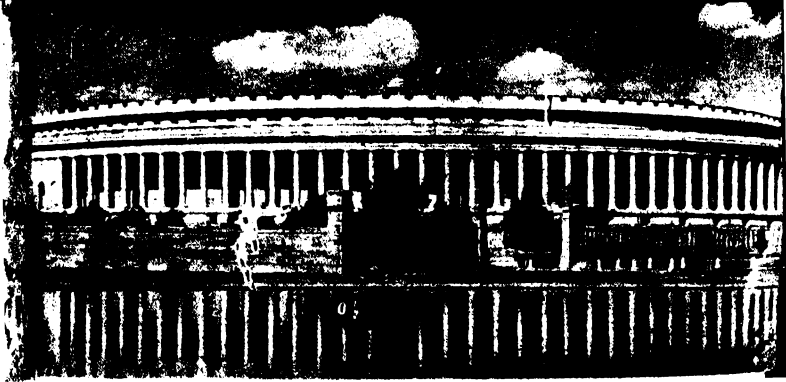


# The Journal Of Parliamentary Information

VOLUME XIX, No. 1  
JANUARY, 1972



## **THE JOURNAL OF PARLIAMENTARY INFORMATION**

Editor : *S. L. SHAKDHER*

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## Addresses and Speeches

### **PRESIDING OFFICERS' CONFERENCE**

**Address by Dr. G. S. Dhillon, Speaker, Lok Sabha\***

#### *50th Anniversary of the Conference*

It is my great privilege to extend to you a cordial welcome on this memorable occasion of the 50th Anniversary of the Conference of Presiding Officers at this beautiful city of Madras.

This is the second time that we are meeting in Madras. The first Conference was held here in 1956. I had the good fortune of participating in that Conference as the Speaker of the Punjab Vidhan Sabha. I am happy to be here once again at this Conference of ours.

#### *Tamil Nadu's Contribution to National Advancement*

To most of us, a visit to Tamil Nadu is an uplifting and reassuring experience. With its ancient culture and glorious past, Tamil Nadu to-day is one of our advanced States. The relationship between the DMK Government in Tamil Nadu and the Centre is a happy blending in democracy showing how different parties in power can work smoothly in the national interest and also how deep the democratic spirit and institutions have taken roots in our national life. While the great achievements of the people of Tamil Nadu in the realms of art, architecture, dance, music, literature and philosophy fill us with pride, being part of our common national heritage, the strides taken by this State since Independence in the economic sphere are also remarkable.

During the freedom movement, Tamil Nadu gave the country many eminent leaders whose struggles and sacrifices have enabled us to enjoy the blessings of liberty. It is our good fortune that some of those old stalwarts—the venerable Rajaji, the philosopher-statesman Dr. Radhakrishnan, the austere and tireless Shri Kamraj—are still serving the country and inspiring us by their noble and dedicated lives. Unfortunately the great and beloved leader of modern Tamil Nadu, Shri Annadurai, was snatched away from our midst by the cruel hands of death just when the country needed him most. A

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\*Edited version of the Address delivered at the Conference held at Madras on 1 October 5, 1972.

champion of the weak and down-trodden, an able organiser and administrator, Shri Annadurai was a great statesman gifted with vision and courage. Under his able leadership and inspiration, the State has made great progress. We are happy that in the present Chief Minister, Shri Karunanidhi, Tamil Nadu has an able administrator and sagacious leader. Our kind hosts Shri Chitrarasu, Chairman, Tamil Nadu Legislative Council and Shri Mathialagan, Speaker, Tamil Nadu Legislative Assembly, are well known for the part they have played in building up the modern Tamil Nadu.

#### *Evolution of the Conference*

I have always cherished these annual Conferences of ours and looked forward to them as a happy family re-union. The present one, being the 50th Anniversary of our Conference, is a particularly happy and memorable event. On this occasion, let me briefly recall the evolution of the conference and some of its notable achievements over the years.

The first Conference was held in September, 1921 soon after the Constitutional Reforms, embodied in the Government of India Act, 1919, came into force and a bicameral Legislature came into being at the Centre. The Conference met periodically thereafter, though not at regular intervals, but of late it has become an annual feature, so to say, a permanent institution.

The scope of the discussions at the Conference in the early years of its existence, when the constitutional set-up in the country had hardly any traces of democratic government, was necessarily conditioned by the limited powers of the Central and Provincial Legislatures under the Statute.

With the attainment of Independence and the establishment of a full-fledged parliamentary system under the present Constitution and the introduction of real responsible Government at the Centre as well as in the States, the discussions at the Presiding Officers' Conference acquired greater importance and real meaning. In recent years, the Conference has, besides discussing procedural matters, devoted much thought and attention to various important developments having a vital bearing on the future of democratic institutions in the country. Greater accent was given on the substance and spirit of democracy rather than on its mere form. For example, after the Fourth General Elections (1967), an unprincipled floor-crossing by legislators assumed a serious form, causing political instability in many States and even threatening to erode people's faith in parliamentary institutions.

the Conference has given much thought to the problem, and urged the need for evolving proper conventions and for other suitable measures to curb this tendency.

#### *A. Forum for the Presiding Officers*

Since its inception, the Conference has provided a forum for the Presiding Officers of the Legislatures all over the country to discuss matters relating to parliamentary practice and procedure and has thus gone a long way in establishing sound democratic conventions and uniform parliamentary procedure in India. The recommendations and decisions of the Conference, which are in the nature of agreed guidelines, carry great weight with the Presiding Officers and are acted upon by them according to the circumstances obtaining in their respective Houses. Besides, it has enabled the Presiding Officers to develop personal contact and coordinate their work in the different Legislatures. By holding these Conferences in different State Capitals, it has also promoted a sense of oneness and national unity.

#### *Elections to State Assemblies*

A notable development this year at home has been the general elections to the State Legislative Assemblies. As many as sixteen States and three Union territories, divided into 2757 Assembly Constituencies, went to the polls in March-April, 1972, to elect representatives to their Legislative Assemblies (Metropolitan Council in the case of Delhi). The total electorate involved in these elections was about 195 million. This year's elections mark the end of the period of weak and unstable Governments which began after the 1967 General Elections. We have now stable Governments at the Centre and in the States and Union territories, which, we hope, will greatly contribute to the achievement of the goal of removal of poverty and economic and social disparities. This will also sustain the confidence and enthusiasm of the masses in the working of democratic institutions in the country.

#### *Emergence of Bangla Desh*

Incidentally, I might also mention here about the emergence of Bangla Desh as a Sovereign Democratic Republic, which is an event of historical significance in the sub-continent and a vindication of basic human rights and fundamental freedoms. We are also happy

at the recent agreement concluded between India and Pakistan which is a right step towards the normalisation of relations with our neighbour.

#### DEVELOPMENTS IN PROCEDURE AND PRACTICE

I shall now proceed to apprise you of some important procedural and other developments at the Centre since we met last.

To begin with, as most of you would remember, disturbances by Members at the time of Address by the Head of the State to both Houses assembled together have engaged the attention of this Conference on many previous occasions. During the last two years, we, at the Centre, had also to give the problem serious attention following certain incidents at the time of the President's Address to both Houses of Parliament.

##### *Incidents during President's Address*

I may recall that in April, 1971, the Lok Sabha constituted an *ad hoc* Committee to examine the conduct of a Member who had interrupted the President's Address on the 23rd March, 1971. This year also, the solemnity of the occasion of the President's Address on the 13th March, 1972 was marred by interruptions and walk-out by certain Members. I referred this year's incident also to the same Committee.

The *Ad hoc* Committee, in their Report, presented to the Lok Sabha on the 14th April, 1971, not only deplored the incident but also formulated certain guidelines for the conduct of Members and the maintenance of order, dignity and decorum on the occasion of the President's Address to Parliament. The Committee also recommended that the Constitution should be suitably amended so as to expressly provide that the President (a) shall preside on the occasion of his Address to the Houses of Parliament under Article 86 or 87 of the Constitution, and (b) shall have power to make rules, after consultation with the Chairman, Rajya Sabha, and the Speaker, Lok Sabha, for the maintenance of order dignity and decorum on the occasion of his Address. The Committee further recommended that similar constitutional provisions might be made in respect of the Governor's Address to a State Legislature under Article 175 or 176 of the Constitution. The Lok Sabha has not yet considered the Committee's Report.



*Dharna by Members*

During the last Session of the Lok Sabha, it was also my painful duty to deal with what I should call a hunger strike-cum-dharna by an Honourable Member. The Member had written to me that since the Central Government and the State Government of Bihar had failed to take any effective steps regarding the drought situation and near-famine conditions in Bihar, he would go on a hunger strike for forty-eight hours in Parliament House. The Member was informed through a letter that it was not permissible for any one to resort to hunger strike or dharna or stage any demonstration in the precincts of the Parliament House and Parliament House Estate. After the House adjourned for the day, the Member continued to sit in the Lobby. Later, he left the Lobby and squatted just outside one of the gates of the main Parliament House building. At about 10.15 p.m. he was requested to leave the Parliament House Estate, and on his refusal, he had to be bodily removed outside the Parliament House Estate by the Watch & Ward Staff. Similar action was also taken on the following night.

*Improvements in Question Procedure*

During the period under review, some significant improvements were made with regard to the Question procedure in the Lok Sabha. With a view to giving more chances to Members to ask supplementaries, the maximum number of questions to be included in the List of Starred Questions has been reduced from 30 to 20 and the number of names of Members to be shown against each question from 3 to 2.

*Adequate Details of Demands for Grants to be furnished*

I may now mention some other developments of interest. One of these has a bearing on the proper presentation of Demands for Grants. During the last session of Lok Sabha, after the Supplementary Demands for Grants (General) for 1972-73 were presented to the House, a Member pointed out that necessary details of expenditure had not been given under the Supplementary Demand for Rs. 10.7 crores relating to 'Transitional Payments to Former Rulers'. The Government promised to furnish the requisite details at the time of consideration of the Rulers of Indian States (Abolition of Privileges) Bill. However, when the Government did not do so, my attention was drawn by some hon. Members to the lapse. Thereupon, when I moved the Government, the necessary detailed explanatory information in respect of the Supplementary Demand was supplied by the Minister and circulated to Members before the Supplementary Demands were taken up for discussion in the House.

*Legislative Business not to be furnished to Press before hand*

On the 3rd August, 1972, a Member raised a question in the House that while Lok Sabha was in session the Government had chosen to publicise in the Press that the Newspaper Companies Bill, which had been included in the Tentative List of Government Legislative Business for introduction during the Fifth Session would not be introduced in that session. Although the Minister concerned explained that this information was not based on any material furnished by Government to the Press, yet it was a fact that it would not be possible for the Government to introduce the Bill during the said session. I felt concerned at such publicity in the Press while the House was in session and asked the Government to bear in mind that in future they should send a list of only such Bills for the information of Members as were mature and ready.

*Quoting from Official Documents*

Earlier, in May this year, during the discussion on the Nagarwala case a point was raised that the Member making the speech was using the Home Ministry's file. The Member concerned denied that he was having the Home Ministry's file and stated that it was his own file. He also sought my ruling whether it was open to any Member to look into the papers of another Member and alleging their source, demand their circulation. I observed that if a Member quoted from a file, the other Members could ask him to lay that on the Table. But if he did not quote from that file, the validity of the document could not be questioned.

*Raising Matters without Prior Permission*

It has been my experience that Members often try to raise various matters in the House without getting prior permission of the Chair. This practice, if allowed, not only upsets the normal business of the House but encourages other Members also to raise all sorts of points. I have, therefore, made it a practice that whenever a Member speaks without my permission, his remarks are not recorded in the proceedings of the House.

*Privilege Issues*

Coming to privileges, I may at the outset recall that in September, 1956, this Conference had adopted the Report of the Committee of Speakers recommending that all State Legislative Assemblies and Councils might adopt a Resolution to the effect that when a question

of breach of privilege was raised in any Legislature in which a Member, Officer or servant of another Legislature was involved, the Presiding Officer should refer the case to the Presiding Officer of the Legislature to which that Member, Officer or servant belonged and the latter should deal with the matter in the same way as if it were a breach of privilege of that House. I am glad to inform you that the Legislative Assemblies of Assam, Haryana, Jammu and Kashmir, Kerala, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Uttar Pradesh and the Legislative Councils of Jammu and Kashmir, Maharashtra and Uttar Pradesh have since adopted the said Resolution. The Legislature of Goa, Daman and Diu have made the necessary provisions in their Rules of Procedure. I hope that the remaining State Legislatures will also follow suit.

Recently, in the Lok Sabha we had occasion to deal with another aspect of privilege. In August, 1972, the Deputy Speaker received a telegram purporting to have been sent by the General Secretary of a political party casting reflections on the Deputy Speaker for his conduct of proceedings in the House. A Member then sought to raise in Lok Sabha a question of privilege against the sender of the telegram for casting reflections on the Chair. During the proceedings, some Members took the position that the House should not take notice of such telegrams unless they were confirmed in writing or the authenticity of the telegram and its sender had been verified. The matter was closed with my ruling that whenever any matter was sought to be raised on the basis of a telegram, no action would be taken thereon unless the authenticity of the telegram and its sender were verified by the concerned Member.

#### *50th Anniversary of Public Accounts Committee*

Friends, while addressing the Conference last year I had referred to the proposed celebration of the 50th Anniversary of the Public Accounts Committee. I am glad to tell you that despite the outbreak of hostilities on December 3, 1971—the opening day of the Celebrations—the Golden Jubilee of the Committee, commemorating the completion of 50 years of its service to the nation, was celebrated with great enthusiasm. The President of India inaugurated the function in the Central Hall of Parliament in which, among others, Members of Parliament, Ex-Chairmen of the Public Accounts Committees, Chairman of State Public Accounts Committees, ex-Comptroller and Auditors General and the then Comptroller and Auditor General participated. The President also released a Commemoration Volume (Golden Jubilee Souvenir) covering the working and

achievements of the Public Accounts Committees at both the Centre and the States during the last 50 years and declared open an Exhibition which highlighted the activities of the Committee.

#### *Conference of Chairman of PACs*

The inaugural function was followed by the Fourth Conference of the Chairmen, Public Accounts Committees of Parliament and State Legislatures. The Conference held its deliberations on 4th and 5th December, 1971 and discussed many points of common interest.

#### *The Souvenir*

Before I conclude, I must express my deep gratitude to our esteemed President, the Vice-President, the Prime Minister, the former Speakers of Lok Sabha, the Presiding Officers of Foreign Parliaments, the Governors and the Chief Ministers of States, who have so kindly responded to my request and sent their messages on the occasion of the 50th Anniversary of the Conference. These messages have been included in the Souvenir brought out by the Lok Sabha Secretariat. I would also like to express my thanks to our hosts and the Tamil Nadu Government for the excellent arrangements made for the Conference and for our stay here. Madras and its environs have much to offer a visitor—the wonderful beach, old and graceful monuments and temples, and thriving cultural centres, including the internationally famed Kala-Kshetra of Shrimati Rukmani Arundale. I have no doubt that all of us would find our sojourn here rewarding and carry back enduring memories of the place and our meeting here.

**Desh to Members of Parliament**



*From left to right on the date are: Shrimati Indira Gandhi, Prime Minister of India; Shri G. S. Pathak, Vice-President of India; Dr. G. S. Dhillon, Speaker of Lok Sabha; His Excellency Mr. Justice Abu Sayeed Chowdhury, President of the*

**ADDRESS BY HIS EXCELLENCY MR. JUSTICE ABU SAYEED  
CHOWDHURY, PRESIDENT OF THE PEOPLE'S REPUBLIC OF  
BANGLA DESH TO MEMBERS' OF PARLIAMENT  
OF INDIA**

*[On November 29, 1972, Justice Abu Sayeed Chowdhury, President of Bangla Desh addressed the Members of Parliament in the Central Hall, We reproduce below his Address as well as the Welcome Speech by Shri G. S. Pathak, Vice-President of India and the Thanksgiving speech by Dr. G. S. Dhillon, Speaker of Lok Sabha.*

*Editor]*

**Welcome Speech by Shri G. S. Pathak, Vice-President of India and  
Chairman, Rajya Sabha\***

Your Excellency, Madam Prime Minister, Mr. Speaker and Members of Parliament,

It is indeed a privilege and an honour to welcome your Excellency here today, on behalf of the Members of the Indian Parliament and on my own behalf, and to say how greatly we value your visit to our country.

*Emergence of Bangla Desh as an Independent Nation*

The emergence of Bangla Desh as a free and independent nation was the most important and significant event in recent history. It symbolised the triumph of the spirit of freedom over the forces of blind tyranny and out-dated colonialism. It reflected the will and determination of the people of Bangla Desh which no armed might could suppress. The heroism and spirit of sacrifice which animated your people during the nine long months of unprecedented struggle against political and military oppression, have rightly earned universal admiration. The trials and tribulations through which your people passed and the tremendous sacrifices made by them, heralded the dawn of a new birth and a new life—the emergence of Bangla Desh as an independent nation. The orderly return and resettlement of the refugees after the war amazed

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\*English translation of the Address delivered in Hindi.

the world. It was an evidence of the closest cooperation and understanding ever seen between a government and its people. The rapid recognition of Bangla Desh so far by more than ninety countries is a great tribute to the order and national solidarity achieved by your government so soon after the crisis. It is a matter for deep gratification that your country has secured for itself a rightful place in the comity of Nations. Its membership of the U.N.O. cannot be long delayed.

#### *A Tower of Strength to People of Bangla Desh*

It is with feelings of profound admiration that we recall, on this memorable occasion, the spirit of fervent patriotism and national service which prompted you, Mr. President, to plunge into the struggle for liberation of Bangla Desh early in the year 1971. As your country's accredited representative abroad you kept the flag of Bangla Desh flying high, and instilled courage and confidence into the hearts of the millions who were involved in the national struggle for freedom. The wide-spread sympathy and support for the people's struggle against political tyranny and military oppression in Bangla Desh was a glowing tribute to your able and inspired advocacy of a cause which was indeed a sacred mission for you. You were a tower of strength to the people of Bangla Desh during the darkest hours of their struggle for freedom and independence. Your choice as the President of the People's Republic of Bangla Desh was but an acknowledgment of your dedicated and inestimable services to your Nation, as well as of your great eminence in the legal, educational and other spheres. It is therefore, not only our fervent hope but also our firm conviction that, an era of rapid reconstruction, progress and growing prosperity lies before Bangla Desh under the wise guidance and leadership of yourself and that great Patriot and Statesman, the Prime Minister of Bangla Desh, Bangabandhu Sheikh Mujibur Rahman.

#### *Framing of New Democratic Constitution for Bangla Desh*

The framing of a democratic Constitution by your Constituent Assembly early this month is a significant landmark in the history of Bangla Desh. The efficiency and speed with which this body completed its task is worthy of the highest praise. Your country has achieved political stability within a remarkable short time. The forthcoming General Elections in March next will take your people a long step forward towards the establishment of a Parliamentary Democracy which is envisioned in your Constitution. The principles of State

Policy which you have adopted, namely, democracy, socialism, secularism and the establishment of an egalitarian society in which there would be no discrimination on the basis of race, religion, or creed, are identical with our own. Both Bangla Desh and India are dedicated to the policy of non-alignment and peaceful co-existence. Our two countries desire peace in the sub-continent, and indeed peace in the whole world. Our values, our way of life and our objectives are fundamentally the same. It is but natural that our common cultural background and our common goals should create between the people of our two countries, feelings of mutual friendship and deep concern for each other's welfare. This was amply demonstrated during the crisis in Bangla Desh when every step taken by the Government of India to help your people in their historic struggle, found unanimous support in our Parliament. And this is also evidenced by the development of economic ties between our two countries. It is our hope that the bonds of understanding and friendship binding our two countries will grow stronger and that the mutual cooperation between us will extend over many fields as the years pass.

In conclusion, once again I welcome Your Excellency and convey to you our greetings and good wishes. We wish your government and your people all prosperity and happiness. We are most grateful to you, Mr. President, for agreeing to address us, and are now waiting to listen to your words with eager anticipation.

**Address by Mr. Justice Abu Sayeed Chowdhury,  
President of Bangla Desh**

Mr Chairman, Mr Speaker, Madam Prime Minister and hon. Members:

I am an emotional man and have been deeply moved by the very kind and generous words of the hon. Chairman and I do not know how to put in words, my sense of gratitude for the very generous reference that he has made to my people and to me personally.

*A Battle for Existence*

My people have fought a great battle for their existence. But, you stood by them. You gave a lead to the world. On the 15th of August 1947, Pandit Jawaharlal Nehru said "India wakes up when the world sleeps". and India did wake up to support the cause of an oppressed nation.



About the kind reference that you have made, Mr Chairman, about me, I would again recall the words of Panditji and say that we are very little persons and humble men, but the events are great. If we have been able to make any contribution, it is because of the greatness of the event itself. It was indeed a battle of truth against untruth, justice against injustice. And these 75 million people of Bangla Desh at the call of the conscience stood and protested and resisted the Army Junta of Yahya Khan. But you, the hon'ble Members of this House and the people of India, stood by the great traditions formulated and laid down by the great men of India and its supporters in this House. These words were spoken by them who inspired this great nation for freedom for democracy. You remembered those words and spontaneously rose to help a neighbouring country and a marching nation. I should consider that this is probably the greatest event in the sub-continent and an example for the world. You had laid a tradition by supporting the people of Bangla Desh. Mr. Chairman, I really do not know how to express my personal gratitude for the honour that you have done to me.

#### *Stand taken by the Indian Parliament*

It is indeed a great honour to me and to my country and I want you to know that we shall always remember what you have done for us. We are a grateful nation and we shall not forget your great deeds. On this auspicious occasion I recall with gratitude the bold and statesman-like stand taken by this august House at the beginning of our liberation war. Here in this historic hall you first raised your powerful voice in protest against the barbaric attack on the unarmed and helpless people of Bangla Desh and in favour of freedom, human dignity and democratic values. Later on, here again India announced recognition of the Government of Bangladesh. Here, in this House, you made persistent demand for the release of Banga Bandhu Sheikh Mujibur Rehman.

#### *Leadership of the Prime Minister*

The people of Bangla Desh will always gratefully remember the fortitude, vision and wisdom shown by your great Prime Minister Smt. Indira Gandhi and her colleagues. Under her wise leadership and with your unstinting support, India stood like a rock in keeping up her ideology and, in the face of tremendous odds, that day you raised your voice of protest against autocracy, colonialism and barbarism and in favour of democracy, freedom and human values. When

the people of Bangla Desh were locked in a struggle for their very existence, there was the heartening message of help and support from you. You stood by us because truth and justice were on our side and you gave a lead to the moral and spiritual forces of the world. Your bold action marked the beginning of a golden era in the friendship between the peoples of India and Bangla Desh.

*Shelter to the uprooted Countrymen*

I also recall with profound admiration the time when ten millions of my helpless, uprooted, death driven countrymen crossed into and took refuge in Indian territory and the Government and the people of India, especially the Governments and the people of West Bengal, Assam, Megalaya and Tripura provided food, clothing, shelter and security to my ill-fated countrymen in open-hearted generosity and human compassion. Such nobled hospitality has few parallels in history. In this, the Government and the people of India took grave risks and made endless sacrifices. You did all this to uphold democracy and freedom in a neighbouring country. Our people were subjected to a barbaric and inhuman attack. Your noble gesture inspired the people of Bangladesh and they found in you a true friend in their hour of need. It was a role befitting India's glorious past and ancient civilisation and it was a re-assertion of past sacred principles and ideals for the tradition by which India can really feel proud. That the land of Mahatma Gandhi, Rabindra Nath Tagore and Jawaharial Nehru did not fail them was really heartening for the people of Bangladesh. In our joint struggle for human ideals against injustice, India and Bangladesh emerged victorious in the inexorable tradition of history. I am confident that the growing ties of friendship between our two countries which were sanctified in the war blood of the heroic soldiers of both will remain unbroken and untarnished for ever.

*New Problems*

The fountain of love and sacrifice of the Indian people for Bangla Desh did not dry up with the attainment of independence by Bangla Desh. We were then confronted with difficult problems in every sphere of life. The occupaion forces of Pakistan had destroyed the infrastructure of the national economy. Consequently, the shortage of food and essential commodities became accentuated with the disruption of transportation and administrative machinery.

*India's Generous Help*

We have been receiving un-hestitant and generous help of the Government and the people of India in solving these vast problems.

Thus, a new vista of understanding and cooperation between Bangladesh and India was opened after the liberation war. The Joint Declaration and signing of the Treaty of Friendship and Cooperation by your Prime Minister, Shrimati Indira Gandhi, and our Prime Minister, Banga Bandhu Sheikh Mujibur Rahman, at Dacca in March last constitutes a bold step on the way to this new horizon.

#### *An Independent Country*

Today, as you have rightly mentioned, Mr. Chairman, Bangla Desh has taken her place in the comity of nations as an independent sovereign State. Her stability and friendly ties with the majority of the countries of the world will dispel the illusions of unfriendly quarters about our future as a nation. This wishful thinking has been belied by the achievement of stability by Bangladesh through rehabilitation and revitalisation to a large measure of our war torn economy and administrative machinery. By her own efforts and with assistance from a good number of genuinely friendly countries she now looks forward to a bright future of complete rehabilitation and overall development. It is no mean achievement.

#### *The New Constitution*

As you yourself mentioned Mr. Chairman, the Bangla Desh Constituent Assembly has given the nation the much desired constitution within less than one year. This Constitution will come into force on the 16th of December, 1972, the first anniversary day of the surrender of Pakistani forces in Dacca. It is for the first time in our national history that the people of the country have been able to give unto themselves a Constitution which has provided the frame of fulfilment of the national aspirations. The Constitution has enshrined the basic principles on which the People's Republic of Bangla Desh is founded. The cultural, traditional, linguistic unity and solidarity on the strength of which the people of Bangladesh achieved independence and sovereignty through a relentless struggle shall be the basis of Bengali nationalism. It thus embodies the hopes and aspirations of the people and their profound attachment to their history and culture. One of the sources of inspiration in our national struggle for liberation was our sense of values for social justice. There is a tremendous awareness among the people at all levels for a better and fuller life. We have seen with bitter experience how exploitation of man by man erodes the very foundation of a society. Our Constitution has, therefore, having set the objective, provided for the methodology of conducting the economy in order to ensure social justice.

*Democracy—The National Tradition*

With the objective of establishing a society free from exploitation before us, we have already started taking revolutionary steps towards that end which symbolises our respect and faithfulness towards the Constitution. Today's Bangla Desh is the fruitful culmination of a long-drawn dramatic struggle of the people who are against autocratic tyranny. That is why democracy has become our national tradition and it has acquired a very strong voice.

