of President Park, namely, the former President Yun Po Sun, the former opposition Presidential Candidate, the President of the new Democratic Party and the President of the Democratic Unification Party, agreed to form a new unified opposition party.

#### SPAIN

*Cabinet Changes—Political Associations:* Sr. Licinio de la Fuente y de la Fuente resigned as the Third Deputy Premier and Minister of Labour on February 24, this resignation being followed by a cabinet reorganization on March 4 in which four more ministers--including the Minister of Justice, Sr. Francisco Ruiz Jarabo Baquero, the Secretary-General of the National Movement, Sr. Jose Utrera Molina, Sr. Alfredo Santos Balnco, Minister of Industry and Sr. Nemesio Fernandez Cuesta, Minister of Commerce, were replaced in their posts. Sr. de la Fuente was reported to have resigned because he objected to certain provisions in the legislation proposed by the Government which would have limited the right of workers to strike.

## SUDAN

*Major Cabinet Changes:* As a result of major changes in the Cabinet, President Jaafar al Nimeiry dropped at least four senior Ministers including the Foreign Minister, Mr. Mansour Khalid, and the Finance Minister, Mr. Ibrahim Muneim Mansour. The Minister of State for Commerce, Sheikh Hassan Bilail and the National Economy Ministry Under-Secretary, Mr. Hassan Airasool were also dismissed.

No reasons were given for this major shake-up within the Government.

## THAILAND

*Inauguration of New Parliament:* Elections to the new 269-member House of Representatives were held on January 26 with 42 parties having fielded as many as 1,200 candidates, the outcome of the elections has obviously not been decisive. However, Mr. Seni Pramoj's Democratic Party with 72 seats emerged as the largest party. On February 3, the Democratic Party and the Social Agrarian Party announced their decision to form a minority coalition Government; the latter commands 19 seats in the House.

The first elected Parliament of the Kingdom was formally inaugurated on February 6.

Mr. Prasit Kanchanawat, head of the Social Nationalist Party was elected Speaker of the House of Representatives by 141 votes, defeating his nearest rival, Mr. Somboom Sridhara, of the Democratic Party who polled 108 votes.

The post of Speaker is important in so far as it is he who has to assess which candidate commands the maximum support in the House and recommend his name to the King for appointment as Prime Minister.

On February 13, the House of Representatives elected Mr. M. R. Seni Pramoj, a Democrat as Prime Minister and a fortnight later, on February 27, the new coalition Cabinet headed by Mr. Seni Pramoj was sworn in.

The Coalition Government, however, failed to survive its very first vote of confidence in the House of Representatives on March 6, and the Government had to resign. On March 13, the Social Action

Party leader, Mr. Kukrit Pramoj was elected as the country's new Prime Minister, succeeding his elder brother, Mr. Seni Pramoj.

### TOGO

*Cabinet Reorganization:* Under a presidential decree signed on March 6, the Government of Togo was reorganized with effect from the previous day, when two ministers left the Cabinet, three members joined it and the structure of several portfolios was changed.

The Principal portfolios were distributed as follows:

General Gnassingbe Eyadema, Head of State, Minister of Defence; M. Ayl Houenou Hunlede, *Foreign Affairs*; M. Yao Kunale Eklo, *Interior*; M. Nanamale Gbegbeni, *Justice Civil Service and Labour*; M. Alien Kodjo, *Finance and Economy*; M. Koudjolou Dogo, *Planning* and M. Zarifou Ayeva, *Commerce, Industry and Transport*.

### TURKEY

*Formation of New Coalition Government:* On March 13, Prime Minister Sadi Irmak tendered the resignation of his Cabinet and informed President Fahri Koruturk, that his efforts to form a new Government had failed. On March 31, the Leader of the Conservative Justice Party, Mr. Suleyman Demrial, announced the formation of a Coalition Government of four right-wing parties.

### UNITED KINGDOM

*Election of Conservative Party Leader and Leader of the Opposition:* Mrs. Margaret Thatcher, opposition spokesman on financial affairs and public expenditure, and a former Secretary of State for Education and Science, was on February 11, elected leader of the Conservative Party in the House of Commons and, in that capacity, the Leader of the Opposition, in succession to Mr. Edward Heath who had been leader since 1965. Mrs. Thatcher was elected on the second ballot under revised electoral rules, having polled more votes than Mr. Heath in the first ballot on February 4. Mrs. Thatcher was confirmed as party leader on Feb. 20 by the party meeting of Conservative M.Ps., peers, adopted candidates and members of the National Union executive. The motion for her election as leader of the Conservative and Unionist Party was proposed by Lord Hailsham of St. Marylebone and seconded by Mr. Whitelaw.

Mrs. Thatcher has appointed Mr. Whitelaw as Deputy Leader of the Opposition.

*Broadcast of Parliamentary Proceedings:* On February 24, the British Parliament decided to have their proceedings broadcast over the radio but turned down a proposal for allowing television cameras into the House of Commons.

*Increase in Queen's Allowances:* The House of Commons, on February 26, voted by 427 votes to 90, to give Queen Elizabeth II a million dollar increase in her allowances.

*Arrest of John Stonehouse:* Mr. John Stonehouse, a runaway M.P. of the British House of Commons and a former Labour Government Minister, was arrested in Melbourne on March 21 on an extradition warrant issued in London on various charges of fraud, theft and forgery.

#### YUGOSLAVIA

*Federal Council for Defence of Constitutional Order:* The Presidency of the Republic, headed by President Tito, decreed on February 20 the formation of a "Federal Council for the Defence of the Constitutional Order", the principal function of which would be the settlement of the succession problem after the President's death.

Dr. Vladimir Bakarich, the Croat member of the Presidency, will be the Chairman of the New Council. The other members are Mr. Stane Dolanc, the Secretary of the Executive Committee of the League of Communists of Yugoslavia (LCY), Mr. Lazar Kolichevski and Mr. Vidoje Zarkovich, both member of the Presidium of the LCY: Dzemal Bijedich, President of the Federal Executive Council (i.e. Prime Minister): General Franjo Herlevich, Secretary for Internal Affairs: Mr. Milos Minich, Secretary for Foreign Affairs and General Nikola Ljubichich, Secretary for National Defence.

---

## SESSIONAL REVIEW

### FIFTH LOK SABHA—THIRTEENTH SESSION\*

The Thirteenth (Budget) Session of Lok Sabha commenced on February 17, 1975 with the Address by the President to Both the Houses of Parliament assembled together. The Session continued till May 9, 1975. The House adjourned for a break on March 26 to meet again on April 7, 1975. A resume of some of the discussions\*\* and legislative business transacted during the session is given below:

#### A. DISCUSSIONS

*President's Address:* Addressing the Members, the President said that when the country was straining every nerve to meet formidable challenges, "it is regrettable that some groups have been doing every possible thing to weaken the will of the people, and to

---

\*Contributed by the Research and Information Service, Lok Sabha Secretariat.

\*\*Other important subjects discussed: Rioting in Jama Masjid Area (Feb. 19); Jute Strike in West Bengal (Feb. 20); Cotton Prices (Feb. 24); Import Licences for Polyester Fibre (Feb. 24); Destruction of F.C.I. fertilizers at Okhla due to fire (Feb. 25); Soiled notes conversion racket in Reserve Bank of India (Feb. 27); Smuggling and screening of crime- and obscene-thriller films in India (Mar. 4); Wagon breaking racket in Koderma (Mar. 5); Non-clearance of material imported by M.M.T.C. (Mar. 12); Death of pilgrims near Junagadh (Mar. 13). earthquake in Kinnaur and Lahul Spiti Districts of Himachal Pradesh (Mar. 17); Strike by Delhi School Teachers (Mar. 18); Wage Boards for Working and non-working Journalists (Mar. 18); Closure of Banaras Hindu University (Mar. 18); Revaluation of rouble-rupee exchange rate (Mar. 20); Enforcement of prohibition (Mar. 21); Revision of pay scales of Delhi teachers (Mar. 25); Presidential proclamation about Nagaland (Mar. 25); Closure of Jawaharlal Nehru University (Apr. 9); Attempt to stop work in Bhilai Steel Plant (Apr. 16); Maharashtra-Karnataka boundary dispute (Apr. 21); Smuggling of synthetic textiles into India (Apr. 22); Loss suffered by Super Bazar (Apr. 28); Refusal of Punjab Government to F.C.I. for wheat procurement (Apr. 28); Problems of refugees (May 8); Alleged victimisation of employees of the Comptroller and Auditor-General of India (May 8); Resignation of the General Manager of Durgapur Steel Plant (May 9).

sap the cohesion and unity of purpose...They claimed that their objective is total revolution and elimination of corruption, but the actual result is violence and disruption of political and economic life... It is the essence of the democratic system that changes are brought about through the widest possible discussion and agreement. Mere disruption of the existing system or institutions, with no better and workable alternative will only endanger the stability and progress of our country."

Spelling out the several measures taken to stabilize the economy, the President stated that the Government was determined to continue with vigour the monetary and fiscal measures and action against economic offences. It was also proposed to intensify development programmes benefiting the less-developed regions and weaker sections of the community including Schedule Castes and Scheduled Tribes, as also to remove limitations in the infra-structure and to increase production in the vital sectors.

The President said that several steps has been taken towards normalising relations with Pakistan. Agreements had been worked out for the resumption of postal services, tele-communication links, travel facilities and trade between the two countries. It was hoped that the healthy trend towards settling differences bilaterally and through peaceful means would gather momentum and that Pakistan would realise the futility of rearming itself by procuring arms from various sources, as that would hinder reconciliation and the establishment of durable peace on the sub-continent. He also expressed the hope that the U.S. would continue to support the trend towards normalisation on the sub-continent and would not take any steps which might adversely affect it.

Concluding, the President appealed to "one and all not to fritter away national energies on acrimonious controversies and agitations, but to give a constructive and confident lead to the people of India who have a proven capacity to overcome challenges".

The Address was discussed in Lok Sabha on a Motion of Thanks moved by Shri C. M. Stepten on February 20, 1975. Replying to the five-day discussion on February 27, 1975, the Prime Minister, Shrimati Indira Gandhi referred to the present agitation being carried on in the name of cleansing the system and said that "... They are not sure themselves of their real objectives. Several ideas have been put forward in rapid succession...the agitation is based on false promises... and the whole campaign is giving a

handle to our foes and detractors in other countries..." She welcomed the suggestion of discussing all the controversial and major issues all over the country and eliciting people's opinion on them. The Government was ready to consider every constructive suggestion and take counsel with any individual or group, who was interested. The process of consultation could begin with a round-table discussion on electoral reforms.

On the question of resumption of supplies of American arms to Pakistan, the Prime Minister observed:

"...The arms build-up and militarisation of the whole region is bound to increase the tension in the Indian Ocean. All this will cause a deep anxiety and will increase the need for more vigilance and preparedness... It is natural that we should feel strong, for it is we who have been victims of Pakistani belligerency time and again...."

After Prime Minister's reply to the debate the House adopted the Motion of Thanks.

*No-Confidence Motion in the Council of Ministers:* On the last day of the Session, May 9, 1975, Shri Jyotirmoy Bosu moved a motion of no-confidence in the Council of Ministers, *inter alia* alleging that the Government ostensibly talked of democracy and socialism, while in actual practice, it acted quite contrary to its professions.

Intervening in the discussion, the Minister of Agriculture and Irrigation, Shri Jagjivan Ram said that the Government was aware of the people's difficulties and was trying to solve them. The Government had made available sufficient funds to the State of Tamil Nadu during the recent drought for relief work and also adequately met their needs for foodgrains, particularly wheat.

The Prime Minister, Shrimati Indira Gandhi observed that regardless of the feelings of members on the other side, India's voice was heard with respect in every world forum. No one had claimed that poverty in India would be banished suddenly. But it was a fact that the poverty was not the same as it was 10 or 15 years ago. Despite many difficulties and circumstances beyond its control, the Government had faced the tremendous drought. In view of the continued infiltration and subversion on the border, accumulation of arms and ammunitions in the region and new pressures in seas around the country, the Government could not weaken itself by lifting the emergency. She, however, maintained that there was no curb on legitimate political activity in the country.

When put to vote the motion was lost.

*General Budget—General discussion\**: On March 10, 1975, Shri Dinen Bhattacharyya initiated the discussion and demanded a ceiling on profits on all the industrial and commercial undertakings owned by Indian business saying that all excess profits should be taken over by the Government.

Intervening in the discussion on March 13, 1975, the Minister of State for Finance, Shri Pranab Kumar Mukerjee emphasized the need not only to plug loopholes and to unearth the accumulated black money but also to take measures which could prevent the generation of black money itself. One such area was smuggling and the Government had taken various measures to put a curb on the smuggling activities. The matter regarding the system of trial for economic offences was under the consideration of the Government and necessary legislation would be brought forward in the near future.

Replying to the discussion lasting for three days, the Minister of Finance, Shri C. Subramaniam said that the efforts directed by Government towards containing inflation during the last 2-3 years had brought the price situation well under control. But one could not take a complacent view. It was necessary that the agriculturists did not press for higher procurement prices for wheat or any other commodity; this would induct an inflationary trend into the system. If higher prices were allowed to them, it would be inconsistent to ask the Government employees to make sacrifices for the purpose of stabilization.

*Railway Budget—General Discussion†*: Initiating the discussion on March 5, 1975, Shri Samar Mukherjee demanded that the Railways should be treated as an industry, the dismissal cases of Railway employees should be reviewed and all persons affected taken back, into service.

Replying to the three-day discussion on March 10, the Minister of Railways, Shri Kamalapati Tripathi said that the highlights of the Budget were that the development works were not hampered, employees got justice and more and more passenger amenities were pro-

---

\*The Finance Minister, Shri C. Subramaniam presented the General Budget for 1975-76 on February 28, 1975.

†The Railway Budget for 1975-76 was presented by the Minister of Railways on February 20, 1975.



vided. He ruled out the scope for effecting any further rise in the passenger fares and gave an assurance that the Government would condone the break in the service of those employees who were not guilty of violence, sabotage or intimidation.

*Resumption of U.S. arms supply to Pakistan:* Making a statement on February 18, 1975, in response to a Calling Attention Notice by Shri Madhu Limaye, the Minister of External Affairs, Shri Yeshwantrao Chavan said that the American decision to induct sophisticated weapons into the sub-continent would not only create new tension between India and Pakistan, but would also revive old misgivings about the United States' role in the region. The U.S. Secretary of State, while in India last year, had given an assurance that the United States did not wish to encourage an arms race in the sub-continent.

In a subsequent statement on February 24, Shri Chavan, reiterating that the lifting of the 10-year old embargo on the supply of arms to Pakistan could have serious consequences for peace and stability in the sub-continent and for more mature relations with the United States, said that whatever might have been said by the U.S. Administration from time to time to justify them, it was these arms which were used on three occasions to commit aggression against India. India's concern was naturally heightened by the unfortunate experience of the last two decades.

*Recognition of PRG of South Vietnam:* In a statement on April 30, 1975, the Deputy Minister in the Ministry of External Affairs, Shri Bipinpal Das informed the House that the Government of India had decided to accord immediate diplomatic recognition to the Provisional Revolutionary Government of South Vietnam. The Government had also decided to advise the Consul-General of South Vietnam in New Delhi that his Mission should be terminated forthwith and that he should leave India as soon as possible, unless he declared allegiance to the Provisional Revolutionary Government and the Government accepted him as their representative in India.

*Talks on Ganga Waters:* The Minister of Agriculture and Irrigation, Shri Jagjivan Ram informed the House on April 21, 1975 that as a sequel to the agreement reached between the Prime Ministers of India and Bangladesh at a meeting held on May, 24, 1974 regarding the settlement of the long-standing Farakkha Barrage issue in a spirit of friendship and cooperation the two sides continued their efforts for arriving at a mutually acceptable allocation of

the minimum flow of water in the Ganga. Although agreement could not be reached at the meeting of delegations of the two countries held in New Delhi on February 24-25, 1975, the discussions marked an important step in the mutual understanding of the respective view-points and in enlarging the areas of agreement. At another meeting held at Dacca on April 16-18, an understanding was reached which enabled the Farakka Barrage to be operated and the Feeder Canal to be run during the current lean period. Since the Feeder Canal would be running for the first time, discharges had to be increased gradually, so that remedial measures could be taken to rectify deficiencies if any.

*The Indian Satellite:* The Prime Minister, Shrimati Indira Gandhi informed the House on April 21, 1975, that the first Indian Satellite successfully launched on April 19, 1975 from the Soviet Union with the help of a Soviet Rocket Carrier, was wholly designed and fabricated in India. This achievement, was the first by a developing country and marked yet another milestone in the efforts to harness the benefits of modern science and technology for national development.

*Situation in Sikkim:* Making a statement on April 9, 1975, the Minister of External Affairs, Shri Yeshwantrao Chavan said that the situation in Sikkim had reached a critical phase. The Chogyal's actions over the last few months had been deliberately directed towards creating a crisis. There had been attempts on the life of the Chief Minister. Elaborate plans to use violence had also come to light. In the context of the deteriorating law and order situation and suspicion of imminent threat to the lives of some leaders, the Sikkim Guards had been disarmed and disbanded at the express request of the Sikkim Government. While the Union Government had been counselling restraint, the Sikkim Chief Minister had been consistently maintaining since last September that if democracy was to survive in Sikkim, the Chogyal must be removed. At its meeting held on April 10, 1975 the Sikkim Assembly had passed a resolution demanding the removal of the Chogyal and according to the elected Government full rights and responsibilities on par with other constituent units of the Indian Union.

*Statement by Prime Minister on Jammu and Kashmir:* Making a statement on February 24, 1975, the Prime Minister Shrimati Indira Gandhi said that the settlement reached with Sheikh Abdullah was an entirely domestic matter and it was hoped that it would usher a new era of understanding and cooperation with

those in the State of Jammu and Kashmir who had not associated themselves with the mainstream of national life during the last two decades. The Agreed Conclusions\* had been formulated within the frame-work of the Constitution of India and the constitutional relationship between the State of Jammu and Kashmir and the Union would continue as it had been and the extension of further provisions of the Constitution to the State would continue to be governed by the procedure prescribed in article 370. She said:

“The existing jurisdiction of the Centre to deal with activities directed towards questioning, or disrupting the sovereignty and territorial integrity of India, or bringing about cession or secession of any part of the territory of India from the Union, will also continue. It has also been agreed that any amendment of the Constitution of the State on certain specified matters of importance will not become effective unless the assent of the President is obtained....

“So far as the Chief Minister is concerned, there should be no objection to the adoption of the designation ‘Wazir-e-Azam’ in the State if the legislature of the State of Jammu and Kashmir amends its Constitution accordingly. Until this is done, the present designation would continue.”

Winding up the two-day discussion on the Statement on March 4, 1975, the Prime Minister said that the Constitution, while providing for a strong Centre, gave considerable autonomy to the States. The existing constitutional arrangements did not stifle the States in any way. On the other hand, without a strong Centre, there would be no united country.

The Prime Minister pointed out that article 370 of the Constitution laid down a procedure for the progressive extension to the State of Jammu & Kashmir the remaining provisions of the Constitution with the concurrence of its Government. The article had been working satisfactorily during all these years. There was no reason to assume that further extension of provisions to the State was ruled out. Sheikh Abdullah had categorically stated that he always believed that the well-being and the future of Kashmir lay with the Indian Union. His reiteration that accession was not an issue and that plebiscite had become irrelevant had beneficial consequences.

*Continuation of the President's Proclamation in Gujarat: Moving a Statutory Resolution on February 27, 1975, the Minister of*

---

\*The Prime Minister laid a copy of the Agreed Conclusion on the Table.

Home Affairs, Shri K. Brahmananda Reddy said that the present proclamation was due to expire on March 10, 1975. Since it would not be possible to restore constitutional Government by March 11, a further extension of President's rule was unavoidable.\* Replying to the short discussion, he ruled out the suggestion of an early election in the State owing to unprecedented drought and scarcity conditions prevailing there. Thereafter, the resolution was adopted.

*Elections in Gujarat:* Making a statement on April 15, 1975, the Prime Minister, Shrimati Indira Gandhi said that she had told Shri Morarji Desai, M.P. that elections in Gujarat would be held as soon as possible after the monsoon and that the process would begin in September. Shri Desai had been insistent on holding elections in May/June. This small lag, she felt, hardly seemed to be an adequate reason for such a serious step as the fast undertaken by him. Fasts of this nature were unjustified and constituted an irrational form of political pressure. Shri Desai was himself forthright in expressing similar views in the past. After the fast, owing to the deterioration in the condition of Shri Desai, the prime consideration became the saving of his life. Conceding the main point of Shri Desai's demand the Government asked the Election Commission to hold the elections in the State around June 7.