When I met your great Prime Minister in England last year, she told me that her only interest in Bangla Desh was to see that the people get a democratic outlook and I hope she is happy today to find that the chosen representative of Bangla Desh have made democracy the very foundation of our nation. Our Constitution consequently incorporates a Charter for ensuring democratic rights being provided for in unequivocal words for every man, irrespective of caste, creed or colour, his equality in the eye of law, society and State. It also contains fundamental provisions for the conduct of affairs of this State on the basis of these rights. We have embarked upon a noble endeavour for the realisation of socialism through democracy, two of our important pillars of State policy. We have taken bold steps on the way to the establishment of a society free from exploitation and based on economic justice and equality—this again through the framework of a democratic State. We have firm faith and confidence in the success of this policy and programme which is perfectly in tune with the genius and aspirations of the nation. The people of Bangladesh are determined not to let their national unity be weakened by the evil of communism. Religious tolerance and forbearance for the views of others constitute the foundation of our democratic way of life. That is why we have declared secularism as one of the basic principles of State. Our Constitution is therefore a safeguard against all kinds of communalism. The State shall neither confer any political status on any religion nor shall it permit the abuse of any religion for political purposes. Discrimination against or prosecution of persons professing a particular religion has been prohibited in our Constitution. We have also repeatedly declared that secularism does not mean negation of religion. The Constitution therefore ensures the right of freely practising their religion on the part of the followers of all religions. It also contains safeguards against interference with or obstruction in the exercise of this right. Our commitment to and faith in nationalism, socialism, democracy and secularism is total and without reservation. These fundamental principles have therefore been declared as the fountain of national policy in our Constitution. These are the funda-

mental objectives to your great country as well. This harmony in our outlook will no doubt bring us closer in developing fruitful cooperation in our relations.

#### *Basic Guidelines for International Relationship*

As you are aware, Bangladesh has steadfastly been pursuing a policy of non-alignment in her external relations. We have goodwill for all, ill-will for none. We want friendship with all the countries of the world and we have extended our hand of amity to all those who will take it. We firmly believe that sovereignty and equality of nations, respect for each others' territorial integrity and noninterference in each others' internal affairs, should constitute the basic guideline for inter-State relations. This is also the policy of the Government of India. Indeed the pioneering role of India under the late Jawaharlal Nehru in promoting the policy of non-alignment has inspired others to adopt this policy which has made significant contribution in promoting world peace. It is therefore, evident that there is a significant community in our approach and outlook in both national and international affairs. Like India, Bangladesh is committed to the objective of peace, peace and tranquility throughout the world. We sincerely want peace at home as well. We want peace in the sub-continent and after a quarter of a century of turmoil, dissension and conflicts, we must finally turn away from the path of confrontation and begin an era of cooperation. After decades of cold war and conflicts in various parts of the world the people everywhere yearn for peace. Vast masses of humanity are groaning under the crushing burdens of poverty, disease and hunger. To free them from these curses, undisturbed peace is essential. We have noted the moves made in recent past to build bridges to open channels of communication and to re-establish links snapped during the cold war. We welcome these developments because the Government and the people of Bangladesh genuinely believe that it is from such initiatives that a new era can begin when man shall not confront man in enmity, nations will not engage each other in armed conflict, but there will be cooperation and friendship for the common good. I feel, small and developing countries have in this task a major role to play. Bangladesh in full cooperation with the countries of Asia, Africa and elsewhere who are striving for promoting peace, is determined to play its role for the realisation of this noble objective.

#### *Negotiations with Pakistan with Equal Status*

In the interest of promoting durable peace in the sub-continent Bangladesh is prepared to normalise relations with Pakistan also. This

has been asserted by our Government in no uncertain terms. We firmly believe in settling all the differences through peaceful negotiations. But how can we sit round the table with anything less than equal status? We sincerely hope that Pakistan will also realise the need for peace and amity which are pre-conditions in the welfare of the peoples of the sub-continent. With this objective in view they should recognise the sovereignty of Bangladesh and thus create favourable conditions for negotiations on the basis of our sovereign equality and national dignity. Bangladesh to-day is a sovereign State with independent territory, people and established Government.

*Membership of the United Nations.*

Having established friendly relations with 95' countries of the world and having been conferred membership of the majority of the important international organisations in such a short time, she has taken her place in the comity of nations. That is a reality. In international affairs, her professed and effective basic State policies are peace, mutual co-operation, non-alignment and peaceful settlement of all disputes through negotiations. In internal matters, she is pursuing certain basic world-acclaimed policies through stable political institutions. Her desire for membership of the United Nations is with a view to making her own contribution to world peace. We are committed to this and as such we have every right to become a member of the United Nations. Those who want to keep us out are obstructing the cause of peace by depriving the United Nations of our contribution to world peace. We hope they will realise the reality and, taking our hand of friendship, extend it to all nations who work for peace in the world organisation.

*Recognition by Pakistan*

We hope Pakistan will also see the reality of Bangladesh and demonstrate the wisdom and political vision of recognising it. Only then it will be possible to channelise the limited resources of the country, of the sub-continent, for the benefit of our hungry and poverty-stricken peoples instead of wasting the same on armaments and thus create favourable conditions for peace. In this respect, I submit to you, hon. Members, that our desire for membership in the United Nations is, I reiterate, with a view to promote world peace. We have an established Government, we have a territory according to the Charter of the United Nations and we have every right to be its Member. To link it up with unrealistic, unreasonable and irrelevant issues is to thwart a legitimate claim of a nation.

*Prisoners of War Issue not to be Linked with Recognition.*

Our desire to be a Member of the World Body cannot be linked up with the question of the Prisoners of War who surrendered at Dacca on the 16th December before the Joint Command, that question will be decided by tripartite negotiations if Pakistan is willing to negotiate with us after recognition. There is absolutely no logic or reason or no justification whatsoever to link up one question with the other and to cloud the issue. Our right for membership of the United Nations is based on truth and justice and each shall prevail. Nobody can stop it. Our desire for peace is not mere pleasant utterances.

*The Simla Agreement*

You are aware. Ladies and Gentlemen, we welcome the Simla Accord. We felt heartened in this turn of events for the better in the sub-continent, for we had hoped that this would mark the beginning of a bright new chapter in the history of the sub-continent. Again, we have noted with disappointment and concern that delays and difficulties are obstructing the process of implementation of Simla Agreement, a noble and great sense of direction given to peace in the sub-continent mainly by the efforts of your Prime Minister.

However, we still believe that the forces of peace will re-assert themselves and the beginning that was made in Simla, would eventually lead to durable peace in the sub-continent. Lasting peace in the sub-continent cannot be established unless we develop objective conditions in which we ourselves will be able to shape our destinies.

*Prevention of Tension and Conflict in the Sub-Continent*

We all must work together to prevent injection of global power politics in our area. We have seen, how, in the past, the internal forces which seek peace, stability and development have been thwarted and frustrated by the operation of extraneous forces. This resulted not only in the creation of tension and conflict but in the retardation of the process of fulfilment of the just and legitimate aspirations of our people for development and social change.

The great powers today are trying to settle the apparently insoluble problems in their mutual relations. They should lay to the smaller and developing countries to settle their own disputes peacefully and without external interference and if necessary help this process not for extending their representative sphere of influence but in sincere efforts for establishing peace. Only then in the attainment of the objec-

tives of peace and prosperity by humanity be possible and expedited. Although this may hamper the unrealistic selfish and temporary gains of their people but in the ultimate result they shall also share the collective benefits resulting from the heavy consequences of world peace.

*The Vital Question of Bengalis Interned in Pakistan*

In the final, ladies, and gentlemen, I consider it my sacred duty to draw your attention and that of the world to the vital question of half a million of my countrymen who remain interned in Pakistan and are subjected to untold harassment in dignity and privations. They have committed no offence in the eye of international law against humanity. Many of them served the Government of Pakistan and others while earning their livelihood in lawful occupation. On no grounds can they be equated to war criminals or with prisoners of war. To subject them to persecution and to hold them as hostages for political bargaining tantamounts to trampling the Charter of Human Rights. The universal declaration of human rights clearly proclaims the right of every person to leave the country and return to his own country. It is declared in sub-Article 12 of Article 13 of the Universal Declaration of Human Rights. But this has no validity in Pakistan. They have no regard for human rights. It is time for the world to wake up on this issue and without delay. But their lot seems to be worse than that of the prisoners of war, about whom it seems Pakistan is trying to cloud the issue. But the world community, while showing so much concern about the question of prisoners of war appears to be oblivious of this half a million prisoners of persecution in Pakistan who unlike the prisoners of war, have neither security nor sustenance.

They have every right, as I told you, ladies and gentlemen, to return to Bangla Desh, their homeland. If the world community fails to make an all-out effort towards persuading Pakistan to agree to their repatriation, their fate may add yet another tragic chapter to the sorrow-laden history of my country which has suffered so much at the hands of both man and nature since November 1970.

*Friendship between the Two Countries*

Mr. Chairman, I sincerely thank you again for the honour you have done me today. Through the 75 million people of Bangla Desh I bring to you and through you to the people of India, hearty greetings, sincere love and good wishes. I am confident that this friendship between the



two countries which is based on equality and respect for each other's sovereignty will be sanctified and would be everlasting.

My heart glows in warm tribute to these valiant martyrs. I firmly believe that the growing co-operation between our two countries will ensure all-round well-being of our people and enduring peace in our areas.

#### *Repatriation of Bengalis in Pakistan*

Before I resume my seat, hon. Members, as I know you are very anxious, you are for human dignity and for human liberty, I would like to reiterate and appeal to you to do everything possible for the repatriation of the Bengalis who are stranded in Pakistan. On our part I assure you, that non-Bengalis who are in Bangladesh and who do not owe allegiance to Bangladesh will be allowed to return to any country they want to, provided they have not committed any crime. Only criminals will not be allowed to go without trial. Others will be allowed to go. Ours is a free country; we do not follow the example of Pakistan.

#### *Generous Hospitality*

I thank you, hon. Members; I have taxed your patience too long but you do not know how happy I have been to be in your midst. I have no words to adequately express my sense of indebtedness and my feelings of gratitude with which I came to your great country. Since my arrival yesterday, the members of my entourage and I have been treated with great warmth, hospitality, kindness and courtesy. we shall not forget your generous hospitality.

#### *The Asian Fair*

I had been to your Asian Fair this morning. There, I had the opportunity of sensing great India building up. I have been to different pavilions and I have seen your villagers the quiet and tranquil atmosphere in which they live. I have seen your industries progressing; I have seen your machines; I have seen the industrial progress together with the call for peace, for spiritualism. I have also heard the great voices of your great men in the pavilion and I wish you all success. You have indeed a very great and glorious past and my sincere prayer today on behalf of your friends in Bangladesh, on behalf of the 75 million people of Bangladesh is that your future must be brighten still. We shall go forward as friends in the world and work together for peace, for world peace on the basis of equality and sovereignty.

*Indo-Bangladesh Friendship.*

I say it again that our friendship is based on equality and sovereignty, and therefore, no power on earth can subvert our friendship. Long Live Indo-Bangladesh friendship.

As I go back to my country, I do so with a message of goodwill from your President and your Prime Minister and the people of India, and in meeting you today, here, the chosen representatives of India, I have met the great people of India and I offer my gratitude and indebtedness on behalf of the seventy-five million people of Bangladesh for whom you stood like a rock during the grime struggle of our war of independence.

Thank you again and again.

**Speech by Dr. G. S. Dhillon, Speaker, Lok Sabha\***

Your Excellency The President of Bangla Desh, Mr. Chairman Madam Prime Minister, and Members of Parliament.

I deem it to be my proud privilege to propose on behalf of this august assembly and on my own behalf a hearty vote of thanks to Your Excellency for the address which you have been pleased to deliver this evening. I would also like to thank you for the friendly and warm feelings for our country and our people, which I heartily reciprocate.

*Friendship between the two Countries not Mere Sentiment*

Your Excellency, need I emphasize that the friendship and fraternal solidarity that exists between India and Bangla Desh is not the result of mere sentiment or euphoria. It is indeed the outcome of an identity of long-felt mutual interests and the common ideals of secularism, socialism and democracy. This friendship and fraternity, which was forged in travail between our two peoples during the last year and a-half, is based on solid and unbreakable foundations.

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\*English translation of the speech delivered in Urdu.

Your Excellency, I share your confidence that the growing ties of friendship between our two countries which were bathed in the heroic blood of the valiant soldiers while waging a joint struggle for the survival of human ideals against injustice will remain eternal, indestructible and irreversible. Our two countries fought shoulder to shoulder for our independence and the human values. In fact, it is the historical links and the linguistic affinity of both our countries that have brought us so close to each other in our common quest for a society based on the cherished principles of secularism, democracy and socialism.

#### *India's Moral and Human Obligations*

Your Excellency has referred to the burden undertaken by India in looking after the millions of refugees that came over to this land following the unprecedented barbarity let loose in your country last year and the material assistance rendered by us in reconstructing the war-torn economy of Bangla Desh. May I observe that whatever little our Government and our people were able to do despite our own limitations, was done out of sheer moral and human obligations. It speaks of the love and affection that the people of India and Bangla Desh have for each other as also the common goal of peace and brotherhood between the two countries. Apart from this, what prompted us more to identify ourselves with your cause, as you have rightly observed, were the ideals of peace, truth and friendship bequeathed to us by our great leaders like Mahatma Gandhi, Gurudev Rabindranath Tagore and Jawaharlal Nehru who taught us to stand up against injustice, falsehood, oppression and violence.

#### *A Fitting Choice of the People*

Your Excellency, you are no stranger to us. Your erudition, as also your eminence as a jurist, despite your relatively young age, is not unknown to us. The magnificent role that you played as a successful spokesman and campaigner for the cause of Bangla Desh abroad during the turbulent days preceding the liberation, has been widely acclaimed. It was, therefore, in the fitness of things that your long record of distinguished service to your country endeared you to your countrymen who rightly chose you to occupy the highest office in the new Republic.

*Ushering in of Parliamentary Democracy*

Your Excellency, I take this great opportunity to congratulate Bangla Desh for finalising a written constitution within less than a year after it emerged free. It is, I agree with you, a remarkable achievement. The very fact that your country is now preparing for the general elections to be held in March next year on the basis of the universal adult franchise, shows how serious and keen your leaders are in ushering parliamentary democracy and a multi-party polity.

*Fundamentals of the New Constitution*

The fundamental principles of the new constitution of Bangla Desh are the lofty ideals of nationalism, democracy, equality, socialism and secularism which will inspire the valiant people of that country to dedicate themselves to the task of reconstruction. It is heartening to learn from you that your country has already started taking steps towards achieving the objective of establishing a society free from exploitation, a step which symbolises your respect and faithfulness towards your Constitution. I have no doubt that under the great and dynamic leadership of Bangabandhu Sheikh Mujibur Rahman, Bangla Desh will soon become a great nation, proud of her freedom, social and economic justice and tolerance. This would indeed be a fitting monument to the memory of all those valiant freedom fighters who lost their lives in the great liberation struggle.

*Closer Cooperation between the two Countries*

The understanding that has been reached between India and Bangla Desh have paved the way for greater co-operation between us not only for our own benefit but for the benefit of the world at large. This historic Indo-Bangla Desh Treaty of Friendship, Co-operation and Peace signed in Dacca in March this year at the time of our Prime Minister's memorable visit to Bangla Desh was an important and unique step forward in the consolidation of close relations between our two countries and for the stabilization of peace in this sub-continent. Your Excellency, we share your genuine desire that this sub-continent must, after a quarter of a century of turmoil, dissension and conflicts, finally turn away from the path of confrontation and

begin an era of peaceful co-existence. As you are well aware, our country has already taken positive steps in that direction.

May I assure you, Your Excellency, that your present visit to this country has further cemented and reinforced the relations and goodwill existing between our peoples. I thank you once again and pray for the success of Bangla Desh towards peace, progress and prosperity.

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## Articles

### **FIFTY YEARS OF THE PRESIDING OFFICERS' CONFERENCE\***

**DR. G. S. DHILON\*\***  
*Speaker, Lok Sabha*

This year, we are meeting at Madras on a historic occasion celebrating the 50th year of the Presiding Officers' Conference. On this happy and memorable occasion it would be fitting to recall the origin and evolution of the Conference and some of its significant achievements over the years.

The institution of the Conference of the Presiding Officers of Legislative Bodies in India is as old as the Central Legislative Assembly. The first Conference was held in Delhi in September 1921—the same year in which the first bicameral legislature, constituted under the Government of India Act, 1919, came into being at the Centre. The Conference met frequently thereafter, though not at regular intervals, but it has of late become an annual feature, a permanent institution, as it were. As many as thirty-seven Conferences have been held so far, the last being held at Bhopal on October 27 and 28, 1971. The Conference, attended by the Presiding Officers of Parliament and State and Union Territory Legislatures, provides the participants a valuable forum for exchanging ideas and experiences and for thoroughly analysing procedural problems.

#### *Historical Review*

The idea of holding the Conferences of Presiding authorities of all Legislatures in India was originated by Lord Montague, the then Secretary of State for India, who along with the then Viceroy, Lord Chelmsford, formulated the scheme of constitutional reforms on which the Government of India Act, 1919, was based. The Joint Select

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\*Reproduced from the *50th Anniversary Souvenir of the Conference of Presiding Officers of Legislative Bodies in India*, published by the Lok Sabha Secretariat, October, 1972.

\*\*Dr. G. S. Dhillon was Chairman of the Conference of Presiding Officers held at Madras in October, 1972.

Committee of British Parliament on the Reforms Bill of 1919, in recommending the appointment of the first President (as the Speaker was known then) of the Central Legislative Assembly observed :

"He should be guide and adviser of the Presidents of the Provincial Councils, and he should be chosen with a view to the influence which it is hoped he would have on the whole history of parliamentary procedure in India".

To attain the desired objective, the first President of the Central Legislative Assembly, Sir Frederick Whyte, formerly a Member of the British House of Commons, convened the first Conference of the President of the Central Legislative Assembly and the Presidents and Deputy Presidents of the Legislative Councils in the Provinces on September 14 and 16, 1921. President Whyte, who was nominated\* to the high office for his ability and deep knowledge of parliamentary procedure, did much to establish sound democratic conventions in India.

Shri Vithalbhai J. Patel, who succeeded Sir Frederick Whyte in 1925, and was the first elected President of the Central Legislative Assembly, gave a great impetus to the Presiding Officers' Conference. During his five-year term, the Conference met four times. President Patel not only maintained the conventions laid down by his predecessor, he also strove hard to enhance the authority of the House and to assert and consolidate the independence of the Chair. Soon after he assumed charge of his office, he took up the question of the separation of the office of the Assembly from the Legislative Department of the Government of India. Finding the Government unresponsive, to mobilise opinion in favour of his demand, President Patel raised the issue at the Presiding Officers' Conference held in January 1926. The Conference, it may be recalled, fully endorsed President Patel's view and adopted a resolution recommending the creation of a separate office for the Legislative Assembly, independent and unconnected with the Government. Thereafter, as the demand gained momentum, Government were obliged to reconsider the position, and in January 1929 the substance of the demand was conceded with the formation of a separate Legislative Department with the President of the Assembly as its *de facto* head.

The 1926 Conference was also memorable for being the first Conference of elected Presidents. In the words of President Patel,

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\*Under the statutory provisions, the President of the Legislative Assembly was to be elected by the House except for the first four years when he was to be nominated and appointed by the Governor-General. This was in pursuance of the recommendation of the Joint Select Committee on the Government of India Bill, 1919. .

with elected presiding officers taking the place of nominated ones, a "new stage" had been reached "in the evolution of these Conferences". Dwelling on this theme in his inaugural address to the Conference, he emphasized that as elected Presidents they had to endeavour to meet "the wants and desires" of their fellow-members "as much as possible" and so they had "to explore the possibilities of construing the existing status, rules and orders in as generous a manner as is consistent with their object without doing violence to the well-established traditions of parliamentary life."

It is true that the scope of the discussions at the Conference in the early years of its existence was necessarily conditioned by the limited powers of the Central and Provincial Legislatures under the Government of India Act, 1919. The application of the parliamentary form of procedure to the Legislature to which the Executive was not responsible was rather incongruous. Nevertheless, the range of matters considered at the Presiding Officers' Conferences was fairly large and varied, and the deliberations at the Conference were of immense value in building sound conventions and practices and thus moulding the development of parliamentary procedure in India on the right lines.

With the introduction of Provincial Autonomy in 1937, the Provincial Legislatures came to have in a wider measure than before the powers and functions associated with democratic legislatures under a system of responsible government. However, the constitutional set-up at the Centre, which had as yet no element of responsibility, remained unchanged until the Indian Independence Act, 1947. It was only with the advent of Independence and more particularly with the coming into force of the new republican Constitution that a full-fledged parliamentary system was established in India and the Central as well as the State Legislatures became truly democratic. Under the new Constitution, Parliament and the State Legislatures were vested with full powers over the subjects assigned to them and the Governments at the Centre and in the States were expressly made responsible to the respective Legislatures. It was a transition from form to substance.

With the introduction of real responsible Government in the country, the discussions at the Presiding Officers' Conference also acquired a different and real meaning. The late Shri G. V. Mavalankar who was elected Speaker of the Central Legislative Assembly in 1946 and who later became the first Speaker of the Lok Sabha, did much to maintain and indeed enhance the dignity and sovereignty of Parliament and the State Legislatures and to strengthen the working of the Presiding Officers' Conference.



The Conference was not convened at regular intervals up to 1946. But, Mr. Speaker Mavalankar, appreciating its great value, decided to convene it annually. All the Presiding Officers have since met every year, except on a few occasions. Mr. Speaker Mavalankar was also responsible for starting the practice of holding the annual Conferences at different centres in the country. From its inception to the year 1950, the venue of the Conference was either Delhi or Simla. In 1950, Mr. Speaker Mavalankar suggested that the purpose of the Conference would be better served if it could be held at different places in the various States instead of meeting always at one place. He was of the opinion that in this way the Presiding Officers would not only benefit by personal touch with different parts of the country but would also help foster a sense of national unity. His suggestion was readily accepted by the Presiding Officers of the State Legislatures and, accordingly, from 1951 onwards the Conference has been held at different centres by rotation.

#### *Aims and Objects*

The object of the Conference, as stated in the Resolution adopted at the Third Conference, held at Delhi in December 1923, was "to secure the appropriate coordination of parliamentary procedure throughout India". In practice, however, even in the earlier years of its existence, when the constitutional set-up in the country had hardly any traces of democratic government, the Conference did not always regard its scope as confined to strictly procedural matters. Thus, it was that in the Twenties itself the Conference had concerned itself with matters of deeper import, like the provision of separate and independent staff for the Presiding Officers; desirability of securing a convention for the Presidents being returned unopposed from any constituency; or the question of the President of a Provincial Council being consulted by the Governor before the House was summoned or prorogued, etc. With full-blooded parliamentary democracy at work in the country, as ordained in the new Constitution, in recent years the Conference has, besides discussing procedural matters devoted considerable attention to various important developments having a vital bearing on the future of democratic institutions in the country—on the substance and spirit of democracy rather than on its mere form. The vogue was set by Mr. Speaker Ayyangar. Addressing the Conference held at Darjeeling in October 1958, he observed :

I have always felt that at our annual Conference and at other Conferences we should address ourselves to devising ways and means of spreading the democratic spirit in the country besides addressing ourselves to matters of parliamentary practice and procedure. The substance is always more important than the form."

In 1963, Mr. Speaker Hukum Singh endorsed this view. Speaking in the context of the Emergency created by the Chinese aggression he observed at the Conference held at Chandigarh in February 1963 that in the prevailing situation the Presiding Officers had "a double-fold task". They had to see that the democratic machinery was adjusted to suit the Emergency so that "the decisions that had to be taken are not delayed", and at the same time they had to ensure that the parliamentary institutions were maintained and individual liberty remained in tact. More recently, after the Fourth General Elections (1967), as unprincipled floor-crossing by legislators assumed a serious form causing political instability in many States and even threatening to erode people's faith in parliamentary institutions, the Conference gave much thought to the problem. The 1967 Conference while deprecating "crossing of the floor for entirely personal gains", urged the need to evolve proper conventions. Since then the need for effective measures to deal with the problem has been repeatedly stressed by the Conference, especially in the inaugural addresses delivered by the Chairman. It is gratifying to note that suitable legislation on the subject is expected to be brought before Parliament before long.

#### *Achievements of the Conference*

Since its inception in 1921, the Conference of Presiding Officers has gone a long way towards establishing sound democratic conventions and efficient and effective parliamentary procedure in India. Besides enabling Presiding Officers from all parts of the country to develop personal contacts, the Conference provides them with a regular forum—the only forum of the kind—to discuss their common problems and to find solutions. It has enabled them to coordinate their work in the different Legislatures and compare notes, so as to be able to evolve the best forms of procedure necessary or suitable in the light of their experience.

One of the outstanding achievements of the Conference was the inclusion of Articles 98 and 187 in the Constitution providing for separate secretarial staff and independence of the Secretariats of the Legislatures both at the Centre and in the States, which is an essential condition of democratic government. This resulted from the Conference, held in April 1949, which unanimously recommended that the independence of the Legislatures through an independent Secretariat must be secured by a special provision in the Constitution. Since the coming into force of the Constitution, the Conference has given much thought and attention to ways and means to ensure that

the objective underlying the said constitutional provisions is actually achieved as speedily as possible in respect of all the State Legislatures, old or new.

In the field of procedure, the Conference can be credited not only with finding workable solutions to the many complex problems posed before it from time to time, but also bringing about a fair degree of uniformity in the practice and procedure of Legislatures throughout the country. Its work in this sphere has especially been of great value to the States where Legislatures were new and had no previous experience. The Conference has likewise helped appreciably in clarifying the purpose and scope of the powers and privileges of Legislatures in India, which the Constitution broadly equates with those enjoyed by the House of Commons.

An important question that has been engaging the attention of the Conference from 1937 onwards concerns the relationship that should subsist between the Speaker and the political party to which he belonged prior to his election to the Office. With a view to make the office of the Speaker completely independent and free from party politics, the Conference has been striving for the establishment of appropriate conventions to ensure continuity in the Chair—"once a Speaker always a Speaker", as it is said. It is obvious that this objective can be attained only if there is an agreement on the issue among all the political parties in the country. All such conventions grow gradually. But it is necessary to create public opinion in favour of what is considered to be desirable or ideal. This is precisely what the Conference has been trying to do by taking up the question of the Speaker's seat year after year.

Some other important subjects discussed by the Conference in recent years have been:

- (i) The functions and powers of Presiding Officers, in particular the Speaker's power to adjourn the House *vis-a-vis* the Governor's power to prorogue and summon it [1968 Emergent Conference (April) and Regular Conference (October)].
- (ii) Procedure for ratification of Constitution Amendments by State Legislatures (October 1968).
- (iii) Recognition of Opposition Parties/Groups/Leader of the Opposition and facilities to be given to them (1969 and 1971).
- (iv) Position of Deputy Chairman of Legislative Council when the office of the Chairman is vacant in a State which is under President's Rule (1971).
- (v) Whether the Presiding Officer has power to order the Official Reporters not to record the proceedings of the House at any particular time (1971).

The Emergent Conference, which was especially convened in April 1968 to take note of certain unusual developments in the Punjab and West Bengal during the preceding months, adopted a resolution recommending, *inter alia*, that :—

- (a) The Rules of Legislatures may be so amended as to provide that a Resolution for the removal of a Presiding Officer from his Office shall be brought before the House, notwithstanding an order of adjournment made by a Presiding Officer contrary to the Rules.
- (b) The Governor should summon or prorogue the Legislature on the advice of the Chief Minister; and a convention should be developed that the Chief Minister may fix the dates of summoning and prorogation after consulting the Presiding Officer concerned. Further, where there is undue delay in summoning a Legislative Assembly and the majority of members of the Legislative Assembly desire to discuss a motion of no-confidence in the Ministry and make a request to that effect in writing to the Chief Minister, the Chief Minister should advise the Governor to summon the Assembly within a week of the request.
- (c) The question whether a Chief Minister has lost the confidence of the Assembly shall, at all times, be decided in the Assembly.