On April 21, 1975, by way of personal explanation, Shri Morarji Desai told the House that the Prime Minister had in her statement quoted out of context from his autobiography some observations he had made on fasts. What he had said during the Maha-Gujarat agitation was that fasts should not be undertaken to pressurize someone to take definite action, but for larger issues of public interest. The present fast had been undertaken by him not only to get Gujarat elections advanced by a few months, but also to secure the

---

\*Immediately after the Minister of Home Affairs moved the Resolution, Shri P. G. Mavalankar, M.P. rising on a point of order sought to know (i) whether the Central Government had asked for any special report from the Government of Gujarat to that effect and (ii) whether the Government had been advised by the Election Commission that holding of election was neither feasible nor possible because constitutional requirement could not be fulfilled. Intervening in the discussion, the Minister of Home Affairs said that there was no need of seeking the advice of the State Government in the matter as also making any reference to the Election Commission. He added that under article 356 even though generally the President acted on the report of the Governor he was competent to act on information otherwise obtained. It was clear from clause (4) of article 356 that the extension of the Proclamation need not be recommended by the State Administration and the State Governor.

people's right to be governed by their own representatives given to them by the Constitution.

*Samastipur bomb case:* Moving an adjournment motion on February 18, 1975, regarding the failure of the Government to solve the mystery of the Samastipur bomb case, Shri Madhu Limaye said that a number of deaths had occurred in the recent past and the Government had made no satisfactory arrangements for unravelling the mysteries behind those deaths. He demanded a probe by a Parliamentary Committee as that alone could bring out the truth.

Intervening in the discussion, the Minister of Home Affairs, Shri K. Brahamananda Reddy said that there could not be a better enquiry than a Commission of Inquiry headed by an impartial Supreme Court Judge. After Shri Madhu Limaye replied to the debate, the motion was put to vote and negatived.

*Attempt to carry arms in the High Court:* On March 18, 1975, the House adopted the following Resolution moved by the Minister of Works and Housing and Parliamentary Affairs, Shri K. Raghuramaiah:

"The House unanimously condemns the reported attempt to carry arms into the [Allahabad High] court where Prime Minister had to give evidence and desires that sufficient security arrangements be made both inside and outside the Court to ensure the safety of the Prime Minister".

*Attempt on Supreme Court Chief Justice's life:* Replying to the discussion raised under rule 193 on a matter of urgent public importance by Shri Samar Guha, the Minister of Home Affairs, Shri K. Brahamananda Reddy on March 24, 1975 said that the attack on the Chief Justice of India was a matter of universal condemnation. The investigations which were under way, would only reveal as to whether the "event at Samastipur and later at Allahabad and recently at Delhi were sporadic or a link-up or a political conspiracy." He called for a joint endeavour on the part of all political parties to create popular confidence in the system of parliamentary democracy and its capacity to deliver the goods.

*Attack on JP's car:* Moving a motion on April 8, 1975, Shri Shyamnandan Mishra said that incidents like the attack on JP's car and injuries to Shri Samar Guha, M.P., clearly indicated that the ruling party was bent upon fostering conditions for the growth of fascism in the country. He warned that whatever be their attem-

pts, the vastness and variety of the country, and the level of consciousness of the people would not allow them to plant a fascist regime.

Intervening in the debate, the Minister of Home Affairs, Shri Brahamananda Reddy deplored violence in public life in the country. It was the continued endeavour of the Government to give all reasonable protection to any public man or any other person in every lawful exercise of fundamental rights. He, however, pointed out that disparaging remarks against persons in high office created emotional reaction. Everyone must observe restraint in exercising his fundamental rights.

*Supreme Court and High Court Judges:* Replying to the Half-an-Hour discussion raised by Professor Madhu Dandavate on May 6, 1975, the Minister of Law, Justice and Company Affairs, Shri H. R. Gokhale said that the Judgements of Supreme Court and the High Courts in the recent past showed that the judiciary was as independent as it was before. Refuting the charge of favouritism and patronage in the matter of appointments of Judges, the Minister stated that there was a built-in obligation to consult at various levels before an appointment was made and that was strictly observed. The present procedure was very satisfactory and had been working well for the last more than 25 years.

Earlier on April 10, 1975, making a statement, Shri Gokhale had informed the House that there were about 44 vacancies of Judges in the Supreme Court and various High Courts. Reasons for not filling up these vacancies were many, but these were certainly not due to any conflict or difference of opinion between the judiciary and the executive. The Government were finding it increasingly difficult to attract the members of the Bar who were really worth being selected as High Court Judges. The Government of India had since taken a decision in the matter of improving the conditions of service of the High Court as well as Supreme Court Judges.

*Election Commission:* In reply to the discussion on the motion for consideration of a Private Member's Bill relating to changes in the set-up of the Election Commission moved by Shri R. P. Ulaganambi on December 13, 1974, the Minister of State in the Ministry of Law, Justice and Company Affairs, Dr. Sarojini Mahishi said on March 7, 1975 that the need or the necessity for additional Election Commissioners had got to be decided by the President in his discretion. Judged from the considerations of expedition, efficiency, and

economy, the present single-member Election Commission was working ably. As such, there was no need for any addition to its existing membership. Making it a multi-member body would not only result in additional expenditure, but might cause delays and bring about conflicting reports.

*Procurement and pricing policy of wheat and rice:* The Minister of State in the Ministry of Agriculture and Irrigation, Shri Anna-saheb P. Shinde informed the House on March 24, 1975 that after careful consideration, it had been decided to accept the recommendation of the Agricultural Prices Commission to maintain the procurement price for wheat at Rs. 105 per quintal for all varieties for the 1975-76 marketing season. Keeping in view the basic aim of the policy to maximise procurement for the central pool, a suitable bonus scheme would be introduced and restrictions would be continued on the inter-State movement of wheat. The issue price of wheat for stocks released from the central pool for the public distribution system would remain unchanged at the present level.

Making a statement on April 21, 1975 in response to a Calling Attention Notice by Shri Samar Guha, Shri Shinde denied that the Government was following any discriminatory policy in the matter of fixation of procurement prices of rice. Procurement prices of foodgrains such as paddy/rice, wheat and coarse grains were fixed by the Government on the basis of the recommendations of the Agricultural Prices Commission and after taking into consideration the views of the State Governments as expressed in meetings with the Chief Ministers held before the pricing and procurement policy was formulated. All relevant factors such as crop prospects, cost of production, need to provide for a remunerative price for the producers and a reasonable price for the consumer and the overall economic situation in the country were taken in to account in formulating the price policy.

— *Measures to remove economic and social injustices to women:* On March 26, 1975, Shri Indrajit Gupta moved a resolution seeking adoption of measures aimed at the removal of economic and social injustices to women. Initiating the discussion on April 11, 1975, Shri Gupta said that the United Nations Resolution calling for the observance of 1975 as the International Women's Year laid particular stress on the fact that equality of men and women was not only *de jure* equality, but also *de facto* equality. It also called upon member-States to take specific legal and social measures to ensure implementation of women's right. He demanded (i) reservation of

15 per cent of the seats for women in Parliament; (ii) taking of dowry to be made a cognizable offence with more stringent penalty both in terms of fine and imprisonment; (iii) introduction of seasonal creche system for the benefit of women agricultural workers; (iv) unrestricted employment of married women; (v) provision of cheap canteens or hostels for working women in towns; and (vi) launching of an adult literacy campaign among women in the rural areas.

Intervening in the discussion on April 25, the Prime Minister, Shrimati Indira Gandhi observed that women had been and were the most exploited of any section. In India they were so handicapped from birth by customs and social attitudes that they had no chance of developing their innate strength. In asking for equality of opportunity and a more respected status in society, the women were not thinking of themselves, but of all mankind. She informed the House that as part of the celebrations of the International Women's Year, some good programmes in all regions with regard to health, literacy etc. would be undertaken. Some programmes had in fact been already initiated, but the greatest stumbling block was the mental attitude not only of men, but of large numbers of women themselves, because they were so conditioned by their families and by society around them. She felt that a change in attitude of both men and women would be of great help.

Participating in the discussion, the Minister of State in the Ministry of Law, Justice and Company Affairs, Dr. Sarojini Mahishi pointed out that it was not possible to remove in one year all economic and social injustices to women, which had come by ages. There was a need for taking positive measures to ameliorate the condition of women and to give them better opportunities to lead the life of a good human being not only in India, but throughout the world.

The Deputy Minister in the Ministry of Education and Social Welfare and in the Department of Culture, Shri Arvind Netam claimed that the present condition of women was certainly far better than in the past. There had been considerable increase in the number of women graduates, doctors, scientists and even engineers during the last 20 years. Proper implementation of social legislations such as the Special Marriage Act was necessary to create awakening among the people.

After Shri Indrajit Gupta replied to the debate, the resolution was adopted in the following amended form:



"On the occasion of the declaration by the United Nations of 1975, as "International Women's Year" this House urges upon the Prime Minister to initiate a comprehensive programme of specific legislative and administrative measures aimed at removing, as far as possible, the economic and social injustices, disabilities and discrimination to which Indian women continue to be subjected".

*Prohibition of Dowry:* Replying to the Half-an-Hour discussion raised by Sardar Swaran Singh Sokhi on April 14, 1975, the Minister of State in the Ministry of Law, Justice and Company Affairs, Dr. Sarojini Mahishi said that the difficulty in making the demand for dowry a cognizable offence was that police rather than relatives and friends, would be attending marriage functions. Dealing with the suggestion made by the Committee on the Status of Women regarding imposition of limit on value of gifts and presents, she said that parents giving gifts out of love and affection could not be prevented. There was, however, a thin line between offering dowry out of affection and giving it out of compulsion. One had, therefore, to go very cautiously in the matter and see that the society was educated in the sense of doing away with this particular social evil.

#### B. LEGISLATIVE BUSINESS\*

*Finance Bill, 1975:* Replying to the discussion on the Finance Bill, 1975\*\* on May 5, 1975, the Finance Minister said that the various interim measures taken to contain the demand for money would have to be continued for some time more. The Government was determined to root out smuggling and all other sources of generation of black money such as tax evasion, blackmarketing, hoarding etc. The suggestion of demonetisation was not acceptable to the Government, as on examination it had been found to be an "impracticable proposition" at the present moment. The announced certain concessions in the taxation proposals amounting to Rs. 33 crores.

*Constitution (Thirty-eighth Amendment) Bill 1975:* On April 23, 1975, the Minister of External Affairs, Shri Yeshwantrao Chavan moving the motion for consideration of the Bill\*\*\* said that the Bill sought to make Sikkim a State of the Indian Union with a Governor, Council of Ministers, Legislature and a High Court. Replying to the

---

\*For complete list of Bills passed during the session, see Annexure, p. 455, post.

\*\*The Bill was introduced on February 28, 1975.

\*\*\*The Bill was introduced on April 21, 1975.

## Sessional Review—Lok Sabha

brief discussion which ensued, Shri Chavan pleaded that some special powers were necessary for the Governor, as Sikkim was a border State having problems of national security. Thereafter, the Bill, as amended, was passed.

*Constitution (Thirty-Seventh Amendment) Bill 1975:* Moving the Bill for consideration on April 23, 1975, the Minister of Home Affairs, Shri K. Brahmananda Reddy said that in view of an increasingly growing desire amongst the people and leaders of Arunachal Pradesh to have a legislature of their own and a Council of Ministers, it became necessary to consider and give them that status, so that the people and leaders of Arunachal Pradesh also became actively associated with the administration of the State. Replying to the debate, the Home Minister stated that no border security force was posted in the Union Territory. Since it was a sensitive area, it had to be ensured that exploiters had no access to the area. The inner-line regulations would continue for that purpose. Thereafter, the Bill was passed.

### C. THE QUESTION HOUR

During the Thirteenth Session of the Fifth Lok Sabha, 24567 notices of questions (19272 Starred, 5021 Unstarred and 274 Short Notice Questions) were received. Out of these, 976 Starred, 9477 Unstarred and 3 Short Notice Questions were admitted. In addition, two notices of questions under rule 40 addressed to the Chairman of Public Accounts Committee were received and admitted. After the Lists of Questions were printed, 18 Starred and 240 Unstarred Questions were deleted from the lists of Starred and Unstarred Questions respectively, on account of their being withdrawn by the members concerned or transferred from one Ministry to another.

*Daily Average of Questions:* Each of the lists of Starred Questions contained 20 questions except those of 5-3-75, 9-4-75, 10-4-75, 18-4-75, 28-4-75, 29-4-75, 30-4-75 and 6-5-75 which contained 21 questions and those of 12-3-75, 8-4-75, 17-4-75 and 8-5-75 which contained 22 questions. On an average, 6 questions were orally answered on the floor of the House, on a single day when there was Question Hour. The maximum number of questions orally answered was 8 on April 9, 16 and 18, and, May 5 and 7, 1975. The minimum number of questions answered orally was 3 on April 23, 1975. The average of questions in Unstarred List came to 197 as against the prescribed limit of 200 questions.

#### D. HALF-AN-HOUR DISCUSSIONS

Of the 724 notices of Half-an-Hour Discussions received during the Session, 9 were put down on the Order Paper and 7 were discussed on the floor of the House. The half-an-hour Discussion on 'Election Commission's Crash Plan' put down for 25-4-75 could not be held, as the member concerned was not present in the House at the time when the discussion was to be taken up. The Half-an-Hour Discussion on 'World Hindi Convention at Nagpur' put down for 9-5-75 lapsed for want of time.

#### C. OBITUARY REFERENCES

On April 17, 1975 the Speaker referred to the sad demise of Dr. S. Radhakrishnan, former President of India and said that he was a great son of this land, and was known as the philosopher-statesman who earned laurels not only for himself but also for this country and brought dignity and lusture to the high office held by him. Starting his career as a professor of philosophy in the Presidency College, Madras, Dr. Radhakrishnan held many high positions in educational, diplomatic and administrative fields. His philosophical works earned him great reputation not only in his country, but also in many foreign universities. His profound interpretation of Hindu religion and the Bhagwad Gita were examples of his erudition and masterly philosophic attainments. A great orator with a towering personality, who made his audience spell-bound, he conducted many lecture-tours in South Africa, China, USA and many other countries and enlightened the scholars of philosophy. He was a member of the Constituent Assembly during 1946—49. In 1949 he was appointed Indian Ambassador to the Soviet Union and held that office till 1952. He was elected as Vice-President of India in 1952 and was re-elected to the same office in 1957. During his ten-year tenure as Presiding Officer of Rajya Sabha, he exhibited his masterly skill as a parliamentarian and laid down high traditions. He then rose to the highest office of the President of India in 1962 and held that office till 1967. Varied national and international honours were conferred on Dr. Radhakrishnan, the foremost national honour being Bharat Ratna in 1954.

The House was adjourned for the day as a mark of respect to the memory of late Dr. S. Radhakrishnan. .

On February 17, 1975, the Speaker referred to the sad demise of Shri Lalit Narayan Mishra who succumbed to his injuries at the Samastipur bomb blast. He said that Shri Mishra had a parliamentary career starting from the first Lok Sabha in 1952. A great administrator who served the country in various capacities, he was Parliamentary Secretary to the Minister of Planning, Labour and Employment during 1957 to 1960. Deputy Minister for Finance during 1966-67, Minister of Defence Production during 1967-70, Minister of Foreign Trade from 1970 to 1973 and Minister of Railways since 1973. He had represented India in various International Committees and Conferences.

During the session, the Speaker also referred to the sad demise of Shri Pratap Singh and Shri Debendra Nath Mahata (sitting members), Shrimati Padmaja Naidu (Member of Provisional Parliament), Khandubhai Desai (Member, Constituent Assembly, Provisional Parliament and First Lok Sabha), Shri Peter Alvares (Member, Third Lok Sabha), Shri Tekur Subramanyam (Member, First, Second and Third Lok Sabhas), Shri Hiralal Shastri (Member, Constituent Assembly and Second Lok Sabha), Shri Shankarrao Deo (Member, Constituent Assembly and Provisional Parliament), Shri Omeo Kumar Das (Member, Constituent Assembly), Shri Krishnapal Singh (Member, Third Lok Sabha), Shri M. J. Jamal Moideen (Member, Central Legislative Assembly), Shri Ramesh Chandra Vyas (Member, Second and Fourth Lok Sabhas), Shri Ku. Sivappaghasan (Member, Third Lok Sabha), Shri R. N. Singh Deo (Member, First Lok Sabha), Shri J. N. Lahiri (Member, Second Lok Sabha), Smt. Ila Pal Choudhuri (Member, First, Second and Fourth Lok Sabhas), Shri Pashabhai Patel (Member, Fourth Lok Sabha), Shri Kashi Nath Pandey (Member, Second, Third and Fourth Lok Sabhas).

---

#### ANNEXURE

*Bills passed by Lok Sabha during the Thirteenth Session of Fifth Lok Sabha*

1. The Indian Tariff (Amendment) Bill, 1975.
2. The Tobacco Board Bill, 1975.
3. The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1975, as passed by *Rajya Sabha*.
4. The Appropriation (Vote on Account) Bill, 1975.
5. The Trust Laws (Amendment) Bill, 1975.

6. The North-Eastern Areas (Reorganisation) Amendment Bill, 1975, as passed by Rajya Sabha.
7. The Appropriation (Railways) Bill, 1975.
8. The Appropriation (Railways) No. 2 Bill, 1975.
9. The Appropriation (Railways) No. 3 Bill, 1975.
10. The Pondicherry Appropriation (Vote on Account) Bill, 1975.
11. The Pondicherry Appropriation Bill, 1975.
12. The Appropriation Bill, 1975.
13. The Gujarat Appropriation (Vote on Account) Bill, 1975.
14. The Gujarat Appropriation Bill, 1975.
15. The Press Council (Amendment) Bill, 1975, as passed by Rajya Sabha.
16. The Nagaland Appropriation (Vote on Account) Bill, 1975.
17. The Nagaland Appropriation Bill, 1975.
18. The Air Force and Army Laws (Amendment) Bill, 1975, as passed by Rajya Sabha.
19. The Rampur Raza Library Bill, 1974, as passed by Rajya Sabha.
20. The All-India Services (Indemnity) Bill, 1972, as passed by Rajya Sabha.
21. The Tokyo Convention Bill, 1974, as passed by Rajya Sabha.
22. \*The Constitution (Thirty-eighth Amendment) Bill, 1975.
23. The Constitution (Thirty-seventh Amendment) Bill, 1975.
24. The Appropriation (No. 2) Bill, 1975.
25. The Finance Bill, 1975.
26. The Tobacco Cess Bill, 1975.
27. The Companies (Temporary Restrictions on Dividends) Amendment Bill, 1975.
28. The Government of Union Territories (Amendment) Bill, 1975.
29. The All-India Services (Amendment) Bill, 1975, as passed by Rajya Sabha.
30. The Former Secretary of State Service Officers (Conditions of Service) Amendment Bill, 1975, as passed by Rajya Sabha.
31. The Nagaland Appropriation (No. 2) Bill, 1975.

---

\*The Short title of the Bill was changed to "The Constitution (Thirty-sixth Amendment) Bill, 1975" when passed by Lok Sabha.

# RAJYA SABHA\*

## NINETY-FIRST SESSION

The Rajya Sabha met for its Ninety-first Session from February 17, to March 26, 1975. A resume of some of the important discussions held and other business transacted by the House during the Session is given below.

### A. DISCUSSIONS

*U.S. Governments decision to resume arms supply to Pakistan:* Making a statement in reply to a Calling Attention Notice by Shri Prakash Veer Shastri on February 18, 1975, Shri Y. B. Chavan, Minister of External Affairs, said that press despatches from Washington and Islamabad had hinted that U.S. might supply sophisticated weapons to Pakistan. The question was reported to have been discussed during the Pakistan Prime Minister's recent visit to Washington, although no decision had been announced. The Government of India viewed the situation with grave concern and had taken up the matter with the U.S. Government at the highest level. India's deep concern about the harmful effects of arms supplies to Pakistan on the peace of the region and also on Indo-American relations had been conveyed to the U.S. Secretary of State. It had also been emphasised that Pakistan's fears about military threat from India were wholly fanciful and unwarranted, as it had always been India's policy to promote peace, stability, co-operation and good neighbourly relations among the countries of this area on the basis of equality and respect for the independence of all States.

*Discussion on the President's Address:* Moving a Motion of Thanks for the President's Address<sup>1</sup> on February 19, 1975, Shri Mulka Govinda Reddy said that the President, in his Address, had given a comprehensive and realistic picture of India and India's relations with the outside world. It was a matter of gratification that the country had started coming out of the economic stagnation. The multi-pronged attack by the Government to control the inflationary spiral had produced some results and the prices of many commodi-

---

\*Contributed by the Research Unit, Rajya Sabha Secretariat.

<sup>1</sup>Laid on the Table of the Rajya Sabha on February 17, 1975.

ties in the wholesale markets had started coming down. Instead of agitations, *bandhs* and strikes, all should unitedly fight inflation, smuggling and hoarding. Congratulating the Government for its successful foreign policy, Shri Reddy said that India had friendly relations with her neighbours. U.S.S.R. had stood by India in the last 20 or 25 years in all her trials. The agreement arrived at with Sheikh Abdullah over Kashmir would bring peace, progress and prosperity to Kashmir.