The recommendations or decisions of the Conference cannot in the nature of things have a binding character, especially where the implementation rests with other authorities like the Legislatures, the Union or State Executives, the Judiciary or political parties, which are independent in their own spheres. Nevertheless, they do help in focussing attention on important issues and in developing healthy conventions to maintain and strengthen our cherished democratic institutions and values. So far as purely procedural matters are concerned the decisions of the Conference naturally carry great weight with the Presiding Officers who take requisite action in the light of the circumstances and requirements of their respective Houses.

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## THE RAJYA SABHA—SECOND CHAMBER IN THE INDIAN PARLIAMENT\*

M. N. KAUL\*\*

In a federal set-up it has become almost universal to adopt a bicameral system of parliamentary government—partly as a concession to the federating units who feel assured that their viewpoint will be represented in the highest governing organ of the country and partly as a safeguard that the elected Chamber does not legislate in haste or frame policies which do not have the general support of local administrations.

India, however, chose the federal system not because of the sovereign power vested in the States which gave up a part of such power to the Union, but because it was a convenient form of government for a vast country where a unitary system of government would be impracticable if not impossible. The bicameral system was therefore adopted as a matter of choice for the better governance of the country; to make parliamentary decisions more durable and stable and not necessarily under the pressures from the smaller vs. bigger States. It is against this background that one has to appreciate the constitution and functioning of the Rajya Sabha, the Second Chamber in the Parliament of India.

The arguments in the Constituent Assembly of India regarding the utility of Second Chambers alternated between those who believed that Upper Houses introduced "an element of sobriety and second thought" and those who thought that they acted as impediments to the wheels of progress. Ultimately the framers of the Indian Constitution favoured bicameralism as an essential feature of the parliamentary system. They prescribed a Second Chamber not only in the Union Parliament but also in some of the larger States for the same reasons. The question, however, continues to be discussed in India as to whether there is any

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\*Reproduced from *The Parliamentarian*, Vol. LIII, No. 4, (October, 1972),

\*\*Formerly Secretary, Lok Sabha and Member of Parliament (Rajya Sabha).

justification for Legislative Councils or Upper Chambers, in addition to Legislative Assemblies or Lower Chambers in the States. During the last 25 years, Legislative Councils have been abolished in three States and proposals for their abolition in two other States are pending.

*Composition*

The Constitution defines Parliament as consisting of the President and two Houses—the Council of States or the Rajya Sabha, and the House of People or the Lok Sabha. The framers of the Constitution studied the various patterns of the Second Chambers in existence in different countries in 1947—50, and favoured an indirectly elected Second Chamber with a small, fixed number of nominated Members as being best suited to the needs of the country.

The maximum number of Members of the Rajya Sabha is 250—which is less than half the number of the Members of the Lok Sabha. Out of these 250 Members, 12 are nominated by the President from among persons having special knowledge or practical experience of such matters as literature, science, art, and social service. The rest are to be the representatives of the States and of the Union Territories. The present strength of the Rajya Sabha is 243, of whom 231 are representatives of the States and the Union Territories and 12 are nominated by the President.

The representatives of each State are elected by the elected Members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of the single transferable vote. The representatives of the Union Territories are also chosen by indirect election in accordance with the system of proportional representation by means of the single transferable vote by electoral colleges, the Members of which are chosen by direct election.

The present allocation of seats of 231 elected Members in the Rajya Sabha to the States and the Union Territories is as follows:

1	2
1. Andhra Pradesh	18
2. Assam	7
3. Bihar	22
4. Gujarat	11
5. Haryana	5
6. Himachal Pradesh	3

1	2
7. Jammu & Kashmir . . . . .	4
8. Kerala . . . . .	9
9. Madhya Pradesh . . . . .	16
10. Maharashtra . . . . .	19
11. Manipur . . . . .	1
12. Meghalaya . . . . .	1
13. Mysore . . . . .	12
14. Nagaland . . . . .	1
15. Orissa . . . . .	10
16. Punjab . . . . .	7
17. Rajasthan . . . . .	10
18. Tamil Nadu . . . . .	18
19. Tripura . . . . .	1
20. Uttar Pradesh . . . . .	34
21. West Bengal . . . . .	16
22. Arunachal Pradesh . . . . .	1
23. Delhi . . . . .	3
24. Mizoram . . . . .	1
25. Pondicherry . . . . .	1

A person is not qualified to sit in the Rajya Sabha unless he is a citizen of India and makes and subscribes before a person authorized in that behalf by the Election Commission an oath or affirmation according to the form set out for the purpose in the Third Schedule of the Constitution;<sup>1</sup> is not less than 30 years of age; and possesses such other qualifications as may be prescribed in that behalf or under any law made by Parliament.

The Rajya Sabha is a permanent body and is not subject to dis-

1. Form of oath of affirmation to be made by a Member of Parliament:  
 "I, A.B., having been elected (or nominated) a member of the Council of States (or the House of the People) do swear in the name of God solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will faithfully discharge the duty upon which I am about to enter".

solution. The term of office of a Member is six years. Under the first constitution of the Rajya Sabha in 1952, the term of office of some Members then chosen was curtailed in accordance with the provisions of "The Council of States (Term of office of Members) Order, 1952" made by the President in order that as nearly as possible one-third of the Members holding seats of each category would retire every second year. Accordingly, one-third of the Members of the Rajya Sabha retire after every second year and on each occasion elections are held and nominations made to fill the seats vacated by retiring Members.

The Vice-President of India is the *ex-officio* Chairman of the Rajya Sabha. He is elected by the Members of both Houses of Parliament by secret ballot in accordance with the system of proportional representation by means of the single transferable vote. The Vice-President holds office for a term of five years from the date on which he takes office. The Rajya Sabha also chooses one of its Members to be its Deputy Chairman.

The first sitting of the Rajya Sabha was held on 13th May 1952. During the period from May, 1952 to December, 1971 it has held 78 sessions.

#### *Powers in financial matters*

In the countries which have a parliamentary system of government, it is a common practice to exclude the Second Chamber from a decisive role in the matter of financial Bills—the Constitution of India, which has also provided for a parliamentary form of government, has restricted the powers of the Rajya Sabha in matters pertaining to finance.<sup>2</sup>

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<sup>2</sup>A money Bill is defined under article 110 of the Constitution of India as follows:

"(1) A Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely: (a) the imposition, abolition, remission, alteration, or regulation of any tax; (b) the regulation of the borrowing of money or the giving of any guarantee by the Government of India, or the amendment of the law with respect to any financial obligation undertaken or to be undertaken by the Government of India; (c) the custody of the Consolidated Fund or the Contingency Fund of India, the payment of moneys into or the withdrawal of moneys from any such fund; (d) the appropriation of moneys out of the Consolidated Fund of India; (e) the declaring of any expenditure to be expenditure charged on the Consolidated Fund of India or the increasing of the amount of



A Money Bill or Bill with money clauses cannot be introduced in the Rajya Sabha. All other Bills may originate in either House of Parliament. Moreover, the Rajya Sabha has no power either to reject or to amend a Money Bill. When a Money Bill, after it has been passed by the Lok Sabha, is transmitted to the Rajya Sabha, the Rajya Sabha can only make recommendations with regard to the Bill and must return it with or without its recommendations within a period of fourteen days from the date of receipt of the Bill. The Lok Sabha may or may not accept the Rajya Sabha's recommendations. If the Lok Sabha does not accept any of the recommendations of the Rajya Sabha, the Money Bill is deemed to have been passed by both the Houses in the form in which it was passed by the Lok Sabha.

The limitation on the power of the Rajya Sabha with regard to Money Bills or Bills with money clauses should not, however, be taken to mean that the Rajya Sabha has no power at all in financial matters. The Constitution provides that the annual budget of the Union is to be laid before both Houses of Parliament. The budget can be discussed in the Rajya Sabha as well, although the demands for grants are to be made only in the Lok Sabha which has the power to assent or to refuse to assent to any demand, or to assent to any demand subject to a reduction. The reports of the Comptroller and Auditor-General of India relating to the Accounts of the Union are also required to be laid before both Houses of Parliament. As regards other financial Bills (Bills which contain not only provisions dealing with any of the matters specified in Article 110 of the Constitution<sup>2</sup> but also other provisions), there is, however, no limitation on the powers of the Rajya Sabha as stated above; the Rajya has full power to reject or amend any such financial Bill, as it has in the case of any other Bill which is not a Money Bill; and further, such a Financial Bill shall not be deemed to

any such expenditure; (f) the receipt of money on account of the Consolidated Fund of India or the public account of India or the custody or issue of such money or the audit of the accounts of the Union or of a State; or (g) any matter incidental to any of the matters specified in sub-clauses (a) to (f)."

The Constitution distinguishes Money Bills from Financial Bills. The latter can be divided into two categories; those which make provision for any of the matters specified to make a measure a Money Bill but do not consist solely of those matters; and those which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India. For facility of reference the former may be called Financial Bills (Category 'A'), and the latter, Financial Bills (Category 'B'). Financial Bills (Category 'A') cannot be introduced in Rajya Sabha, whereas Financial Bills (Category 'B') can be introduced in either House.

<sup>2</sup>For provisions contained therein, see footnote 2 earlier.

have been passed by the Houses of Parliament unless it has been passed by both Houses.

The Rajya Sabha is represented on two financial committees of Parliament—the Committee on Public Accounts (the committee which examines the appropriation accounts and the reports of the Comptroller and Auditor-General of the Union accounts relating to the railways, defence services, P & T Department, and other civil ministries of the Government of India) and the Committee on Public Undertakings (the committee which examines the reports and accounts of public undertakings and the reports, if any, of the Comptroller and Auditor-General on the public undertakings). Of the 22 Members of the Committee on Public Accounts, 7 are from the Rajya Sabha and of the 15 Members of the Committee on Public Undertakings, 5 are from the Rajya Sabha.

#### *Intervention in State legislation*

The Constitution contains certain special provisions for Central intervention in the State legislative field. Under Article 249 of the Constitution, Parliament is empowered to legislate with respect to matters in the State List if the Rajya Sabha declares by a resolution supported by not less than two-thirds of the Members present and voting that it is necessary and expedient in the national interest that Parliament should make laws with respect to any of those matters. Moreover, under Article 312 of the Constitution, Parliament is empowered to make laws providing for the creation of one or more all-India Services common to the Union and the States if the Rajya Sabha declares by a resolution supported by not less than two-thirds of the Members present and voting that it is necessary or expedient in the national interest to do so. Thus, in the matter of Central intervention in the State legislative field, the Constitution has assigned a special position to the Rajya Sabha. This was done because, the Rajya Sabha being composed of representatives of the States, the adoption by the Rajya Sabha of the resolutions referred to above with two-thirds majority would be tantamount to the giving of consent by the States. The two-thirds majority has been prescribed as there is no equality in respect of the representation of the States in the Rajya Sabha.

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\*. For provisions contained therein, see footnote 2 earlier.

*Relations between the two Houses*

In a bicameral legislature each House functions in the sphere allotted to it under the Constitution. It goes without saying that for the successful working of the legislative machine there should be the closest cooperation between the two Houses. Neither House should consider itself to be superior to the other—whatever its powers may be, and each House should be regarded as complementary to the other. The relations between the two Houses should be harmonious so that the functions performed by each House can be utilized to the best advantage of the nation and the high dignity of Parliament be maintained.

Dealing with the question of relations between the two Houses, Prime Minister Nehru stated in the Rajya Sabha in May, 1953 as follows:

“Our guide must be our own Constitution which has clearly specified the functions of the Rajya Sabha and the Lok Sabha. To call either of these Houses an Upper House or a Lower House is not correct.

Each House has full authority to regulate its own procedure within the limits of the Constitution. Neither House, by itself, constitutes Parliament. It is the two Houses together that are the Parliament of India. The Constitution treats the two Houses equally, except in certain financial matters which are to be the sole purview of the House of the People.”

One who has studied in depth the functioning of Parliament in India will come to the conclusion that the Rajya Sabha has been a vigorous body and has been instrumental in focussing attention on many special matters of public importance. The reasons for this may be many. To me it appears that this has been possible because of the lateral movement of many Members from one to the other Chamber at elections average youthful membership of the Rajya Sabha, attendance of Ministers in both Chambers, similar procedures in both Houses, equal party discipline in both Chambers, existence of one dominant party in the Centre as well as in most of the States since the beginning of the Rajya Sabha. In fact, in some respects the Rajya Sabha has at times been equally as active as the Lok Sabha in the application of some policy matters in public affairs. It has asserted itself even though it has no constitutional powers to oust the Government. It has built up public opinion in the parliamentary sphere on vital issues before the Government. However, it cannot be said that the Rajya Sabha has played a significant role in so far as amendments to Bills are concerned.

It is not that the Rajya Sabha lacks sufficient talent or will to make its contribution to the improving of legislative measures, but that the Government has found it inconvenient to agree to amendments lest the passage of Bills be delayed in their transmission from one to the other Chamber. But the Government takes account of the discussions in the Rajya Sabha and then, in appropriate cases, brings forward amending measures based on assurances given in both Houses. This has led to quicker passage of Bills and the conflict over the delaying tactics of each Chamber is resolved to the satisfaction of all. I do not think that the traditional arguments that are generally given in support of Second Chambers apply in every case to the Rajya Sabha. For example, the argument that representatives in the Lower House can be over-hasty and that they need to be checked by a less impulsive and more experienced body does not stand up in the case of the Rajya Sabha because at times the latter has acted just like the Lok Sabha. The same is true of the argument that interposition of delay is needed to crystalize public opinion on all Bills before they become Acts; there have been laws which have passed through both Chambers without the appreciable time lag, the calmer atmosphere or the diminished susceptibility to immediate popular pressures that are generally associated with bicameral legislatures.

So long as the Rajya Sabha does not itself by a two-thirds majority agree to its own abolition, there is no danger of disappearance. The Rajya Sabha has by its record of work established itself as an effective force in our parliamentary system and, if it continues to play its useful role its admirers will increase day by day and critics will have less chance to do it any significant damage.

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## MOLESTATION OF MEMBERS OF LEGISLATURE: QUESTION OF BREACH OF PRIVILEGE

B. K. MUKHERJEE,  
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Molestation has been defined as an "offence of annoying a person for the purpose of controlling his activities." To what extent does molestation of Members of Parliament outside Parliament constitute a breach of privilege is a subject which has been discussed many a time in the Indian Parliament and the Legislatures of several States. Instances can be cited where the House has taken cognizance of molestation of Members of Parliament outside the House and even referred such cases to the Committee of Privileges for investigation and report. There are also instances where the House has declined to take notice of incidents concerning indignity offered to or molestation of members of Parliament outside the Parliament House on the ground that "members are not above law." Some cases arising in the Lok Sabha and the British House of Commons and the procedure that was followed in the consideration of such cases have been dealt with in this article.

According to Erskine May "any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence.<sup>2</sup> It is a breach of privilege to molest a member of either House *while attending such House or when coming to or going from it.*"<sup>3</sup>

Erskine May refers to a resolution of the Commons of 12th April, 1733, and of the Lords of 17th May, 1765 wherein it has been declared that "the assaulting, insulting or menacing any Member of this House, in his coming to or going from the House, or upon the account of his behaviour in Parliament, is an high infringement of the privilege of this House, a most outrageous and dangerous violation of the rights of Parliament and an high crime and misdemeanour."<sup>4</sup>

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<sup>1</sup>A.W. Motion, the Pocket Law Lexicon, p. 243.

<sup>2</sup>May's *Parliamentary Procedure*, 18th Ed. p. 132.

<sup>3</sup>*Ibid.*, p. 144.

<sup>4</sup>*Ibid.*

Further, on the 6th June, 1780, the Commons resolved "That it is a gross breach of the privilege of this House for any person to obstruct and insult the Members of this House in the coming to, or the going from, the House, and to endeavour to compel Members by force to declare themselves in favour of, or against any proposition then depending or expected to be brought before the House."

According to Kaul and Shakhder, it is a breach of privilege and contempt of the House to molest a Member while in the execution of his duties, that is *while he is attending the House or when he is coming to, or going from, the House*. Thus insults offered to members on their way to or from the House have always been deemed high breaches of privilege. Similarly, to molest a member on account of his conduct in Parliament is a breach of privilege.<sup>6</sup>

It may, however, be mentioned that while it has been held that molestation of a member while he is attending or going to the House or when he is coming from it constitutes a breach of privilege, molestation of a member of a Legislature in his constituency or outside or when he is engaged in his party work in his own constituency or outside does not appear to have been held as a breach of privilege of the House. Nevertheless, Parliament is master of its own procedure. Each House claims the right to punish actions, which, while not breaches of any specific privilege, are offences against its authority and dignity.

#### .U.K.: House of Commons

##### *Sunday Graphic Case*<sup>7</sup>

On the 27th November, 1956, Mr. Arthur Lewis, M.P., complained in the House of Commons that the *Sunday Graphic* newspaper had published a news item asking the public to telephone Mr. Lewis and to protest to him about a question tabled by him in the House. Mr. Lewis alleged that as a result of that news report a number of people had molested him by telephone calls using objectionable and foul language threatening him and trying to make him withdraw the question. The Committee of Privileges to whom the matter was referred, reported *inter alia* as follows:—

"To molest a Member of Parliament on account of his conduct in Parliament is, it is well established, a breach of privilege. Mr. Lewis was entitled to table the Parliamentary question.....it was because he had done so that he was subjected to this series of telephone calls....This conduct clearly amounted to molesta-

<sup>5</sup>*Ibid.*, p. 144-45.

<sup>6</sup>Kaul & Shakhder, *Practice and Procedure of Indian Parliament*, pp. 211-212.

<sup>7</sup>*Privileges Digest*, Vol. I, No. 2, pp. 29-30.

tion and in our opinion the Editor of the *Sunday Graphic* has been guilty of a breach of privilege in inciting it”<sup>6</sup>

### *Stone-House Case*<sup>8</sup>

The Speaker of the House of Commons in the *Stone-House case* (1959) has observed that “the privilege belongs to the House and not to the individual member; he does not carry it about with him wherever he goes.”

On the 2nd March, 1959, the Under Secretary of State for Commonwealth Relations, Mr. C. J. M. Alport, made a statement in the House of Commons, U.K., about the visit of Mr. Stone-House, a Member, to the Federation of Rhodesia and Nyasaland (a British protected territory) and the declaration of Mr. Stone-House by the Government of Rhodesia and Nyasaland as a prohibited immigrant to that territory. On a question being raised whether the action of the Government of Rhodesia and Nyasaland did not unduly restrict the freedom of a Member of the House, the Speaker observed :

“The position is that if an hon. Member goes of his own accord into another jurisdiction that is not the concern of the House... Privilege belongs to the House and not to the individual Member; he does not carry it about with him wherever he goes. Privileges generally are concerned with seeing that an hon. Member has free access to this place and free speech when he is here. I know of nothing that has been done against that.

.....if the House had sent the hon. Member for Wednesbury (Mr. Stone-House) on its own business to Salisbury, Northern Rhodesia, or wherever it may be, then any refusal to facilitate his progress by the authorities there might have been regarded by the House, in certain circumstances, as approaching a contempt of the House because he was a delegate of the House. The facts in this case are that the hon. Member has undertaken the journey upon his own volition and with no authority from the House.

.....the House has a right to look into a case of British citizen who, it may think, is wrongfully treated but only as a British subject, not as a member of Parliament.”

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<sup>6</sup>The Committee of Privileges, however, recommended that in view of the apology tendered by the Editor of the *Sunday Graphic*, no further action was necessary by the House.

<sup>8</sup>*Ibid.* Vol. III, No. 4, pp. 177—179; H.C. (U.K.) Deb: Vol: 601, cc: 40—59.

**India: Lok Sabha***Shri Koushik's Case*

In the Lok Sabha on the 18th November, 1970, Shri K. M. Koushik, a member, raised a question of privilege regarding his alleged manhandling and removal by the police at Nagpur Railway Station on the 27th May, 1970. After some discussion, the following motion was moved by Shri Atal Bihari Vajpayee, a member, but was withdrawn subsequently by leave of the House :

"That the question of privilege arising out of the alleged manhandling and removal of Shri K. M. Koushik, M.P., by the police at Nagpur Railway Station on the 27th May, 1970, be referred to the Committee of Privileges."

Thereafter, the following motion moved by Shri Nath Pai, another member, was adopted by the House :

"That this House resolves that Shri Padmanabhan, Deputy Commissioner of Police, and Shri Choubey, Sub-Inspector of Police, of the State of Maharashtra, be summoned to appear at the Bar of this House on Thursday, the 3rd December, 1970, at 12.00 hours to answer the charge of breach of privilege and contempt of this House for allegedly assaulting and abusing Shri K. M. Koushik, a Member of this House, at the Nagpur Railway Station on the 27th May, 1970."

In pursuance of the above decision of the House on the 18th November, 1970, the two police officers appeared before the Bar of the House on the 3rd December, 1970. Both the officers offered their profound apologies to the House, the Speaker and the Member concerned for whatever had happened on that day. In view of the apologies tendered by the concerned police officers, the matter was treated as closed.

This is an instance where the House directly decided a privilege issue arising out of the molestation of a Member of Parliament outside the Parliament House.

*Shri Halder's Case*<sup>10</sup>

There are instances where the House has also referred to the Committee of Privileges for investigation, cases of misbehaviour, mis-

<sup>9</sup>Ibid. Vol. XVI, No. 1, pp. 9—12; LS Deb., November 18, 1970, cc. 236—258.

<sup>10</sup>Ibid. Vol. XVII, No. 2, pp. 33—35; LS Deb., November 17, 1971, cc. 157—172.



conduct and disrespect shown to the Members of Parliament on specific questions of privilege raised in the House.

On the 22nd July, 1971, Shri Krishna Chandra Halder, a member, raised a question of privilege against certain police officers of Durgapur (West Bengal) for allegedly arresting him and misbehaving with him on the 15th July, 1971, while he was visiting Durgapur. The House was in session when the incident was alleged to have taken place. After some discussion in the House, the Speaker observed that he would ascertain the facts relating to the incident from the Home Minister.

On the 28th July, 1971, the Minister of Home Affairs, in his statement made in the House stated that Shri K. C. Halder was not arrested. He had, in fact, gone to the Police Station of his own accord. A discussion then followed, during the course of which the Speaker made the following observations :

"The old decision was that in the case of misbehaviour or disrespect shown, the House might decide it. . . . Now also a motion is moved that this matter, so far as misbehaviour and disrespect are concerned, should be referred to the Committee of Privileges. So far as the fact of arrest is concerned, if it is unlawful restraint or anything of that nature, something which is not arrest, the legality of the arrest cannot be gone into by the Privileges Committee. This was discussed in very much detail and though it was disputed it has been decided that the Privileges Committee cannot go into the legality of it. Shri Madhu Limaye went to the Court on the question of the legality of arrest. . . . the motion before the House is that the matter be referred to the Committee of Privileges. I take it that the House approves of it. . . . I did not want to say, so far as the legality of arrest is concerned, whether it is an unlawful restraint or restriction and all that in this House. In all these matters, Members have been going to the courts. Suppose you hold something as 'arrest' and they go to the court and the court holds that it is not, then it is a delicate matter. . . . it is misbehaviour, misconduct and disrespect shown that is going to be examined."

Thereafter, on a motion moved by Shri Atal Bihari Vajpayee, M.P., the matter was referred to the Committee of Privileges.

The Committee of Privileges, after taking the oral evidence of Shri K. C. Halder, M.P., and the concerned police officers, in their Third Report presented to the House on the 1st September, 1972, reported *inter alia* as follows :

"The Committee are of the view that, considering all the circumstances of the case, the above unqualified apology offered by Shri Rajendra Prasad Bhattacharya, Sub-Inspector of Police and in-charge of the M.A.M.C. Investigation Centre, Durgapur, should

be construed to be an apology on behalf of his subordinate Shri Atin Mukherjee, the concerned Assistant Sub-Inspector of Police also, as he had expressed his regret for the inconvenience caused to Shri Krishna Chandra Halder, M.P. 'in this incident'. The Committee also note that when Shri K. C. Halder had raised the question of privilege in the House on the 22nd July, 1971, he had *inter alia* stated that 'the Officer who interrogated us expressed regret for the whole incident.'

In view of the unqualified apology tendered by Shri Rajendra Prasad Bhattacharya, Sub-Inspector of Police, for the whole incident, the Committee are of the opinion that the matter may be dropped."

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

#### *Shri Saradish Roy's Case*<sup>11</sup>

On the 17th November, 1971, Shri Saradish Roy, a member, sought to raise a question of privilege on the ground that on the 9th November, 1971, when he went to Kashipur village, District Birbhum (West Bengal), where 23 families were reported to have been driven out after looting and burning of their huts, a group of Gujarat State Reserve Police abused him. He added that he was forcibly brought to the police camp at Sultanpur and prohibited from going to Kashipur. When he again went to that village, another batch of police personnel approached him menacingly and he had to leave that village.

On the same day, Shri Bhan Singh Bhaura, another member, also sought to raise a question of privilege against the Deputy Superintendent and Inspector of Police, Muktsar, District Ferozepur (Punjab), on the ground that on the 27th August, 1971, when he went to the Government College, Muktsar, to enquire into the reported police excesses and firing on students, the police misbehaved with him, forcibly dragged students from his car, broke his car's door handle and threatened him, even after knowing his identity.

The Speaker, Dr. G. S. Dhillon, observed that according to the practice followed in such cases, these cases would first be referred to the Government for their comments and after getting a report from the Government, he would give his ruling thereon.

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<sup>11</sup>*Ibid.*, Vol. XVII, No. 1, pp. 3-4; LS Deb., November 17, 1971, cc. 186-187.

On the 22nd December, 1971,<sup>12</sup> when Shri Saradish Roy raised the matter again in the House, the Speaker while reserving his ruling, observed as follows :—

"Everyday there are so many things happening in the country involving people including MPs. But the privileges of MPs. extended only to matters concerning the House. But in spite of that, whenever any such thing happens. I take that representation and send it to Government even if it concerns a matter unconnected with the functioning of the House as such. When that version comes, I give it to the member."

On the 23rd December, 1971,<sup>13</sup> disallowing both the above questions of privileges, the Speaker ruled as follows :—

"When there are matters not connected with the House, even though the happening of such things is unfortunate, the remedy is at the official level. So far as the rights of this House are concerned, the difference between the MP and a citizen is very narrow, so far as incidents outside the House are concerned... We have settled... that the member could mention it, I could send it to the Minister and the reply could come. But if he thinks that it is a matter of privilege... I do not think it is a matter of privilege. The MPs are not above law... An MP outside the House is just an ordinary citizen like any other citizen. If he is prevented from performing his duties of the House, that is a different matter. If he is moving outside, he is subject to the law and subject to other remedies available. He can have the same remedies as are available to an ordinary citizen. If I am insulted outside and I say, 'I am the Speaker and I can punch anybody', I do not think I have that privilege."

Immediately after the Speaker's ruling, several members pointed out that the House in the past had decided such cases on merit. The relevant extracts from the Lok Sabha debates dated the 23rd December, 1971.<sup>14</sup> are reproduced below:

"SHRI S. M. BANERJEE (Kanpur): Sir, you will remember that you in your wisdom had allowed a privilege motion in the past. Some hon. member belonging to the Swatantra Party, who had not been elected this time, was staging a demonstration on the platform of a railway station when Rashtrapathi's train was passing that way. He reported in the House that he was manhandled by some police officials.

The House took a note of it. Two police officers were brought before the bar of the House and reprimanded.

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<sup>12</sup>LS Deb., December 22, 1971, cc. 3—5.

<sup>13</sup>Ibid., December 23, 1971, cc. 1—3.

<sup>14</sup>Ibid., cc. 1—4.

Then, there was another matter. Shri Madhu Limaye and Shri Tridib Chaudhuri were detained in Patna aerodrome, whether illegally or legally.....

MR. SPEAKER: Shri Madhu Limaye went to the court.

SHRI S. M. BANERJEE: If you take a decision here that unless it is connected with the work of this House there will be no privilege involved, in that case the functioning of the MPs outside the House will become very difficult.

MR. SPEAKER: The MPs are not above law.

SHRI S. M. BANERJEE: I agree with you. I do not claim any privilege. I am a citizen and other citizens should have the same right as I have. In that case, I would only request you to codify what the privileges are. Otherwise, we are under the impression that we are privileged persons. But police officers may beat us.....

MR. SPEAKER: It is upto the House. I have studied it...A number of things happen to citizens....

SHRI S. M. BANERJEE: Let the Ministers and MPs not claim any privileges. Let there be no privileges at all. I do not mind that.

MR. SPEAKER: But you cannot extend the privileges to each and every step that an MP takes outside the House.

SHRI DINEN BHATTACHARYYA (Serampore): How do you define the duties and the functioning of the MPs? If I visit my place and I am prevented.....

MR. SPEAKER: Don't take MPs as super human being. An MP outside the House is just an ordinary citizen like any other citizen. If he is prevented from performing his duties of the House, that is a different matter. If he is moving outside, he is subject to the law and subject to other remedies available. He can have the same remedies as are available to an ordinary citizen. If I am insulted and I say, "I am the Speaker and I can punch anybody," I do not think I have that privilege.

SHRI S. M. BANERJEE: A feeling has been created that we have some privileges outside, and we want protection under those privileges.

MR. SPEAKER: It is upto the House to formulate the privileges. So far as the privileges at present go, they are not covered by it."

*Shri Ajit Kumar Saha's case*<sup>15</sup>

Another instance of alleged molestation of a Member of Parliament while on his way to attend a sitting of the Parliamentary Committee was brought to the notice of the Speaker by Shri Ajit Kumar Saha, a member of the Lok Sabha. On the 31st July, 1972, Shri Ajit

<sup>15</sup>LS Deb. July, 31, 1971.

Kumar Saha sought to raise a question of privilege against the railway staff, police, and other officers for his alleged harassment and ill-treatment at Asansol Railway Station on June 29, 1972, when he was to catch the train to come to Delhi to attend the meeting of the Joint Committee on Untouchability Offences (Amendment) Bill due to be held on 1st July, 1972. The Speaker referred the matter in the first instance to the Minister for facts. The Ministry of Home Affairs forwarded copies of reports of enquiries made in the matter by a Magistrate and the General Manager of Eastern Railway. On the 2nd September, 1972, the Minister of State in the Ministry of Home Affairs, Shri K. C. Pant, made a statement in the House on the matter on the basis of information received from the Government of West Bengal. A discussion then followed and some members desired that the matter might be referred to the Committee of Privileges. On the 4th September, 1972, the Speaker informed the House that he had decided to refer the matter to the Committee of Privileges under Rule 227.

#### *Shri Krishnan Manoharan's Case*<sup>10</sup>

A question of privilege regarding the alleged assault by certain persons at the airport of Madras on the 15th November, 1972, when he was proceeding to emplane for Delhi for attending the Parliament Session, was raised by Shri Krishnan Manoharan on the 16th November, 1972.

After some discussion, the matter was held over till the 17th November, 1972. On the 17th November, 1972, the Speaker observed that he would obtain the relevant information from the State Government and come again before the House.

On the 1st December, 1972, the Minister of State in the Ministry of Home Affairs read out the factual information which he had received from the Government of Tamil Nadu.

Shri K. Manoharan stated that it was clear from the statement sent by the Government of Tamil Nadu that he was prevented from coming to Delhi and he was assaulted. He pleaded that the matter be referred to Privileges Committee. The Speaker then observed, *inter alia*, as follows:

"He (Shri Manoharan) raised two issues. In his statement he made it clear that he did not like to lodge a complaint for criminal proceedings. He says he was only interested in laying it before

<sup>10</sup>LS Deb., November 16 and 17, and December 1, 1972.

this House as a matter of privilege, and a few facts he has mentioned, and they are already admitted in the statement the Minister has made today on receipt of information from the Government of Tamil Nadu.

So, the Committee may go into all those aspects. Instead of ourselves getting up here and expressing our views off hand, the Committee may study it and go through all these. The member does not like to proceed against the assailants, he only wants this House to judge whether he was prevented or not from coming to this House. If you like, I will refer."

He then referred the matter to the Committee of Privileges.

It may, however, be worthwhile to mention here that on the 5th July, 1966, on a motion by Sir Herbert Morrison, the then Lord President of the Council and the leader of the House of Commons, a Select Committee was set up "to review the law of Parliamentary privilege... and to report whether any changes in the law of privilege or practice of the House are desirable." As the Select Committee was not able to conclude their work before the prorogation of the 1966-67 session, a new Select Committee was appointed by the House of Commons with the same terms of reference. The evidence and memoranda received earlier were referred to this new Committee. The Committee in their report<sup>17</sup> submitted to the House on the 1st December, 1967, reported *inter alia* as follows:

".....the word privilege has in modern times acquired a meaning wholly different from its traditional Parliamentary connotation. In consequence its use could convey to the public generally the false impression that Members are, and desire to be, a privileged class... Your Committee cannot too strongly emphasise the fundamental principle that the privileges are not the prerogative of Members in their personal capacities. In so far as the House claims and Members enjoy their rights and immunities which are grouped under the general description of 'privileges', they are claimed and enjoyed by the House in its corporate capacity and by its Members on behalf of the citizens whom they represent. Your Committee therefore strongly favour the discontinuance of the use of the term 'privilege' in its traditional Parliamentary sense. They believe that if the basic concept of privileges or 'privilege' is abolished, it will be easier to understand and to concentrate upon the provision of the essential protection which is required by the House, its Members and Officers."

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<sup>17</sup>H. C. 34(1967-68). For summary of this report see *Privileges Digest*. Vol. XIII, No. 2, pp: 84-91.

The Committee laid down certain rules for the guidance of the House for dealing with complaints of contemptuous conduct, which are as follows:

- “(i) The House should exercise its penal jurisdiction (a) in any event as sparingly as possible and (b) only when it is satisfied that to do so is essential in order to provide reasonable protection for the House, its Members or its officers for such improper obstruction or attempt at or threat of obstruction as is causing, or is likely to cause, substantial interference with the performance of their respective functions.....”
- “(ii) In general, the power to commit for contempt should not be used as a deterrent against a person exercising a legal right, whether well-founded or not, to bring legal proceedings against a Member or an Officer.”
- “(iii) In general, where a member's complaint is of such a nature that if justified it could give raise to an action in the courts, whether or not the defendant would be able to rely on any defence available in the court, it ought not to be the subject of a request to the House to invoke its penal powers. In particular, those powers should not in general be invoked in respect of statements alleged to be defamatory whether or not a defence of justification, fair comment etc. would lie.”
- “(iv) The general rules stated in sub-section (iii) and (iv) of the paragraph should remain subject to the ultimate right of the House to exercise its penal powers where it is essential for the reasonable protection of Parliament as set out in sub-section (i) of this paragraph. Accordingly, those powers could properly be exercised where remedies by way of action of defence at law are shown to be inadequate to give such reasonable protection, e.g. against improper obstruction or threat of improper obstruction of a member in the performance of his parliamentary functions.”

The Committee further recommended that “no impediment should be placed in the way of every citizen's freedom fearlessly and in good faith to criticize Parliament or its members' activities.”

About a member's abuse of privilege and disorderly conduct, the Committee observed that a Member is guilty of abuse of the privilege and disorderly conduct if he makes under cover of the absolute privilege afforded by the Bill of Rights a gross defamatory attack upon a stranger or upon another Member of the House. “In this respect, no distinction can be drawn between an abuse consisting of an assault, unparliamentary language, a refusal to withdraw an improper imputation and a malicious and grossly defamatory accusation.” The Committee recommended that, in the case of such conduct on the part of a

Member, the House should exercise its penal jurisdiction against such Member.

The above recommendations of the Select Committee were however not implemented.

Commenting on the observations of the Select Committee, an Indian author<sup>18</sup> has stated:

"It is refreshing to find that the Select Committee of the House of Commons has taken great pains to formulate its suggestions that the Members of the House should not be regarded as members of a privileged class. Such notions belonging to a privileged class are hostile to all ideas of democracy and equality in the eye of law. After all, privilege was created for Parliament in England in order that the members thereof might function without fear of Royal displeasure—the concept of privilege was born in the course of the bitter struggle of the House of Commons against Royal prerogatives. What originated as an instrument of defence against tyranny should not be turned into a weapon of defence against the citizens whose representatives the Members of Parliament are and to whose legitimate criticism they must accustom themselves in order better to serve their interests and the interests of the country.

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<sup>18</sup>A.P. Chatterjee, *Parliamentary Privileges in India*, 1971, p. 12.



## WOMEN MEMBERS IN LOK SABHA

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Throughout the world, women have moved towards greater freedom and have achieved greater equality with men in various spheres of life. The old order, which confined women to the home as helpers of men-folk has been replaced by a new one in which women have emerged as partners and co-workers of men in all walks of active life, including politics<sup>1</sup>. While in other countries, women had to wage long struggles to achieve political and legal equality with men, in India, the history of struggle for political rights does not go beyond the beginning of the present century. By 1935 women got franchise and by 1940 there were 80 women members in the State and Provincial legislatures<sup>2</sup>. The relative ease with which women were able to get political rights in India was due to "the successful termination of

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<sup>1</sup>At present only in six countries women do not enjoy voting rights and are not eligible to contest elections. These countries are Jordan, Kuwait, Liechtenstein, Nigeria, Saudi Arabia & Yemen. 'See *Political Rights of Women*' Report of the Secretary General submitted to the General Assembly of the U.N. on November 30, 1971 p. 22.

San Marino is the only country where women can vote but cannot contest elections, *Ibid.*, p. 21.

<sup>2</sup>Margaret E. Cousins, *Indian Womenhood Today*, Kitabistan, Allahabad 1947, p. 55.

the struggle in the progressive countries of the West where women acquired these opportunities the hard way".<sup>1</sup>

With the inauguration of the new Constitution in India a new chapter was begun. The framers of the Constitution had acted on the principles of 'dignity and worth of the human person' and 'equal rights of men and women' and laid down that 'the State shall not deny to any person equality before the law' and shall not discriminate against any citizen on grounds among other things of sex<sup>4</sup>. They also provided for equality of opportunity in the matter of employment or appointment to any office under the State<sup>5</sup>. Thus, the Constitution of India granted to the Indian women the right to vote and be elected and thereby govern—a right which was traditionally denied to her throughout the history of India.

The right to constitutional equality was soon supplemented by legal equality by the passage of a number of Acts<sup>6</sup> through which the traditional in-equalities in respect of marriage, divorce and property rights were eliminated. But, in spite of these constitutional and legal provisions, it is often complained that women have not been able to get adequate and proportionate representation in the Lok

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<sup>1</sup>Lakshmi Menon 'Women in India and Abroad' in *Women of India*, edited by Tara Ali Baig; Publications Division, Government of India Press, Delhi, 1958, p. 63. However, Margaret E. Cousins holds that the women got the rights easily because—"the movement for the progress and freedom of women of India was one and the same as that for the progress and freedom of India itself", *op. cit.*, p. 55.

<sup>4</sup>The Constitution of India, (As Modified upto 1st October, 1969), Arts. 14 and 15.

<sup>5</sup>*Ibid.*, Art. 16.

<sup>6</sup>These Acts include the Special Marriage Act passed in 1954; The Hindu Marriage Act 1954; the Hindu Succession Act 1955; the Hindu Marriage (Amendment Act) 1956; Hindu Adoption and Maintenance Act, 1956.

Sabha, the highest representative body in the country<sup>7</sup>. This will be evident from the following table:

TABLE No. 1  
WOMEN MEMBERS IN LOK SABHA\*

	Total number of Seats	Number of women members	Per- centage of total
First Lok Sabha	499	22	4.4
Second Lok Sabha	500	27	5.4
Third Lok Sabha	503	34	6.7
Fourth Lok Sabha	523	31	5.9
Fifth Lok Sabha	521	22	4.2

This paper seeks to analyse (i) the causes for the low representation of women in the Lok Sabha; (ii) the socio-economic background of the women members of the Lok Sabha to determine the strata of society from which they come; and (iii) the experience of public life which they bring with them. The study is based on the official biographies, WHO'S WHO and other published material.

It has often been complained that in India although the women constitute about 50 per cent of the total electorate, they have never been able to get adequate representation in any Lok Sabha and what is worse their representation has been on the decline. This is not a peculiar trend confined to India alone. Even in advanced democracies like the U.K., U.S.A., Canada etc, where women were enfranchised long back, the complaint persists. In Britain, although women were granted franchise in 1918 and the first women member took her seat

\*President V. V. Giri expressed this feeling while inaugurating the Post Graduate Women's Hostel of American College at Madurai. He pleaded that 'women should get 50 per cent representation in the Central and State Cabinets since the country's destiny depended largely on its women'. See *The Times of India* (Bombay) Sept. 1, 1970.

\*Source: WHO'S WHO of I, II, III, IV & V Lok Sabha.

in 1919<sup>9</sup>, yet the number of women members has not gone up appreciably. As against 27 women members in the House of Commons on the eve of 1970 elections, only 26 were returned in the General Election of 1970, which constitutes only 4.1 per cent of the total membership'. In the U.S.A. where women got franchise as far back as August 1920, there are only 10 members (2.3 per cent) in the House of Representatives composed of 435 members<sup>10</sup>. The lot of women in France, a country which gave the slogan of 'Egalite' (equality) to the world, is no better. In 1968, there were only 8 (1.6 per cent) women members in the National Assembly composed of 487 members.<sup>11</sup> In Canada, since women got the right to vote in 1920, only 18 of them have been able to get elected to the House of Commons, the popular House. At present, there is only one woman member in the House of Commons<sup>12</sup>. In Switzerland also, which is considered to be one of the most democratic countries in the world, women got the right to vote only in February 1971, when the amendment to Article 74 of the Constitution was accepted by a plebiscite<sup>13</sup>.

However, the record of some of the European and Asian countries viz., the U.S.S.R., Sweden, Finland, China etc., is quite encouraging. In Russia, at present, 30.5 per cent of the Deputies to the Supreme Soviet are women<sup>14</sup>. Their strength in Sweden and Finland, is 25<sup>15</sup> per cent and 21.5<sup>16</sup> per cent respectively. In China, there are 9.9 per cent women in the National Congress<sup>17</sup>.

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<sup>9</sup>Countess Markiewicz was the first woman to be elected to the British House of Commons, but she refused to take her seat in the House and the honour of the first woman M.P. to take her seat in the British Parliament fell on Viscountess Astor. See Humphreys M. E. Beggs & Humphrey D. W. *The Story of Parliament*, George Allen & Unwin, London, 1962 p. 29.

<sup>10</sup>Whitaker, *Almanac* 1972: p. 316.

<sup>11</sup>Sallay M. Grooms: Address delivered to 'The Committee on the Status of Women in India' under the auspices of All-India Women's Conference on May 18, 1972 p. 6.

<sup>12</sup>*Political Rights of Women*: Report of the Secretary General submitted to the General Assembly of U.N. in November, 1971.

<sup>13</sup>Grace MavInnis, 'Women and Politics' in *The Parliamentarian*, London, LIII No. 1, January 1972, p. 8.

<sup>14</sup>*Political Rights of Women*, op. cit. p. 22.

<sup>15</sup>*Ibid.*, p. 15.

<sup>16</sup>*Political Rights of Women*, Report submitted by the Secretary General to the U.N. Assembly on December 15, 1970, p. 17.

<sup>17</sup>*Ibid.*, p. 40.

<sup>18</sup>*Ibid.*, p. 14.

Thus we find that "the number of women in the legislature of any country is far below the ratio warranted by their numbers"<sup>18</sup> This may be due to the reason that "politics is just not regarded as women's domain."<sup>19</sup>

The factors which have prevented women from being elected to the Lok Sabha proportionate to their electoral strength, can be summarized as under.

According to the Indian tradition, the proper place for women is within the four walls of her home and her chief duty is to look after her domestic chores. No doubt, the traditional position of women has been greatly affected by the various steps taken in the direction of their emancipation by the grant of equal legal rights. But, the inequalities and disabilities imposed by a tradition of centuries cannot be easily eradicated. In many sections of Indian society, the public appearance of women is still looked down upon and those who do not adhere to these norms face the risk of 'social ostracism'. Apart from the traditional position, there are certain practical hurdles also in the way of women participating in politics. The burden of child-bearing and child-rearing keeps the Indian women so engrossed in her domestic sphere that she hardly gets any time to enter public life and seek elections. The membership of the Lok Sabha requires the presence of the members at New Delhi for the greater part of the year and keeps the members away from their families. Because of strong attachment to their families, women are reluctant to seek election to the Lok Sabha.

The predominantly agricultural economy is another contributory factor for the low percentage of women members in the Lok Sabha. The majority of Indian women work on the fields as a part of the family unit without claiming any wages. The trend of urban migration which takes their men-folk to the cities for work further increases their burden. With no economic independence and an ever increasing load of work it can hardly be expected from the rural women to take active part in politics. In urban areas, no doubt, there has been a growing urge amongst middle class women to be economically independent and they have been freely working side by side with men. But, the majority of urban women are still not economically independent of their men-folk. Only when they become as economically

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<sup>18</sup>Lakshmi Menon, *Op. cit.*, p. 62.

<sup>19</sup>*Ibid.*

free as men, will it be possible to develop a large group of women legislators truly representative of the Indian women's interests.

In many cases, women, who have the means and the ability to participate in active public life, are reluctant to offer themselves for the elective offices, because of the expenses and difficulties involved in conducting the election campaign<sup>10</sup>.

The low percentage of education amongst Indian women is also responsible for the low percentage of their representation in the Lok Sabha. In India, before Independence, the education of girls was mainly confined to elementary schools with their number dropping sharply in secondary schools and becoming almost negligible in colleges and universities. According to the 1941 census, the literacy rate for women was as low as 6 per cent against 22.6 per cent for men. No doubt, as a result of steps taken by the Government of India, the rate of women literacy rose to 12.9 per cent in 1961 and 18.44 per cent in 1971<sup>11</sup>, but the disparity in higher education still persists.

Yet another factor responsible for the low percentage of women members in the Lok Sabha has been the relatively low percentage of women members in professions like law and journalism, which traditionally lead to a political career. As more and more women are taking to these professions, there is bound to be an increase in the strength of women taking to active politics.

Thus, we find that the low percentage of women in the Lok Sabha has been partly due to their traditional place in society, the reluctance of women members to keep away from their families, the burden of election campaigns and their expenses, as well as the low rate of their literacy and economic dependence on men-folk.

As regards the background of the women members who have been able to get elected to the Lok Sabha since 1952, this paper seeks to analyse the socio-economic background of these members to determine the strata of society from which they come. The study of the socio-economic background of the women members is of great significance because it provides us with the key for the qualitative analysis of the

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<sup>10</sup>See U.N. Seminar on Measures Required for the Advancement of Women with special reference to the Establishment of Long-term Programme held at Manila (Phillippines) from December 6 to December 19, 1966, p. 11.

<sup>11</sup>Census of India 1971—Provisional Population Totals. 'Figures at a Glance', Government of India Press, New Delhi.

women leaders. This involves the study of age, place of birth, education, marital status, the size of the family, occupation, as well as the class to which they belong.

1. *Age*: The age composition of women members of the five Lok Sabhas is given in table No. 2.

TABLE No. 2  
AGE COMPOSITION

Age Group	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
25 to 35.	3	14	2	7	4	12	3	10	3	14
36 to 45.	5	23	13	48	19	56	9	29	6	27
46 to 55.	7	32	9	33	5	14	12	39	11	50
56 to 65.	4	18	1	4	4	12	5	16	1	4.5
66 and above .	1	4	1	4		..	1	3	1	4.5
Not available .	2	9	1	4	2	6	1	3		
<b>TOTAL</b>	<b>22</b>		<b>27</b>		<b>34</b>		<b>31</b>		<b>22</b>	

It will be observed from the above table that the majority of the women members in all the Lok Sabhas has been from the middle age-group of 36 to 55 years and their percentage in the five Lok Sabhas has been 55, 81, 70, 68 and 77 respectively. The predominance of middle aged women in all the Lok Sabhas can be explained by the fact that women of this age-group are less likely to have small children in their care and are comparatively free to devote their time to politics. Further, the social inhibitions which prevent young women from coming out in the open are also absent in their case. The percentage of the younger members (25—35 years) which was 14 in the First Lok Sabha, after sharply falling in the Second Lok Sabha to 7 has again shown a rising trend and has reached the original figure of 14. Another noteworthy feature is the decline in the percentage of older

members (56 years and above) which has come down from 22 per cent in the First Lok Sabha to 9 per cent in the present Lok Sabha.

2. *Place of birth* : While studying the socio-economic back-ground of the women members, it is also desirable to find out whether they have a rural or an urban back-ground. Although the majority of Indian women, as men, live in villages, very few women members of the Lok Sabha hail from rural India. The table below gives rural|urban composition of the women members of the Lok Sabha.

TABLE No. 3  
RURAL/URBAN COMPOSITION

	<i>First Lok Sabha</i>		<i>Second Lok Sabha</i>		<i>Third Lok Sabha</i>		<i>Fourth Lok Sabha</i>		<i>Fifth Lok Sabha</i>	
	No.	%	No.	%	No.	%	No.	%	No.	%
Village .	1	5	3	11	1	3	2	6	3	13
Town (with a population upto 100,000)	8	36	11	41	15	44	11	36	5	23
City (with a population over 100,000)	11	50	9	33	15	44	16	52	14	64
Not available .	2	9	4	15	3	9	2	6		
<b>TOTAL</b>	<b>22</b>		<b>27</b>		<b>34</b>		<b>31</b>		<b>22</b>	

Table No. 3 demonstrates that over 80 per cent of women members of all the Lok Sabhas were|are from cities and towns. Even those, who were born in villages have been residing in urban areas for long and have become 'semi-urbanized, if not fully urbanized. No doubt, the percentage of women from rural areas has recorded a consistent increase throughout (except in the Third Lok Sabha) and has reached 13 per cent in the Fifth Lok Sabha, as against 5 per cent in the First Lok Sabha. The low percentage of the rural-born women members in the Lok Sabha is due to a number of factors. The rural women are mostly illiterate or semi-literate, and economically dependent on their men-folk. It is hoped that with the spread of education and achievement of economic independence, the rural women will take



more active part in politics and their representation in Lok Sabha will increase.

3. *Geographical Representation* : The geographical representation of women members of the five Lok Sabhas is given in table below:

TABLE No. 4

Name of the State	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
Andhra Pradesh*	..	..	3	11	4	12	3	10	3	14
Assam . . . . .	1	4.5	2	7	2	6	1	3.25	1	4.5
Bihar . . . . .	2	9	5	18	7	20	4	13	1	4.5
Delhi . . . . .	1	4.5	1	4	..	..	..	..	2	9
Gujarat**	2	9	1	4	2	6	1	3.25	..	..
Himachal Pradesh	1	4.5	1	4	..	..	..	..	..	..
Kerala***	1	4.5	..	..	..	..	1	3.25	1	4.5
Madhya Pradesh	3	14	4	15	5	15	5	16	3	4
Maharashtra**	1	5	2	7	1	3	2	6.25	..	..
Mysore . . . . .	..	..	..	..	1	3	1	3.25	1	4.5
Rajasthan . . . . .	..	..	..	..	1	3	1	3.25	2	9
Punjab . . . . .	1	4.5	1	4	..	..	2	6.25	..	..
Tamil Nadu@	2	9	1	4	3	9	..	..	1	4.5
Uttar Pradesh	6	27	3	11	6	17	8	26	6	27
West Bengal . . . . .	1	4.5	3	11	2	6	2	6.25	1	4.5
<b>TOTAL</b>	<b>22</b>		<b>27</b>		<b>34</b>		<b>31</b>		<b>22</b>	

\*Till September 1953 Andhra Pradesh formed a part of the State of Madras, hence no separate representation in the First Lok Sabha. Andhra Pradesh was created by *Andhra State Act 1953* (Act No. 30 of 1953 passed on Sept., 14, 1953).

\*\*The States of Gujarat & Maharashtra formed part of the Bombay State till 1960 when they were bifurcated by *Bombay Reorganisation Act 1960* (Act No. 11 of 1960) passed on April 25, 1960. The women members of the erstwhile State of Bombay have been divided amongst the two States of Gujarat and Maharashtra.

\*\*\*Members from the State of Travancore-Cochin in the First Lok Sabha have been included in this State.

@Formerly known as Madras.

The above table shows that the States of Andhra Pradesh, Assam Bihar, Madhya Pradesh, Uttar Pradesh and West Bengal have invariably been returning women members to the Lok Sabha. The States of Punjab, Rajasthan, Mysore, Tamil Nadu (formerly Madras) Kerala (formerly Travancore Cochin), Himachal Pradesh, Maharashtra and Gujarat (both of which formerly formed a part of the composite Bombay State) and Delhi have been returning women members intermittently. It may be further noted that the States of Orissa, Haryana and Jammu & Kashmir have never returned a woman member to the Lok Sabha. This may be due to the smaller representation enjoyed by these States (on the basis of their population) in the Lok Sabha.

The credit for contributing the maximum number of women members to the Lok Sabha goes to the State of Uttar Pradesh, which contributed on an average 22 per cent of the total women members in all the Lok Sabhas with Madhya Pradesh and Bihar contributing on an average 15 and 13.2 per cent respectively. The higher percentage of women members from these States has been due to the larger number of seats allotted to these States in the Lok Sabha on the basis of their population. But it is worth noting that some of the other States with larger representation in the Lok Sabha viz. Maharashtra, Gujarat, West Bengal and Tamil Nadu have not been able to return women members to the Lok Sabha in sufficient strength. The average representation of women members from these States has been: West Bengal 6.4; Gujarat and Maharashtra 4.4 per cent each; and Tamil Nadu 2.5 per cent.

4. *Political Affiliations:* The political affiliations of the members are also an important factor because they go a long way in colouring their outlook and attitude towards various issues. The party composition of the women members of the five Lok Sabhas is shown in Table No. 5.