Replying to the debate on February 26, 1975, the Prime Minister, Shrimati Indira Gandhi expressed satisfaction that the Government had managed to bring the price-level down in the last five months. She said that the Government certainly wanted a discussion on the issue of reforms in the electoral laws but she felt that there should be a very wide-ranging and broad-based discussion all over the country. The drive against the smugglers had not been slackened, but was just as hard. Only because its novelty had worn out, it did not get so much publicity. The Prime Minister further said:

"It does become our duty to guard the nation against all the internal weakening forces as well as external enemies. The Government will not be found wanting in this duty. My effort has been to lift the sights of the Government and the nation higher. I know that we have made mistakes. I know that there have been shortfalls in our programmes, some of which are due to our own errors and some due to events and happenings beyond control. . . . A large country like India must act with an inner conviction of its strength. I have tried to devote my life to build a tolerant India, a secular India and a peaceful India. I wish to continue to work for it and devote all my energy for it and, if necessary die for it. Let us not be bogged down in petty squabbles which diminish the nation. Let us deploy our strength to face those issues which affect the long-term interests of our people."

*Budget (General) 1975-76:* Shri Kalyan Roy, initiating the discussion said that the Budget would go down in history as the blackest Budget of all, a Budget of total surrender to the rich and affluent sections of the urban areas. It gave incentive to tax evaders and aimed at preserving the absolute capitalist system.

Replying to the discussion on March 20, 1975, Shri C. Subramaniam, Minister of Finance, said that the Government attached great importance to the tackling of the problem of inflation by resorting to financial discipline. To achieve this end, every one would have to be subjected to some check so that unnecessary expenditure did not take place. The Government was pursuing a tight money

and dear money policy. However, it was not correct to say that in that process the Government had given credit facilities only to big houses, and small industries had been starving. The Government was giving priority to the production of power and the establishment of new generation stations.

*The Budget (Railways), 1975-76:* Initiating the discussion on March 4, 1975, Dr. Ramkripal Sinha said that it was regrettable that the Railways, inspite of being the biggest public undertaking in India, were in administrative doldrums. No Railway Minister had been able to remain at the helm of affairs for a sufficiently long period. The recommendations of the Administrative Reforms Commission regarding the Railway Board should be strictly implemented to improve its working.

Shri Kamalapati Tripathi, Minister of Railways, replying to the discussion on March 6, 1975, assured the members about implementing the suggestions made by them. He said that the allocation made by the Planning Commission and the Finance Ministry for the Railways amounted to only Rs. 100 crores which was really a poor allocation in view of the new projects the Railways had to undertake. The demands of Members were pressing but if all the assurances were to be honoured, a sum of about Rs. 350 to 400 crores would be required.

The Government had full sympathy with the workers and best efforts would be made for their welfare and contentment. But the workers also had certain duties towards the country. The Members were no doubt aware of the heavy losses caused by the railway strike. The Railway administration had taken a very liberal attitude towards the workers who participated in the strike.

*Revaluation of Rouble:* In response to a Calling Attention Notice by Shri Prakash Veer Shastri, Shri C. Subramaniam, Minister of Finance, said on March 21, 1975, that since March 1974, the State Bank of the U.S.S.R. had been announcing periodically what it called the "official exchange rate" between the Rupee and the Rouble. This rate differed from the exchange rate that had prevailed between the two currencies and which was determined strictly in accordance with the official gold content of the respective currencies. According to the Soviet authorities, the revised rates of exchange were arrived at by calculating the value of the Rupee by averaging the gross rates of the major currencies in the international market with the Indian Rupee. On the other hand, the Government of India had pointed out that the statutory gold content of the



Indian Rupee had remained unchanged. The rates now being quoted by the State Bank of the U.S.S.R. applied only to non-commercial transactions within the U.S.S.R. The Minister assured the House that credit repayments would continue to be made at the official rate of exchange as determined by the respective gold content of the two currencies. The Soviet authorities had, however, proposed that the two countries should discuss further the question of the exchange rate between the Rupee and the Rouble.

*Bomb outrage in Samastipur:* On February 27, 1975 Shri B. S. Shekhawat said that the Government had been informed in July and October, 1974 that the life of Shri Mishra was in danger. But no security measures were taken for his safety. Sometime ago he had to face a violent agitation in Danapur. Keeping in view the recent Railway strike and the Bihar agitation, it was incumbent on the Government to make adequate arrangements for his safety.

Shri Om Mehta, Minister of State in the Ministry of Home Affairs, said that the tragedy had unfortunately been surrounded by a number of factors but he assured the House that the Government would deal firmly and effectively with all those forces which were behind the tragedy and wanted to wreck the Constitution and democracy. On a request from the State Government, the case had been taken over for investigation by the C.B.I. on January 8, 1975. In response to public demand and in view of the various suspicions and doubts raised in connection with the tragedy, the Government had appointed a Commission of Inquiry. While the C.B.I. would continue its investigation into the criminal case, its investigation would be open to such scrutiny as the Commission might like to do in respect of any points which fell under their terms of reference also. Similarly, the Commission would also take into consideration the findings of the Committee of Medical Experts constituted by the Government of Bihar and could take their assistance or of any Central or State agency for any investigation into any points relating to medical treatment.

*Attempt on the Life of the Chief Justice of India:* Shri Bhupesh Gupta, initiating a discussion on March 25, 1975 said that in less than three months, three nationally-noted incidents involving suspected violent motives had occurred. They must be viewed in the context of a rather alarming situation.

The Chief Justice of India and other Judges had not been provided with any security guards whereas the Deputy Ministers, who

were not known beyond their Party circles or beyond their families, were provided with very powerful security guards. The Chief Justice had received a threatening letter in January this year. The letter was of a political nature and should have been taken more seriously.

Shri Om Mehta, Minister of State in the Ministry of Home Affairs, said that in September, 1968, the Ministry of Home Affairs had taken a decision to provide security guards at the bungalows of all the Judges and in the Court premises and also personal body guards to the Judges. While the Court agreed to have security guards at bungalows and in the Court premises it declined to have personal body guards for the Judges. The Government was now taking, in the light of the recent incident, immediate steps to give them better security and personal guards also. The Police was making special efforts for tracing the culprits in this case. The Government would spare no efforts at strengthening its vigilance and preventive measures.

*Accord with Sheikh Abdullah:* On March 12, 1975, moving a motion for consideration of the Statement relating to the State of Jammu and Kashmir, Shrimati Indira Gandhi, Prime Minister, said that the country had given a hearty welcome to the accord arrived at with Sheikh Abdullah. It was not only a political agreement but was an illustrious example of goodwill also. With the taking over of new responsibilities by the Sheikh, a new chapter was going to be opened in the history of the State of Jammu and Kashmir. The accord, she hoped, would augur well for both the State and the entire nation.

Replying to the discussion on March 13, she said that Sheikh Abdullah was keen on a review of all Central laws which were applied to the State after 1953. During the course of discussions it was pointed out that Central laws on matters in the Union List were generally essential for the effective functioning of the nation and could be reviewed only by Parliament. With regard to matters relating to the Concurrent List such as welfare measures, procedural laws etc., the Constitution itself provided for the State Legislature to modify or to repeal such Central laws after obtaining the President's assent. The accord provided a re-assurance to the State Government that its proposals in this respect would be considered sympathetically when they came up for assent.

*Strike by Delhi School teachers:* Professor S. Nurul Hasan, Minister of Education, Social Welfare and Culture, making a state-  
365 LS—9.

ment in response to the Calling Attention Notice by Shri Harsh Deo Malaviya said that the pay scales of teachers in Delhi had been revised in September, 1971 effective from May 27, which brought about considerable improvement in all respects. While sanctioning the new pay scales, it was stipulated that those scales would be subject to modifications by the Third Pay Commission. The Commission in making its recommendations observed that having regard to the increases that had taken place at frequent intervals in the pay scales of teachers under the Delhi Administration, it had come to the conclusion that while the existing total emoluments should be broadly protected, no further increases were called for in those scales. A large number of teachers had resorted to a stay-in-strike from March 1, 1975 and had also threatened to boycott the Examinations of the Central Board of Secondary Education commencing from March 7, 1975. The postponement of the examinations was being considered. It was, however, hoped that the teachers would immediately suspend their agitation, resume their duty and ensure, in accordance with the noblest traditions of their profession, that the pupils were spared of avoidable hardship due to the dislocation of their examination schedule.

#### B. LEGISLATIVE BUSINESS\*

*Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1975:* On February 26, 1975, Shri K. Raghuramaiah, Minister of Works and Housing, moving the motion for consideration of the Bill said that the Bill sought to increase the period of requisition from five years to ten years and also for a quinquennial revision of the compensation payable under the Act. The rentals had gone up and many of the other properties had been under requisition for many years and there had been an agitation by the owners of the requisitioned properties for a revision of the compensation. The motion was adopted and the Bill was passed on the same day.

*The Tobacco Board Bill, 1975:* On March 6, 1975, Shri V. P. Singh, Deputy Minister in the Ministry of Commerce, moving the motion for consideration of the Bill said that the Bill sought to set up an integrated institution by forming a Tobacco Board. The Board would consist not only of Members of Parliament, but representatives of various Ministries, producers, growers, processors, dealers and exporters of tobacco and also of the major tobacco-growing

\*For a list of Bills Passed by Rajya Sabha during the Session, See Annexure, p. 463. post.

States. It was also proposed that the Export Promotion Council should be wound up after the formation of the Board which would work in close liaison with the various institutions and organisations set up for the development and promotion of tobacco and would utilise the services of the S.T.C. for exports. A separate Bill by which the Board could raise its resources by way of duties and excise was proposed to be brought forward. The motion was adopted and the Bill was passed on the same day.

### C. OBITUARY REFERENCES

The Chairman made references to the passing away of Shri Lalit Narayan Mishra, Minister of Railways; Shri Ramesh Chandra Vyas, Shri J. Sivashanmugam Pillai and Shri M. J. Jamal Moideen, ex-Members. The House observed one minute's silence as a mark of respect to the memory of the deceased.

### ANNEXURE

#### *Bills passed by the Rajya Sabha During the Ninety-first Session*

1. The All India Services (Amendment) Bill, 1975.
2. The Former Secretary of State Service Officers (Conditions of Service) Amendment Bill, 1975.
3. The Indian Tariff (Amendment) Bill, 1975.
4. The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1975.
5. The North-Eastern Areas (Reorganisation) Amendment Bill, 1975.
6. The Tobacco Board Bill, 1975.
7. The Appropriation (Vote on Account) Bill, 1975.
8. The Appropriation (Railways) Bill, 1975.
9. The Appropriation (Railways) No. 2 Bill, 1975.
10. The Appropriation (Railways) No. 3 Bill, 1975.
11. The Pondicherry Appropriation Bill, 1975.
12. The Pondicherry Appropriation (Vote on Account) Bill, 1975.
13. The Appropriation Bill, 1975.
14. The Press Council (Amendment) Bill, 1975.
15. The Air Force and Army Laws (Amendment) Bill, 1975.
16. The Gujarat Appropriation (Vote on Account) Bill, 1975.
17. The Gujarat Appropriation Bill, 1975.

18. The Trust Laws (Amendment) Bill, 1975.
19. The Nagaland Appropriation Bill, 1975.
20. The Nagaland Appropriation (Vote on Account) Bill, 1975.

#### NINETY-SECOND SESSION

The Ninety-second Session of Rajya Sabha was held from April 25, to May 14, 1975. A brief resume of some of the important items of business transacted by the House during the Session is given below.

#### A. DISCUSSIONS

*Launching of first Indian Satellite:* Making a statement on April 26, 1975, Shri Umashankar Dikshit, Leader of the House, said that the first Indian Satellite wholly designed and fabricated in India had been successfully launched at 1300 hrs. (IST) on April 19, 1975, from the Soviet Union with the help of a Soviet Rocket Carrier. This outstanding achievement marked another milestone in India's efforts to harness the benefits of modern science and technology for national development. The Satellite, with its entire ground system needed for launching and maintenance, were built within less than three years. Shri Dikshit further stated that he would like to place on record the deep appreciation of the Government and the House for the dedicated and conscientious work of the scientists and engineers in the Indian Space Research Organisation under the leadership of Professor Satish Dhawan and all others who collaborated. He also expressed thanks to the Soviet Union for their help during the project and for making available the launch facilities.

*Working of the Ministry of Commerce:* On April 29, 1975, Dr. K. Mathew Kurian, initiating the discussion said that the Government's claim of a substantial increase in export earnings was very deceptive in character. The current level of exports did not really compare favourably with the substantial increase which a country like Japan, could achieve. The world trade was expanding both in volume and value and India had failed to keep pace with the rate of growth of world trade and, consequently, there was a relative decline in India's share in world exports. Tea, Jute, cashew, fish were some of the commodities through which India got its major earnings. But now in many of these traditional items there had been a decline.

The Government had been permitting joint ventures abroad on the plea that India had an advantage in promoting small-scale and

medium-scale industries, but the fact remained that instead of small-scale and medium-scale industries, big capitalists like Tatas and Birlas had gone abroad. These large monopoly houses had also dabbled in the domestic politics of those countries and earned a bad name for India instead of helping these countries to develop stable economic relations with India.

Professor D. P. Chattopadhyaya, Minister of Commerce, replying to the discussion said that the exports had been steadily raising during the last three years both in terms of value and quantity. The liberalised import policy was mainly addressed to the small-scale sectors and to benefit them. The facilities which were meant for big export houses would now go only to those people who could export at least Rs. 50 lakhs worth of goods. Thirty per cent of the small-scale cotton textile units, had been found to be bogus. It was not wrong on the part of the Government to take due caution and weed out the bogus firms and to save the country's money and not waste raw materials for non-existing units. In the case of large-scale units, wherever abuse had been found the Government had stopped giving raw materials to them.

*Influx of Refugees from Bangladesh into Indian States:* Shri Bipinpal Das, Deputy Minister in the Ministry of External Affairs, making a statement on May 9, 1975, in response to the Calling Attention Notice by Shri Salil Kumar Ganguli regarding influx of refugees from Bangladesh into the Eastern parts of India, said that following the severe floods in Bangladesh last year which aggravated conditions of scarcity and hardship in certain areas, it was observed that sizeable movement of persons from Bangladesh into the neighbouring Indian States, particularly West Bengal, started taking place from July 1974. The Border Security Force intensified their vigilance and patrolling, as a result of which the entry of some 39,000 persons was prevented by intercepting them while they were attempting to cross the border into the States of West Bengal, Assam, Meghalaya, Tripura and Mizoram between July 1974 and March 1975.

The Indo-Bangladesh frontier was 4035 km long. The length on the Frontier alone and the terrain it traversed rendered it difficult if not impossible, to check unauthorised entry completely. Consequently, it had been possible for some persons to have escaped detection by the security forces of this country and entered India illegally. It was difficult to estimate the exact number of persons who might have thus managed to enter India, but every effort was being made to locate and apprehend them with a view to returning them to Bangladesh.

The Government of India were in touch with the Government of Bangladesh in regard to this matter and it was hoped that because of the bonds of friendship, mutual confidence and cooperation, the Government of Bangladesh would extend its fullest cooperation in preventing unauthorised movement of persons from across the border into India as well as for the return to Bangladesh of all persons who might have entered India in an unauthorised manner.

*Report of Committee on Status of Women in India:* Professor S. Nurul Hasan, Minister of Education, Social Welfare and Culture, moving the motion for a discussion on the Report\* on May 13, 1975, said that during the last 28 years, there had been a remarkable progress in the position of women, mainly as a result of the traditions of the country's freedom movement. Constitutional guarantees, legal measures and the results of developmental projects had all led to an improvement in the position of women. The report was very comprehensive and the Government had already appointed an inter-departmental committee to look into it. The Government had sent it to the State Governments, because a very large number of recommendations were within their purview. On a recommendation of this Committee, the Minister of Labour had already announced in Lok Sabha that legislative proposals would be brought forward by Government very soon to ensure that the law was amended to provide for equal pay for equal work among men and women.

Shrimati Indira Gandhi, Prime Minister, intervening in the discussion said that the level of any society was judged by the level of its women. The women could develop if they had the opportunity. Men and unfortunately even women were conditioned by the man-oriented society. The lives were inducted by pre-conceived notions and attitudes from birth onwards, at every level, in school, in society and in institutions. This lower status of women, or lesser opportunity for women, was a handicap for the growth of mankind as a whole, and it did affect the lives of men themselves. Men would not know their true selves until and unless they allowed women to develop their full potential. Women should have equality in wages and in such other matters. They must have better opportunities of service and conditions of work and living. It was hoped, that the Women's Year would bring about a complete change in the outlook of the society.

---

\*Laid on the Table of the Rajya Sabha on February 18, 1975.

## B. LEGISLATIVE BUSINESS\*

*The Constitution (Thirty-sixth Amendment) Bill, 1975:* Moving the motion for consideration of the Bill on April 26, 1975, Shri Y. B. Chavan, Minister of External Affairs, said that the Bill sought to incorporate Sikkim as a full-fledged State of the Union of India. When India won her Independence in 1947, the people of Sikkim had expressed a strong urge to accede to India. India retained exclusive responsibilities for defence, external relations and communications, and also for the development of self-governing institutions in Sikkim. The institution of the Maharaja was allowed to continue in the expectation that the people's urge for fully responsible government and for the closest relationship with India would be fulfilled with the passage of years. It was unfortunate that these expectations remained unfulfilled. The autocratic ways of the Chogyal continued unchanged and the gulf between the Ruler and the ruled grew progressively wider. The situation deteriorated in April, 1973 and resulted in massive demonstrations against the Chogyal and law and order broke down completely. The Sikkimese people, as well as the Chogyal, sought the Government of India's assistance. A historic agreement was signed on May 8, 1973, between the Chogyal, the Government of India and the political leaders of Sikkim in acknowledgement of the important role of the people in Sikkimese affairs. Based on the decisions by the Sikkim Assembly, the Government of Sikkim Act, 1974 was promulgated by the Chogyal on July 4, 1974, setting up Sikkim's first-ever responsible government and limiting the role of the Chogyal to that of a constitutional head. This Act also sought Sikkim's representation in the political institutions of India.

From the very outset, it became increasingly apparent that the constitutional head was determined to thwart the democratic process and render it unworkable. Not only bureaucratic devices to delay and thwart the government machinery were used but the Chogyal also resorted to intimidation and violence. Inevitably, there was a strong counter-reaction from the people and from the government representing them. The Sikkim Assembly took a momentous decision at its meeting held on April 10, 1975. It solemnly declared and resolved:

---

\*For a list of Bills passed by Rajya Sabha during the Session, See Annexure, p. \_\_\_\_\_.

\*\*The Bill, as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on April 25, 1975. See also p. \_\_\_\_\_.



"The institution of the Chogyal is hereby abolished and Sikkim shall henceforth be a constituent unit of India, enjoying a democratic and fully responsible government."

The Assembly also decided to submit this decision forthwith to the people for their approval. A special poll was held throughout Sikkim on April 14, 1975, which ratified the above decision of the Assembly.

In order to personally urge the Sikkim's view-point on the Government of India, the Chief Minister and other leaders visited New Delhi on April 16 and 17, and reiterated that immediate action be taken to give effect to Sikkim's clear decision. The present Bill took into account the Government of India's responsibilities to the Sikkimese people. India had always been committed to the progress and welfare of Sikkim and to the establishment of constitutional democracy in Sikkim and now sought to give effect to the urgent desire of the Sikkimese people. In doing so, the Government accepted the political will unmistakably embodied in the Sikkim Assembly Resolution of the 10th April, 1975 which had been ratified by the people.

The motion for consideration of the Bill was adopted and the Bill was passed in accordance with the provisions of article 368 of the Constitution.

*The Constitution (Thirty-seventh Amendment) Bill, 1975:* On April, 26, 1975, Shri K. Brahmananda Reddy, Minister of Home Affairs, moving the motion for consideration of the Bill,\* said that Arunachal Pradesh became a Union Territory on January 21, 1972, by virtue of the North-Eastern Areas Reorganisation Act, 1971. Even prior to becoming a Union Territory, it had its own democratic system of running its administration. However, the demand for a Legislative Assembly and a responsible Council of Ministers had been there for quite some time, and in view of the fact that the people of that area were customarily used to a democratic type of administration, it had enthused the Central Government also to agree to their growing desire for a constitutional arrangement in the area, and provide the people with a Legislative Assembly and a Council of Ministers. The present Bill sought to carry out this object and to amend articles 239-A and 240 of the Constitution for that purpose.

The motion was adopted and the Bill was passed in accordance with the provisions of article 368 of the Constitution.

---

\*The Bill, as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on April 25, 1975.

*The Government of Union Territories (Amendment) Bill, 1975:* On May 12, 1975, Shri K. Brahmananda Reddy, Minister of Home Affairs, moving the motion for consideration of the Bill\* said that the Bill sought to extend to Arunachal Pradesh, the Government of Union Territories Act, 1963. Though that area was traditionally oriented, a democratic set-up for that territory had been allowed to develop gradually. In 1967 the Panchayat Raj institution was set up. Then the Union Territory status was given on January 21, 1972. On October 2, 1972, the Pradesh Council was established. It consisted of the Five Zila Parishads that were already there in that area. The five Vice-Presidents of the Zila Parishads plus the Members of Parliament, plus three nominated members constituted the Pradesh Council. The Pradesh Council was to assist the administrator in the discharge of his duties relating to the area. Out of this Pradesh Council, five were appointed as Counsellors, to assist the Administrator in the day-to-day administration of the territory. Through the instrument of the present Bill the Government wanted to give the territory an elected Assembly. Hereafter, there would be two elected members to the Lok Sabha and one to the Rajya Sabha from that area. The Pradesh Council which was in existence would continue as an interim Assembly until the delimitation work was over and the election of the members to the territorial Assembly was conducted.