TABLE NO. 5  
PARTY AFFILIATIONS

Name of the Party	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
Congress	18	82	23	85	27	79	23	74	15	68
Communists	1	4.5	2	7.5	2	6	1	3.25	2	9
Jan Sangh	..	..	..	..	..	..	1	3.25	2	9
Swatantra	..	..	..	..	5	15	1	3.25	1	5
Hindu Mahasabha	1	4.5	..	..	..	..	..	..	..	..
Akalis	..	..	..	..	..	..	3	25	..	..
Janta Party	..	..	2	7.5	..	..	..	..	..	..
Independents	2	9	..	..	..	..	4	13	1	4.5
Nominated	..	..	..	..	..	..	..	..	1	4.5
TOTAL	22		27		34		31		22	

The above table shows that the majority of women members in all the Lok Sabhas have invariably belonged to the Congress Party with their representation at 82 and 85 per cent respectively in the first two Lok Sabhas. However, since the third Lok Sabha, the percentage of women members belonging to the Congress Party has been showing a downward trend and their percentage stood at 79, 74 and 68 in the Third, Fourth and the Fifth Lok Sabhas respectively. The high percentage of women members belonging to the Congress Party in the first two Lok Sabhas has probably been due to the popularity which this party had enjoyed in the political sphere in the initial period since Independence. From the Third Lok Sabha onwards, other political parties were able to return more women candidates. This was obviously at the cost of Congress Party. The Communist Party is the only other political party which has returned women members to all the Lok Sabhas and its percentage has recorded consistent rise from 4.5 per cent in the First Lok Sabha to 9 per cent in the Fifth Lok Sabha. The Jan Sangh, which was able to return a woman member for the first time in the Fourth Lok Sabha has improved its position in the present Lok Sabha from 3.25 to 9 per cent. The strength of the women members belonging to the Swatantra Party on the other hand has recorded a decline from 15 per cent in the Third Lok Sabha to five per cent in the present Lok Sabha. The other minor political parties like the Janata Party, Akalis, and the Hindu Mahasabha were able to return women members only in one of the five Lok Sabhas each. Another noteworthy feature is that independent women candidates could find seats only in the First, Fourth and Fifth Lok Sabhas. Further, their strength which stood at 9 per cent in the First Lok Sabha and 13 per cent in the Fourth Lok Sabha has come down to 4.5 per cent in the present Lok Sabha.

5. *Marital Status* : The marital status of the women members of five Lok Sabhas is indicated in the following table :

TABLE NO. 6  
MARITAL STATUS

	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
Unmarried	3	14	3	11	2	6	3	10	2	9
Married	15	68	20	74	24	71	19	61	13	59
Widows	4	18	4	15	8	23	8	26	7	32
Not available	..	..	..	..	..	..	1	3	..	..
TOTAL	22		27		34		31		22	

Table No. 6 indicates that the majority of women members, who have entered the Lok Sabha, have been married and the next largest number are widows. The unmarried women in the Lok Sabha have constituted on an average 10 per cent of the total women members and their percentage was the highest in the First Lok Sabha (14 per cent). Another noteworthy feature is that the percentage of widows has recorded a rise from 18 per cent in the First Lok Sabha to 32 per cent in the present Lok Sabha.<sup>22</sup>

6. *Size of Family* : The capacity of a woman member to participate in politics depends on the relief she can get from the burden of bearing and rearing of children. The size of the family of the members, therefore, to a large extent determines the capacity and effectiveness of their public participation. The details of the size of families of women members are given in the following table :

TABLE NO. 7  
NUMBER OF CHILDREN

Number of children	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
1 to 3	11	50	15	56	22	65	17	55	11	50
4 to 5	5	23	2	7	4	12	5	16	4	18
6 or more	..	..	..	..	..	..	..	..	1	5
No child/Not available	3	13	7	26	6	17	6	19	4	18
Unmarried	3	14	3	11	2	6	3	10	2	9
TOTAL	22		27		34		31		22	

<sup>22</sup>Even in other advanced countries like the U.S.A., the percentage of widows is on the increase. See address of Sallay M. Grooms, *op. cit.*, p. 6.

Table No. 7 demonstrates that the majority of women members in all the Lok Sabhas had between 1 to 3 children. Their percentage in the five Lok Sabhas has been 50, 56, 65, 55 and 50 respectively. The percentage of women members having four or five children which fell from 23 per cent in the First Lok Sabha to 7 per cent in the Second Lok Sabha, has been recording an increase since then. It rose to 12, 16, and 18 per cent respectively in the Third, Fourth and Fifth Lok Sabhas. Moreover, the percentage of those members who have not recorded the number of their children has been on the increase since the First Lok Sabha. Their percentage in the five Lok Sabhas has been 13, 26, 17, 19 and 18 respectively.

7. *Education*: One of the most important factors in determining the social background of the women members of the Lok Sabha is the level of their education. The Table below gives their educational background :

TABLE NO. 8  
EDUCATIONAL BACKGROUND

	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
School level	6	27	4	15	3	9	4	13	2	9
College/University	12	55	16	59	22	65	22	71	18	82
Private . . . .	3	13	2	7	1	3	3	10	1	4.5
Not available	1	5	5	19	8	32	2	6	1	4.5
TOTAL	22		27		34		31		22	

Table No. 8 shows that the majority of women members of all the Lok Sabhas have been to a College or University. The percentage of these women has recorded a consistent increase. Their percentage in the five Lok Sabhas has been 55, 59, 65, 71 and 82 respectively. This indicates that College educated women have a better chance of being elected to the Lok Sabha. This trend is logical for a country where the general rate of literacy is only 29.35 per cent<sup>33</sup> and the rate of women literacy is only 18.44 per cent<sup>34</sup>. The percentage of women members

<sup>33</sup>Census of India 1971 (Provisional) p. 45.

<sup>34</sup>Census of India 1971 Supplementary, (Provisional) Population Totals, See Figures at a Glance.

who received private education has also declined from 13 per cent in the First Lok Sabha to 4.5 per cent in the Fifth Lok Sabha.

8. *Foreign Education*: The first two Lok Sabhas contained a sizeable number of foreign educated women, which has been since declining, as shall be evident from the following table:—

TABLE NO. 9  
FOREIGN EDUCATION

Country of Education	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
U.K./Europe	4	18	4	15	4	12	3	10	2	9
..			1	4	1	3	1	3	1	5
U.S.A./Canada	..		1	4	1	3	1	3	1	5
Asian Country (Other than India)	..		..						..	..
Not Available	18	82	22	81	29	85	27	87	19	86
TOTAL	22		27		34		31		22	

The above table demonstrates that the majority of women members of all the Lok Sabhas have had not received any foreign education. Amongst the foreign educated women members, a majority of the members received education in Britain and Europe. While some members of the Second, Third, Fourth and Fifth Lok Sabhas had received education in the U.S.A. and Canada, not even a single member had received education in any foreign Asian country. The higher percentage of U.K./European educated members may be due to the higher educational facilities available in the United Kingdom and other European countries. But the percentage of those who received education in foreign countries has been steadily declining irrespective of the fact that more and more women are going to foreign countries for advanced studies.

9. *Foreign Travel*: Although the number of foreign educated women members is on the decline, more and more members are becoming foreign travel conscious, as evident from the following table:—

TABLE NO. 10  
FOREIGN TRAVEL

No. of countries visited	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
One country .	1	4	4	15	1	3			1	4.5
2 or 3 countries .			2	7	2	6			1	4.55
4 or more countries	7	32	5	19	11	32	16	52	11	50
Nil/Not available.	14	64	16	59	20	59	15	48	9	41
TOTAL .	22		27		34		31		22	

The above table shows that the strength of women members who have been to foreign countries has recorded a consistent increase. While in the first three Lok Sabhas the strength of women members who had been to some foreign country was on the lower side of 50 per cent, in the Fourth and the Fifth Lok Sabhas it rose to 52 and 59 per cent respectively. This rise in the percentage of women members, who have been to foreign countries, is probably due to the fact that most of these members got the chance to visit foreign countries as delegates to the various official and non-official conferences. It is probable that the percentage of the women members who have been to foreign countries may be a little higher than that indicated in the table above, because a number of members might have omitted to record the fact of their travel abroad. Another point is that the majority of women members have visited more than three foreign countries. The percentage of such members in the five Lok Sabhas has been 87.5, 45.5, 78.6, 100 and 84.6 per cent respectively of the members who have been to foreign countries.

10. *Professional Background* : This is another important factor in the socio-economic make-up of the members. It develops a particular bent of mind and determines the approach of a member towards different problems. The occupational background of the women

members of the five Lok Sabhas is given in the table below :—

TABLE NO. 11  
PROFESSIONAL BACKGROUND

Profession	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
Agriculture Land-ladies.	2	9	4	15	4	12	4	13	4	18
Business										
Journalism	1	4.5							1	4.5
Medicine			2	7			2	6		
Political & Social Workers.	12	55	13	48	18	53	15	49	8	37
Service	1	4.5	1	4	1	3	1	3	1	4.5
Teaching	4	18	2	7	3	9	4	13	4	18
Ex-ruling class	1	4.5	4	15	6	17	4	13	3	14
Not Available	1	4.5	1	4	2	6	1	3	1	5
TOTAL	22		27		34		31		22	

The above table clearly demonstrates that the majority of women members of all the Lok Sabhas have been political or social workers before joining the Lok Sabha. However, their percentage has been declining since the First Lok Sabha. Women belonging to the teaching profession have, however, been able to get a higher percentage of representation in the present Lok Sabha as compared to the Second, Third and Fourth Lok Sabhas, and at present, their strength stands at 18 per cent, as in the First Lok Sabha. The percentage of women with agriculture as their profession has also recorded an increase from 9 per cent in 1952 to 18 per cent in 1971. The strength of women members hailing from the former ruling classes, which was 4.5 per cent in the First Lok Sabha and considerably increased in the Third Lok Sabha (17 per cent), has once again registered a downward trend in the Fifth Lok Sabha (14 per cent).

11. *Class Structure* : It was rather difficult to ascertain the class of women members of the Lok Sabha from their bio-data. Only one



member (3 per cent) of the Third Lok Sabha recorded that she belonged to the working class. In the table below, the class of the members has been determined as follows :

- (i) *Working class* :—those who indicated that they belonged to that class or were doing a job involving manual labour;
- (ii) *Upper class* :—those who were born in families of big land-lords, ex-ruling chiefs, industrialists etc.; and
- (iii) *Middle class* :—includes all others except those in the other two classes.

TABLE NO. 12  
CLASS COMPOSITION

Class	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
Working	2	9	1	3	1	3	1	3	2	9
Middle	18	82	20	75	24	71	22	71	16	73
Upper	2	9	5	19	7	20	7	23	4	18
Not Available.			1	3	2	6	1	3		
TOTAL	22		27		34		31		22	

Table No. 12 indicates that the majority of women members of all the five Lok Sabhas belonged to the middle class, with their percentage standing at 82, 75, 71, 71 and 73 respectively. While the percentage of the members of the working class never exceeded 9 (First and Fifth Lok Sabhas) in any Lok Sabha, the strength of members belonging to upper classes continued to increase from the First to the Fourth Lok Sabha. In the present (Fifth) Lok Sabha, however, their strength has come down from 23 per cent in the Fourth Lok Sabha to 18 per cent.

12. *Scheduled Castes/Tribes*: In a true democracy every section of society must find representation in the representative body. The members of the Scheduled Castes and Scheduled Tribes have been

assured adequate representation in the Parliament through reservation of seats. It is heartening to note that a sizeable number of women members in each Lok Sabha have represented the Scheduled Castes and Scheduled Tribes. This will be evident from the following table:—

TABLE NO. 13  
SCHEDULED CASTES/TRIBES

	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
Scheduled Castes	4	13	3	1	4	12	3	10	6	27
Scheduled Tribes	1	5	1	4	1	3	3	10	1	5
Others	17	77	23	85	29	85	25	80	15	68
<b>TOTAL</b>	<b>22</b>		<b>27</b>		<b>34</b>		<b>31</b>		<b>22</b>	

Table No. 13 shows that the representation of women members belonging to the Scheduled Castes and Scheduled Tribes, which went down a little in the Second, Third and Fourth Lok Sabhas has reached an all-time high percentage of 32 of the total women membership in the Fifth Lok Sabha. This is a welcome trend keeping in view the backward position of women in these communities.

Having considered the socio-economic make-up of the women members of the Lok Sabha it would be appropriate to examine their experience in public life as well. Although public experience can imply a number of things, this paper makes an effort to study only the data regarding the previous legislative experience, local government experience; and the party offices held by the women members.

1. *Legislative Experience*: Even before the inauguration of the present Constitution, a number of women members had served in the various Provincial and Central Legislative Assemblies as well as the Constituent Assembly.<sup>25</sup> Naturally, when the elections to the First Lok Sabha were held in 1952, quite a few members with previous

<sup>25</sup>There were eleven members in the Constituent Assembly of India.

legislative experience were returned to the House. In subsequent Lok Sabhas their strength has been recording a consistent increase, as evident from the following table :—

TABLE NO. 14  
PREVIOUS LEGISLATIVE EXPERIENCE

	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
Central or Provincial Legislature (before 1947) only . . . . .	5	23								
Constituent Assembly and/or Provisional Parliament . . . . .	1	4			1	3				
State Legislature and/or Constituent Assembly/Provisional Parliament . . . . .	5	23	2	7.5	1	3	..	..	..	..
State Legislature . . . . .			2	7.5	6	18	8	26	2	9
Parliament . . . . .			6	22	12	35	10	22	9	41
State Legislature and Parliament . . . . .			3	11	2	6	7	23	6	27
Not Available/Freshers . . . . .	11	50	14	52	12	35	6	19	5	23
<b>TOTAL</b>	<b>22</b>		<b>27</b>		<b>34</b>		<b>31</b>		<b>22</b>	

The above table indicates that a substantial portion of women members in the First and Second Lok Sabhas had no previous legislative experience. From the Third Lok Sabha onwards, the majority of women members of all the Lok Sabhas have had some previous legislative experience, either at the Centre or in the State, or both. In the Fourth and the Fifth Lok Sabhas almost 80 per cent women members had previous legislative experience. This clearly indicates that women with previous legislative experience, either in the States or at the Centre have a better chance of being returned to the Lok Sabha. Similarly, quite a few women members of the Lok Sabha had held the posts of Ministers in the State Cabinets before being returned to the House.

2. *Local Government Experience* : The traditions of healthy democracy are well served if the members have necessary grounding in local government institutions like Municipal Councils, District Councils and Local Boards. The local bodies are considered as the 'training ground for the politicians'. The break-up of the members of the five Lok Sabhas having experience of local government at various levels is given in the table below.

TABLE No. 15  
LOCAL GOVERNMENT EXPERIENCE

Local Body	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
1	2		3		4		5		6	
Municipal Committee/ Municipal Board/ Municipal Corpn.	3	14	1	4	2	6	2	6	3	14
District Council/ District Board			1	4	1	3	1	3	1	4.5
Local Board/Janpad			1	4	1	3	1	3	1	4.5
District & Local Board	1	4					1	3	..	..
Village Panchayat							1	3	1	4
Not Available	18	82	24	98	30	88	25	82	16	79
TOTAL	22		27		34		31		22	

Table No. 15 demonstrates that the majority of women members of all the Lok Sabhas had either not indicated or had no experience of local government institutions. But at the same time, one trend is very clearly visible : the percentage of women with some sort of local government experience is on the increase. While the percentage of women members who had worked at various levels of local government in the First Lok Sabha was only 18, the same has risen to 27 in the present Lok Sabha. Another noteworthy feature is that as most of the women members come from the urban areas, very few of them have experience of working with Village Panchayats. While in the

first three Lok Sabhas there was not even a single woman member who had worked in a Village Panchayat, in the Fourth and the Fifth Lok Sabhas, their percentage is 3 and 4 respectively. In view of the growing importance of villages, it can be expected that more and more rural members with experience of Village Panchayats will be returned to the Lok Sabha in future.

3. *Party Offices held:* In a parliamentary system of government, the party organizations have a great hold over the members. The aspirants for membership of the Lok Sabha have to make sure that their names are recommended by the local and State organizations of the party. In view of this, the party office held by a member of the Lok Sabha becomes a significant factor in her legislative career. The party offices held by the women members of the five Lok Sabhas are given in the table below:—

TABLE NO. 16  
PARTY OFFICE HELD

Level	First Lok Sabha		Second Lok Sabha		Third Lok Sabha		Fourth Lok Sabha		Fifth Lok Sabha	
	No.	%	No.	%	No.	%	No.	%	No.	%
	1	2	3	4	5	6				
Village/Town	..	..	..	..	..	..	..	..	..	..
Taluqa	..	..	1	4	..	..	..	..	..	..
District	2	9	1	4	..	..	1	3	1	4.5
State/Pradesh	1	4.5	1	4	2	6	2	6.5	2	9
All India	3	14	3	11	3	9	2	6.5	1	4.5
District and State	2	9	2	7	3	9	1	3	1	4.5
State & All India	1	4.5	..	..	..	..	4	13	1	4.5
District, State & All India	2	9	2	7	1	3	..	..	..	..
Primary Members	9	41	16	59	23	67	17	55	14	14
Not Available*	2	9	1	4	2	6	4	13	2	9
TOTAL	22		27		34		31		22	

\*This also includes the independent candidates who are not members of any political party and hence the question of their holding party office at any level does not arise.

Table No. 16 shows that the majority of the members did not either hold or record that they had held any party office. It can be presumed that they did not hold any office in the party and were merely ordinary members. The percentage of women members who had held party offices was 50 in the First Lok Sabha, and 37, 27, 32 and 30 respectively in the subsequent Lok Sabhas. Thus, we find that the percentage of women members who had held party offices was the highest in the First Lok Sabha and has been declining ever since. The decline in the percentage of these members is probably due to the fact that the members of the Lok Sabha are so much preoccupied with the work of the House and its Committees that they hardly get any time to hold any party office in addition.

The above study reveals that in spite of constitutional and legal guarantees, the women of India have not been able to get adequate and proportionate representation in the Lok Sabha—the highest representative body in the country. The only solace is that even other advanced democracies of the world, where women were enfranchised long back, their representation is not higher than that of Indian women. This low percentage of women representation in the Lok Sabha has been due to the traditionally domestic nature of Indian women, their low rate of literacy, economic dependence on men-folk, the reluctance of women to contest the elections and the low percentage of women in professions like law and journalism which traditionally lead to a political career.

Regarding the socio-economic background of the women members, who have been able to find a seat in the Lok Sabha, the study reveals that a majority of them belong to the Congress Party and are middle aged women with small families. They mostly come from urban areas and have received College or University education. A majority of these women members have been to foreign countries. Profession-wise, the largest number of women members were social and political workers before attaining membership of the Lok Sabha. The majority of members belong to the middle class, although they do not clearly indicate it. Members belonging to the Scheduled Castes and Scheduled Tribes form a substantial portion of the total women members in the five Lok Sabhas.

The study also reveals that the majority of women members of the Lok Sabha have had some legislative experience at various levels

before entering the House. The percentages of such members have been increasing. Therefore, it implies that a candidate has to serve some sort of political apprenticeship before aspiring for the Lok Sabha membership. As regards the experience of local government bodies, which have been described as 'the training ground for the politicians', the majority of the members had no such experience, although their percentage has been on the increase. The percentage of members who had worked in the village panchayats has been almost negligible.

The study further reveals that although political parties play a significant role in the working of parliamentary democracy, the majority of women members have had not worked at the various levels of the party organization.

In conclusion it can be said that although the representation of women in the Lok Sabha has not been adequate and has rather been declining, yet it should not alarm us. With the spread of literacy and achievement of economic independence by women, they will certainly shun their indifference to political participation and the 'day is not far off when they would rush to the citadels of power and claim their due.'<sup>24</sup>

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<sup>24</sup>Sharda Krishnan, 'Women's Role in Politics', *The Indian Express* (New Delhi) January 25, 1971.

## IMPACT OF FINANCIAL COMMITTEE'S RECOMMENDATIONS ON ADMINISTRATION

[A series of articles highlighting the impact of recommendations of the Financial Committees of Parliament on the Administration was started with the April, 1970 issue of the Journal. Continuing the series, we publish in this issue an article on Ashoka Hotels Limited based on the Reports of the Committee on Public Undertakings.—Editor].

### ASHOKA HOTELS LTD.

The Ashoka Hotels Ltd., a public limited company was floated in October, 1955. The original cost of the hotel building was estimated at about Rs. 2 crores. The actual expenditure incurred<sup>1</sup> on the project was, however, of the order of Rs. 2.77 crores. The Government approved<sup>2</sup> on 27-1-1967, the construction of an Annexe to the Ashoka Hotel, consisting of 300 additional beds, a convention|banquet hall and two specially designed restaurants (including a Revolving Tower Restaurant) to be ready in time for the United Nations Conference on Trade and Development which was to begin in New Delhi on the 1st February, 1968.

#### *Annexe Project*

In their recommendation in paras 91-92 of the 13th Report (1967-68), the Committee on Public Undertakings stated that they had carefully gone into the question of the award of the contract for the Ashoka Hotel Annexe Project to M|s. Tirath Ram Ahuja, who was also the contractor entrusted with the construction of the main building. The

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<sup>1</sup>Committee on Public Undertakings, 13th Report (1967-68) para 4.

<sup>2</sup>Ibid, para 58.



primary purpose of expediting the project was the provision of additional accommodation for the delegates and the convention hall for the UNCTAD Conference which was scheduled to commence on the 1st February, 1968 and a sense of urgency appeared to have motivated all actions in pursuance of that object. The Committee recommended<sup>3</sup> that the role of Architects and the actions of the Management in awarding the contract of the Annexe to M|s. Tirath Ram Ahuja, called for further probe by Government regarding the irregularities in the deal.

The Government stated in reply that the matter was considered by the Board of Directors of the Ashoka Hotels, who intimated that they would welcome Government looking as expeditiously as possible into the matter of award of the contract for the Annexe Project as recommended by the Committee on Public Undertakings. The Government accordingly set up an Inquiry Committee in June, 1968.

The Inquiry Committee had gone into the various points raised by the Committee on Public Undertakings in their 13th Report (1967-68). The Government accepted the findings of the Inquiry Committee and decided that since the report of the Committee did not attach any blame to any particular officer or Director of the Ashoka Hotels Ltd., no further action was called for on the part of Government. The Ashoka Hotels Ltd., had also dispensed with the services of the Architects who had been adversely commented upon both by the Committee on Public Undertakings and the Inquiry Committee.

The Committee on Public Undertakings in their 15th Report (1971-72) were glad to note<sup>4</sup> that a probe was carried out by Government and the services of the Architects who had been adversely commented upon, were dispensed with. The Committee, however, emphasised that the entire blame could not be laid at the door of the Architects since the Management being also severally responsible for the finalisation of the contract showed from the outset a strong predisposition for one

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<sup>3</sup>C.P.U. 15th Report (1971-72), p. 3.

<sup>4</sup>*Ibid.*, para 1.5.

contractor. The Committee made it clear that it was far from their intention to have a witch-hunt, but, where the principles of propriety in the handling of public finances suffered any deviation, the occasion should be made use of by drawing useful guidelines against any further recurrence. The Committee were not convinced about the plea of urgency advanced by Government as justification for the actions of the management of the Ashoka Hotels Ltd., because the Hotel had been able to provide accommodation to only 271 visitors connected with the UNCTAD conference which could have been arranged from the rooms available in the main building. The Committee, therefore, reiterated their earlier recommendation and suggested that Government should ensure the observance of the procedure laid down for awarding contracts and avoid in future any deviation from the prescribed procedure on considerations of urgency. Furthermore, they recommended that public undertakings should exercise every care in the appointment of architects who were required to perform a key function.

#### *Revolving Tower Restaurant Project*

The Committee on Public Undertakings had observed in their recommendation in para 96 of the 13th Report, that the original estimates of Rs. 2.39 crores had been increased to Rs. 2.49 crores during a review by the Management, while the final estimates were awaited from the Architects. That implied that the estimates would considerably deviate from the original estimates. Wide variations between the estimated cost and actual expenditure had become a common feature in the public sector projects and the Committee had criticised that aspect in their earlier reports.

In their reply, Government stated<sup>5</sup> that since they had set up an enquiry Committee to go into the whole matter, the Management of Ashoka Hotel decided not to proceed with the completion of the Revolving Tower Restaurant and to await the findings of the Enquiry Committee. After the findings of the Inquiry Committee became available, they were communicated to the Ashoka Hotels Ltd. The Board of Management of the Ashoka Hotels Ltd. later resolved that the construction of the Tower should be suspended for the present and that the question could be reviewed later. The Board of Ashoka Hotels accordingly decided not to proceed further with the work. The main reasons for suspending the work on the Tower were :

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<sup>5</sup>C.P.U. 15th Report (1971-72), paras 1.8, 1.13, 1.14, 1.15 and 1.16.

- (1) Against a total estimated expenditure of Rs. 47.71 lakhs as now envisaged, the Restaurant when completed was unlikely to pay its way;
- (2) The management had embarked on a scheme of major renovations.

No renovation had taken place since the inception of the Hotel, 13 years ago. The first phase of renovation was expected to cost about Rs. 50 lakhs. As between the need for renovation and the desirability of constructing a Revolving Tower, the Management felt that the work of renovation was more important. The original estimated expenditure for the Revolving Tower was Rs. 25 lakhs for a height of 150 ft. The revised estimated cost on the basis of 227 ft. was Rs. 47.71 lakhs. Against this sum, an amount of Rs. 14.13 lakhs had been committed till the date on which the work was suspended. The possibility of disposing of the machinery, including lifts which had been acquired for the Revolving Tower Restaurant, was in the process of being explored by the Management of the Ashoka Hotels Ltd. According to the Management of the Ashoka Hotels, the disposal of the equipment might not present any great difficulties.

The Committee felt<sup>o</sup> that the whole episode of the Revolving Tower right from the planning of its construction to the stage of its suspension could hardly be regarded as a responsible attempt consistent with sound principles of financial propriety and prudent management. The Revolving Tower was originally planned as a tourist attraction and obviously no clear-cut decision could be taken at the start whether the height should be 150 ft. or 227 ft. The Architects appeared to have recommended a height of 227 ft., but following the report of the Committee on Public Undertakings and as a result of the recommendations of the Inquiry Committee set up by Government, the work on the Tower was suspended by the Management of the Ashoka Hotels Ltd. The Committee called for a deep analysis of the following facts :

- (1) If the Project was thought important to attract tourists' attraction, why were not clear blue-prints drawn up at the outset and why should there be second thoughts about the height of the Revolving Tower as originally conceived?
- (2) Having already committed Rs. 14.13 lakhs towards construction of the Tower, was it prudent to suspend the project, as the initial objective or enhancing the attraction could not have been affected by the passage of time.

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<sup>o</sup>Ibid., paras 1.20 and 1.21.

If the Management really felt that the Tower would be a great asset, why should they have suspended the project following the report of the Parliamentary Committee which had in no way recommended its suspension, but only its economic execution.

- (3) It would be clear that a greater part of the amount already invested was tantamount to incurring infructuous expenditure if the project was finally abandoned.

The Committee found it a fit subject for a high level enquiry and hoped that exemplary action would be taken against all those found responsible for imprudent use of the public funds.

#### *Board of Directors*

The Memorandum of Association of the Ashoka Hotels Ltd. provided that the number of Directors should not be less than seven or more than twenty-four, unless otherwise determined by a general meeting. The actual number of Directors on the Board of the Ashoka Hotels Ltd. was 11 at the time of examination by the Committee on Public Undertakings. The Estimates Committee in paras 10-11 of their 119th Report on the Ashoka Hotels Ltd. had noted that in large industrial public undertakings, the number of Directors ranged between 8 and 9 and had, therefore, urged that Government should examine the possibility of reducing the number of Directors in the case of the Ashoka Hotels Ltd.