The motion was adopted and the Bill was passed on the same day.

#### OBITUARY REFERENCES

The Chairman made reference to the passing away of the former President of India, Dr. Sarvapalli Radhakrishnan; Shri Nawal Kishore, sitting member, and Shri Khandubhai K. Desai and Shri Janardhan Rao Desai, former members. The House observed two minutes' silence as a mark of respect to the memory of the deceased.

#### ANNEXURE

##### *Bills Passed by the Rajya Sabha During the Ninety-second Session*

1. The All India Services (Amendment) Bill, 1975.
2. The All India Services Regulations (Indemnity) Bill, 1975.
3. The Appropriation (No. 2) Bill, 1975.
4. Companies (Temporary Restrictions on Dividends) Amendment Bill, 1975.

---

\*The Bill as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on May 8, 1975.

5. The Constitution (Thirty-sixth) Amendment Bill, 1975.
  6. The Constitution (Thirty-Seventh) Amendment Bill, 1975.
  7. The Finance Bill, 1975.
  8. The Former Secretary of State Service Officers (Conditions of Service Amendment) Bill, 1975.
  9. The Government of Union Territories (Amendment) Bill, 1975.
  10. The Nagaland Appropriation (No. 2) Bill, 1975.
  11. The Rampur Raza Library Bill, 1975.
  12. The Tobacco Cess Bill, 1975.
  13. The Tokyo Convention Bill, 1975.
-

## BOOK REVIEWS

**TURN AGAIN, WESTMINSTER.** By Woodrow Wyatt, London, Andre Deutsch Ltd., 1973. 259 pages. £2.95

The author, Mr. Woodrow Wyatt, who was a Labour MP in the House of Commons for fifteen years has described the functioning of the House of Commons in a forthright and realistic manner. The British Parliament, according to the author, has ceased to be a model of democracy in action. From his experience he feels that the House of Commons stands at a very low ebb. The Members of Parliament, whatever be their capabilities, have hardly any role to play except to act as a live audience to cheer on the performance of their front-bench colleagues. The author has also pointed out several shortcomings in the working of the House of Commons.

It is common belief that the House of Commons "is an assembly of independent minds controlling the nation" with the MPs as "very considerable personages". In practice, however, he observes that the back-bench MPs have no say in any important matter coming before them. The author feels that there is no justification for full-time MPs. He also opines that at half the salary prevailing, there would be no difficulty in finding MPs of equal quality and as widely drawn from all sections. With no pay at all, and merely allowances for actual expenses, it would still be possible to fill a House of Commons with members not markedly inferior to the present occupants. The meagre impact an MP individually can make in the hundred to a hundred and fifty days a year he is at the most likely to attend at Westminster, does not justify or demand the establishment of a full-time, five-day a week professional MP with a full-time salary.

Question Time in the Commons is no longer as effective as it used to be in the days of yore. The large number of questions scheduled for answer each day makes it impossible for all of them to be answered orally. As a result of this, topicality and interest in questions has vanished. Question Time, according to the author, is a fake instrument of democracy and a poor way of eliciting information which can be obtained more readily in other days, and by journalists.

This is verily true of Question Time in the Indian Parliament also.

The speeches made by MPs in the House, after devoting weeks of laborious work and sometimes the knowledge of a lifetime, hardly make any impact on Government policy or the thinking of the nation. They receive very little coverage in the Press and even the full text published in *Hansard* is hardly likely to be read by anyone except the member himself. Even the front-bench opposition members who sit there as "actors resting" in the hope of forming an alternative government are ineffective in the House of Commons. The back-bencher MP, however great an orator or an administrator he may be, is rarely called upon to speak in the House. His questions are few and, like his speeches, will be as though they had never been uttered. According to the author, the back-bencher is, "in short, a nonentity".

The author says that the private member is the "creature of the Government, to whom occasionally a bone is thrown". The author goes on to say that the private member does not win his Act of Parliament, because of its merits or the mastery of his advocacy, but as a gesture of grace from the Government.

The importance of the individual MP has diminished considerably because of the party and the whip system. But no government likes to be unpopular with its own party in the House; also, in order to facilitate the smooth running of their own business, governments prefer to conciliate the Opposition. Even the various Parliamentary Committees are nothing but a "means of massaging the *amour propre* of members".

The House of Commons has lost even the well-established "right to choose its Speaker" who is selected or permitted to remain in office by each incoming government. Outwardly the Commons may appear to be exercising a free choice, but the decision has been made previously and elsewhere. It is always the Government nominee who will be appointed except in the rarest of instances.

One of the means employed to "seduce" back-benchers is their inclusion in the Parliamentary delegations visiting foreign countries.

The manner in which candidates for the membership of the House of Commons are chosen by small, self-appointed selection committees of parties is far from ideal. The author suggests that the adoption of the American system of primaries as an alternative to the existing system would give the choice of candidates to all the supporters of the party concerned and not just to a fraction of the most enthusiastic.

The author advocates longer recesses and says: "The more the MPs refrained from nagging governments in the vain and absurd pretence that they are controlling them, the greater would be the thought and intelligence applied by governments to dealing with urgent and serious problems". According to the author, the decline in the importance of an ordinary M.P. has been accompanied by a similar fall in the value of the House of Commons as an institution. He says: "In spite of the elaborate pretence that the government is accountable in the first instance to the House of Commons, the Commons is more and more bypassed in favour of direct communication with the broadcasting or newspaper public. Yet the belief lingers on that the House of Commons is supreme and remains of the first rank in eminence because it once used to be."

The House of Commons is the reservoir from which Ministers are drawn and the easiest way to become a Cabinet Minister is to belong to one of the categories which rank for special preference, *viz.*, and aristocrat in the Conservative Party, a trade unionist in the Labour Party, sons of distinguished politicians, efficient and skilful lawyers and, lastly, women. While these privileged categories have an edge over others in getting to ministerial positions, those in the less-privileged categories can also reach such positions if they are really so determined. Anyone with average abilities can become a minister if he puts his will to it. What is primarily required for achieving success in this direction is the observance of certain tips and "safe rules", as the author puts it. These are:

- (1) The new entrant or an aspirant for office should be modest and unassuming on first entering Parliament and should continue to be so, as long as he can manage it;
- (2) he should consult his seniors in the party and listen gravely and appreciatively to the answers;
- (3) his maiden speech should be short, self-deprecatory and narrow in scope;
- (4) instead of trying to speak on every problem or subject it is desirable to specialise in one subject and thus be listened to with respect as an expert;
- (5) he should make it a point to keep the Whips happy by displaying conscientiousness, reliability and willingness to carry the burden on behalf of the older members by

- "keeping the House", particularly during all night or late-night sittings;
- (6) he should offer to serve on Standing Committees and other tedious duties, for "a man who is willing to devote hours to boring himself for the party must surely get some reward even if it is merely the post of Assistant Whip";
  - (7) he should regularly attend party meetings because after a few such attendances he can speak without upsetting anyone, the best line being the support of the platform or government, combined with a little mild criticism;
  - (8) he should try to stick to the orthodox party outlook, avoid pomposity and self-indulgence, remain silent if he does not agree with the party line and thus identify with the solid central ballast of his party;
  - (9) he should try to cultivate some method of drawing to himself the favourable attention of the Prime Minister or Leader of his Party because "ultimately all depends on these men".

The majority party elects as its leader a person who has popular appeal and the capacity to hold the party together and not necessarily the top man in the party. The author says: "Luck, moderate ability, a long political apprenticeship, continuous availability, a large ambition, ruthlessness, good health, a reputation for deep loyalty to the party, an impression of holding some strong beliefs, perseverance and endurance, some ingenuity, a touch of style, presence or dignity are generally the ingredients of the recipe for the cake of supreme success". In fact, the Prime Minister, says the author, without any formal declaration has replaced the King with powers "almost as absolute as the most dictatorial kings in British history". It is the Prime Minister who is all powerful and who acts on some important occasions on his own without even consulting his Cabinet colleagues. The author cites the case when Sir Anthony Eden, as Prime Minister, launched the Suez operations in 1956 when even his senior Cabinet colleagues were in the dark till the operations actually started. The author successfully shows that the Prime Minister is the person whom the country looks to and not the Cabinet, much less the House of Commons.

At the conclusion, the author makes some important suggestions to remedy the present ills besetting the British constitutional system and the parliamentary institutions.

These are:

- (i) *Primaries*—In order to give a greater democratic content to the selection of candidates for contesting elections to the Commons, a system of primaries, paid for by the State, should be instituted. A candidate in a primary should be allowed one free postal delivery to all those entitled to vote for him and an allowance to cover the printing and despatch of one election address.
- (ii) *Elimination of manoeuvring*—An important consequence of the adoption of primaries would be that the Prime Minister would lose his right to choose the election date, and Parliament would run on a fixed term. This would also eliminate harmful manoeuvring of the economy for the winning of elections.
- (iii) *Minister to devote more time to their job*—The Prime Minister and the Ministers ought not to be in Parliament at all, so as to enable them to devote more time to their jobs and less time to the existing “frivolous activities of the Commons and the Lords”. Joint Committees of both Houses could be set up to examine proposed budgets for each Ministry and the working of the various departments. Ministers and civil servants would be subject to interrogation at the appropriate Committees which could refuse to allow money, or legislation, asked for by the government unless they approved of the objects. This would simultaneously give both Parliament and the Government more power and make the confrontation between the two more fruitful.
- (iv) *Select Committees*—There should be powerful and properly staffed Select Committees of Parliament covering all fields of government. These Committees would be able to register the moves of public opinion with the government far more quickly and precisely than the House of Commons as now constituted.
- (v) *Subvention to political parties*—To keep them free of outside influence, the State should provide enough money to each major political party to conduct its administration, research and propaganda. An independent Commission should be set up to decide the amounts from time to time, with the proviso that the major Opposition party should always have the same amount as the government party, however many fewer votes or seats in Parliament.



it may currently have. Such a subvention would augment democracy.

The book is really thought-provoking and it is for constitutional experts and politicians to go into the subject as to how the sovereign Parliament functions effectively and becomes a model of democracy in action.

The shortcomings in the functioning of the House of Commons, which in a way are also reflected in the working of the Indian Parliament, can be remedied only by making some substantial changes in the mode of its functioning so that the members of the parties could be more effective and the discussions could be more meaningful.

I am also inclined to agree with the author that the long sessions of Parliament could be curtailed if suitable committees with necessary powers are constituted, where much of the discussion could take place, and Ministers can function more effectively when the Parliament is not in session. At present they are required to wait in the House for hours together and much of their valuable time is lost, which could otherwise be utilised for the effective functioning of the administration.

—*Jagannath Rao, MP.*,

*Chairman, Committee on Petitions, Lok Sabha*

**DELEGATED LEGISLATION IN INDIA.** By Brahma Bharadvaja, Meerut, Meenakshi Prakashan. 196 pages. 1975.

Delegated legislation has been studied in some countries of the Commonwealth and the United States of America during the last half a century or so, but only sporadic attention has been paid to it in India. In this context, Dr. Bharadvaja's book in which a serious effort has been made to analyse the problems of subordinate legislation in this country, assumes special significance. Of particular mention are the last two chapters regarding 'Judicial Review of Delegated Legislation' and 'Some Important Clauses'. The author has gone through a mass of case law and made some constructive suggestions. He has expounded his views with independence and candour, although one may not wholly agree with them. He has also lucidly brought out the heterogeneity regarding the provisions for laying and modification of delegated legislation under Central Acts. While delegated legislation under some of the Acts is required to be laid before Houses of Parliament, such legislation under some other Central Acts is not so required to be laid. While rules framed under

some of the Acts are subject to modification by the Parliament, those framed under some other Acts are not subject to such modification. Nor is there any uniformity in regard to the period of laying, which varies from 7 to 30 days.

Although the author has made a commendable effort to acquaint the public with the problems of subordinate legislation in this country, there are certain discrepancies in his book.

In the first place the author has not been able to draw a clear distinction between 'Subordinate Legislation' and 'Delegated Legislation'. The nomenclature 'Subordinate Legislation' has been borrowed from the English practice, under which the legislative policy and rule of conduct are laid down by the Parliament in the principal legislation, leaving only the details to be filled by the Executive. The concept of 'Delegated Legislation' is quite different in France and the Continent. The 'Delegated Legislation' there means that laws may be made by the Executive on certain specified subjects authorised by the Parliament. What the author has in fact dealt with in this book, is subordinate legislation framed under Parliamentary Acts in the strict English sense.

Nor has the author properly dealt with the work done by the Committee on Subordinate Legislation of Lok Sabha. He has merely categorised the recommendations of the Committee according to its terms of reference laid down in Rule 320 of the Rules of Procedure and Conduct of Business in Lok Sabha. He has failed to lay proper stress on the work done by the Committee in devising effective safeguards against possible abuse of wide discretionary powers wherein lies the root of the 'new despotism'. The Committee has made numerous recommendations to this end.

Nor has the author been able to properly delineate the respective roles of the Committee and the judiciary in the field of subordinate legislation. According to the author, "unauthorised retrospective effect to the rules, levy of fees, etc. imposition of taxes, ousting jurisdiction of the courts, sub-delegation and the legality of the rules are some of the points on which the judiciary can also give its decision which will definitely override the decision of the Committee. . . The judiciary being the final arbiter, the Government may disregard the views of the Committee. Thus in such a case of disregard by the Government all the labour and time of the Committee will only be lost."

It is well known that whereas each and every rule, regulation, etc. framed by Government in exercise of the delegated authority

comes within the purview of the Committee, the courts can pronounce their judgments only on those rules, regulations, etc. which are specifically brought to their notice in litigation. While examining rules in the light of the pronouncements made by the courts from time to time, the Committee points out legal defects and infirmities to the Ministries|Departments concerned. As a result, such defects and infirmities are usually rectified in the rules examined by the Committee. Most of these rules never come before courts. There have also been instances where Government have abolished unauthorised charges and fees at the instance of the Committee. But it is quite probable that, considering the enormous time and expense involved in judicial process, the courts might never have been moved for abolition of such charges. The roles of the Committee and courts are complementary in a way. While courts are primarily concerned with legality, the Committee is primarily concerned with equity and natural justice. If a rule has been made by the Executive under due legal authority and is otherwise valid, the courts may not intervene, even if it results in unnecessary inconvenience to the public. But the Committee is competent to ask the Government to amend the rule so as to avoid inconvenience to the public.

It is also felt that the book could have been made more useful by including in it a chapter on subordinate legislation in the States. Like-wise, a comprehensive differentiation between the functions of the Committee on Statutory Instruments of the House of Commons and the Committees on Subordinate Legislation in India could have added to its value.

—Dr. N. N. Kalias, M.P.,

*Chairman, Committee on Subordinate Legislation, Lok Sabha.*

---

#### BOOKS RECEIVED

CHOPRA, D. S.: *Law Relating to Government Servants*, Calcutta. Eastern Law House, Private Ltd., 1975. Rs. 40.00.

GHOSH, S. K.: *Conservation of Foreign Exchange and Prevention of Smuggling Activities Act*. Calcutta, Eastern Law House Private Ltd., 1975. Rs. 30.00.

PAL & ROSE: *West Bengal and Delhi Sales Tax Laws*. Calcutta, Eastern Law House Private Ltd., 1975. Rs. 100.00.

SAHA, A. N.: *West Bengal Land Reforms Act*. 3rd edition, Calcutta, Eastern Law House Private Ltd., 1975. Rs. 20.00.

## RECENT LITERATURE OF PARLIAMENTARY INTEREST

### I. BOOKS AND REPORTS

Advani, B. T.: *Influence of socialism on policies, legislation and administration of India since independence 1947—62*. Sterling Publishers, 1975.

Aiyar, V. R. Krishna: *Law, freedom and change*. New Delhi, Affiliated East West Press, 1975.

Assam, Legislative Assembly: *Rules of procedure and conduct of business in Assam Legislative Assembly* (As approved by the House on September 16, 1974).

Baerwald, Hans H.: *Japan's parliament: an introduction*. London, Cambridge University Press, 1974.

Barkan, Joel D. and Okumu, John J.: *Political linkage in Kenya: citizens, local elites, and legislators*. Iowa, The University of Iowa, 1974.

Bezulov, A.: *Soviet deputy* (legal status). Moscow, Progress Publishers, 1973.

Bhagwati, Jagdish N. and others: *Electoral politics in the Indian States—three disadvantaged sectors*. Delhi, Manohar Book Service, 1975.

Blondel, J.: *Contemporary France: politics, society and institutions*. London, Methuen and Co., 1974.

Brass, Paul R.: *Language, religion and politics in North India*. London, Cambridge University Press, 1974.

Bromhead, Peter: *Britain's developing constitution*. London, George Allen & Unwin, 1974.

Butler, David and Kavanagh, Dennis: *The British general election of February, 1974*. London. The Macmillan Press. 1974.

*Constitution of the German Democratic Republic* (of 6th April, 1968) as modified by the law amending the constitution of the German Democratic Republic of 7th October, 1974.

Desai, N. B.: *Farmer's parliamentary forum as an interest group* (A grammar of farm politics): a study: New Delhi, Institute of Constitutional and Parliamentary Studies, 1975.

Devadoss, T. S.: *Sarvodaya and the problem of political sovereignty*. Madras, University of Madras, 1974.

Ghosh, Sunanda: *Legislative Committees in West Bengal*. Calcutta, Sanskrit Pustak Bhandar, 1974.

Great Britain, Parliament, House of Commons, Select Committee on Members' Interests (Declaration), 1974-75; *Report, together with the proceedings of the Committee, the minutes of evidence, part of the minutes of evidence of session 1974 and appendices thereto*. London, HMSO, 1974.

Grumm, John G.: *A paradigm for the comparative analysis of legislative systems*. California, Sage Publications, 1973.

Gupta, Bharat Bhushan: *Problems of Indian Administration*. Allahabad, Chug Publications, 1975.

Hartley, T. C. and Griffith, J. A. G.: *Government and law: an introduction to the working of constitution in Britain*. London Weidenfeld and Nicolson, 1975.

Haryana, Vidhan Sabha, Committee on Privileges: *Report* (regarding publication of two booklets entitled "A Chief Minister runs amuck—Indian Democracy in danger" and "Emergence of Rough and Corrupt Politics in India—Anatomy of a Chief Minister" written and published by Chaudhri Hardwari Lal, M.L.A. casting reflections on the high office of the Speaker, the House and its members) Chandigarh, 1975.

Indian Economic Association: *Centre-State financial relations: Papers read at the Indian Economic Conference, Bodh Gaya, 1972*. Bombay, Popular Prakashan, 1974.

India, Election Commission: *Bye-elections brochure* (1973): *an analysis*: House of the People and Legislative Assemblies, Council of States and Legislative Councils (1-1-1973 to 31-12-1973). Delhi, 1974.

India, Lok Sabha Secretariat: *Constitution amendment in India*. New Delhi, Lok Sabha Secretariat, 1974.

Jain, D. C.: *Parliamentary privileges under the Indian Constitution*. New Delhi, Sterling publishers, 1975.

Korea (Republic of Korea), National Assembly Secretariat: *The National Assembly of the Republic of Korea*. Seoul, 1974.

Kurada, Yasumasa: *Japanese diet and socio-economic development: organised business, bureaucracy and ruling party*. Hawaii, University of Hawaii, 1975.

Malik, Surendra: *Fundamental right case: the critics speak*. Lucknow, Eastern Book Co. 1975.

Maybray-king, Lord: *The Speaker and Parliament*. London, Tom Stacey, 1973.

Migdal, Joel S.: *Peasants, politics and revolution: pressures toward political and social change in the Third World*. Princeton, Princeton University Press, 1974.

Mohapatra, Manindra Kumar: *College youth and the legislator's role in the modernizing legislature: preliminary report of an empirical study*. Chicago, American Political Science Association, 1974.

Mukhopadhyaya, Amal Kumar: *Society and politics in contemporary India*. Calcutta, Council for Political Studies, 1974.

New Zealand, Standing Orders Committee: *Report*, 1974. Wellington, 1974.

Nigam, K. K.: *Constitutional law: a study of Indian federalism through cases*. Foreword by K. B. Rohatgi. Allahabad, Allahabad Law Agency. 1975.

Nikolic, Pavle: *The Socio-political system of Yugoslavia*. Editor in Chief: Dragoljub Djurovic. Belgrade, Dopolisna Delavaka Univerza, 1974.

Parmatma Sharan: *Government of Pakistan: development and working of political system*. Meerut, Meenakshi Prakashan, 1975.

Rao, G. R. S.: *Regionalism in India: a case study of Telangana issue*. General editor: L. M. Singhvi. New Delhi, S. Chand for the Institute of Constitutional and Parliamentary Studies. 1975.

Rose, Richard: *The problem of party government*. London, Macmillan, 1974.

Sarkar, Chanchal: *New concepts in press freedom: two lectures delivered under the auspices of the University of Calcutta on January, 17 & 18, 1975*. New Delhi, Press Institute of India. 1975.

Shiv Lal (ed.): *Encyclopedia of elections*. New Delhi, The election Archives. 1975.

Sri Prakasa: *State governors in India*. second revised edition. Meerut, Meenakshi Prakashan. 1975.

Tordoff, William and others (ed.): *Politics in Zambia*. Manchester, Manchester University Press. 1974.

Unger, Aryeh L.: *The Totalitarian party and people in Nazi Germany and Soviet Russia*. London, Cambridge University Press. 1974.

Wadhwa, Kamlesh Kumar: *Minority safeguards in India (Constitutional provisions and their implementation)*. Delhi, Thompson Press. 1975.

#### ARTICLES

Azad, B. N.: Electoral reform, *Indian Nation*, March 26, 1975.

Banerjee, Sibnath: Plan for free and fair poll. *Modern Review*, December, 1974, p. 473.

Chattopadhyaya, Amal: Future of democracy, *Thought*, March 29, 1975, p. 12.

Chaudhuri, Dipak B. R.: Soviet parliamentary committee system, *Modern Review*, December, 1974, p. 426.

Chitlangi, B. M.: Selection of the Chief Minister, *Modern Review*, February, 1975, p. 113.

Class character of Indian Constitution, *Social Scientist*, March, 1975, p. 54.

Dahiya, M. S. Failure of constitutional machinery and guiding principles for President's rule, *Century*, April 19, 1975.

Dutta Ray, Sunada K.: Controlling the party—politics of grace and favour, *Statesman*, May 19, 1975.

Dewan, Manorma: Let people's representatives render their work account to the people, *Western Times*, April 4, 1975.

Dharia, Mohan: Parliamentary system losing credibility, *Free Press Journal*, May 29, 1975.

Dhar, M. K.: Reforming elections, *Hindustan Times*, April 7, 1975.

Dhillon, G. S.: Twenty-five years of Indian Parliament, *Review of International Affairs*, February 20, 1975, p. 18.

Dutt, R. C.: Parliamentary democracy and dictatorship, *National Herald*, May 12, 1975.

Election Reforms Committee Report, *Insight*, March 15, 1975.

Essack, Karim: Constitution of the People's Republic of China, *Frontier*, March 1, 1975, p. 6.

Gokhale, P. G.: Indian constitution: Why so many amendments? *Indian Worker*, May 5, 1975.

Grimond, J.O.: Parliament must come together now to slave off disaster, *Times* (London), May 2, 1975 (Electoral law reform).

Hailsham, Lord: British constitution—case for a thorough going constitutional reform, *Times* (London), May 12, 16, 19 and 20, 1975.

Inderjit: Electoral reform: a beginning? *Deccan Chronicle*, March 4, 1975.

Jain, R. B.: Politicization of bureaucracy—framework for comparative measurement, *Indian Journal of Public Administration*, October—December, 1974, p. 790.

Jhunjhunwala, Bharat: Parliamentary process as a stabilization mechanism, *Social Scientist*, January-February, 1975, p. 112.

Jiggins, Janice: Deligama 1973: A profile of a by-election in Sri Lanka, *Asian Survey*, November 1974, p. 1000.

John, V. V.: Electoral reforms—case for a new crew, *Statesman*, May 6, 1975.

Kashyap, Subhash C.: Ministers and legislators in India—Part I, *The Parliamentarian*, January 1975.

Kavathakkar, P. G.: System of single transferable vote; how the votes are counted? *Hitvada*, March 27, 1975.

Kodanda Rao, P.: Parliamentary democracy and political parties, *Swarajya*, April 5, 1975, p. 9.

Kulkarni, V. B.: States' demand for more powers, *Sunday Standard*, March 30, 1975.



Malhotra, Inder: Parliament's declining role—some avoidable pitfalls, *Times of India*, May 16, 1975.

Mapara, C.: Thailand's exercise in democracy, *Indian Worker*, April 7, 1975.

Masani, M. R.: President's powers—defender of the Constitution, *Statesman*, May 15, 1975.

Mathur, Kuldeep: Conflict or cooperation—administrators and politicians in a crisis situation, *Indian Journal of Public Administration*, October—December, 1974, p. 835.

Melhotra, Raghubir: Changing face of Constitution, *Economic Times*, March 16, 1975.

Minattur, Joseph and Khurana, J. C.: Reform of election law, *National Herald*, April 16, 1975.

Mohan Ram: Next elections: broad anti-Congress front likely, *Mail*, March 29, 1975.

Motiwala, Om prakash: Public services in parliamentary form of government, *Focus*, March 15, 1975.

Novak, George: Parliamentary democracy in crisis, *Focus*, February 15, 1975.

Noorani, A. G.: Election conventions, *Indian Express*, April 23, 1975.

Olsen, Marvin E.: Legitimacy of social protest actions in the United States and Sweden, *Journal of Political and Military Sociology*, Vol. 2, No. 2, 1974, p. 173.

Pandit, C. S.: Election politics and violence, *Free Press Journal*, March 28, 1975.

Patil, R. K.: Partyless democracy not practicable; prerequisites lacking, *Mail*, March 12, 1975.

Pattabhiram, M.: Status and functions of P.A.C., *Hindu*, May 23, 1975.

Puri, Rakshat: Why not an inter-state Council? *Hindustan Times*, April 1, 1975.

Rakshit, Nirmalendu Bikash: Cabinet system in India—a reappraisal, *Modern Review*, March 1975, p. 201.

Ramachandran, V. C.: Merits of various electoral systems, *Hindu*, March 24, 1975.

Rangachari, K.: Spotlight on electoral reform, *Hitavada*, March 6, 1975.

Reddy, G. K.: Centre-State relations, *Hindu*, March 18, 1975.

Role of the Committee on Public Accounts in the United Kingdom, *International Journal of Government Auditing*, January 1975, p. 2.

Rosenbloom, David H.: Public employment and the Constitution—recent judicial developments in U.S.A., *Indian Journal of Public Administration*, October—December, 1974, p. 763.

Ruthnaswamy, M.: Parliamentary government or direct democracy, *Swarajya*, March 15, 1975, p. 16.

Sabapathy, N.: Second chamber in Indian State legislature, *Modern Review*, March 1975, p. 179.

Santhanam, K.: Electoral reforms, *Monthly Commentary on Indian Economic Conditions*, February 1975, p. 25.

Santhanam, K.: Major issues for the next election, *Hitavada*, March 10, 1975.

Santhanam, K.: Party discipline and call of conscience, *Swarajya*, March 15, 1975.

Sarkar, J. Sarma: Our democracy: gap between people and legislatures, *Amrit Bazar Patrika*, March 30, 1975, and April 1, 1975.

Sarkar, R. C. S.: Emergency: constitutional dictatorship, *States*, March 15 and 29, 1975.

Sastry, B. Siva Dharma: Speaker and general election, *Modern Review*, March 1975, p. 212.

Sathyamurthy, T. V.: Chile: Parliamentary socialism and class struggle, *Economic and Political Weekly*, April 5, 1975, p. 583.

Schwartzenburg, Roger-Gerard: Parliament as a public investigator, *Guardian Weekly*, April 12, 1975, p. 12.

Shah, Manubhai: Poll reforms—some guidelines, *Free Press Journal*, May 4, 1975.

Shah, Shantilal: Reform of the poll system—an equitable formula, *Mail*, April 23, 1975.

Singh, Surendra Prasad: Bernard Houghton and demand for political and constitutional reforms in Burma, *Modern Review*, February 1975, p. 94.

Sobolev, Alexander: Revolution and counter revolution; Chile's experience and problems of the class struggle, *Political Affairs*, December 1974, p. 48.

Strafford, Peter: U.S. mid-term elections, *World Today*, December 1974, p. 487.

Subbaiah, Nivarthi Venkata: Role of legislators, *Current Events*, March 1975, p. 57.

Thailand: Civilian government and constitutional rule, *Australian Foreign Affairs Record*, November 1974, p. 728.

Tope, T. K.: Centre-State relations, *Free Press Journal*, May 25, 1975.

Verghese, B. G.: Meaningful electoral reforms, *Monthly Public Opinion Surveys*, January 1975, p. 3.

Venkatasubbiah, H.: Party and Government, *Hindu*, March 20, 1975.

Vlahovic, Veljko: Party, freedom and discipline, *Review of International Affairs*, March 20, 1975.

Yudhishthira: Lokayukta in U.P., *Northern India Patrika*, March 1, 1975.

---

**APPENDIX I**

**STATEMENT SHOWING THE WORK TRANSACTED DURING THE THIRTEENTH SESSION OF THE FIFTH LOK SABHA**

1. Period of the Session—	February 17 to May 9, 1975
2. Number of meetings held—	49
3. Total number of sitting hours—	354 hours and 20 minutes
4. Number of divisions held—	21
5. <i>Government Bills :</i>	
(i) Pending at the commencement of the Session	22
(ii) Introduced	25
(iia) Motion for leave to introduce moved debate adjourned	1
(iii) Laid on the Table as passed by Rajya Sabha	6
(iv) Returned by Rajya Sabha with any amendment/recommendation and laid on the Table	Nil.
(v) Referred to Select Committee	Nil.
(vi) Referred to Joint Committee	Nil
(vii) Reported by Select Committee	2
(viii) Reported by Joint Committee	Nil.
(ix) Discussed	32
(x) Passed	31
(xi) Withdrawn	Nil.
(xii) Negatived	Nil.
(xiii) Part-discussed	1
(xiv) Discussion postponed	Nil.
(xv) Returned by Rajya Sabha without any recommendation	15
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	Nil
(xvii) Pending at the end of the Session	22
6. <i>Private Members' Bills :</i>	
(i) Pending at the commencement of the Session	199
(i) 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 Select Committee . . . . .	Nil.
(vi) Discussed . . . . .	7
(vii) Passed . . . . .	Nil.
(viii) Withdrawn . . . . .	4
(ix) Negatived . . . . .	1
(x) Circulated for eliciting opinion . . . . .	Nil.
(xi) Part-discussed . . . . .	1
(xii) Discussion postponed . . . . .	1
(xiii) Motion for circulation of Bill negatived . . . . .	Nil.
(xiv) Referred to Select Committee . . . . .	Nil.
(xv) removed from the Register of Pending Bills . . . . .	Nil
(xvi) Pending at the end of the Session . . . . .	210
<b>7. Number of Discussions held under Rule 193 :</b>	
<b>(Matters of Urgent Public Importance)</b>	
(i) Notices received . . . . .	76
(ii) Admitted . . . . .	3
(iii) Discussion held . . . . .	3
<b>8. Number of Statements made under Rule 197:</b>	
<b>(Calling-attention to matters of urgent public importance)</b>	
	<b>21</b>
<b>9. Half-an-hour discussions held . . . . .</b>	<b>7</b>
<b>10. Statutory Resolutions :</b>	
(i) Notices received . . . . .	14
(ii) Admitted . . . . .	8
(iii) Moved . . . . .	7
(iv) Adopted . . . . .	3
(v) Negatived . . . . .	4
(vi) Withdrawn . . . . .	Nil.
<b>11. Government Resolution :</b>	
(i) Notices received . . . . .	Nil.
(ii) Admitted . . . . .	Nil.
(iii) Moved . . . . .	Nil.
(iv) Adopted . . . . .	Nil.

12. *Private Members' Resolutions :*

(i) Received . . . . .	15
(ii) Admitted . . . . .	15
(iii) Discussed . . . . .	3
(iv) Withdrawn . . . . .	Nil.
(v) Negative . . . . .	Nil.
(vi) Adopted . . . . .	2
(vii) Part-discussed . . . . .	1
(viii) Discussion postponed . . . . .	Nil.

13. *Government Motions:*

(i) Notices Received . . . . .	6
(ii) Admitted . . . . .	6
(iii) Moved . . . . .	2
(iv) Adopted . . . . .	2*
(v) Discussed . . . . .	2

14. *Private Members' Motions :*

(i) Received . . . . .	433
(ii) Admitted . . . . .	249
(iii) Moved . . . . .	2
(iv) Adopted . . . . .	Nil.
(v) Discussed . . . . .	2
(vi) Negatived . . . . .	1
(vii) Part-discussed . . . . .	Nil.
(viii) Withdrawn . . . . .	Nil.

15. *Motions Re: Modification of Statutory Rule :*

(i) Received . . . . .	2
(ii) Admitted . . . . .	2
(iii) Moved . . . . .	Nil.
(iv) Adopted . . . . .	Nil.
(v) Negatived . . . . .	Nil.
(vi) Withdrawn . . . . .	Nil.
(vii) Part-discussed . . . . .	Nil

---

\*1 substitute motion adopted

16. Number of Parliamentary Committees created, if any, during the session . . . . . Nil.
17. Total number of Visitors' Passes issued during the session . . . . . 25r06
18. Maximum number of Visitors' Passes issued on any single day, and date on which issued . . . . . 981  
on 12-3-75
19. Number of Adjournment Motions :
- (i) Brought before the House . . . . . 37
- (ii) Admitted and discussed . . . . . 1
- (iii) Barred in view of adjournment Motion admitted on the subject . . . . . 14
- (iv) Consent with held by Speaker in the House . . . . . 21
- (v) Consent withheld by Speaker outside the House . . . . . 105
- (vi) Consent given by Speaker but leave not granted by House . . . . . Nil.
20. Total Number of Questions Admitted :
- (i) Starred . . . . . 976
- (ii) Unstarred (including Starred Questions converted as Unstarred Questions) . . . . . 9477
- (iii) Short-Notice Questions . . . . . 3
21. Working of Parliamentary Committees :

S. No.	Name of the Committee	No. of sittings held during the period 1-2-75 to 30-4-75	No. of Reports presented during the Session
1	2	3	4
(i)	Business Advisory Committee . . . . .	5	5
(ii)	Committee on Absence of Members from the Sittings of the House . . . . .	2	3
(iii)	Committee on Government Assurances . . . . .	1	1
(iv)	Committee on Petitions . . . . .	5	2
(v)	Committee on Private Members' Bills and Resolutions . . . . .	7	7
(vi)	Committee on Privileges . . . . .	9	2
(vii)	Committee on Public Undertakings . . . . .	12	12

1	2	3	4
(viii)	Committee on Subordinate Legislation . . . . .	5	2
(ix)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes . . . . .	5	3
(x)	Estimates Committee . . . . .	12	11
(xi)	House Committee . . . . .	2	..
(xii)	Public Accounts Committee . . . . .	29	41
(xiii)	Railway Convention Committee . . . . .	2	1
(xiv)	Rules Committee . . . . .		3
<i>Joint/Select Committees :</i>			
(i)	Joint Committee on Offices of Profit . . . . .	5	2
(ii)	Joint Committee on Salaries and Allowances of Members of Parliament . . . . .	2	
(iii)	Joint Committee on the Constitution (Thirty-Second Amendment) Bill, 1973 . . . . .	3	..
(iv)	Joint Committee on the Public Financial Institution Laws (Amendment) Bill, 1973 . . . . .	5	..
(v)	Joint Committee on the Code of Civil Procedure (Amendment) Bill, 1974 . . . . .	2	
(vi)	Select Committee on the Taxation Laws (Amendment) Bill, 1973 . . . . .	3	
(vii)	Select Committee on the Customs Tariff Bill, 1974. . . . .	5	..
(viii)	Select Committee on the Delhi Sales Tax Bill, 1973. . . . .	10	1
22.	Number of Members granted leave of absence . . . . .		9
23.	Petitions presented. . . . .		4
24.	<i>Names of new Members sworn with dates and Constituencies:</i>		

S.No.	Names of Members sworn	Dated on which sworn	Constituency
(i)	Shri Sharad Yadav . . . . .	18-2-1975	Jabalpur-Madhya Pradesh
(ii)	Shri Ismail Hossain Khan . . . . .	26-2-1975	Barpeta-Assam

25. *Motion of No-Confidence in the Council of Ministers :*

(i)	Admitted . . . . .	1
(ii)	Discussed . . . . .	1
(iii)	Negatived . . . . .	1



APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE  
NINETY-FIRST SESSION OF RAJYA SABHA

1. Period of the Session . . . . .	February 17, to March 26, 1975.	
2. Number of meetings held . . . . .		28
3. Total number of sitting hours	159 hrs. 49 minutes (excluding lunch break)	
4. Number of divisions held . . . . .		Nil.
5. <i>Government Bills</i> :		
(i) Pending at the Commencement of the Session . . . . .		12
(ii) Introduced . . . . .		4
(iii) Laid on the Table as passed by Lok Sabha . . . . .		17
(iv) Returned by Lok Sabha with any amendment . . . . .		3
(v) Referred to Select Committee by Rajya Sabha . . . . .		..
(vi) Referred to Joint Committee by Rajya Sabha . . . . .		..
(vii) Reported by Select Committee . . . . .		
(viii) Reported by Joint Committee . . . . .		1
(ix) Discussed . . . . .		20
(x) Passed . . . . .		20
(xi) Withdrawn . . . . .		
(xii) Negatived . . . . .		
(xiii) Part-Discussed . . . . .		..
(xiv) Returned by Rajya Sabha without any recommendation . . . . .		12
(xv) Discussion postponed . . . . .		
(xvi) Pending at the end of the Session . . . . .		13
6. <i>Private Member's Bills</i> :		
(i) Pending at the commencement of the Session . . . . .		82
(ii) Introduced . . . . .		5
(iii) Laid on the Table as passed by Lok Sabha . . . . .		

(iv) Returned by Lok Sabha with any amendment and laid on the Table . . . . .	..
(v) Reported by Joint Committee . . . . .	..
(vi) Discussed . . . . .	2
(vii) Withdrawn . . . . .	1
(viii) Passed . . . . .	..
(ix) Negatived . . . . .	..
(x) Circulated for eliciting opinion . . . . .	..
(xi) Part-discussed . . . . .	1
(xii) Discussion postponed . . . . .	..
(xiii) Motion for circulation of Bill negatived . . . . .	..
(xiv) Referred to Select Committee . . . . .	..
(xv) Pending at the end of the Session . . . . .	86
77. <i>Number of Discussions held under Rule 176</i> <i>(Matters of Urgent Public Importance)</i>	
(i) Notices received . . . . .	28
(ii) Admitted . . . . .	3
(iii) Discussion held . . . . .	3
78. <i>Number of Statements made under Rule 180 (Calling-attention to matters of urgent public importance), . . . . .</i>	
	19
9. Half-an-hour discussions held . . . . .	4
80. <i>Statutory Resolutions</i>	
(i) Notices received . . . . .	4
(ii) Admitted . . . . .	4
(iii) Moved . . . . .	3
(iv) Adopted . . . . .	..
(v) Negatived . . . . .	3
(vi) Withdrawn . . . . .	..
81. <i>Government Resolutions:</i>	
(i) Notices received . . . . .	3
(ii) Admitted . . . . .	..
(iii) Moved . . . . .	..
(iv) Adopted . . . . .	3

12. *Private Members' Resolutions :*

(i) Received	100
(ii) Admitted	10
(iii) Discussed	2
(iv) Withdrawn	1
(v) Negatived	
(vi) Adopted	
(vii) Part-discussed	
(viii) Discussion postponed	

(Discussion on one not concluded)

13. *Government Motions :*

(i) Notices received	3
(ii) Admitted	3
(iii) Moved	1
(iv) Adopted	1
(v) Part-discussed	

(as amended)

14. *Private Members' Motions :*

(i) Received	104
(ii) Admitted	92
(iii) Moved	
(iv) Adopted	
(v) Part-discussed	
(vi) Negatived	
(vii) Withdrawn	

15. *Motions Regarding Modification of Statutory Rule* . . . . . Nil

16. Number of Parliamentary Committees created, if any, during the session . . . . . Nil

17. Total number of Visitors' Passes . . . . . 2834

18. Maximum number of Visitors' Passes issued on any single day, and date on which issued . . . . . 178 on March 5, 1975

19. *Number of Motions for Papers Under Rule 175*

(i) Brought before the House	
(ii) Admitted and discussed	

20. <i>Total Number of Questions admitted</i>	
(i) Starred . . . . .	690
(ii) Unstarred (including Starred Questions) . . . . .	1790
(iii) Short-notice Questions . . . . .	4
21. <i>Discussion on the Working of the Ministries</i> . . . . .	
22. <i>Working of Parliamentary Committees :</i>	

Name of Committee	No. of Reports presented during the Session
(i) Committee on Petitions . . . . .	2
(ii) Committee of Privileges . . . . .	1
(iii) Committee on the Welfare of Scheduled Castes & Scheduled Tribes. . . . .	1
(iv) Public Accounts Committee: . . . . .	6
(v) Joint Committee on Office of Profit . . . . .	1
(vi) Joint Committee on the Plantations (Labour) Amendment Bill, 1973 . . . . .	1

23. <i>Number of Members granted leave of absence</i> . . . . .	One
24. <i>Petitions presented</i> . . . . .	One

APPENDIX II

B. STATEMENT SHOWING THE WORK TRANSACTED DURING  
THE NINETY-SECOND SESSION OF RAJYA SABHA

1.	Period of the Session	April 25 to May 14, 1975.	
2.	Number of meetings held		14
3.	Total number of sitting hours	79 hrs. and 9 minutes (excluding lunch)	
4.	Number of divisions held		14
5.	<i>Government Bills</i>		
(i)	Pending at the commencement of the Session		13
(ii)	Introduced		1
(iii)	Laid on the Table as passed by Lok Sabha		13
(iv)	Returned by Lok Sabha with any amendment		3
(v)	Referred to Select Committee by Rajya Sabha		..
(vi)	Referred to Joint Committee by Rajya Sabha		..
(vii)	Reported by Select Committee		..
(viii)	Reported by Joint Committee		..
(ix)	Discussed		13
(x)	Passed		13
(xi)	Withdrawn		..
(xii)	Negatived		..
(xiii)	Part-Discussed		..
(xiv)	Returned by Rajya Sabha without any recommendation		4
(xv)	Discussion postponed		..
(xvi)	Pending at the end of the Session		11
6.	<i>Private Members Bills</i>		
(i)	Pending at the commencement of the Session		86
(ii)	Introduced		3
(iii)	Laid on the Table as passed by Lok Sabha		..
(iv)	Returned by Lok Sabha with any amendment and laid on the Table		..
(v)	Reported by Joint Committee		..
	Discussed		3
(vi)	Withdrawn		..