In reply, Government had stated in December, 1961 that in pursuance of the decisions embodied in the Report of the Krishna Menon's Committee, the Board of Directors of the Ashoka Hotels Ltd. was being reconstituted to consist of only 9 Directors. However, the strength was again raised to 11 in the year 1965-66 out of which six were officials and five non-officials. It was stated by the Management that the number of Directors was increased from 9 to 11 in view of the increasing competition for business from other hotels in the capital.

The Committee on Public Undertakings were not convinced<sup>7</sup> with the arguments advanced in justification of the increased strength of Directors from 9 to 11.

The Government stated in reply<sup>8</sup> that it was decided to merge the Ashoka Hotels Ltd. and the Janpath Hotels Ltd. with the India Tourism

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<sup>7</sup>CPU, 13th Report (1967-68), para 110.

<sup>8</sup>CPU, 15th Report (1971-72), p. 18.

Development Corporation. The recommendation made by the Committee would be kept in view when the new Board of Directors was constituted for the merged company.

*Chairman/Managing Director*

The management of the Ashoka Hotels Ltd. vests in the Board of Directors, who in turn elect one of them as Chairman at the first meeting of the Board immediately succeeding every annual general meeting. The Chairman is part-time. The Managing Director on the other hand is appointed by Government for a stipulated period and is the chief executive officer of the company on a whole-time basis. The Committee on Public Undertakings felt<sup>9</sup> that Government should review the position and examine the feasibility of combining the posts of Chairman and Managing Director.

The Government stated in reply<sup>10</sup> that a proposal to merge the Ashoka and Janpath Hotels Ltd. with the India Tourism Development Corporation was under active consideration. The recommendations made by the Committee would be kept in view at the time when the new Articles of Association were finalised for the merged units.

*Occupancy*

In their reply, Government stated<sup>11</sup> that the Management of the (1967-68), the Committee observed that since the continued low occupancy of the Ashoka Hotel directly affected its profitability, it was essential that the standards of comforts, maintenance of furniture, food and service should be further improved. The Hotel should also lay greater emphasis in attracting foreign tourists to the Hotel through travel agencies abroad. In the Committee's view, one way of attracting more tourists to the Hotel would be to consider the practicability of introducing competitive seasonal rates during the lean months.

In their reply, Government stated<sup>11</sup> that the Management of the Ashoka Hotel had noted the observations made by the Committee. The Hotel had set up a Standards Committee to look into the standards of comforts, maintenance of furniture, food and service. The company had also decided in consultation with the Department of Tourism to

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<sup>9</sup>CPU, 13th Report (1967-68), para 128.

<sup>10</sup>CPU, 15th Report (1971-72), p. 19.

<sup>11</sup>CPU, 15th Report (1971-72), para 1.24.

and the Bureau of Public Enterprises would be carried on and concluded at a very early date and efforts to effect economy in operational and administrative expenditure undertaken in a fruitful manner.

### *Entertainment Facilities*

The Committee observed<sup>16</sup> that from the point of view of encouraging tourist traffic, a modern hotel like the Ashoka Hotels Ltd. should provide all types of entertainment. The Committee felt that there was ample scope for enlarging the entertainment facilities provided by the Hotel from the point of view of tourist attraction and making the foreigners conscious of India's artistic and cultural heritage.

The Government stated in their reply<sup>17</sup> that constant efforts were being made for the improvement of entertainment facilities in the Hotel. At present, they had Western music provided by Crooners working with Bands in the Rouge-et-Noir Peacock Restaurants. Indian music was provided in the main Dining Hall by the Hotel Orchestra during lunch and dinner. Entertainments based on Indian classical dances and themes were staged in the Convention Hall. While there would always be scope for improvement of the existing form of entertainment and of introduction of new talent, the content and quality of their shows had been generally appreciated.

The Committee on Public Undertakings in their 15th Report (1971-72) felt<sup>18</sup> that apart from the efforts made by the Management to improve the existing forms of entertainment, it would be useful to ascertain customers' preferences through modern scientifically conducted 'quiz' techniques and random sampling methods. In the opinion of the Committee, 'for a hotel to run long and well, a continuous drive for effecting improvements is an imperative need'.

### *Staff strength*

The Committee felt<sup>19</sup> that lack of proper training facilities was an important factor contributing to the disproportionate ratio existing between staff and bed capacity in Indian hotels as well as in the Ashoka Hotels Ltd. They failed to understand as to why the Management

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<sup>16</sup>Committee on Public Undertakings, 13th Report (1967-68), para 159.

<sup>17</sup>Committee on Public Undertakings, 15th Report (1971-72) paras 1.30 to 1.32.

<sup>18</sup>Ibid, para 1.34.

<sup>19</sup>Committee on Public Undertakings, 13th Report (1967-68), para 165.

had not been able to train the staff after years of establishment of the Hotel. They urged that the Hotel Management should take adequate steps to train its staff by in-service training. They hoped that efforts would be made to bring the bed to staff ratio nearer to 1:1 in due course.

The Government stated in reply<sup>20</sup> that steps were being taken to improve the training facilities and also to bring down the staff ratio in relation to bed. As on 27-2-70, the staff strength was 1398 for a bed capacity of 800. The ratio of staff to bed worked out to 1.75 : 1. Although constant efforts would be made to reduce the staff to bed ratio obtaining in the Hotel, retrenchment of staff was neither practicable nor was it desirable in the light of the aims and objectives of the public sector as a whole. The reply added that the staff to bed ratio of the Ashoka Hotel had already come down from its earlier figure of 3.1:1 to 1.75:1.

#### *Training of Hotel Personnel*

The Committee emphasised<sup>21</sup> that if hoteliering trade was to prosper and flourish in the country, there was a prime need to establish adequate number of Craft Schools to train cooks, stewards, waiters, bakers and other personnel. They hoped that the Ministry of Works, Housing and Supply would take up the question with the Ministry of Labour and Employment and the Department of Tourism for implementation.

The Government stated in their reply<sup>22</sup> that the Department of Food was already seized of the question of establishment of adequate number of Food Craft Centres. Under the Apprentices Act, 1961, it was the statutory obligation of all employers in specified industries, including the hotel industry, to engage a number of apprentices in designated trades for undergoing apprenticeship training. It had also been decided to utilise the facilities available at all Food Polytechnics, Food Craft Centres etc. for imparting basic training to apprentices engaged by various hotels and catering establishments under the Apprentices Act.

#### *Labour Management Relations*

The Committee observed<sup>23</sup> that labour unrest and strained labour-

<sup>20</sup>Committee on Public Undertakings, 15th Report (1971-72), pp. 28-29.

<sup>21</sup>Committee on Public Undertakings, 13th Report (1967-68), para 173.

<sup>22</sup>Committee on Public Undertakings, 15th Report (1971-72) pp. 20-21.

<sup>23</sup>Committee on Public Undertakings, 13th Report (1967-68) para 181.

management relations were a problem with which many public undertakings were afflicted. In the Committee's view, cordial relations between the workers and management were of paramount importance. They urged both the employers and employees to recognise their mutual rights and duties and work in harmony for the efficient working of the Hotel.

The Government stated<sup>24</sup> in their reply that the Management of the Hotel was conscious of the need for maintaining cordial relations with the workers. The pay scales of the employees had been enhanced, where necessary, beyond the recommendations of the Wage Board. In addition, concrete steps were being taken to improve labour welfare and discipline.

The Government further observed that management-staff relations was an evolutionary process and there could never be a full stop to the generation of demands by the workers and/or the satisfaction of those demands by the management.

#### *Working Results*

The Committee observed<sup>25</sup> that the profits of the Ashoka Hotels Ltd. were not rising as expected. The crux of any scheme for making a hotel profitable was the provision of first class amenities for customers in accordance with the best standards to which they were accustomed. The Committee hoped that the Management would institute measures to make the Hotels the best of its kind in the country, so that the occupancy rate in the Hotel did not at any time fall below the specified normal level. It was also necessary that attention be paid towards more economic working of the Hotel consistent with increasing efficiency by eliminating avoidable wastage and losses.

The Government stated<sup>26</sup> in reply that it would not be correct to say that the occupancy of the Hotel was going down as it was 326.33 for the period 1-4-1969 to 31-1-1970 as against 318.88 for the period 1-4-1968 to 31-1-1969. Emphasis was given to the question of market analysis, sales promotion and public relations and a concerned drive was launched to gain additional customers. Internally, a major programme of renovation and re-decoration largely financed from the

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<sup>24</sup>Committee on Public Undertakings, 15th Report (1971-72), p. 32.

<sup>25</sup>Committee on Public Undertakings, 13th Report (1967-68) para 187.

<sup>26</sup>Committee on Public Undertakings, 15th Report (1971-72), pp. 12-13.



internal resources of the Company had already been launched. It was anticipated that with the renovation and redecoration of the entire main building, the Ashoka Hotel would compare favourably with any hotel of its kind in the world with regard to elegance and comfort. In addition, stricter controls in the matter of food costing and inventory controls in the matter of stocks and stores had already been instituted which were beginning to show results. Furthermore, mechanisation of bills was instituted which would have its impact on customer relationship.

The Committee on Public Undertakings in their 15th Report (1971-72), opined<sup>27</sup> that the decrease in the profits of the Company was mainly attributable to the low occupancy ratio in the Hotel as would be seen from the figures\* below:

Year	Percentage of net profit to Total capacity	Average Daily occupancy	Percentage to total bed capacity
1962-63	8.1	369	83
1963-64	10.2	402	90
1964-65	12.3	403	90
1965-66	7.7	353	79
1966-67	10.33	340	75

Year	Percentage of net profit to total capital	Average Daily Occupancy	Percentage to total capacity
1967-68 Main Hotel	12.43	334	74
Annexe (25.1-68 to 31-3-68)	..	146	49
1968-69	4.63	334	42
1969-70	2.76	351	44
1970-71	7.48	436	60
1971-72	8.50	398	64

‡ Subject to Audit

\*The figures from 1967-68 to 1971-72 obtained subsequently are given below:—

"Ibid., para 1.39 to 1.41.

The situation revealed by the above figures was not one which could be viewed with complacency and indicated a vital need for a concerted and continuous drive for reorientation of the Hotel to provide greater customer attraction side by side with vigorous efforts to avoid waste and streamline activities. The Committee also felt that over-staffing in the Ashoka Hotel should be reviewed consistent with efficiency and occupancy and with a view to reducing the avoidable overheads and earning profits.

### *Outstandings*

The Committee on Public Undertakings were not satisfied<sup>28</sup> with the explanation given by the Management of the Ashoka Hotel Ltd. that the bulk of the outstandings was on account of credit facilities generally given in the Hotel industry. Though according to normal commercial practice, credits might be allowed upto three or four months, the outstandings for six months and above which constituted a considerable percentage of outstandings could not be attributed to merely the prevailing system of affording credits but to the lack of purposeful, vigilant and intensive action to realise the outstandings in time. Moreover, there should be no reason for huge outstandings against Government Departments and Undertakings for such long periods. The Committee hoped that earnest efforts would be made to liquidate the outstandings within the shortest possible time.

Although in the first instance, Government noted the recommendation, when the Committee called for figures of outstandings for the years 1967-68 to 1969-70 and the steps taken to bring down the outstandings, Government furnished the figures and added<sup>29</sup> that efforts made by the management during 1968-69 resulted in a reduction of the outstandings during that year, and the question of realising the heavy outstandings was actively being pursued.

The Committee on Public Undertakings in their 15th Report (1971-72) noted<sup>30</sup> that the figures of outstandings for the years 1967-

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<sup>28</sup>Committee on Public Undertakings, 13th Report (1967-68), para 191.

<sup>29</sup>Committee on public Undertakings, 15th Report (1971-72), para 1.45.

<sup>30</sup>*Ibid.* para 1.44 and 1.47.

68 and 1968-69 reflected an upward swing as shown below:

Year	Amount of out-standings
	Rs.
1965-66	12,98,000
1966-67	12,78,000
1967-68	24,71,615
1968-69	21,27,471
1969-70	28,26,619
(From 1-4-69 to 31-12-69 only)	

The Committee considered that the position was clearly unsatisfactory and called for a purposeful, alert and vigilant action in liquidating the outstanding. They desired that a detailed list of defaulters, giving the names of Departments|individuals with the amount outstanding against each and the date since when it was outstanding should be laid on the Table of the House.

#### *Bad and Doubtful Debts*

The Committee on Public Undertakings observed<sup>31</sup> that the high percentage of bad debts was a sad commentary on the lack of promptness on the part of the Hotel Management in realising the outstandings. A considerable percentage was due from Ministries and the Travel Agents. It was surprising that Government Departments|Companies had not settled their bills and had to be treated as "bad debts". The high accumulations from private parties like Travel Agents betrayed lack of business promptitude on the part of the Management. The Committee recommended that the organisation of the Hotel should be geared up and expeditious action taken to liquidate the outstandings.

In the first instance, Government simply noted<sup>32</sup> the recommendation, but later furnished figures of bad and doubtful debts on the

<sup>31</sup>Committee on Public Undertakings, 13th Report (1967-68), para 195.

<sup>32</sup>Committee on Public Undertaking, 15th Report (1971-72), paras 1.49 to 1.52.

specific request of the Committee as shown below:

Year	Amount
	Rs.
1967-68	3,83,625
1968-69	4,54,547

It was stated by Government that steps were taken to ensure that credit was allowed only to parties whose credit-worthiness was assessed to be wholly satisfactory.

The Committee on Public Undertakings expressed concern<sup>33</sup> that the figures of bad and doubtful debts for 1968-69 had registered a considerable increase. They felt that it did not reflect a satisfactory position despite the claim of the Management that the credit was allowed only to sound parties. It called for great wariness and circumspection to ensure that the amount of bad debts was reduced to the minimum and to institute effective steps for the realisation of the outstanding amounts from the parties with greater promptness.

#### *Losses due to Breakage of Crockery and Cutlery*

The Committee did not find<sup>34</sup> any justification for the failure of the Management to bring to light every year in the annual physical varification reports the loss due to breakage of crockery and cutlery. The figures of losses for the preceding eleven years seemed to be uniformly excessive, being well over Rs. 50,000 per year. They considered that it should be the aim of any good management to bring down to the minimum any avoidable losses and hoped that the enquiry already instituted by the Board of Directors in this connection would yield fruitful results.

The Government stated in reply<sup>35</sup> that the enquiry into the loss due to breakage of crockery, cutlery and glassware was under way and the Management were making every effort to bring down the avoidable loss.

<sup>33</sup>*Ibid.* para 1.83.

<sup>34</sup>Committee on Public Undertakings, 13th Report (1967-68), para 201.

<sup>35</sup>Committee on Public Undertakings, 15th Report (1971-72) para 1.55 to 1.57.

The Committee on Public Undertakings in their 15th Report (1971-72) were surprised<sup>86</sup> to note that the enquiry which was instituted nearly two years ago should have been allowed to drag on indefinitely. They felt that such a dilatoriness would put a great premium on any slackness characteristic of such losses in crockery and cutlery. For an enquiry to be fruitful, the proceedings should bear the stamp of expedition and purposefulness. The Committee trusted that there would no further delay in the matter.

#### *Future Role*

The Committee considered<sup>87</sup> that the Ashoka Hotels Ltd. as a premier hotel had an important role to play in keeping up the standards of hotel industry in India. They hoped that the Hotel Management would rise to the occasion and ensure that the services offered by it measured up to and even excelled that of not only the Indian hotels, but also those rendered by its counterparts in foreign countries.

In the first instance Government noted the recommendation, but later stated<sup>88</sup> that vigorous efforts were made by the Management in renovating the entire main building of the Hotel which was about 14 years old. In hotels of that class, renovation was normally taken in hand as a matter of course every five years or so. Renovation of the main building of the Ashoka Hotel was therefore considered essential and the results achieved by the first phase of the renovations of the public areas on the first floor and the rooms on the sixth and seventh floors had been acclaimed. That process would be pursued till the remaining floors of the main building were also fully renovated and with the completion of the programme the main building of the Ashoka Hotel would compare with the best of its kind in other countries. Intensive modifications and alterations had also been taken in hand to centralise room service, which would ensure a uniformly high standard of service in the rooms. Mechanisation of bills establishment of new restaurants with distinctive decor and cuisine and the establishment of a mini-gold club and lawn tennis were some of the other measures which were designed to provide better facilities and services for clients and in particular foreign clients.

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<sup>86</sup>*Ibid.*, para 1.58.

<sup>87</sup>Committee on Public Undertakings, 13th Report (1967-68), para 214.

<sup>88</sup>Committee on Public Undertakings, 15th Report (1971-72), p. 22.

## PARLIAMENT AND GOVERNMENT'S PRICE POLICY FOR FOODGRAINS

*[A new series of articles highlighting the impact of Parliament on Government's price policy in respect of various commodities was started from the April, 1972 issue of the Journal. This article is being published in continuation of the series.—Editor]*

The primary objectives of a farm price policy should be three-fold: to reduce to a minimum the seasonal variations in prices; to achieve a balance between the economic interests of producers and consumers by permitting prices to fluctuate only within a maximum and minimum range; and to help the evolution of a cropping pattern conducive to the attainment of planned targets in respect of different commodities. It is also imperative to maintain a reasonable relationship between the prices of agricultural commodities and those of manufactured articles with a view to ensuring that the terms of trade between the two sectors do not change too sharply against the one or the other.

### *Stability of Prices*

The need for avoiding wide fluctuations in the prices of agricultural commodities cannot be stressed too strongly. Such fluctuations have a disquieting impact on the economy as a whole. The general trend of prices is influenced primarily by agricultural prices which also have a close bearing on export performance. The experience of several countries has shown that it is the maintenance of a stable level of prices for crops, and not a high level of prices, that provides a better incentive to the farmers to produce more. The accent of the agricultural price policy, thus, ought to be on reasonable stability of prices of not only farm products but also the production inputs required by the agriculturists.

The agricultural price policy has to strike a balance between the interests of the producers and the consumers. That agriculturists should be assured of a reasonable minimum support price for their produce is hardly disputable. Such a price, which is in the nature of

an insurance against sharp falls in the wake of bumper harvests, enables the farmers to strive for higher yields without being haunted by fears that they would lose heavily when prices decline following increased production. But, a fair price, in order to be effective, must be fixed on a rational basis rather than on extraneous considerations or political expediency.

*Dual Significance of Remunerative Prices and Assured Procurement*

Remunerative prices to agricultural producers have a double significance; they are the source of funds both for production and for better living. Increases to the income of the cultivators fulfil directives of our national policy, whichever way these increases are apportioned between these two purposes. The more the added income is used to purchase additional production inputs and increase output, the greater will be the food supply and the real income of the nation. To the extent additional income is used to purchase more goods and services from the non-farm sector for family use, it will enable better living for the farm sector and greater demand for the products of the non-farm sector, thus promoting general welfare of the nation.

The most appropriate device for protecting the interests of the producer is a well-publicised programme under which the Government stands ready to purchase any quantity of a crop that may be offered at the announced minimum price. This is not the same thing as Government procurement which is normally undertaken at prices higher than the minimum. The guarantee of a minimum price removes the uncertainty of a steep decline in prices, caused by temporary gluts in the market. It also assures the progressive farmer that his effort to augment production through the adoption of improved technology will not become unremunerative.

It is in the context of forcing the pace of the long-term rate of growth that minimum support prices acquire a functional significance. Two salient features of a policy of support prices are that (a) such prices are announced sufficiently in advanced of the sowing, and (b) adequate machinery exists for underwriting the official commitments to pay such prices whenever the need arises.

While fixing the minimum support prices, the variations in expenses of cultivation as well as variations in prices of competing

crops have to be given full recognition. An increase in the cost of inputs which does not lead to a corresponding increase in the level of the support price would be tantamount to a lowering of the level of support. Since the support price is only in the nature of an insurance, an upward adjustment of the price, consequent to shifts in the cost of production, need not push up the market prices, which are generally higher than the support price.

The level of procurement prices is determined by a set of considerations which are different from those pertinent for the fixation of minimum support prices, the major among these being the need for public distribution. Government purchases at the procurement prices are at the option of the Government while those at the minimum support prices are at the option of the growers. In years of relative shortage, when the Government is anxious to buy whatever quantities it can lay hands on, the operational significance of the minimum support prices tends to get blurred; there could be a significant change in the setting if agricultural output continues to grow steadily over a number of years. The need for distinguishing between the two concepts of prices, and for fixing them separately, therefore assumes importance. In fact, as the expected breakthrough in agriculture comes about and gains greater momentum, minimum support prices would increasingly assume a crucial role. The necessary incentive and protection to the farmer would then have to be provided primarily through minimum support prices.

#### *Criteria for fixing Procurement Prices*

In determining the procurement prices for different foodgrains, the following criteria are generally applied:—

- (i) that wide differences in procurement prices for the same foodgrain as between the neighbouring States are avoided;
- (ii) that the relationship between the procurement prices for the different foodgrains within the same State is not unduly disturbed from one year to another; and
- (iii) that changes in the procurement price of a foodgrain between one year and another are not precipitate, for, any sudden and marked change in procurement prices leads to speculative activities.



In other words, the aim of an integrated procurement price policy should be to evolve a price structure which will ensure appropriate inter-State, inter-grain and inter-seasonal parities consistent with the overall goals of national development.

As experience has shown, the distinction between the minimum support price and the procurement price has often in the past tended to get blurred at the operational level. For example, when procurement prices in respect of a foodgrain are announced, it is also stated on behalf of the Government that whatever quantities are offered for sale at these prices would be accepted by the Government agencies. In other words, procurement prices are made to serve the function of the minimum support prices. This playing down of the distinction between the two sets of prices can be justified in the immediate context, insofar as it helps sustain the buoyancy among the farmers and in building up adequate stocks for public distribution and for buffer purposes. However, in the long-term context, the operational distinction between the concept of minimum support prices and that of procurement prices should be maintained which, if ignored, could lead to similar pressures for fixation of procurement prices for cash crops too at levels higher than the stipulated support prices, and for the Government to purchase indefinite quantities of crops at these prices. Besides, with the expected breakthrough in agriculture, a certain mutation of prices would be called for.

#### *Agricultural Prices Commission*

In January 1965, the Agricultural Prices Commission was set up to advise the Government on the price policy to be followed on an year-to-year basis in regard to individual agricultural commodities, such as paddy, rice, wheat, jowar, bajra, maize, gram and other pulses, sugarcane, oilseeds, cotton and jute with a view to evolving a balanced and integrated price structure in the perspective of the overall needs of the economy and with due regard to the interests of the producer and the consumer. In recommending the price policy, the Commission was asked to keep in view (i) the need to provide incentive to the producer for adopting improved technology and for maximising production, (ii) the need to ensure rational utilisation of land and other production resources, and (iii) the likely effect of the price policy on the rest of the economy.

#### *Parliament and Government's Price Policy*

The question of fixation of a fair price for agricultural commodities, especially foodgrains, has been raised time and again in recent

years by Members in both Houses of Parliament. By espousing the cause of the farmers in a vigorous and persistent manner, Parliament has sought to influence Government's price policy in relation to agricultural commodities and has, thus, endeavoured to secure for the farmer a fair and reasonable return on his produce. This is evidenced by the Government agreeing to revise upwards the prices of agricultural commodities for a particular crop season, or by the setting-up of committees or commissions to investigate and decide upon a rationale for fixation of price of agricultural commodities in the light of the suggestions made by Members in Parliament.

Since the beginning of the Fourth Lok Sabha, the grievances of the farmers that they were not getting a fair and reasonable price for their produce were aired on the floor of the House on several occasions through calling-attention notices, short-duration discussions, half-an-hour discussions, resolutions, questions, etc. While the Government seemed to have all along been agreed upon the basic issue of a fair and reasonable price to the farmer in respect of agricultural commodities, the difference between the view point of the Government and the demands made by the Members in Parliament on behalf of the farmers has been largely of emphasis. The difference lay mostly in Members demanding a somewhat higher price than that fixed by the Government for a particular commodity for a particular crop-season. The difference between the view-points of Members and the Government has been more pronounced in regard to the basis for fixation of a fair price for agricultural commodities and about what constitutes a fair and reasonable price.

#### *Discussions on Food Situation*

On the 29th March, 1967, during the course of a discussion on the motion regarding the 'Food Situation in the Country',<sup>1</sup> moved by the then Minister of Food and Agriculture, Shri Jagjivan Ram, the following suggestions were made by Members in regard to the fixation of a fair price for foodgrains:—

- (i) the farmer should get a reasonable price for his produce on the basis of the cost of production;
- (ii) in order to increase the production of foodgrains, the farmer should get a return of at least 15 to 20 per cent on his investment;

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<sup>1</sup>L.S. Deb., dt. 29-3-1967, cc. 1635—1710.

- (iii) seasonal fluctuations in the price of foodgrains should be checked;
- (iv) a fair price to the cultivator should be guaranteed by way of subsidy, if necessary;
- (v) incentive prices in respect of foodgrains should be fixed and assured in advance to the farmer and loans should be given to him on liberal terms.

Replying to the discussion on the 30th March, 1967, Shri Jagjivan Ram, said<sup>2</sup>:

".....Remunerative prices should be paid to the producers if we want that they should bring out stocks and also increase their production.....As in the case of industry, in the case of agriculture also, the prices of agricultural commodities should be fixed after taking into consideration the cost of production of the commodities.....A beginning has been made in this direction. I have asked that a study should be made of the cost of production of some of the important agricultural commodities so that at the time of fixing their prices, that study would be available. I am quite clear in this matter that as in the case of other commodities, agricultural commodities should also receive a fair price."

On the 16th June, 1967, a resolution was moved in Lok Sabha by Shri Bhagaban Das regarding the "Scheme for introduction of compulsory procurement of the entire surplus of foodgrains from the big producers and its uniform distribution throughout the country".<sup>3</sup>

Speaking on the resolution, Shri Bhagaban Das said that the Government should enter into monopoly procurement of surplus foodgrains produced by big farmers, end the private wholesale trade in foodgrains and ensure uniform distribution of the available foodgrains throughout the country from Government-owned or controlled fair price shops.

Shri N. G. Ranga, participating in the discussion, said that instead of compulsory procurement, the farmers should be encouraged in every possible manner to produce more and more and then induced to part with whatever surplus they had by paying a remunerative price.

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<sup>2</sup>L.S. Deb. dt. 30-3-1967, cc. 1952—65.

<sup>3</sup>The resolution was discussed in Lok Sabha on the 16th and 30th June, 1967; L.S. Deb. dt. 16-6-1967, cc. 5774—76, and L.S. Deb., dt. 30-6-1967, cc. 8859—82.

Shri George Fernandes, speaking in favour of the resolution, said that while fixing minimum prices for foodgrains, Government should also fix the prices of all other commodities which the farmer needed, including agricultural inputs and the daily necessities of life. An effort should be made, he said, to establish some kind of relationship between the prices of agricultural commodities paid to the farmers and prices of manufactured goods.

Replying to the discussion on the 30th June, 1967, the then Minister of Food & Agriculture, Shri Jagjivan Ram said:<sup>4</sup>

"While fixing the prices of agricultural commodities, whether foodgrains or others, remunerative prices have to be given to the cultivators. A reasonable return for the inputs and the labour that the cultivator puts in will have to be given and a mechanism which will take into consideration the cost of production and a reasonable return over that will have to be devised.

".....While efforts have been made.....to have some sort of price parity between the agricultural commodities and the various other commodities that the cultivator requires for his cultivation, it has not been possible to evolve any policy whether we can have any parity in the various agricultural and industrial products. It should be our effort to see that the prices of agricultural commodities are fixed, taking into consideration the prevailing prices of the commodities that the cultivator requires. On that point, I have no difference. I personally feel that efforts should be made and we should devise a mechanism by which it can be implemented."

"About procurement.....we are not in a position to take away the entire surplus produced by the cultivators. What we are doing is to take certain quantity of the producers at a price which is regarded as procurement price and the rest is left to the cultivators to be sold in the open market at the price prevailing in the market. I think that is the best *via media* that could be had in the present context of the foodgrains position."

The resolution was, thereafter, negatived:

In its report on the minimum support prices for wheat and gram for the 1967-68 crop, submitted in November, 1967 the Agricultural Prices Commission recommended<sup>5</sup> that:

- (a) the minimum support prices for the 1967-68 crop may be fixed at Rs. 52.00, Rs. 56.00 and Rs. 60.00 per quintal respectively for

<sup>4</sup>L.S. Deb. dt. 30-6-1967, cc. 8877-82.

<sup>5</sup>Agricultural Prices Commission's Report on Minimum Prices for wheat and Gram for 1967-68 crop.

the red, common white and superior varieties in the major wheat-growing states (Haryana, Punjab, Rajasthan, Uttar Pradesh, Madhya Pradesh, Bihar and Himachal Pradesh) and at Rs. 55.00, Rs. 59.00 and Rs. 63.00 per quintal for the respective varieties in the other States; and

- (b) the minimum support prices for gram for the 1967-68 crop may be fixed at Rs. 46.00 per quintal in all States.

The above recommendations of the Commission were accepted by the Government.

In regard to procurement prices for the 1968-69 marketing season (1967-68 crop), the Commission recommended<sup>6</sup> in March, 1968 a uniform level of prices for the major wheat producing states and another uniform set of prices for the rest of the States. The prices recommended were: Rs. 66.00, Rs. 70.00 and Rs. 74.00 per quintal respectively for the red, common white and superior (form) varieties of wheat in Haryana, Madhya Pradesh, Punjab, Rajasthan and Uttar Pradesh, and at Rs. 73.00, Rs. 78.00 and Rs. 83.00 per quintal respectively in the other States. The procurement prices, as finally announced by the Government, were uniform for all the States. No distinction in prices was made between the Mexican and the common white varieties, and, for the major producing States, the prices were higher than those recommended by the Commission. The procurement prices subsequently announced by the Government, after consultation with the State Governments, were Rs. 76.00 per quintal for Common (White) Mexican variety and Rs. 81.00 per quintal for Superior Wheat.

For the 1967-68 Kharif cereals, the Agricultural Prices Commission recommended<sup>7</sup> in April, 1967 a minimum support price of Rs. 42 per quintal for Assam, Bihar, Haryana, Madhya Pradesh, Orissa, Punjab, Rajasthan and Uttar Pradesh for the standard varieties of paddy, Rs. 43 per quintal for Andhra Pradesh, Madras, Mysore and West Bengal, and Rs. 44 per quintal for Gujarat, Kerala and Maharashtra. For the coarse cereals, namely, jowar, bajra, maize and ragi, it recommended a uniform minimum price of Rs. 42 per quintal. The recommendations of the Commission were accepted by the Government.

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<sup>6</sup>Agricultural Prices Commission's Report on Price Policy for Rabi Foodgrains for 1968-69 season.

<sup>7</sup>Agricultural Prices Commission's Report on Minimum Support Prices for Kharif Cereals for 1967-68 season.

In view of the good prospects for Kharif crop for the 1967-68 season, the Commission suggested in its report, submitted in September, 1967, a downward revision in the procurement prices of these foodgrains in those States where they had been raised under extraordinary circumstances in the previous season and an upward revision in some others, so as to reduce the distortions in the structure of inter-State and inter-grain price relationships. The prices recommended were: Rs. 42.50 to Rs. 46.00 per quintal for the Standard varieties of paddy, Rs. 67.00 to Rs. 74.00 per quintal for the Standard varieties of rice and Rs. 43.00 to Rs. 52.00 per quintal for coarse grains. However, the procurement prices, as finally announced by the Government, by and large, turned out to be higher than those recommended by the Commission, and, in several States, still higher than those ruling at the end of the previous season. In doing so, an attempt was made by the Government to narrow down the range of variations in the prices in different States by reducing the procurement prices in some States and increasing them in others.

The procurement prices, as finally announced on October 10, 1967 ranged from Rs. 45 to Rs. 56.25 per quintal for paddy and Rs. 43 to Rs. 55 per quintal for coarse grains. However, the States were given the option to fix higher procurement prices than those fixed by the Government, if they so desired, but the difference between the Central and the State procurement prices had to be paid by the States from their own budgetary resources. The Government did not accept the higher rates proposed by some States on the plea that it would result in pushing up the prices all round. However, some increase was considered necessary to accord weightage for the higher cost of agricultural production and to keep the prices on an incentive level. In fixing the prices, therefore, the Government sought to strike a balance between the interests of the producer and the consumer.

The question of foodgrains prices came up in Lok Sabha again during the course of a five-day debate on the motion regarding the 'Food Situation in the country', moved by the then Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation, Shri A. P. Shinde, on the 29th November, 1967. During the course of the discussion, the following points were made by Members in regard to foodgrains prices:

- (i) the minimum procurement prices of agricultural commodities especially of foodgrains, should be remunerative to the farmers

and should be based on actual cost of production and not on the basis of market arrivals in the previous years or any other extraneous factors,

- (ii) there should be a well-defined price policy in regard to foodgrains under which the floor prices should be determined. State Governments should procure the foodgrains at the floor price and supply it to deficit States;
- (iii) the farmer should be given as high a price as possible for foodgrains and the poor and the vulnerable sections of the society should be given foodgrains at subsidised rates. Government should bring about a change in its procurement and distribution policy;
- (iv) the Agricultural Prices Commission, which had failed to give a fair deal to the farmers, should be reconstituted by giving adequate representation to the farmers;
- (v) the farmers should be given the necessary inputs and implements at reasonable prices in order to increase the production;
- (vi) the Government should guarantee that the foodgrains prices shall remain constant and fixed throughout the country.

Replying to the discussion on the 6th December, 1967, the then Minister of Food & Agriculture, Shri Jagjivan Ram, said:<sup>8</sup>

".....the agriculturists will have to be assured a reasonable price for their agricultural production. The Agricultural Prices Commission had made some recommendations. I will not say that I am hundred per cent satisfied with the recommendations, and that is why I revised them.

"While fixing the price of any particular agricultural commodity, our procedure is that we consult the State Governments. By and large we go by the recommendations of the State Governments in fixing the procurement prices for the various agricultural commodities.

"I am sure that the State Governments take into consideration the interest, of the producers in their respective States. No Government can afford to go against the interests of a very large section of the society that section which is the mainstay of our economy. Therefore I have a feeling that whatever procurement prices we fixed in the different States are quite reasonable intensive prices.

".....My intention is to relate the fixation of prices of agricultural commodities taking into consideration the cost of production. But

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<sup>8</sup>L.S. Deb., dt. 6-12-1967, cc. 5067-94.

what I will saying was that as in the case of industries in agriculture it is not as simple and it will take some time before we have reliable data so that we can say that it has accurately been taken into consideration. Roughly it is taken into consideration but I will not claim that any very accurate cost of production element is taken into account while calculating the prices of agricultural commodities. But... I am quite sure that the prices that have been fixed are quite reasonable and good prices. At the same time one has to reconcile the interests of the producer and of the consumer.

"One thing more that I have done is that the farmers should be ensured that even when there is large-scale production, the prices will not be permitted to fall. Though we have fixed the procurement price and the support price, I have taken a decision that I will not permit the prices to fall below the procurement price and I will purchase the entire quantity that may be offered at the procurement prices, so that the question of support price will not arise."

On the 5th April, 1968 a resolution was moved in Lok Sabha by Shri Mohan Swarup seeking 'Immediate nationalisation of the trade in foodgrains'. Speaking on the resolution, Shri Mohan Swarup said\* that both the farmer and the consumer were being exploited by a long chain of traders and middlemen in the foodgrains trade. In order to stop this exploitation, he said, the Government should take over the trade in foodgrains and entrust it to a national agency which would be responsible for procurement and creation of a buffer stock. He also suggested the constitution of a Price Fixation Board, consisting of the representatives of the farmers and the Government, for the purpose of fixing foodgrains prices. The prices, he said, should be fixed on a three-monthly basis, since they were linked with the supply and demand position, and the foodgrains should be graded for the purpose of fixing the prices. If these measures were taken, Shri Mohan Swarup said, the farmer would be happy and would gladly part with his produce to any Government agency created for the purpose.

Another Member, Shri Randhir Singh speaking about the need to save the farmer from exploitation by middlemen, said<sup>10</sup> that the farmer should get better prices because he was being burdened by innumerable taxes such as Canal rates, local rates, electricity tax and so on.

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\*L.S. Deb., dt. 5-4-1968, cc. 2711—17.

<sup>10</sup>L.S. Deb. dt. 5-4-1968, cc. 2727—29.



Replying to the discussion, the then Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation, Shri A. P. Shinde, said:<sup>11</sup>

".....the usual phenomenon of trade in this country is that in the immediate post-harvest period, prices get depressed and farmers are left at the mercy of the trading community, and, as soon as the lean period comes, the consumers have to purchase the same foodgrains at a very high price and they are left at the mercy of the traders. This is a phenomenon repeated from year to year.

"Not only from the point of view of Government's responsibility or of Government intervening in the food trade but even from the point of view of assuring remunerative or reasonable prices to the farmers and, at the same time, ensuring availability of foodgrains to the consumers at reasonable prices, I think Government owes some responsibility and, in our country, we have to develop a public sector agency which will take care of this.

".....But we have to take a practical view of this matter. We must proceed on the assumption that we must develop a public sector organisation and to see that the public sector organisation gets a commanding position in the food trade. That is why the Government of India established the Food Corporation of India and the Food Corporation of India is, for the first time, in a very big way in the food trade. We have been assuring the farmers now that we shall be prepared to purchase foodgrains not only at the minimum price or the support price but we shall be purchasing foodgrains at the procurement price."

"May I assure..... this House and the farmers of this country that we stand firm by this that we shall be prepared to purchase any quantity offered by farmers at the procurement price.

".....I hope all the Members of the House will give necessary cooperation to the Government of India and see, in times to come, that the Food Corporation plays a very important role in our country."

The resolution was later withdrawn by leave of the House.

For the 1968-69 Kharif cereals the Agricultural Prices Commission recommended<sup>12</sup> in April, 1968 that the minimum support prices for the standard varieties of paddy, jowar, bajra, maize and ragi be

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<sup>11</sup>*Ibid.*, cc. 2741-45.

<sup>12</sup>Agricultural Prices Commission's Report on Minimum Support Prices for Kharif Cereals for the 1968-69 season.

fixed uniformly at Rs. 44.00 per quintal throughout the country and the existing distinction between the minimum support prices and the procurement prices be maintained.

While the Government realised that the considerations urged by the Agricultural Prices Commission for maintaining the distinction between the minimum support price and the procurement price were valid, it felt that there was a possibility that the distinction between the two might not be clearly appreciated by the farmers and that the announcement of the minimum support prices, which were very much below the existing procurement prices, might create apprehensions that the Government, in the context of increasing food production, were attempting to reverse its policy of offering incentive prices to the producer. In order, therefore, not to disturb the psychology which had helped the farmers to increase production, Government decided not to announce the minimum support prices for the 1968-69 kharif season.

#### *Recommendations of Agricultural Prices Commission*

While presenting its views on the price policy and procurement targets for the 1968-69 Kharif crops, the Agricultural Prices Commission recommended<sup>13</sup> in September, 1968 a reduction in the procurement prices to achieve price stability. The Commission opined that the movement towards price stability should be reflected in the procurement prices for the Kharif cereals and suggested the abolition of the practice, on the part of some State Governments, of paying a bonus over and above the procurement price in the interest of stabilising prices and narrowing inter-State disparities. It also recommended that the principle of uniformity in procurement prices as between different States, applied to wheat earlier in the season, should be extended to coarse grains also.

The procurement prices recommended by the Commission were: Rs. 46.00 to Rs. 53.00 per quintal for paddy, Rs. 72.00 to Rs. 89.00 per quintal for rice, and Rs. 50.00 to Rs. 54.00 per quintal for coarse grains.

After consulting the state Governments on the recommendations of the Agricultural Prices Commission, it was decided that the procurement prices as in force during the previous season should be continued with marginal adjustments in some States. This was done to provide an incentive to the farmer for increasing agricultural production.

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<sup>13</sup>Report of the Agricultural Prices Commission on Price Policy for Kharif Cereals for the 1968-69 season.

In October, 1968, the Agricultural Price Commission recommended<sup>14</sup> that the minimum support prices for the 1968-69 Rabi crop be maintained at the level of the previous year's crop *i.e.* Rs. 52.00, Rs. 56.00 and Rs. 60.00 per quintal respectively for the red, common white and the superior varieties in the major wheat growing States. Rs. 55.00, Rs. 59.00 and Rs. 63.00 per quintal respectively in the other States and for gram at Rs. 56.00 per quintal in all the States. However, the Government decided not to announce the minimum support prices for the 1968-69 crop as it was already committed to purchase any quantity of foodgrains offered for sale at procurement prices. In the Government's view, as the procurement prices were virtually fulfilling the role of the support prices, the announcement of the minimum support prices could confuse the farmers and create apprehensions in their minds that the policy of offering incentive prices was being revised by the Government.

As regards procurement prices for the 1968-69 Rabi crop, the Agricultural Prices Commission recommended in March, 1969<sup>15</sup> a uniform level of prices for all the States at Rs. 66.00, Rs. 70.00 and Rs. 74.00 per quintal respectively for the indigenous red, common white and the superior (farm) varieties and at Rs. 70.00 per quintal for all the Mexican varieties. The Commission also recommended that, wherever possible, purchases of grain and barley might be undertaken at the going market prices by the Food Corporation of India or the State Governments and intensive research initiated for evolving high-yielding strains of these grains.

The Agricultural Prices Commission's announcement regarding the procurement price of wheat came in for criticism in Lok Sabha on the 1st April, 1969 through a Call-attention notice tabled by Shri Raghbir Singh Shastri. Shri Shastri said<sup>16</sup> that the prices of the commodities which the farmer needed for cultivation had gone up whereas the prices which he received for his produce had gone down by 40 to 50 per cent. The procurement prices of wheat, announced by the Agricultural Prices Commission, he said, were lower by 9 per cent than the prices of the previous year. In the circumstances, the farmer could not feel encouraged to increase his production, Shri Shastri contended.

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<sup>14</sup>Agricultural Prices Commission's Report on Minimum Prices for Wheat and Gram for 1968-69.

<sup>15</sup>Agricultural Prices Commission's Report on the Price Policy for Rabi foodgrains, 1968-69.

<sup>16</sup>L.S. Deb., dt. 1-4-1969, cc. 194-96.

Replying to the points raised by Shri Shastri, the then Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation, Shri Annasahib Shinde, said<sup>17</sup> that with the prices which the farmers were receiving and the marketing arrangements which were made by the Government, the farmers' interest was protected, by and large, in most parts of the country. Shri Shinde said that the recommendations of the Agricultural Prices Commission did not bind the Government to any particular position and added that the recommendations would be considered by the Conference of State Chief Ministers for arriving at a fair price for the farmers.

Intervening, the then Minister of Food and Agriculture, Shri Jagjivan Ram, said<sup>18</sup>:

"The Agricultural Prices Commission has generally to take into consideration roughly the cost of production and give a reasonable return to the farmer. This is an obvious thing. It is not very easy to calculate the cost of production so far as the agricultural sector is concerned. Therefore, I have said that roughly they have to take into consideration the cost of production....."

".....we give due weight to these recommendations (of the Agricultural Prices Commission) but the final decision is of the Government in the light of the discussions of the Chief Ministers' Conference."

#### *Discussion on Demands for Grants*

The question of a remunerative price to the cultivators was brought up again in the Lok Sabha during the course of the discussion on the Demands for Grants relating to the Ministry of Food, Agriculture, Community Development and Cooperation for 1969-70, on the 9th 10th and 11th April, 1969,<sup>19</sup>. A number of Members expressed the fear that unless the cultivator was offered an incentive price, the enthusiasm for greater production, generated by the green revolution, could not be sustained. They also criticised the manner in which the prices of foodgrains were fixed by the Government, completely ignoring

<sup>17</sup>L.S. Deb., dt. 1-4-1969, cc. 194—96.

<sup>18</sup>Ibid., cc. 205—07.

<sup>19</sup>L.S. Deb., dt. 9-4-1969, cc. 174—332.

<sup>20</sup>L.S. Deb., dt. 9-4-1969, cc. 174—332. L.S. Deb., dt. 10-4-1969, cc. 181—326; L.S. Deb., dt. 11-4-1969, cc. 230—58.

the realities of the Indian agriculture and without any regard to the costs of cultivation. It was pointed out that the Indian farmer had no say in fixing the prices of what he himself produced, unlike other industries where the prices of goods were fixed by the manufacturers themselves. Members urged the government not to reduce the prices of foodgrains in years of bumper crops as, in their view, such a step was bound to act as a disincentive to the farmers and force them to switch over to other crops promising better returns.

Replying to the points raised by Members, the then Minister of Food, Agriculture, Community Development and Cooperation, Shri Jagjivan Ram, said<sup>20</sup>:

"..... We have to see that the pricing is such that it will give some incentive to the farmers. For the past two years, I have been trying to do that and to retain the confidence of the Indian farmers. Sometimes, people say that we fix the procurement price. I would explain that. Procurement comes when we have to procure compulsorily. In the scheme of wheat purchases, for example, I will say it is the purchase price and not procurement price.

"No farmer is forced to sell it to Government at the price. If he can get a better price, there is no restriction. Therefore, it is the purchase price. Previously, the Government of India or the State Government used to announce two prices. One was the procurement price at which, where there was a levy or compulsory procurement, the farmers were obliged to supply at that price. The other was the support price. If the prices fell below a certain level, the Government will have to purchase at that price. What I have been doing in the past two years is, I have been fixing only one price and that is the purchase price. Any farmer may offer any quantity of foodgrains and Government is prepared to purchase it at that price. It is not the procurement price. Strictly speaking it is the purchase price because procurement comes when Government have to procure. I say the Government will purchase all the foodgrains that the farmer may offer. When he finds that he is not likely to get a higher price then he gives his foodgrains to the Government. When he gets a higher price, he will not come to the Government."

"I was talking of the wheat area. That also happens in the rice areas where there is no monopoly procurement or levy. After the levy, the farmer is free to sell the remaining quantity at any price. I have been trying to give incentive prices to the Indian farmers in order to retain their confidence that, if, they produce

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<sup>20</sup>L.S. Deb. dt. 11-4-1969, cc. 230-55.

more, they will not suffer. Uptil now the fate of the Indian farmer has been that whenever he produced more, the price fell. That is one way by which we can maintain the enthusiasm that has come in the rural areas among the Indian farmers."

#### *Statement on Procurement Price*

The procurement price for the 1968-69 Rabi crop, as finally fixed after consultation with the State Governments, was: Rs. 76.00 per quintal for all varieties of wheat other than the indigenous red variety. The procurement price was not reduced, though recommended by the Agricultural Prices Commission, in keeping with the sentiments expressed in Parliament and outside that such a step would act as a disincentive to the farmers. Making a statement in this regard in Lok Sabha on the 15th April, 1969, the then Minister of Food and Agriculture, Shri Jagjivan Ram, said<sup>21</sup>:

"The Government, after considering the recommendations of the Agricultural Prices Commission, the views expressed in this House and by the Chief Ministers in a Conference held on April 3, 1969, have taken the following decision on price policy for Rabi cereals for the 1969-70 marketing season (1968-69 crop):—

- (1) The procurement/purchase price of all varieties of wheat other than indigenous real wheat will be Rs. 76/- per quintal. The Government will purchase at this price all quantities of wheat of fair average quality offered for sale. The procurement price for indigenous red varieties will be fixed by the State Government in consultation with the Government of India as was done last year.
- (2) The issue price of all varieties of wheat will be Rs. 78/- per quintal with effect from May 1, 1969, or thereabouts." 1

For the 1969-70 Kharif crop, the Agricultural Prices Commission recommended<sup>22</sup> in April, 1969 that the minimum support prices for the standard varieties of paddy, jowar, bajra, maize and ragi be fixed at the level recommended by the Commission last year, namely, Rs. 44.00 per quintal uniformly throughout the country.

The Government after considering the recommendations, fixed the minimum support prices for coarse grains at the level proposed by the Commission. The maximum support price of standard variety of paddy was fixed at Rs. 45.00 per quintal to provide a slight edge over

<sup>21</sup>L.S. Deb., dt. 15-4-1969, c. 277.

<sup>22</sup>Agricultural Prices Commission's Report on Minimum Support Prices for Kharif Cereals for the 1969-70 season.

the price of coarse grains in view of the extra labour and care involved in growing paddy. An official announcement on the 21st June, 1969, said:

1. Minimum support prices for standard variety of paddy will be Rs. 45.00 per quintal. The minimum support prices for other varieties will be fixed by State Governments in consultation with the Central Government after taking into account the qualitative differentials.
2. Minimum support prices for jawar, bajra, maize and ragi will be Rs. 44.00 per quintal.

"The Government shall make effective arrangements for purchase of these grains at the minimum support prices. Open market prices will not be allowed to fall below this level. The intention of the announcement of these prices is that these prices should serve as a long term guarantee to producers so that they can pursue their efforts with the assurance that any temporary glut in the market would not depress prices and consequently their incomes."

As regards the procurement prices for the 1969-70, Kharif crop, the Agricultural Price Commission, in its report submitted in September, 1969 suggested<sup>23</sup> that the improved availability of foodgrains, the downward drift in market prices and the current realities of rural society should be taken into account while fixing the level of procurement prices. The prices recommended by the Commission were: Rs. 45.00 to Rs. 55.00 per quintal for paddy, Rs. 71.50 to Rs. 94.20 per quintal for rice and Rs. 52.00 per quintal for the coarse grains.

The Government, after considering the views of the States and with a view to providing adequate incentive to maximise production and to build a buffer stock of rice, decided to continue, with marginal adjustments, the previous season's prices in respect of paddy and rice, i.e. Rs. 46.00 to Rs. 56.26 per quintal for paddy and Rs. 74.30 to Rs. 95.25 per quintal for rice. The Commission's recommendation for fixing the procurement prices for all coarse kharif grains at Rs. 52.00 per quintal was accepted by the Government.

For the 1969-70 Rabi Crop, the Agricultural Prices Commission recommended<sup>24</sup> in October, 1969, that the minimum support prices for wheat in the principal wheat producing states of Punjab, Haryana,

<sup>23</sup>Agricultural Prices Commission's Report on Price Policy for Kharif Cereals for the 1969-70 season.

<sup>24</sup>Agricultural Prices Commission's Report on Minimum Support Prices for Rabi foodgrains, 1969-70.

Rajasthan, Uttar Pradesh, Madhya Pradesh Bihar and Himachal Pradesh should be Rs. 52.00, Rs. 56.00 and Rs. 60.00 per quintal respectively for the red (including Mexican red), white and superior farm varieties. The prices recommended for the other States were Rs. 55.00, Rs. 59.00 and Rs. 63.00 per quintal for the respective varieties of wheat. As regards gram, the Commission recommended the minimum support price of Rs. 48.00 per quintal uniformly for all the States.

The Government, after considering the recommendations of the Agricultural Prices Commission, decided not to announce the minimum support prices for the season in view of its commitment to the farmers to purchase whatever quantity of wheat was offered for sale at the procurement prices.

As regard the procurement prices, the Commission recommended<sup>25</sup> in March, 1970 that the procurement price for wheat be fixed uniformly for all the States at Rs. 66.00 per quintal for the indigenous red and at Rs. 72.00 per quintal for the indigenous common white and the different Mexican varieties as against the prices of Rs. 66.00 to Rs. 74.00 for the indigenous red and Rs. 76.00 for the other indigenous varieties fixed during the previous season.

The reduction in the procurement prices was suggested as, in the view of the Commission, with the larger output of the Kharif crop and good prospects for the Rabi foodgrains, there was a possibility that the prices of wheat might soften compared to the levels of last year. The Commission also felt that with the continued spread of high-yielding varieties and the consequent increase in production of marketable surpluses and, in view of the higher yield associated with the new technology, the producer had the capacity to share in the downward adjustment in procurement prices.

#### *Policy of Nationalisation of Trade in Foodgrains*

On the 14th April, 1970, making a statement<sup>26</sup> in Lok Sabha in reply to a call-attention notice tabled by Shri Om Prakash Tyagi regarding the 'Protest by the Federation of All India Foodgrain Dealers Associations against the move to nationalise the wholesale trade in

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<sup>25</sup>Agricultural Prices Commission's Report on Price Policy for Rabi foodgrains for the 1969-70 crop year (March 1970).

<sup>26</sup>L.S. Deb., dt. 14-4-1970, cc. 166-67.



foodgrains', the then Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation, Shri A. P. Shinde, said"—

"The objective of the Government policy is to assure to the producer the price announced by the Government for important cereals and an economic and remunerative price in regard to all important foodgrains and also to avoid the exploitation of the producer and the consumer by middlemen. To ensure this, State trading by public agencies has already been extended to cover a fairly significant portion of the marketable surplus in the country. Public agencies like the Food Corporation of India, the State Government and the Cooperatives are already procuring and distributing foodgrains through the public distribution system and are thus protecting both the interests of the producer and the consumer. Expansion of the scope of State trading by the public sector agencies is considered by Government in the light of the situation prevailing from time to time."

Asking a "supplementary, Shri Tyagi desired to know whether, in view of their intention to nationalise the trade in foodgrains, the Government had made adequate arrangements for storing the entire foodgrains produced in the country and whether they also had the thousand of crores of rupees required for the purpose. He also wanted to know what would happen to the millions of persons engaged in the trading in foodgrains in the event of its nationalisation.

Replying to the points raised by Shri Tyagi, the then Minister of Food and Agriculture, Shri Jagjivan Ram, said" that the policy of nationalisation of trade in foodgrains was not something new; it was a policy which had been discussed in Parliament a number of times and accepted by the House. He said that the Government had made adequate arrangements to store whatever quantity of foodgrains was purchased by the Food Corporation, the State Governments and the Cooperative Societies.

Shri Jagjivan Ram further said:

".....a point was raised about the capital.....If the Government cannot manage this much amount of capital, wherefrom the private trade will manage it?.....I do not think they will have the capacity. I have not squeezed out the traders from retail sale.....A few thousands are there. When one has to take care of millions, certainly, the interest of millions is greater than the interest of a few hundred thousands."

<sup>27</sup>L.S. Deb. dt. 14-4-1970, cc. 166-67.

<sup>28</sup>L.S. Deb. dt. 14-4-1970, cc. 167-68

<sup>29</sup>L.S. Deb. dt. 14-4-1970, cc. 169-70.