(viii) Passed . . . . .	viii
(ix) Negatived . . . . .	ix
(x) Circulated for eliciting opinion . . . . .	x
(xi) Part-discussed . . . . .	xi
(xii) Discussion postponed . . . . .	xii
(xiii) Motion for circulation of Bill negatived . . . . .	xiii
(xiv) Referred to Select Committee . . . . .	xiv
(xv) Pending at the end of the Session . . . . .	88

7. *Number of Discussions held under Rule 176.*

(Matters of Urgent Public Importance)

(i) Notices received . . . . .	8
(ii) Admitted . . . . .	..
(iii) Discussion held . . . . .	..

8. *Number of statements made under rule 180*

(Calling-attention to matter of urgent public importance)

Statements made by Ministers . . . . .	9
--	---

9. *Half-an-hour discussion held* . . . . . 2

10. *Statutory resolutions)*

(i) Notices received . . . . .	}	Nil
(ii) Admitted . . . . .		
(iii) Moved . . . . .		
(iv) Adopted . . . . .		
(v) Negatived . . . . .		
(vi) Withdrawn . . . . .		

11. *Government Resolutions :*

(i) Notices received . . . . .	I
(ii) Admitted . . . . .	I
(iii) Moved . . . . .	..
(iv) Adopted . . . . .	..

12. *Private Members' Resolutions :*

(i) Received . . . . .	4
(ii) Admitted . . . . .	4
(iii) Discussed . . . . .	I
(iv) Withdrawn . . . . .	..
(v) Negatived . . . . .	..
(vi) Adopted . . . . .	..

(vii) Post-discussed . . . . .	I
(viii) Discussion postponed . . . . .	..
<b>13. Government Motions :</b>	
(i) Notices received . . . . .	I
(ii) Admitted . . . . .	I
(iii) Moved . . . . .	I
(iv) Adopted . . . . .	I
(v) Part-discussed . . . . .	..
<b>14. Private Members' Motions :</b>	
(i) Received . . . . .	35
(ii) Admitted . . . . .	26
(iii) Moved . . . . .	} Nil
(iv) Adopted . . . . .	
(v) Part-discussed . . . . .	
(vi) Negatived . . . . .	
(vii) Withdrawn . . . . .	
<b>15. Motions regarding modification of statutory rule :</b>	
(i) Received . . . . .	} Nil
(ii) Admitted . . . . .	
(iii) Moved . . . . .	
(iv) Adopted . . . . .	
(v) Negatived . . . . .	
(vi) Withdrawn . . . . .	
(vii) Part-discussed . . . . .	
16. Number of Parliamentary Committees created, if any, during the session . . . . .	Nil]
17. Total number of visitors' Passes . . . . .	1634
18. Maximum number of Visitors' Passes issued on any single day and date on which issued . . . . .	312; on May, 14, 1975.
<b>19. Number of motion for papers under rule 175 :</b>	
(i) Brought before the House . . . . .	} Nil
(ii) Admitted and disussed . . . . .	
<b>20. Total number of questions admitted :</b>	
(i) Starred . . . . .	323
(ii) Unstarred (including Starred Questions)] . . . . .	901
(iii) Short-notice Questions . . . . .	I
21. Discussion on the working of the Ministries . . . . .	Four

22. Working of Parliamentary Committees :

Name of Committee	No. of meetings held during the period 1-2-75 to 30-4-75	No. of Reports presented during the Session
(i) Committee on Government Assurances	5	1
(ii) Committee on Petitions	8	1
(iii) Committee of Privileges	1	1
(iv) Committee on Subordinate Legislation	2	1
(v) Committee on the Welfare of Scheduled Castes and Scheduled Tribes	—	4
(vi) General Purposes Committee	1	
<i>Joint/Select Committees</i>		
(vii) Joint Committee on Offices of Profit		1
(viii) Joint Committee on the Plantations (Labour) Amendment Bill, 1973	1	
(ix) Joint Committee on the Indian Penal Code (Amendment) Bill, 1973	5	
(x) Joint Committee on the Adoption of Children Bill, 1972	2	
(xi) Joint Committee on the Foreign Contribution (Regulation) Bill, 1973	2	
(xii) Joint Committee on the Prevention of Food Adulteration (Amendment) Bill, 1974	6	
(xiii) Joint Committee on the Central and Other Societies Regulation Bill, 1974	5	

23. Number of Members granted leave of absence

Nil

24. Petitions presented

One.



APPENDIX III  
STATEMENT SHOWING THE ACTIVITIES OF THE STATE LEGISLATURES DURING THE PERIOD  
JANUARY 1, 1975 TO MARCH 31, 1975.

Legislature	Duration	Sittings	Government Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
I	2	3	4	5	6	7	8
<i>States</i>							
Andhra Pradesh L. A.	27-1-75 to 31-3-75	47	22 (19)	1	147(223) (a)	(141) (b)	56(108)
Andhra Pradesh L. C.	29-1-75 to 2-4-75	30	19(19)	..	270(211)(c)	(15)	252(45)
Assam L. A.	5-2-75 to 4-4-75	37	6(5)	..	1376(1306)	66(59)	40(16)
Bihar L. A.	(i) 4-12-74 to 4-1-75 (ii) 12-2-75 to 20-3-75	18 25	14(11) 4(4)	..	1809(1030) 3036(2134)	681(641) 837(786)	1302(95) 1344(62)
Bihar L. C.	12-2-75 to 21-3-75	24	1(5)	3	885(892)	34	457(168)
Haryana L. A.	1-1-75 to 17-1-75	14	8(8)	..	119(67)	5(3)	..
Jharkhand L. A.	(i) 10-2-75 to 21-2-75 (ii) 14-3-75 to 2-4-75	10 12	20(10)	1	1474(752)	205(330)(d)	11(2)
Jammu and J. Kashmir L. A.	6-8-75 to 22-3-75	13	4(4)	5	419(253)	278(170)	9(6)
Jammu and Kashmir L. C.	6-3-75 to 22-3-75	11	5(5)	..	191(158)	34(20)	3(3)
Karnataka L. A.	10-2-75 to 19-4-75 & on 7-5-75	50	20(15)	1	661(558)	95(61)	65(20)
Karnataka L. C.	11-2-75 to 30-4-75 and on 8-5-75	48	2(27)	..	335(301)	28(25)	39(14)
Kerala L. C.	21-2-75 to 7-5-75	17	22 21.	..	1182(589)e	(306)	1
Madhya Pradesh L. A.	17-2-75 to 9-4-75	20	25(25)	2	5724(2734)	(1590) (k)	118(32)

Manipur I. A.	on 6-3-75	1	9(8)	1	135(102)	10(2)	
Meghalaya L. A.	5-3-75 to 4-4-75	19	5(5)	..	18(18)	241(244)	
Nagaland L. A.	8-3-75 to 20-3-75	5	..	..	133(86)	65(46)	
Punjab L. A.	7-1-75 to 3-2-75	17	13(12)	..	343(137)	63(17)	
Rajasthan L. A.	17-2-75 to 31-3-75	30	26(21)	(1)	3447(831)	388(537)(1)	
Tamil Nadu L. A.	13-2-75 to 19-4-75 & on 2-5-75	48	18(23)	3	921(322)	(43)(1)	
Tamil Nadu L. C.	20-2-75 to 2-5-75	31	(23)	..	189(108)	..	
Uttar Pradesh L. A. (g)	17-12-74 to 3-1-75	8	5(4)	..	1672(1224)(h)	323(1)	
Uttar Pradesh L. C.	18-2-75 to 29-4-75	39	3(17)	..	753(347)	(20)(k)	
West Bengal L. A.	21-2-75 to 7-5-75	43	31(29)	..	2291(1502)	670(733)(l)	
<i>Union Territories</i>							
Delhi Metropolitan Council	18-3-75 to 22-3-75	5	..	1	561(80)	(366)	
Mizoram L.A.	11-3-75 to 1-4-75	11	4(3)	..	180(151)	18(18)	

- NOTE-** (i) Figures in cols. 4 and 5 indicate the number of Bills introduced followed by the number of Bills passed in brackets.  
(ii) Figures in cols. 6, 7 and 8 indicate the number of notices received followed by the number of notices admitted in brackets.
- (a) includes notices for Short Notice Questions admitted as Starred Questions.  
(b) Includes 43 notices for Starred Questions and 98 notices for Short Notice Questions admitted as Unstarred Questions.  
(c) Includes 121 notices for Short Notice Questions admitted as Starred Questions  
(d) Includes 126 notices for Starred Questions reclassified as Unstarred.  
(e) Total number of notices received for Starred and Unstarred Questions was 1182.  
(f) Notices for Starred Questions admitted as Unstarred.  
(g) Relates to the period 1-10-74 to 31-12-74.  
(h) Out of the total number of 1672 notices received, 807 were admitted as Starred and 233 as Unstarred Questions.  
(i) Includes 90 notices for Short Notice Questions admitted as Unstarred Questions.  
(j) Out of 795 notices received, 417 were admitted as Starred Questions and 90 as Unstarred.  
(k) Notices received for Starred Questions admitted as Unstarred.  
(l) Includes some notices of Starred Questions admitted as Unstarred.

Appendix III (Contd.)

Committees at work (Number of sittings held and Number of Reports presented)

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
States															
Business Advisory Committee	8(8)	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Committee on Government Assurances	6	7	1	..	..	..	..	..	..	..	..	..	..	..	..
Committee on Petitions	4	5	4	..	..	..	..	..	..	..	..	..	..	..	..
Committee on Private Members Bills and Resolutions	4(2)	27(9)	1	..	..	..	..	..	..	..	..	..	..	..	..
Committee on Privileges	5(2)	8(1)	5(2)	5(3)	2	6(1)	..	..	..	..	..	..	..	..	..
Committee on Public undertakings	7(7)	14(1)	..	..	..	..	..	..	..	..	..	..	..	..	..
Committee on Subordinate Legislation	5(4)	12(1)	2	..	..	..	..	..	..	..	..	..	..	..	..
Committee on the Welfare of S. C. & S.T.	1(1)	2(1)	1	..	..	..	..	..	..	..	..	..	..	..	..
Estimates Committee	1(1)	5(1)	3(1)	..	..	..	..	..	..	..	..	..	..	..	..
General Purposes Committee	11	1(1)	1(1)	..	..	..	..	..	..	..	..	..	..	..	..
House/Accommodation Committee	14	(1)	..	..	..	..	..	..	..	..	..	..	..	..	..
Library Committee	1(1)	5(1)	3(1)	..	..	..	..	..	..	..	..	..	..	..	..
Public Accounts Committee	11	1(1)	1(1)	..	..	..	..	..	..	..	..	..	..	..	..
Rules Committee	14	(1)	..	..	..	..	..	..	..	..	..	..	..	..	..
Joint Select Committees	1(1)	..	..	..	..	..	..	..	..	..	..	..	..	..	..

States

Andhra Pradesh L.A.  
 Andhra Pradesh L.C.  
 Assam L.A.  
 Bihar L.A.  
 Bihar L.C.  
 Haryana L.A.  
 Himachal Pradesh L.A.  
 Jammu & Kashmir L.A.  
 Jammu & Kashmir L.C.  
 Karnataka L.A.  
 Karnataka L.C.

Kerala L.A.	2(2)	4(1)	4(1)	5	4(3)	..	9(1)	2	2	6(3)	..	(oo)
Madhya Pradesh L.A.	3(3)	3(1)	2	4(6)	..	3(1)	4	2	1	4	..	..
Manipur L.A.	2(2)	..	..	..	..	..	4(1)	2	..	4(3)	4	3
Meghalaya L.A.	1(1)	..	..	..	..	..	..	..	..	3(1)	..	..
Nagaland L.A.	1	(1)	..	3(1)	..	..	..	..	..	..	..	..
Punjab L.A.	6(4)	9(1)	7(1)	8(2)	11(6)	2(1)	8(2)	..	..	11(1)	8(1)	(p)
Rajasthan L.A.	3(3)	23	3(1)	8(4)	10(2)	8	18(2)	6	9	20(2)	2(1)	2(q)
Tamil Nadu L.A.	6	2(1)	..	(1)	8(3)	3(2)	..	1	..	19	..	(r)
Tamil Nadu L.C.	4	2(1)	..	..	..	..	..	..	..	..	..	..
Uttar Pradesh L.A. (s)	3(3)	9	3(2)	..	22	17	..	..	..	20	..	..
Uttar Pradesh L.C.	8	12	3	..	5(1)	..	..	4	..	..	2	(t)
West Bengal L.A.	12(12)	8(4)	..	..	(1)	10(1)	15(1)	..	7(1)	..	31(2)	(u)
<i>Union Territories</i>												
Delhi	1(1)	5(1)	(1)	..	..	..	..	..	..	..	..	..
Mizoram L.A.	3(3)	..	..	..	2	..	..	10(1)	..	..	..	..

Note :—Figures in brackets the number of reports presented to the House.

- (r) Joint Select Committee on (i) A. P. Land Revenue (Additional Wet Assessment) Bill, 1975 and (ii) A. P. Commercial Crops (Special Assessment) Bill, 1975.
- (m) One report was presented to Speaker by the Chairman with a request to order printing under rule 224.
- (n) Select Committee on Private Members' Bills—3(1).
- (o) Joint Select Committee on Karnataka Municipal Corporation Bill.
- (oo) Select Committees on (i) Madhya Pradesh School Shiksha Vidheyak, 1974—5(1); (ii) Madhya Pradesh Lckayukta avam Uplokayuktas Vidheyak 1974—5 (1).
- (p) Select Committee on the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Amendment) Bill, 1975.
- (q) Select Committee on the Rajasthan Civil Services (Service Matters Appellate Tribunals) Bill, 1973
- (r) Joint Select Committee on the Tamil Nadu Cultivating Tenants (Right to Purchase Landowner's Rights) Bill, 1973
- (s) Relates to the period 1-10-74 to 31-12-74.
- (t) Inter-House Privileges Committee—8; Financial and Administrative Delays Enquiry Committee—7 (1); Agr-Industrial Enquiry Committee—17 (1); Chitrakoot and Rajapur Development Committee—10; Committee on Cultural Activities—5.
- (u) Select Committees on : The West Bengal Council of Higher Secondary Education Bill, 1975—4 (1); The Bengal Agricultural Income Tax (Amendment) Bill, 1975—3(1); The Jadavpur University (Amendment) Bill 1975—1(1); The West Bengal College Teachers (Security of Services) Bill 1975—1(1); The West Bengal Universities (Amendment) Bill, 1975—4; The Dowry Prohibition (West Bengal Amendment) Bill, 1975—2(1).

## APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED  
TO BY THE PRESIDENT DURING THE PERIOD FEBRUARY 1, 1975 TO  
APRIL 30, 1975

Sl. No	Title of the Bill	Date of Assent by the President
1.	The Constitution (Thirty-fifth Amendment) Bill, 1974	22-2-75
2.	The Indian Tariff (Amendment) Bill, 1975	6-3-75
3.	The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1975	7-3-75
4.	The North-Eastern Areas (Reorganisation) Amendment Bill, 1975	19-3-75
5.	The Tobacco Board Bill, 1975	19-3-75
6.	The Appropriation (Vote on Account) Bill, 1975	25-3-75
7.	The Appropriation (Railways) Bill, 1975	25-3-75
8.	The Appropriation (Railways) No. 2 Bill, 1975	25-3-75
9.	The Appropriation (Railways) No. 3 Bill, 1975	25-3-75
10.	The Pondicherry Appropriation Bill, 1975	29-3-75
11.	The Pondicherry Appropriation (Vote on Account) Bill, 1975	29-3-75
12.	The Appropriation Bill, 1975	29-3-75
13.	The Press Council (Amendment) Bill, 1975	29-3-75
14.	The Air Force and Army Laws (Amendment) Bill, 1975	29-3-75
15.	The Gujarat Appropriation (Vote on Account) Bill, 1975	29-3-75
16.	The Gujarat Appropriation Bill, 1975	29-3-75
17.	The Trust Laws (Amendment) Bill, 1975	29-3-75
18.	The Nagaland Appropriation Bill, 1975	29-3-75
19.	The Nagaland Appropriation (Vote on Account) Bill, 1975	29-3-75

## APPENDIX V

### LIST OF BILLS PASSED BY THE STATE LEGISLATURES DURING THE PERIOD JANUARY 1, 1975 TO MARCH 31, 1975.

#### *Andhra Pradesh Legislative Assembly*

1. The Andhra Pradesh Land Revenue (Additional West Assessment) Bill, 1975.
2. The Andhra Pradesh Commercial Crops (Special Assessment) Bill, 1975.
3. The Andhra Pradesh Municipalities (Amendment) Bill, 1975.
4. The Andhra Pradesh (Krishna and Godavari Delta Area) Drainage Cess (Amendment) Bill, 1975.
5. The Andhra Pradesh Municipalities (Second Amendment) Bill, 1975.
6. The Andhra Pradesh Entertainments Tax (Amendment) Bill, 1975.
7. The Andhra Pradesh (Telangaa Area) House Racing and Betting Tax and Gaming (Amendment) Bill, 1975.
8. The Andhra Pradesh Reserved Forests (Validation of Notifications) Bill, 1975.
9. The Jawaharlal Nehru Technological University (Amendment) Bill, 1975.
10. The Andhra Pradesh Recognised Private Educational Institutions (Control) Bill, 1975.
11. The Andhra Pradesh Appropriation Bill, 1975.
12. The Andhra Pradesh Appropriation (No. 2) Bill, 1975.
13. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1975.
14. The Andhra Pradesh (Mineral Rights) Bill, 1975.
15. The Indian Tollg Laws (Andhra Pradesh Extension and Amendment) Bill, 1975.
16. The Andhra Pradesh Co-operative Societies (Amendment) Bill, 1975.
17. The Hyderabad Municipal Corporations (Amendment) Bill, 1975.
18. The Andhra Pradesh Municipalities (Fourth Amendment) Bill, 1975.

- \*19. The Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Amendment Bill, 1975.

*Andhra Pradesh Legislative Council*

1. The Jawaharlal Nehru Technological University (Amendment) Bill, 1975.
2. The Andhra Pradesh Recognised Private Educational Institutions (Control) Bill, 1975
3. The Andhra Pradesh Land Revenue (Additional West Assessment) Bill, 1975.
4. The Andhra Pradesh Commercial Crops (Special Assessment) Bill, 1975.
5. The Andhra Pradesh (Krishna and Godavari Delta Area) Drainage Cess (Amendment) Bill, 1975.
6. The Andhra Pradesh Municipalities (Amendment) Bill, 1975.
7. The Andhra Pradesh Municipalities (Second Amendment) Bill, 1975.
8. The Andhra Pradesh Entertainments tax (Amendment) Bill, 1975.
9. The Andhra Pradesh Reserved Forests (Validation of Notifications) Bill, 1975.
10. The Andhra Pradesh (Telangana Area) Horse Racing and Betting Tax and Gaming (Amendment) Bill, 1975.
11. The Andhra Pradesh Cooperative Societies (Amendment) Bill, 1975.
12. The Hyderabad Municipal Corporations (Amendment) Bill, 1975.
13. The Andhra Pradesh Municipalities (Fourth Amendment) Bill, 1975.
14. The Andhra Pradesh Appropriation Bill, 1975.
15. The Andhra Pradesh Appropriation (No. 2) Bill, 1975.
16. The Andhra Pradesh (Mineral Rights) Tax Bill, 1975.
17. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1975.
18. The Indian Tolls Laws (A.P. Extension and Amendment) Bill, 1975.
19. The Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Amendment Bill, 1975.

*Assam Legislative Assembly*

1. The Assam Appropriation (No. 1) Bill, 1974.
2. The Assam Appropriation (No. II) Bill, 1975.

\*Awaiting assent.

3. The Assam Finance Bill, 1975.
4. The Assam Elementary Education (Provincialisation) Bill, 1974.
5. The Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature (Amendment) Bill, 1974.

*Bihar Legislative Assembly\**

1. Bihar Salaries and Allowances of Ministers (Amendment) Bill, 1974.
2. Bihar Salaries and Allowances of Deputy Ministers (Amendment) Bill, 1974.
3. Bihar Legislature (Salaries and Allowances of Officers) (Amendment) Bill, 1974.
4. Bihar State Laws (Authorised Hindi Text) Publication Bill, 1974.
5. Bihar Cess (Amendment) Bill, 1974.
6. Bihar (Motor Vehicles Taxation) (Amendment) Bill, 1974.
7. Bihar Land Reforms (Fixation of Ceiling and Acquisition of Surplus Land) (Amendment) Bill, 1974.
8. Bihar Motor Vehicles Taxation (Second Amendment) Bill, 1974.
9. Bihar Kendu Leaf (Trade Control) (Amendment) Bill, 1974.
10. Bihar Flying Club (Taking Over of Management Control) Bill, 1974.
11. Bihar Appropriation (No. 3) Bill, 1974.
12. Bihar Ancient Monuments and Archeological Sites and Remains Bill, 1974.
13. Bihar Sugar cane (Regulation of Supply and Purchase) Bill, 1974.
14. Bihar Legislature (Removal of Disqualification) (Amendment) Bill, 1975.
15. Bihar Legislature (Salaries and Allowances of Members) (Amendment) Bill, 1975.
16. Bihar Appropriation Bill, 1975.
17. Bihar Appropriation (No. 2) Bill, 1975.

*Haryana Legislative Assembly*

1. The Haryana Legislative Assembly (Allowances of Members) Bill, 1975.
2. The Haryana Legislative Assembly Speaker's and Deputy Speaker's Salaries and Allowances Bill, 1975.

---

\*Original in Hindi.



3. The Kurukshetra University (Amendment) Bill, 1975.
4. The Haryana Appropriation (No. 2) Bill, 1975, in respect of Budget for the year 1975-76.
5. The Haryana Appropriation Bill, 1975, in respect of Excess Demands for Grants for the year 1969-70.
6. The Haryana Appropriation (No. 3) Bill, 1975, in respect of the Supplementary Estimates (3rd Instalment) for the year 1974-75.
7. The Haryana Requisitioning and Acquisition of Movable Property Bill, 1975.
8. The Haryana Development and Regulation of Urban Areas Bill, 1975.

*Himachal Pradesh Vidhan Sabha*

1. Himachal Pradesh Panchayati Raj (Amendment) Bill, 1975.
2. Himachal Pradesh Panchayati Raj (Second Validation) Bill, 1975.
3. Himachal Pradesh Urban Rent Control (Amendment) Bill, 1975.
4. The Himachal Pradesh Municipal (Amendment) Bill, 1975.
5. The Himachal Pradesh Official Languages Bill, 1975.
6. The Himachal Pradesh Legislative Assembly (Allowances of Members) (Amendment) Bill, 1975.
7. The Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Bill, 1975.
8. The Himachal Pradesh Appropriation Bill, 1975.
9. The Himachal Pradesh Tolls Bill, 1975.
10. The Himachal Pradesh Appropriation Bill, 1975.
11. The Himachal Pradesh Electricity Duty Bill, 1975.

*Jammu and Kashmir Legislative Assembly*

1. 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 1974-75.
2. A Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the Jammu and Kashmir State for the services of a part of the Financial year 1975-76.
3. The Jammu and Kashmir Agrarian Reforms (Suspension of Operation) Bill, 1975.
4. A Bill to amend the Jammu and Kashmir Motor Vehicles Taxation Act, 1957 and the Jammu and Kashmir Entertainments Duty Act, 1959.

*Karnataka Legislative Assembly*

1. The Karnataka Civil Services (Revision of Pay of Certain Categories of Posts) Bill, 1975.
2. The Karnataka Sales Tax (Amendment) Bill, 1975.
3. The Karnataka Civil Services (Classification and Scale of Pay of non-Graduate Junior Engineers of Public Works Department) Bill, 1975.
4. The Karnataka Private Educational Institutions (Discipline and Control) Bill, 1975.
5. The Mysore University (Extension of term of office of the Members of the Authorities) Bill, 1975.
6. The Karnataka Legislature Salaries (Amendment) Bill, 1975.
7. The Karnataka Village Panchayats (Postponement of Elections) Bill, 1975.
8. The Karnataka Appropriation Bill, 1975.
9. The Karnataka Appropriation (No. 2) Bill, 1975.
10. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1975.
11. The Karnataka Sales Tax (Second Amendment) Bill, 1975.
12. The Karnataka Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 1975.
13. The Registration (Karnataka Amendment) Bill, 1975.
14. The Karnataka Stamp (Amendment) Bill, 1975.
15. The Karnataka Agricultural Produce Marketing (Regulation) Amendment Bill, 1975.

*Karnataka Legislative Council*

1. The Mysore Prevention of Cow Slaughter and Cattle Preservation (Amendment) Bill, 1973.
2. The Mysore Seed Farms Bill, 1973.
3. The Mysore Prevention of Animal Sacrifices (Amendment) Bill, 1973.
4. The Criminal Law and Identification of Prisoners (Karnataka Extension and Amendment) Bill, 1974.
5. The Industrial Employment (Standing Orders) (Karnataka Amendment) Bill, 1974.
6. The Mysore Government Parks (Preservation) Bill, 1973.
7. The Karnataka Weights and Measures (Enforcement) (Amendment) Bill, 1974.

8. The Karnataka Societies Registration (Amendment) Bill, 1974:
9. The Mysore Prohibition of Beggary Bill, 1973.
10. The Karnataka Compulsory Primary Education (Amendment) Bill, 1974.
11. The Mysore Police (Amendment) Bill, 1973.
12. The Karnataka Civil Services (Revision of Pay of Certain Categories of Posts) Bill, 1975.
13. The Karnataka Sales Tax (Amendment) Bill, 1975.
14. The Karnataka Civil Services (Classification and Scale of Pay of Non-graduate Junior Engineers of the Public Works Department) Bill, 1975.
15. The Karnataka Private Educational Institutions (Discipline and Control) Bill, 1975.
16. The Mysore University (Extension of Term of office of the Members of the Authorities) Bill, 1975.
17. The Karnataka Legislature Salaries (Amendment) Bill, 1975.
18. The Karnataka Village Panchayats (Postponement of Elections) Bill, 1975.
19. The Karnataka Appropriation Bill, 1975.
20. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1975.
21. The Karnataka Sales Tax (Second Amendment) Bill, 1975.
22. The Karnataka Appropriation (No. 2) Bill, 1975.
23. The Karnataka Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 1975.
24. The Registration (Karnataka Amendment) Bill, 1975.
25. The Karnataka Stamp (Amendment) Bill, 1975.
26. The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Bill, 1975.
27. The Karnataka Appropriation (No. 3) Bill, 1975.

*Kerala Legislative Assembly*

1. The Kerala Appropriation Bill, 1975.
2. The Cochin University (Amendment) Bill, 1975.
3. The Kerala Municipal Councils (Extension of Term of Office of Councillors) Bill, 1975.
4. Sree Pandarvaka Lands (Vesting and Enfranchisement) Bill, 1975.
5. The Stay of Recovery of Arrears of Jenmikaram Bill, 1975.

6. The Kerala Building Tax Bill, 1975.
7. The Kerala Electricity Duty (Amendment) Bill, 1975.
8. The Jenmikaram Payment (Abolition) Amendment Bill, 1975.
9. The Abkari (Amendment) Bill, 1975.
10. The Kerala Appropriation (No. 2) Bill, 1975.
11. The Kerala Chitties Bill, 1972.
12. The Kerala Public Buildings (Eviction of Unauthorised Occupants) Amendment Bill, 1973.
13. The Kerala Additional Tax on Entertainments and Surcharge on Show Tax (Amendment) Bill, 1974.
14. The Kerala Local Authorities Entertainments Tax (Amendment) Bill, 1974.
15. The Kerala Cinemas Regulation (Amendment) Bill, 1974.
16. The Kerala Places of Public Resort (Amendment) Bill, 1974.
17. The Kerala Medical Practitioners Bill, 1972.
18. The Calicut University Bill, 1975.
19. The Kerala University (Amendment) Bill, 1975.
20. The Kerala Plantation Tax (Amendment) Bill, 1973.
21. The Kerala Cattle Trespass (Amendment) Bill, 1971.

*Madhya Pradesh Vidhan Sabha\**

*Manipur Legislative Assembly*

1. The Manipur Appropriation Bill 1975.
2. The Manipur Appropriation (No. 2) Bill, 1975.
3. The Manipur Taxation Laws (Amendment) Bill, 1975.
4. The Assam Motor Vehicles Taxation (Manipur Amendment) Bill, 1974.
5. The Indian Registration (Manipur Amendment) Bill, 1975.
6. The Manipur Legislature (Removal of Disqualifications) (Amendment) Bill, 1975.
7. The Manipur Land Revenue and Land Reforms (Amendment) Bill, 1975.
8. The Manipur Town and Country Planning Bill, 1975.

---

\*Original in Hindi. Details will be published in a later issue of the *Journal*.

*Meghalaya Legislative Assembly*

1. Meghalaya Appropriation (No. I) Bill, 1975.
2. Meghalaya Appropriation (No. II) Bill, 1975.
3. The Meghalaya Finance Bill, 1975.
4. The Meghalaya Amusement & Betting Tax (Amendment) Bill, 1975.
5. The Meghalaya Passengers & Goods Taxation (Amendment) Bill, 1975.

*Mizoram Legislative Assembly*

1. The Lushai Hills District (Village Councils) (Amendment) Bill, 1975.
2. The Appropriation (No. 1) Bill, 1975.
3. The Appropriation (No. 2) Bill, 1975

*Punjab Vidhan Sabha*

1. The Punjab Compulsory Service (Repeal) Bill, 1975.
2. The Punjab Passengers and Goods Taxation (Amendment) Bill, 1975.
- \*3. The Punjab Urban Estates (Development and Regulation) Amendment Bill, 1975.
4. The Punjab Regulation of Colonies Bill, 1975.
5. The Punjab Panchayat Samitis and Zila Parishad (Amendment) Bill, 1975.
6. The Punjab Contingency Fund (Amendment) Bill, 1975.
7. The Punjab Co-operative Societies (Amendment) Bill, 1975.
8. The Punjab Motor Vehicles Taxation (Amendment) Bill, 1975.
9. The Punjab General Sales Tax (Amendment) Bill, 1975.
10. The Punjab Appropriation Bill, 1975.
11. The Punjab Appropriation (No. 2) Bill, 1975.
12. The Punjab Legislative Assembly (Allowances of Members) Amendment Bill, 1975.

*Rajasthan Legislative Assembly*

1. Rajasthan Repeal and Amending Bill, 1972.

---

\*Awaiting assent.

2. Rajasthan Birds and Animals Sacrifice (Prohibition) Bill, 1973.
3. Rajasthan Commercial Crops Cess Bill, 1975.
4. Khadi and Village Industries Board (Amendment) Bill, 1975.
5. Rajasthan Panchayati Raj Institutions (Extension of Term) Bill, 1975.
6. Rajasthan Taxation laws (Amendment) Bill, 1975.
7. Rajasthan Passengers and Goods Taxation (Amendment) Bill, 1975.
8. Rajasthan State Road Transport Service (Prevention of Ticketless Travel) Bill, 1975.
9. Jodhpur University (Amendment) Bill, 1975.
10. Rajasthan Motor Vehicles Taxation (Amendment) Bill, 1975.
11. Udaipur University (Amendment) Bill, 1975.
12. Rajasthan Urban Improvement (Amendment) Bill, 1975.
13. Rajasthan Tenancy (Amendment) Bill, 1975.
14. Kota Municipal Limits (Continued existence) Validating Bill, 1975.
15. Rajasthan Land Reforms and Acquisition of Landowners' Estates (Amendment) Bill, 1975.
16. Rajasthan Sales Tax (Amendment) Bill, 1975.
17. Rajasthan Control of Goondas Bill, 1975.
18. Rajasthan Land Development Corporation Bill, 1975.
19. Rajasthan Panchayat (Amendment) Bill, 1975.
20. Rajasthan Agricultural Produce Markets (Amendment and Validating provisions) Bill, 1975.
21. Rajasthan Appropriation (No. 1) Bill, 1975.
22. Rajasthan Appropriation (No. 2) Bill, 1975.

*Tamil Nadu Legislative Assembly*

- \*1. The Tamil Nadu Societies Registration Bill, 1972.
- \*2. The Madras City Tenants Protection (Amendment) Bill, 1974.
- \*3. The Tamil Nadu Agricultural Lands Record of Tenancy Rights (Amendment) Bill, 1974.
- \*4. The Tamil Nadu Prevention of Begging (Amendment) Bill, 1974.
5. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Bill, 1974.

---

\*Awaiting Assent.

- \*6. The Tamil Nadu Inam Estates and Minor Inams (Abolition and Conversion into Ryotwari) Amendment Bill, 1974.
- 7. The Tamil Nadu Contingency Fund (Amendment) Bill, 1975.
- \*8. The Indian Ports (Tamil Nadu Amendment) Bill, 1975.
- \*9. The Tamil Nadu Encroachment (Amendment) Bill, 1975.
- 10. The Tamil Nadu Indebted Agriculturists (Temporary Relief) Bill, 1975.
- 11. The Tamil Nadu Gaming (Amendment) Bill, 1975.
- 12. The Tamil Nadu Appropriation (Vote on Account) Bill, 1975.
- 13. The Tamil Nadu Appropriation Bill, 1975.
- \*14. The Tamil Nadu Catering Establishments (Amendment) Bill, 1975.
- \*15. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Bill, 1975.
- \*16. The Tamil Nadu Occupants of Kudiyiruppu (Protection from Eviction) Re-enacting Bill, 1975.
- 17. The Tamil Nadu Appropriation (No. 2) Bill, 1975.
- \*18. The Tamil Nadu Electricity Duty (Amendment) Bill, 1975.
- \*19. The Madras City Police (Amendment) Bill, 1975.
- 20. The Tamil Nadu General Sales Tax (Amendment) Bill, 1975.
- 21. The Tamil Nadu Chit Funds (Amendment) Bill, 1975.
- 22. The Madurai City Municipal Corporation (Amendment) Bill, 1975.
- \*23. The Indian Stamp (Tamil Nadu Amendment) Bill, 1975.

*Tamil Nadu Legislative Council*

- 1. The Tamil Nadu Contingency Fund (Amendment) Bill, 1975.
- 2. The Tamil Nadu Appropriation (Vote on Account) Bill, 1975.
- 3. The Tamil Nadu Indebted Agriculturists (Temporary Relief) Bill, 1975.
- 4. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) (Amendment) Bill, 1975.
- 5. The Tamil Nadu Appropriation Bill, 1975.

---

\*Awaiting assent.

- \*6. The Tamil Nadu Appropriation (No. 2) Bill, 1975.
- \*7. The Tamil Nadu Gaming (Amendment) Bill, 1975.
- \*8. The Tamil Nadu Societies Registration Bill, 1975.
- \*9. The Tamil Nadu Agricultural Lands Record of Tenancy Rights (Amendment) Bill, 1975.
- \*10. The Tamil Nadu Inam Estates and Minor Inams (Abolition and Conversion into Ryotwari) Amendment Bill, 1975.
- \*11. The Tamil Nadu Land Enroachment (Amendment) Bill, 1975.
- \*12. The Indian Ports (Tamil Nadu Amendment) Bill, 1975.
- \*13. The Tamil Nadu Prevention of Begging (Amendment) Bill, 1975.
- \*14. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Bill, 1975.
- \*15. The Tamil Nadu Occupants of Kudiyruppu (Protection from Eviction) Re-enacting Bill, 1975.
- \*16. The Madras City Tenants Protection (Amendment) Bill, 1975.
- \*17. The Tamil Nadu Electricity Duty (Amendment) Bill, 1975.
- \*18. The Tamil Nadu General Sales Tax (Amendment) Bill, 1975.
- \*19. The Madurai City Municipal Corporation (Amendment) Bill, 1975.
- \*20. The Madras City Police (Amendment) Bill, 1975.
- \*21. The Tamil Nadu Catering Establishments (Amendment) Bill, 1975.
- \*22. The Indian Stamp (Tamil Nadu Amendment) Bill, 1975.
- \*23. The Tamil Nadu Chit Funds (Amendment) Bill, 1975.

*Uttar Pradesh Legislative Assembly\*\**

1. The U.P. Hindu Public Religious Institutions (Prevention of Dissipation of Properties) (Temporary Powers) (Continuance) Bill, 1974.
2. The U.P. Landless Agricultural Labourers Debt Relief Bill, 1974.
3. The U.P. Taxation and Land Revenue Laws Bill, 1974.
4. The U.P. Forest Corporation Bill, 1974.

\*Awaiting assent.

\*\*Relates to the period 1-10-74 to 31-12-74. Original in Hindi.



*Uttar Pradesh Vidhan Parishad\**

1. Uttar Pradesh Landless Agricultural Labour Debt Relief Bill, 1974.
2. Uttar Pradesh Taxation and Land Revenue Laws Bill, 1974.
3. Uttar Pradesh Hindu Public Religious Institutions (Prevention of Misappropriation of Assets) (Temporary Powers) (Continuance) Bill, 1974.
4. Uttar Pradesh Forest Corporation Bill, 1974.
5. Uttar Pradesh Court Fee (Cash Payment) Bill, 1975.
6. Uttar Pradesh Khadi and Village Industries Board (Amendment) Bill, 1975.
7. Indian Electricity (Uttar Pradesh Amendment and Validation) Bill, 1975.
8. Essential Commodities (Uttar Pradesh Amendment) Bill, 1975.
9. Uttar Pradesh Public Money (Realisation of dues) (Amendment) Bill, 1975.
10. Uttar Pradesh Bhoodan Yajna (Amendment) Bill, 1975.
11. Uttar Pradesh Local Self Government Laws (Amendment) Bill, 1975.
12. Uttar Pradesh Appropriation (Supplementary of 1974-75) Bill, 1975.
13. Uttar Pradesh Appropriation (Vote on Account) Bill, 1975.
14. Uttar Pradesh Ceiling on Property (Temporary Restrictions on Transfer) (Amendment) Bill, 1975.
15. Uttar Pradesh Education Laws Amendment Bill, 1975.
16. Uttar Pradesh Appropriation Bill, 1975.
17. Uttar Pradesh Agricultural Loans (Amendment) Bill, 1974.

*West Bengal Legislative Assembly*

1. The West Bengal Restoration of Alieivated Land (Amendment) Bill, 1975.
2. The Bengal Public Demands Recovery (Amendment) Bill, 1975.
3. The Land Acquisition (West Bengal Amendment) Bill, 1975.
4. The Calcutta Municipal (Amendment) Bill, 1975.
5. The Sri Ramkrishna Sarada Vidya Mahapitha (Amendment) Bill, 1975.

---

\*Original in Hindi.

- \*6. The West Bengal Estates Acquisition (Amendment) Bill, 1975.
7. The West Bengal Council of Higher Secondary Education Bill, 1975.
8. The Bengal Municipal (Amendment) Bill, 1975.
- \*9. The Indian Stamp (West Bengal Amendment) Bill, 1974.
10. The Bengal Agricultural Income-Tax (Amendment) Bill, 1975.
11. The West Bengal Taxation Laws (Amendment) Bill, 1975.
- \*12. The West Bengal Multi-Storeyed Building Tax Bill, 1975.
13. The Calcutta Municipal (Second Amendment) Bill, 1975.
- \*14. The West Bengal Premises Tenancy (Amendment) Bill, 1975.
15. The West Bengal College Teachers (Security of Service) Bill, 1975.
- \*16. The Indian Forest (West Bengal Amendment) Bill, 1975.
- \*17. The West Bengal Lifts and Escalators (Amendment) Bill, 1975.
- \*18. The Bengal Wakf (Amendment) Bill, 1975.
19. The West Bengal Appropriation Bill, 1975.
20. The West Bengal Appropriation (No. 2) Bill, 1975.
- \*21. The Calcutta Improvement (Amendment) Bill, 1975.
- \*22. The West Bengal Land Reforms (Amendment) Bill, 1975.
- \*23. The West Bengal Agricultural Produce Marketing (Regulation) (Amendment) Bill, 1975.
- \*24. The West Bengal Restoration of Alieuated Land (Second Amendment) Bill, 1975.
- \*25. The Payment of Wages (West Bengal Amendment) Bill, 1975.
- \*26. The West Bengal Primary Education (Amendment) Bill, 1975.
- \*27. The Calcutta Municipal (Third Amendment) Bill, 1975.
28. The Dowry Prohibition (West Bengal Amendment) Bill, 1975.
- \*29. The West Bengal Appropriation (Excess Expenditure, 1963-64, 1964-65, 1965-66, 1966-67 and 1967-68) Bill, 1975.

---

\*Awaiting assent.

APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL GOVERNMENT DURING THE PERIOD FEBRUARY 1, 1975 TO APRIL 30, 1975 AND STATE GOVERNMENTS DURING THE PERIOD JANUARY 1, 1975 TO MARCH 31, 1975

S. No.	Subject	Date of promulgation	Date on which laid before House	Date of Cessation	Remarks
1	2	3	4	5	6

CENTRAL

Nil

STATES

BIHAR\*

1	Bihar Weights and Measurements (Enforcement) (Amendment) Ordinance, 1975	15-1-75	12-2-75	25-3-75	
2	Bihar Institute of Medical Education (Regulation and Control) Ordinance, 1975	Do.	Do.	Do.	
3	Bihar Irrigation Laws (Amendment) Ordinance, 1975	Do.	Do.	Do.	
4	Bihar Health Cess Ordinance, 1975	Do.	Do.	Do.	
5	Bihar Irrigation Area Channels (Amendment) Ordinance, 1975	Do.	Do.	Do.	
6	Patna Municipal Corporation (Amendment) Ordinance, 1975	Do.	Do.	Do.	
7	Bihar Municipalities (Amendment) Ordinance, 1975	Do.	Do.	Do.	
8	Bihar Irrigation and Lift Irrigation (Amendment) Ordinance, 1975	Do.	Do.	Do.	

\*Original in Hindi.

1	2	3	4	5	6
9	Rajendra Agricultural University (Amendment) Ordinance, 1975 . . . . .	15-1-75	12-2-75	25-3-75	
10	Chhotanagpur and Santhal Paraganas Autonomous Development Authority (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
11	Bihar Khadi and Village Industries (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
12	Bihar Soil and Water Conservation & Land Development Ordinance, 1975 . . . . .	Do.	Do.	Do.	
13	Bihar Hindu Religious Trusts (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
14	Chhotanagpur Tenancy (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
15	Bihar Industry Subsidy (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
16	Bihar Motor Vehicles Taxation (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
17	Motor Vehicles (Bihar Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
18	Bihar School Examination Board (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
19	Bihar School Examination Board (Second Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
20	Bihar State Universities Laws (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
21	Bihar State Universities Laws (Second Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
22	Chhotanagpur Tenancy (Second Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
23	Mithila University Ordinance, 1975 . . . . .	Do.	Do.	Do.	
24	Bihar Tenancy (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
25	Bihar State Universities and School Laws (Amendment and Repeal) Ordinance, 1975 . . . . .	Do.	Do.	Do.	

1	2	3	4	5	6
26.	Bihar Panchayat Raj (Amendment and Validation) Ordinance, 1975 . . . . .	15-1-75	12-2-75	25-3-75	
27.	Bihar Panchayat Samities & District Boards (Amendment & Validation) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
28.	Bihar Panchayat Raj (Validation) Ordinance, 1975 . . . . .	15-1-75	12-2-75	25-3-75	
29.	Bihar Gramdan (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
30.	Land Acquisition (Bihar Validation) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
31.	Bihar Ceiling on Urban Property (Temporary Restriction on Transfer) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
32.	Bihar Ancient Monuments and Archaeological Sites and Remains Ordinance, 1975 . . . . .	Do.	Do.	Do.	
33.	Bihar Area Development Authority Ordinance, 1975 . . . . .	Do.	Do.	Do.	
34.	Bihar Co-operative Societies (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
35.	Bihar Co-operative Societies (Second Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
36.	Bihar Sugarcane (Regulation of Supply & Purchase) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
37.	Bihar Primary Education (Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
38.	Bihar State Housing Board Ordinance, 1975 . . . . .	15-1-75	12-2-75	25-3-75	
39.	Industrial Disputes (Bihar Amendment) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
40.	Bihar Agricultural Product Markets Ordinance, 1975 . . . . .	Do.	Do.	Do.	
41.	Bihar Agricultural and Rural Area Development Agency Ordinance, 1975 . . . . .	Do.			
42.	Bihar Premises and Vehicles (Acquisition) Ordinance, 1975 . . . . .	Do.	Do.	Do.	
43.	Bihar Secondary Education Board Ordinance, 1975 . . . . .	Do.	Do.	Do.	

1	2	3	4	5	6
44.	Bihar District Board and Local Boards (Control and Management) (Amendment) Ordinance, 1975	15-1-75	12-2-75	25-3-75	
45.	Bihar Local Self Government (Amendment) Ordinance, 1975	Do.	Do.	Do.	
46.	Bihar State Universities (Patna, Bihar, Bhagalpur, Ranchi and Magadh Universities) (Control and Management) Ordinance, 1975	Do.	Do.	Do.	
47.	Bihar Bhoodan Yajna Ordinance, 1975	28-1-75	Do.	11-3-75	
48.	Bihar Executive Magistrate (Temporary Powers) Ordinance, 1975	28-1-75	15-2-75	11-3-75	
49.	Lalit Narain Mithila University Ordinance, 1975	7-2-75	Do.	21-3-75	

HARYANA

1.	The Indian Electricity (Haryana Amendment and Validation) Ordinance, 1975	27-2-75	5-5-75	..	Replaced by Legislation
2.	The Punjab Urban Immovable Property Tax (Haryana Amendment) Ordinance, 1975	9-3-75	5-5-75	..	Do.
3.	The Faridabad Complex (Regulation and Development Amendment and Validation Ordinance, 1975).	1-4-75	5-5-75	..	Do.

HIMACHAL PRADESH

1.	The Himachal Pradesh urban Rent Control (Amendment) Ordinance, 1974.	23-12-74	11-2-75	12-2-75	Replaced by Legislation.
2.	The Himachal Pradesh Panchayati Raj (Second Validation) Ordinance, 1974.	30-11-74	Do.	Do.	Do.
3.	The Himachal Pradesh Panchayati Raj (Amendment) Ordinance, 1974.	16-11-74	Do.	Do.	Do.
4.	The Himachal Pradesh Municipal (Amendment) Ordinance 1975	8-1-75	Do.	Do.	Do.

1	2	3	4	5	6
<b>KARNATAKA</b>					
1. The Karnataka village Panchayats (Postponement of Elections) Ordinance, 1975.		29-1-75	11-2-75*		Replaced by legislation
<b>KERALA</b>					
1. The Sree Pandaravaka Land (Vesting and Enfranchisement) Amendment Ordinance, 1975.					
2. The Stay of Recovery of Arrears of Jenmikaram Ordinance, 1975.					
<b>MIZORAM</b>					
1. The Lushai Hills District (Village Councils) (Amendment) Ordinance, 1975.		5-2-75	12-3-75	..	Replaced by legislation.
<b>RAJASTHAN</b>					
1. Kota Municipal Limits (Continued Existence) Validating Ordinance, 1975		7-1-75	18-2-75	26-2-75	Replaced by legislation
2. The Rajasthan Urban Improvement (Amendment) Ordinance, 1975		12-1-75	Do.	Do.	Do.
3. The Rajasthan Panchayat Laws (Amendment) Ordinance, 1975		18-1-75	Do.	Do.	Do.
4. The Rajasthan State Road Transport Service (Prevention of Ticketless Travel) Ordinance, 1975		22-1-75	Do.	24-2-75	Do.
5. The Rajasthan Control of Goondas Ordinance, 1975		28-1-75	Do.	27-2-75	Do.

\*Laid on the Table of the Legislative Council on 12-2-75.

1	2	3	4	5	6
6.	The Rajasthan Land Reforms & Acquisition of Land owners' Estates (Amendment) Ordinance, 1975 . . . .	28-1-75	18-2-75	27-2-75	Replaced by Legislation
TAMIL NADU					
1.	The Tamil Nadu Indebted Agriculturists (Temporary Relief) Ordinance, 1975 . . . .	16-1-75	21-2-75	..	Do.
2.	The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Ordinance, 1975 . . . .	[24-1-75	21-2-75	..	Do.
UTTAR PRADESH*					
1.	Uttar Pradesh Motor Spirit, Diesel Oil and Alcohol Sales Taxation (Amendment) Ordinance, 1974 . . . .	1-9-74	18-2-75	9-3-75	..
2.	The Uttar Pradesh Forest Corporation Ordinance, 1974 . . . .	13-9-74	Do.	6-3-75	..
3.	Uttar Pradesh Municipal Corporation (Short term Provision) Ordinance, 1974 . . . .	17-9-74	Do.	29-3-75	..
4.	Uttar Pradesh Motor Vehicles Taxation (Amendment) Ordinance, 1974 . . . .	30-9-74	Do.	19-3-75	..
5.	Uttar Pradesh Scheduled Castes, Scheduled Tribes and De-Notified Castes Debt Relief Ordinance 1974 . . . .	1-10-74	Do.	26-3-75	Replaced by legislation

\*Original in Hindi. Dates shown in col. 4 indicate the dates on which the ordinances were laid on the Table of Vidhan Parishad. Ordinances of Sl. Nos. 5 to 9, were laid on the Table of Vidhan Sabha on 17-12-74.



1	2	3	4	5	6
6.	Uttar Pradesh Local Self Government Laws (Amendment) Ordinance, 1974 . . .	23-10-74	18-2-75	29-2-75	Replaced by legislation
7.	Uttar Pradesh Land Development Tax and Land Revenue (Amendment) Ordinance, 1974 . . .	29-10-74	Do.	19-3-75	Do.
8.	Uttar Pradesh Sales Tax (Second Amendment) Ordinance, 1974 . . .	4-11-74	Do.	19-3-75	Do.
9.	Uttar Pradesh Hindu Public Religious Institutions (Prevention of Misappropriation of Assets) (Temporary Powers) (Continuance) Ordinance, 1974 . . .	10-12-74	Do.	25-3-75	
10.	Uttar Pradesh Bhcodan Yajna (Amendment) Ordinance, 1975 . . .	21-1-75	Do.	26-3-75	..
11.	Uttar Pradesh Agricultural Loans (Amendment) Ordinance, 1975 . . .	25-1-75	Do.	31-3-75	..
12.	Essential Commodities (Uttar Pradesh Amendment) Ordinance, 1975 . . .	25-1-75	Do.	Do.	
13.	Uttar Pradesh Khadi and Village Industries Board (Amendment) Ordinance, 1975 . . .	25-1-75	Do.	Do.	
14.	Indian Electricity (Uttar Pradesh Amendment and Validation) Ordinance, 1975 . . .	4-2-75	Do.	Do.	
15.	Uttar Pradesh Public Money (Realization of Dues Amendment) Ordinance, 1975 . . .	18-1-75	Do.	Do.	
16.	Uttar Pradesh Courts Fee (Cash Payment) Ordinance, 1975 . . .	31-1-75	Do.	23-3-75	
17.	Uttar Pradesh Water Supply and Sewer System Ordinance, 1975	6-2-75	Do.	..	..

1	2	3	4	5	6
WEST BENGAL					
1.	The Bengal Municipal (Amendment) Ordinance 1974 . . . . .	23-12-74	24-2-75	3-4-75	Replaced by legislation
2.	The West Bengal Council of Higher Secondary Education Ordinance, 1975 . . . . .	25-1-75	24-2-75	3-4-75	Do.
3.	The Land Acquisition (West Bengal Amend- ment) Ordinance, 1975. .	Do.	Do.	Do.	Do.
4.	The Bengal Public Demands Recovery (Amendment) Ordinance 1975 . . . . .	31-1-75	Do.	Do.	Do.

## APPENDIX VII

A. PARTY POSITION IN LOK SABHA  
(As on June 1, 1975)

Name of the State	Seats	Cong.	CPI(M)	CPI	JS	DMK	BLD	Other parties	Un-attached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12
Andhra Pradesh	41	37	1	1	..	..	..	2(a)	..	41	..
Assam	14	13	1	..	..	..	..	..	..	14	..
Bihar	53	36	..	5	2	..	1	7(b)	..	51	2
Gujarat	24	12	..	..	..	..	2	8(c)	1	23	1
Haryana	9	7	..	..	1	..	..	..	1	9	..
Himachal Pradesh	4	3	..	..	..	..	..	..	..	3	..
Jammu & Kashmir	6	5	..	..	..	..	..	..	1	6	..
Karnataka	27	27	..	..	..	..	..	..	..	27	..
Kerala	19	6	2	3	..	..	..	5(d)	2	18	1
Madhya Pradesh	37	21	..	..	10	..	1	5(e)	..	37	..
Maharashtra	45	40	..	1	..	..	..	3(f)	1	45	..
Manipur	2	2	..	..	..	..	..	..	..	2	..
Meghalaya	2	..	..	..	..	..	..	..	2	2	..
Nagaland	1	..	..	..	..	..	..	1(g)	..	1	..
Orissa	20	14	..	1	..	..	5	..	..	20	..
Punjab	13	9	..	1	..	..	..	..	1	11*	1
Rajasthan	23	15	..	..	3	..	1	2(h)	2	23	..
Sikkim	1	..	..	..	..	..	..	..	..	..	..
Tamil Nadu	39	9	..	4	..	..	..	8(i)	..	39	..
Tripura	2	..	2	..	..	18	..	..	..	2	..
Uttar Pradesh	85	73	..	5	4	..	2	..	1	85	..
West Bengal	40	14	20	3	..	..	..	1(i)	1	39	1



## B. PARTY POSITION IN RAJYA SABHA

(As on June 1, 1975)

States	No. of seats	Cong.	Cong. (O)	J.S.	CPI	B.L.D.	CPI(M)	Other Parties	IND	Vacancies
I	2	3	4	5	6	7	8	9	10	11
Andhra Pradesh	18	15							3	
Assam	7	7	..	..	..	..	..	..	..	..
Bihar	22	13	1	1	3	1		1(a)	1	1
Gujarat	11	7		1	..	..	..		..	3
Haryana	5	5			..	..	..		..	..
Himachal Pradesh	3	3								..
Jammu and Kashmir	4	3	..						..	1
Karnataka	12	8	2		..	..	..	..	2	..
Kerala	9	2	..	..	1		3	3(b)		..
Madhya Pradesh	16	12	..	4	..	..	..	..	..	..
Maharashtra	19	13			1	..		4(c)	1	..
Manipur	1	1		..				..	..	..
Meghalaya	1	..						1(d)	..	..

Nagaland	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	1(c)	.	.
Orissa	.	.	.	5	.	.	.	.	1	4	.	.	.	.	.	.	.	.	.	.	.
Punjab	.	.	.	4	.	.	.	.	1	.	.	.	.	.	.	.	.	.	2(f)	.	.
Rajasthan	.	.	.	10	.	.	.	.	1	.	.	.	.	.	.	.	.	.	.	.	.
Sikkim	.	.	.	1	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Tamil Nadu	.	.	.	18	.	.	.	1	.	.	.	.	.	.	.	.	.	.	16(g)	1	.
Tripura	.	.	.	1	.	.	.	.	.	1	.	.	.	.	.	.	.	.	.	.	.
Uttar Pradesh	.	.	.	34	.	.	3	4	1	3	.	.	.	.	.	.	.	.	1(h)	1	1
West Bengal	.	.	.	16	.	.	.	.	.	3	.	.	.	.	.	.	.	.	1(i)	1	.
Arunachal Pradesh	.	.	.	1	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Delhi	.	.	.	3	.	.	.	1	.	.	.	.	.	.	.	.	.	.	.	.	.
Mizoram	.	.	.	1	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Pondicherry	.	.	.	1	.	.	.	.	.	.	.	.	.	.	.	.	.	.	1(i)	.	.
Nominated	.	.	.	12	.	.	.	.	.	.	.	.	.	.	.	.	.	.	11	.	.
<b>TOTAL</b>	.	.	.	<b>244</b>	.	.	<b>139</b>	<b>7</b>	<b>12</b>	<b>12</b>	<b>8</b>	<b>7</b>	<b>7</b>	<b>42(k)</b>	<b>10</b>	<b>7</b>	<b>7</b>				

- (a) PSP.  
 (b) Muslim League—2; S.P.—1.  
 (c) B.K.D.—1; REP—1; P.W.P.—1; S.P.—1.  
 (d) APHLC.  
 (e) UDF  
 (f) Akali Dal.

- (g) Muslim League—3; ADMK—2; D.M.K.—11.  
 (h) B.K.D.  
 (i) F.B. (M).  
 (j) DMK  
 (k) D.M.K.—12; M.I.—5; B.K.D.—2; S.P.—2; Akali Dal—2 ;  
 A.P.H.L.C.—1; F.B. (M)—1, U.D.F.—1; P.S.P.—1; REP—1.  
 P.W.P.—1; A.D.M.K.—2; Nominated—11.

## C. PARTY POSITION IN STATE LEGISLATIVE ASSEMBLIES

State/Union Territory	Seats Cong.	Cong. (O)	B. L. D.	JS	CPI	CPI (M)	S. P.	other Parties	Ind.	Total	Vacancies	
1	2	3	4	5	6	7	8	9	10	11	12	13
Andhra Pradesh (as on 31-3-75)	288	242	..	..	..	8	1	..	36(a)	11	287	1
Assam (as on 26-4-75)	114	95	..	2	..	3	..	4	5(b)	5	114	..
Bihar (as on 31-3-75)	319	193	3	..	1	35	..	..	17(c)	20	270(d)	49
Haryana (as on 7-5-75)	81	52(e)	3	5	2	..	..	..	3(f)	16	80	1
Himachal Pradesh (as on 29-5-75)	68	54	..	..	5	..	1	..	2(g)	6	68	..
Jammu & Kashmir (as on 1-3-75)	75	62	..	..	3	..	..	..	5(h)	4	74	1
Karnataka (as on 31-12-74)	217	165	24	..	..	3	1	2	1(i)	19	216(j)	1
Kerala (as on 19-5-75)	134	35	3	..	..	16	31	7	33(k)	6	132(l)	2
Madhya Pradesh (as on 7-5-75)	297	230	..	..	45	5	..	4	..	7	293(m)	4
Manipur (as on 6-5-75)	60	23	..	..	..	6	..	..	27(n)	4	60	..
Meghalaya (as on 11-7-74)	60	12	..	..	..	..	..	..	47(o)	1	59	1
Nagaland (as on 8-3-75)	60	..	..	..	..	..	..	..	60(p)	..	60	..
Orissa (as on 5-11-74)	146	69	..	..	..	7	3	2	57(q)	8	146(r)	..
Punjab (as on 29-5-75)	104	66	..	..	1	10	1	..	23(s)	..	101	3
Rajasthan (as on 9-7-75)	184	150	..	..	..	5	1	2	18(t)	7	183	1
Tamil Nadu (as on 2-5-75)	235	7	13	..	..	5	..	..	207(u)	1	234(v)	1
Tripura (as on 31-12-74)	60	41	..	..	..	1	16	..	..	2(w)	60	..
Uttar Pradesh (as on 31-12-74)	426	225	10	101	61	16	2	5	4(x)	1	425	1
West Bengal (as on 7-7-75)	281	215	3	..	..	36	13	..	9(y)	4(z)	280	1
*Delhi (as on 8-5-75)	61	47	2	..	7	3	..	..	1(aa)	..	60	1

Goa, Daman and Diu (as on 31-12-74)	30	1	..	..	..	28(bb)	1(cc)	30
Mizoram (as on 7-5-75)	33	29	..	..	..	4(dd)	..	33

\*Refers to Delhi Metropolitan, Council.

- (a) Socialist Democratic Front-6 ; Andhra Progressive Democrats-7 ; Progressive Front-6 ; Peoples Democrats-3 ; Majlis Ittehad-ul-Muslimin-2. RPI-1.
- (b) Peoples Democratic Party-3 ; R. C. P. I.-1 ; Plains Tribal Party-1.
- (c) Includes S. S. P.-6 ; All India Jharkhand-3 ; Hul Jharkhand-2 ; Progressive Hul Jharkhand-1 ; Jharkhand (N. E. Hora Group)-1, Hindustani Soshit Dal-2 ; Socialist Vidhayak Dal-1 ; Nominated-2.
- (d) Includes Hon. Speaker.
- (e) Includes Hon. Speaker.
- (f) Vishal Haryana Party—
- (g) Lok Raj Party.
- (h) Jamat Islami.
- (i) Janathapaksha.
- (j) Includes Hon. Speaker.
- (k) Includes Kerala Congress-10 ; Muslim League-5 ; Muslim League (Leader Shri M. Moideenkutty)-6 ; Revolutionary Socialist Party-6 ; Kerala Socialist Party-2 ; Karashak Tozhiali Party-2 ; Kerala Congress Original-2.
- (l) Includes Hon. Speaker and nominated-1.
- (m) Includes Hon. Speaker, nominated-1.
- (n) Includes M. P. P.-14 ; MHU-12 ; K. N. A.-1.
- (o) Includes A. P. H. L. C.-38 ; H. S. P. D. P.-8.
- (p) United Democratic Front-38 ; Nagaland Nationalist Organisation-22.
- (q) Orissa Pragati Legislature Party.
- (r) Excludes Hon. Speaker.
- (s) Shirumar i Akali Dal.
- (t) Janta Morcha -17 ; Swa.-1.
- (u) D. M. K.-167 ; Anna Dravida Munnetra Kazhagam-16 ; Tamil Arasu Kazhagam-1 ; Forward Bloc-7 ; Muslim League-6 ; Tamil Nadu Communist-2 ; Thazhithapattor Munnetra Kazhagam-2 ; Swatantra-5 ; Nominated-1.
- (v) Includes Hon. Speaker.
- (w) Independents supported by CPI (M).
- (x) Includes Muslim League-1 ; Hindu Sabha-1 ; Soshit Sema Dal-1 ; Nemirated-1.
- (y) Includes R. S. P. 3 ; Socialist Unity Centre-1 ; Workers Party-1 ; Govkha League-2 ; Muslim League-1 ; Nominated-1.
- (z) Supported by the L. F.-1 ; Others-3 (including Hon. Speaker).
- (aa) Muslim League.
- (bb) Includes Maharashtrawadi Gomantak Party-19 ; United Goans-9.
- (cc) Hon. Speaker.
- (dd) Mizo Union.

Note : The figures are based on the information furnished by the respective State Legislature Secretariats.