*Advances Granted to Food Corporation of India*

On the 17th April, 1970, initiating an half-an-hour discussion in Lok Sabha regarding the 'Help to the Food Corporation of India by the nationalised banks', Shri Bhogendra Jha said<sup>30</sup> that the State Bank of India had fixed a ceiling of Rs. 200 crores for advancing to the Food Corporation for purposes of purchase of foodgrains. On the other hand, he said, advances to the private trade had increased, especially after the nationalisation of banks. The announcement of the ceiling, Shri Jha said, had pushed up the prices of foodgrains as a result of which people in scarcity hit areas were dying of starvation. He alleged that the officials of the Food Corporation were not coming in the market for making purchases of foodgrains as there was a collusion between them and the private traders who were thus enabled to fleece the farmers. Shri Jha implored the Government to take immediate steps to nationalise the whole-sale trade in foodgrains.

Another member, Shri Randhir Singh, said<sup>31</sup> that the farmers constituted 80 per cent of the country's population and, as such, they should be given adequate representation on the Boards of nationalised banks and at least, 55—70 per cent of the banks' capital should be earmarked for advancing to them, especially to the small farmers. He also wanted the Government to nationalise the trade in foodgrains.

Replying to the discussion, the then Minister of State in the Ministry of Finance, Shri P. C. Sethi, said<sup>32</sup>:

".....the position regarding advances to the Food Corporation is that about Rs. 238.5 crores is already advanced to the Food Corporation of India for procurement operations for the year 1970-71, and this is a Government loan which is again to be re-validated and this would continue to remain with the Food Corporation for their operations in the Fourth Plan period. Besides there is a ceiling of about Rs. 200 crores to be advanced by the State Bank and the Bank of Patiala—both inclusive..... Therefore, as far as the availability of funds or money for the Food Corporation for its operations is concerned, there is no dearth of money and the Corporation will be able to take care of the purchases."

"Here, the policy of the Food Corporation is two-fold—one to protect the interests of the producers so that at the time of production

<sup>30</sup>L.S. Deb. dt. 17-4-1970, cc. 302—310.

<sup>31</sup>Ibid., cc. 311-12.

<sup>32</sup>L.S. Deb. dt. 17-4-1970, cc. 313—322.

they may not have to come and sell their foodgrains at low prices and the merchant may hoard and take the benefit. That is why the Food Corporation or the Government fixed up the purchasing prices with regard to the main commodities.....  
.....The Food Corporation is taking care to ensure that the producers get reasonable prices and continue to have adequate incentives for increasing production and may not have to sell their stocks in the market at lower prices specially when production is good and the harvest is nice."

"The Food Corporation is going to have a massive stock of 5 million tons in order to ensure that food prices do not rise and a proper price level is maintained.

"As far as the advances to the agricultural sector are concerned,.....  
.....the very purpose of nationalising the banks was to take care of such sections of the society which were not taken care of earlier. That is why the nationalised banks are going to open more branches in the rural areas.....If the present advances which are being given to the farmers are not found sufficient and if there is any demand, certainly Government will look into that.

"As far as nationalisation of foodgrains trade is concerned, I have stated the point that already the Food Corporation's activities are expanding....."

#### *Recommendations of Agricultural Prices Commission*

For the 1970-71 Kharif crop, the Agricultural Prices Commission recommended" in April, 1970 that the minimum support prices in the different States be fixed uniformly at Rs. 46.00 per quintal for the standard varieties of paddy and at Rs. 45.00 per quintal for coarse grains, viz., jowar, bajra, maize and ragi. The prices recommended by the Agricultural Prices Commission were accepted by the Government.

As regards the procurement prices for the 1970-71 Kharif crop, the Agricultural Prices Commission expressed the view" in its report submitted in August, 1970 that the good prospects for the kharif crop in 1970-71, its likely impact on the behaviour of market prices, the considerations of procurement and the paramount need for ensuring price stability should be kept in view while fixing the level of procure-

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<sup>83</sup>Agricultural Prices Commission's Report on Minimum Support Prices for Kharif Cereals for the 1970-71 season.

<sup>84</sup>Agricultural Prices Commission's Report on Price Policy for Kharif Cereals for the 1970-71 season.

ment prices. The prices recommended by the Commission were: Rs. 47.00 to Rs. 55.00 per quintal for the standard varieties of paddy, Rs. 75.80 to Rs. 94.00 per quintal for the standard varieties of rice and Rs. 52.00 per quintal for coarse grains uniformly throughout the country.

The procurement prices, as finally fixed after consultation with the State Governments, were: Rs. 46.00 to Rs. 56.25 per quintal for the standard varieties of paddy, Rs. 74.30 to Rs. 95.25 per quintal for the standard varieties of rice and Rs. 55.00 per quintal for coarse grains uniformly throughout the country.

For the 1970-71 Rabi crop, the Agricultural Prices Commission did not make any recommendations in regard to the minimum support prices and, consequently, the Government did not announce the support prices for the season.

In regard to the procurement prices for the 1970-71 Rabi crop the Agricultural Prices Commission recommended" in March, 1971 a reduction ranging between Rs. 2 and Rs. 6 per quintal over the previous year's prices. Another major change suggested by the Commission was that the prices should be uniform for all the States, *i.e.* Rs. 68.00 per quintal for the indigenous red and Rs. 74.00 per quintal for the indigenous common white and the Mexican varieties.

The Commission opined that for sustaining the growth incentives, it would be appropriate to protect the cultivators' profit margins through improvement in the efficiency of cultivation and consequential reductions in the unit cost of output rather than through artificial props to prices. It emphasised the need for measures aimed at cost reductions, specially in industries supplying production inputs to the farmer. The procurement prices subsequently announced by the Government, after consulting the State Chief Ministers, were the same as in the previous year, *i.e.*, between Rs. 71.00 to Rs. 74.00 per quintal for the indigenous red and Rs. 76.00 per quintal for the other varieties of wheat.

On the 14th June, 1971, making a statement in Lok Sabha in reply to a call-attention notice tabled by Shri A. P. Sharma regarding the "Reported non-procurement of the farmers' entire produce at the

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<sup>\*\*</sup>Agricultural Prices Commission's Report on Price Policy for Rabi Foodgrains for the 1971-72 season (1970-71 crop).

price fixed by the Government", the Minister of State in the Ministry of Agriculture, Shri A. P. Shinde, said<sup>36</sup>:

".....A cultivator is not compelled to sell his produce to the Government. If he can get a price higher than the procurement price announced by the Government, he is free to sell it in the open market. Even at the procurement price, he is not obliged to sell to the Government, but can sell to the trade if he so chooses to do. The commitment of the Government is to purchase all grain falling within the prescribed specifications offered by the cultivators at the procurement price. The question of procuring the farmers' entire produce does not, therefore, arise. The Food Corporation of India and other procuring agencies have been vigorously purchasing the foodgrains offered by the farmers falling within the prescribed specifications at the procurement prices announced by Government.....By and large, Government are fulfilling their commitment of offering price support to the producer at the level of procurement prices announced by the Government.

"The massive procurement operations to provide support to the farmers are continuing. The Government is keeping a continuous watch on the problems of procurement, handling and movement and no effort is spared in ensuring that the farmers get the full benefit of the announced procurement prices."

Replying to Shri A. P. Sharma's query whether it was not a fact that the farmers were getting less than the procurement price and the difference was being shared by the middlemen, Shri Shinde said\*:

"There is some truth in the statement.....Therefore, the Government feels that it would be the best thing to have direct system of purchase from the farmers. We have already started this on trial basis to have direct purchase from the farmers in co-operation with the State Governments. The grain marketing structure will have to be amended so that the malpractices are eliminated and, to overcome the present day difficulties, we have suggested the setting-up of popular committees at the 'mandi' levels and we have given adequate power to the district magistrates. If any dispute arises, the decision of the district magistrate is to be considered final."

For the 1971-72 Kharif season the Agricultural Prices Commission recommended<sup>37</sup> in April, 1971 that the minimum support prices be kept unchanged at Rs. 46.00 per quintal for the standard varieties of

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<sup>36</sup>L.S. Deb. dt. 14-6-1971, cc. 99-102.

<sup>37</sup>Agricultural Prices Commission's Report on Minimum support prices for Kharif cereals for the 1971-72 season.

paddy and at Rs. 45.00 per quintal for those of coarse grains, viz., jowar, bajra, maize and ragi, uniformly throughout the country. The Commission expressed the view that the available data on the prices of farm inputs did not suggest the need for a change in the support prices. The Commission opined that, keeping in view the progress in respect of the high-yielding varieties of the Kharif cereals and the likely trend in their prices, the problem was one of ensuring effective support to the market prices of these grains at the levels of the extent minimum prices. The Commission, therefore, recommended that for the 1971-72 crop, the minimum support prices be kept unchanged at Rs. 46.00 per quintal for the standard varieties of paddy and at Rs. 45.00 per quintal for those of coarse grains, viz., jowar, bajra, maize and ragi uniformly throughout the country.

The prices recommended by the Agricultural Prices Commission were accepted by the Government.

As regards the procurement prices for the 1971-72 Kharif cereals, the Agricultural Price Commission, in its report submitted in September 1971, suggested<sup>28</sup> that considering the crop prospects for the year, the requirements for public distribution and the likely trend in market prices, the effort ought to be towards containing the incipient pressures which the prices of some grains were experiencing. The Commission expressed the view that it would not be advisable to effect an increase in the general level of procurement prices, lest it should accentuate these pressures. The procurement prices recommended by the Commission were: Rs. 47.00 to Rs. 56.00 per quintal for the standard varieties of paddy and Rs. 77.00 to Rs. 95.25 per quintal for the standard varieties of rice. It further suggested that the coarse cereals should be purchased at the ruling market prices but within the range set, on the one hand, by the procurement prices fixed for 1970-71 and, on the other, by the current minimum support prices.

The Commission also called for a strengthening of the public distribution system rather than its curtailment as, in its view, it was likely to exercise a softening effect on market prices which, after a period of comparative stability, had come under an upward pressure in some States, it said.

The recommendations of the Agricultural Prices Commission were accepted by the Government after consultation with the State Govern-

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<sup>28</sup>Agricultural Prices Commission's Report on Price Policy for Kharif Cereals for the 1971-72 season.

ments. The Government agreed with the views of the Commission that the continuation of the policy that had stabilised foodgrains prices in the past would protect the interests of the farmers and contain the inflationary pressures.

The minimum support prices for the 1971-72 Rabi crop were again not recommended by the Agricultural Prices Commission and, hence, not announced by the Government.

In regard to the procurement prices for the 1971-72 Rabi foodgrains the Agricultural Prices Commission recommended<sup>89</sup> in March, 1972 that they be fixed uniformly for all the States at Rs. 66.00 per quintal for the indigenous red variety of wheat and at Rs. 72.00 per quintal for the indigenous common white and the different Mexican varieties.

The Commission, in its report, said that the fear that lower procurement prices for wheat would act as a disincentive to the farmers were unfounded and exaggerated. In its view, if there was some reduction in the area under wheat cultivation as a result of reduction in prices, there was a considerable potential for the expansion of wheat output in the country. The Commission opined that a certain reduction in the wheat prices might help arrest the shift of acreage from other crops to wheat which would be a wholesome development for the country needed not only wheat but also more of cotton, oilseeds, sugarcane and pulses.

The Commission further suggested that in fixing the procurement prices for the season, two factors must be kept in view. First, the demand for wheat at the prevailing prices was lower than its supply and, secondly, the cushion hitherto available in the lower economic cost of imported wheat for subsidising the distribution of domestic wheat had disappeared. Yet another factor was the mounting stocks of the cereal and the inadequate storage capacity available in the country.

#### *Discussion in Lok Sabha*

The question of the 'Reported reduction in the procurement price of wheat and the consequent resentment among peasants', was raised in Lok Sabha on the 12th April, 1972, through a call-attention notice

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<sup>89</sup>Agricultural Prices Commission's Report on Price Policy for Rabi Foodgrains for the 1972-73 season (1971-72 crop).

tabled by Shri Kamla Mishra Madhukar. Making a statement in reply, the Minister of Agriculture, Shri Fakhruddin Ali Ahmed, said<sup>40</sup>:

"Government have not yet taken a decision regarding the level of procurement price of wheat for the 1972-73 marketing season. During the last year, the procurement prices of the Red (indigenous) were fixed between Rs. 71/- and Rs. 74/- per quintal and the prices of all other varieties at Rs. 76/- per quintal. In their report on Price Policy for Rabi foodgrains for the 1972-73 season, the Agricultural Prices Commission have recommended that the procurement prices of wheat be fixed uniformly for all the States at Rs. 66- per quintal for the indigenous Red and Rs. 72/- per quintal for the indigenous common white and the different Mexican varieties."

"Government have seen press reports regarding the resentment among the peasants in Punjab and other parts of the country against this recommendation of the Commission.....The question of fixation of wheat prices for the ensuing rabi season is under consideration of the Government and a final decision will be taken only after considering the views of the Honourable Members and the Chief Ministers of States who are meeting in Conference on the 13th and 14th April, 1972.

"Government have adopted the policy of price support to the farmers to ensure that the producer get an incentive price, the consumer gets foodgrains at a reasonable price and the present trend of foodgrains output is sustained. To achieve these objectives of the price policy, the Food Corporation of India has been especially created to undertake massive marketing operations. In deciding the procurement price of wheat for the coming marketing season, Government will ensure that both the interests of the producers and the consumers are fully protected."

Raising a supplementary, Shri Kamala Mishra Madhukar said that there had been a large increase in wheat production in other States along with the traditionally wheat producing areas like Punjab and Haryana. At the same time, he said, the adoption of the modern methods of cultivation and the increased use of machines had pushed up the cost of production of foodgrains.

Shri Mishra, wanted to know whether or not the Government would take over the wholesale trade in foodgrains in the interests of the farmers and announce the procurement price in advance so that the cultivator might alter, if, necessary, the pattern of his cultivation.

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<sup>40</sup>L.S. Deb. dt. 12-4-1972, cc. 131-32.

<sup>41</sup>L.S. Deb. dt. 12-4-1972, cc. 130-34.



In reply, the Minister of Agriculture, Shri Fakhruddin Ali Ahmed, said<sup>42</sup>:

"As I have pointed out in my statement, at present, the Government are considering various views expressed in this behalf both by the Members of Parliament, the Members of the Consultative Committee and the members of the Farmers' Forum and the views expressed in the Press for and against the increase of price and, after consulting the Chief Ministers, a decision will be taken in this behalf and, I hope, in taking a decision, we shall see that the interests of the producer as well as the consumer are kept in view."

Another Member, Dr. Laxmi Narayan Pandey, said<sup>43</sup> that according to some surveys carried out in the country, the cost of production of wheat was between Rs. 105 to Rs. 115 per quintal. As against this, he said, the farmers were being given only Rs. 75 to Rs. 76 per quintal. He wanted to know what steps Government was going to take to ensure that the farmers were paid on the basis of the cost of production.

Replying to the point raised by Dr. Pandey, the Minister of Agriculture, Shri Fakhruddin Ali Ahmed, said<sup>44</sup>:

"So far as the cost of production is concerned, an attempt has been made to make an assessment. We have taken steps in our Agriculture Ministry to set-up a cell through which we are collecting data, and, I hope, by next year it will be possible for us to get the actual cost of production of at least two crops, namely rice and wheat."

The Government's decision to maintain the *status quo* regarding the procurement prices for wheat for the 1971-72 Rabi crop was announced in Lok Sabha by the Minister of Agriculture, Shri Fakhruddin Ali Ahmed, on the 17th April, 1972. Accordingly, the price for the indigenous common white and the different Mexican varieties of wheat remained at Rs. 76.00 per quintal and for the indigenous red variety between Rs. 71.00 and Rs. 74.00 per quintal, as in the previous season.

Making the announcement, the Minister of Agriculture, Shri Fakhruddin Ali Ahmed, said<sup>45</sup> that the decision on wheat prices had been taken after considering the Agricultural Prices Commission's

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<sup>42</sup>L.S. Deb. dt. 12-4-1972, c. 134.

<sup>43</sup>*Ibid.*, cc. 137-39.

<sup>44</sup>L.S. Deb. dt. 12-4-1972, cc. 139-40.

<sup>45</sup>L.S. Deb. dt. 17-4-1972, cc. 327-28.

recommendations, the views expressed by Members in Parliament and by the Chief Ministers of States.

The Minister said that the Agricultural Prices Commission's recommendation for reducing the procurement prices to Rs. 72.00 per quintal for the indigenous white and Mexican varieties and to Rs. 66.00 per quintal for the indigenous red variety was opposed by a majority of the Chief Ministers and Members of Parliament and, hence, it was not agreed to by the Government.

#### *Recommendations of Agricultural Prices Commission for 1972-73*

While recommending the levels of the minimum support prices for Kharif cereals for 1972-73, the Agricultural Prices Commission, in its report submitted in May, 1972, suggested<sup>46</sup> that the possibilities of an improvement in the production of rice following the recent successes in evolving high-yielding varieties, with improved grain quality, should be kept in view. It further said that, having regard to the recent increases in the prices of certain farm inputs, there was a case for a moderate upward adjustment in the minimum support price for paddy. In the case of coarse grains, the Commission said that in view of the success with the high-yielding varieties and the increases in per-hectare yield, the more important problem was of making support effective at the level of the extant minimum prices.

In the light of the above considerations, the Commission recommended that for 1972-73, the support prices for paddy be raised by Rs. 2.00 per quintal to Rs. 48.00 per quintal and for coarse grains it be fixed at Rs. 45.00 per quintal uniformly throughout the country.

The Government, after considering the recommendations of the Agricultural Prices Commission, decided not to announce the minimum support prices for the 1972-73 Kharif crop.

In determining the level of the procurement prices for the 1972-73 Kharif cereals, the Agricultural Prices Commission, in its report<sup>47</sup> submitted in September, 1972, emphasised the need to consider the current trend of the market prices, the need to arrest their rise and the requirements of procurement for feeding the public distribution

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<sup>46</sup>Agricultural Prices Commission's Report on Minimum Support Prices for Kharif Cereals for the 1972-73 season.

<sup>47</sup>Agricultural Prices Commission's Report on Price Policy for Kharif Cereals for 1972-73.

system. Taking these several factors into account, it recommended that for the standard varieties of paddy, the procurement prices for 1972-73 be raised by Rs. 2.00 per quintal in States where the existing procurement prices were Rs. 54.00 per quintal or below and by Rs. 1.00 per quintal where they were Rs. 55.00 per quintal. In the States where the current procurement prices for the standard varieties of paddy were already Rs. 56.00 per quintal or above, no increase was recommended. Accordingly, the prices recommended for the standard varieties of paddy ranged between Rs. 49.00 and Rs. 58.00 per quintal. For the standard varieties of rice, the prices recommended were Rs. 81.00 to Rs. 95.25 per quintal. As for the coarse grains, the Commission recommended that the existing prices may be continued for the 1972-73 crop, with an *ad hoc* premium of Rs. 2.00 per quintal. The recommended price, inclusive of the *ad hoc* premium, was Rs. 57.00 per quintal for all coarse cereals.

The prices recommended by the Commission were accepted by the Government after consultation with the State Chief Ministers. However, in the case of coarse foodgrains, in addition to accepting the Commission's recommendations for a premium of Rs. 2.00 per quintal over the existing procurement prices, it was also decided to raise the procurement prices themselves. The new procurement prices fixed were: Rs. 60.00 per quintal for bajra, Rs. 58.00 per quintal for maize and jowar, Rs. 57.00 per quintal for ragi and Rs. 50.00 per quintal for small millets.

The minimum support prices for the 1972-73 Rabi crop were again not recommended by the Agricultural Prices Commission and, hence, not announced by the Government. Instead, the Government announced the procurement prices for the 1972-73 Rabi crop on the 13th October, 1972, even before the commencement of the sowing season. The prices fixed were the same as last year, *viz.*, Rs. 76.00 per quintal for the indigenous common white and the different high-yielding Mexican varieties and Rs. 71.00 to Rs. 74.00 per quintal for the indigenous red variety. This was the first time that the procurement prices were announced before the sowing season and, in doing so, the Government acceded to the wishes of the State Chief Ministers that an early announcement of the procurement prices would encourage the farmers to grow more wheat.

## **Short Notes**

### **I. PARLIAMENTARY EVENTS AND ACTIVITIES**

#### **A. SYMPOSIA AND CONFERENCES**

##### **50th Anniversary of the Conference of Presiding Officers of Legislative Bodies in India**

The 50th Anniversary of the Conference of Presiding Officers of Legislative Bodies in India was celebrated at Madras in the first week of October, 1972. On the above-mentioned occasion, a Symposium was held in the Tamil Nadu Legislative Assembly Hall on Thursday, the 5th and Friday, the 6th October, 1972 on the following subjects:—

- (1) Legislature and Autonomous Bodies.
- (2) Jurisdiction of Parliament and State Legislature—Respective spheres of work.

The Symposium was inaugurated by Dr. M. Karunanidhi, Chief Minister of Tamil Nadu. He also released a Souvenir published by the Lok Sabha Secretariat on the occasion.

The Speaker of Lok Sabha, Dr. G. S. Dhillon, who is the Chairman of the Conference of Presiding Officers, Presided over the Symposium.

Shri V. S. Page, Chairman of Maharashtra Legislative Council initiated the discussion on 'Legislature and Autonomous Bodies' Shri Raghavji Leuva, Speaker, Gujarat Legislative Assembly initiated the discussion on 'Jurisdiction of Parliament and State Legislatures—Respective spheres of Work'.

The Deputy Speaker, Lok Sabha, the Deputy Chairman, Rajya Sabha, the Presiding Officers of State Legislatures in India and some members of Tamil Nadu Legislative Assembly and Legislative Council participated in the Symposium.

**Conference of Presiding Officers of Legislative Bodies in India  
Madras—October, 1972**

The Thirty-Eighth Conference of Presiding Officers of Legislative Bodies in India was held in Madras on October 5, 6 and 7, 1972. Dr. G. S. Dhillon, Speaker, Lok Sabha and Chairman of the Conference of Presiding Officers, presided. Almost all the Presiding Officers of Legislative Bodies in India as also the Deputy Speaker of Lok Sabha and the Deputy Chairman of Rajya Sabha attended the Conference.

At the outset, Thiru K. A. Mathialagan, Speaker of Tamil Nadu Legislative Assembly delivered his welcome address. Thereafter, the Chairman of the Conference, Dr. G. S. Dhillon, delivered his address.

The Conference discussed the following points on Agenda:—

- (i) *Privilege*: Whether violation of the ruling of the Speaker that it was not proper for Ministers to make policy statements outside the House when the House was in session, should be treated as breach of Privilege?
- (ii) *Public Accounts Committee*: Is it binding on the Speaker to appoint a Member of the Opposition Party or Group as Chairman of the Public Accounts Committee?
- (iii) *Members of Opposition*: Is it proper for the Members of the Opposition to resign *en bloc* from all the Assembly Committees to which they have been elected by the House or nominated by the Speaker after having given their prior consent, and if they resign *en bloc* what action should be taken?
- (iv) *Parliamentary Committees*: In view of the recommendations contained in the Report of the Committee of Presiding Officers (para 60) adopted in the Conference held at Trivandrum in October, 1968, is it desirable for Parliamentary Committees to hold their sittings outside the precincts of the Legislature or to undertake tours outside or inside the State?
- (v) *Reports of the Comptroller and Auditor General*: Whether there is any prohibition against the discussion of matters referred to in the reports of the Comptroller and Auditor General of India on the accounts of the State?

- (vi) *Adjournment of House*: Can the House be adjourned in the absence of Ministers?
- (vii) *Minister*: How should the Speaker deal with the situation when without informing the Speaker a Minister is absent from the House to answer the question put by a Member on the floor of the House and also there is no other Minister ready and willing to answer on his behalf?
- (viii) *Legislation*: (a) When a Bill as passed by the Legislature is reserved by the Governor for the consideration and assent of the President, can the President keep the Bill pending at his hands for an indefinite period of time without expressing his mind?  
(b) Is it not necessary to amend the Constitution in this regard?

**Conference of Secretaries of Legislative Bodies in India  
(Madras—October, 1972)**

The Eighteenth Conference of Secretaries of Legislative Bodies in India, was held on October 4, 1972 in Madras. Besides the Secretaries of Rajya Sabha and Lok Sabha, 23 Secretaries of State Legislatures attended the Conference.

After the welcome speech by Shri C. D. Natarajan, Secretary, Tamil Nadu Legislative Assembly, Shri B. N. Banerjee, Secretary, Rajya Sabha (Chairman of the Conference) and Shri S. L. Shakhder, Secretary of Lok Sabha, addressed the Conference.

Dr. A. R. Mukherjee, former Secretary of West Bengal Legislative Assembly, who was present by special invitation, also addressed the Conference.

The Conference, thereafter, discussed the following point on the Agenda:

‘Need for the proper staffing of the Legislatures Secretariats’

**Sixtieth Inter-Parliamentary Conference  
(Rome—September, 1972)**

The Sixtieth Inter-Parliamentary Conference was held in Rome in September, 1972. The delegation to the Conference from India was composed of—

- (1) Dr. G. S. Dhillon Speaker, Lok Sabha—*Leader of the Delegation.*

- (2) Shri Niren Ghosh, M. P.
- (3) Shri Jaisukhlal Hathi, M.P.
- (4) Shri S. N. Misra, M.P.
- (5) Shri H. N. Mukerjee, M.P.
- (6) Shri Ramsahai Pandey, M.P.
- (7) Shri S. L. Shakhder, Secretary, Lok Sabha
- (8) Shri P. K. Patnaik, Joint Secretary, Lok Sabha—*Secretary to the Delegation*

The following subjects were discussed at the Conference:—

- (1) Situation in the Middle East
- (2) New Forms of political pressure in International Affairs
- (3) Problems of the Human Environment
- (4) Need to intensify efforts to put an end to the Arms Race with regard to all types of weapons, in view of its Political, Economic and Social Consequences.
- (5) The Fight against Drug Abuse: International system of Control; Suppression of Illicit Traffic; Prevention, Treatment and Social Rehabilitation.
- (6) Status and Prospects of Education in the Developing Countries, with particular reference to the Training of Middle and High Level Technical Personnel.
- (7) Responsibilities of Members of Parliament towards the Electorate.
- (8) Modern Forms of Vocational Training in relation to Employment.

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

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

#### **Eighteenth Commonwealth Parliamentary Conference (Malawi—October, 1972)**

The Eighteenth Commonwealth Parliamentary Conference was held in Blantyre (Malawi) in October, 1972. The Indian Delegation to the Conference was led by Dr. G. S. Dhillon, Speaker, Lok Sabha.

The other members of the delegation were Shri Sardar Amjad Ali, M.P., Shri Jagannathrao Joshi, MP Kumari Kamala Kumari. M.P., Shri Jagannath Mishra, M.P., Shri Suraj Prasad, M.P. and Shri B. N. Banerjee, Secretary, Rajya Sabha who acted as Secretary to the Delegation, Shri Apurbalal Majumdar, Speaker, West Bengal Legislative Assembly Shri S. K. Wankhede, Speaker, Maharashtra Legislative Assembly, Shri Brish Bhan, M.L.A. (Punjab), Shri S. D. Gaonkar, Chairman, Mysore Legislative Council, Shri Ram Kishore Vyas, Speaker, Rajasthan Legislative Assembly, Shri Rameshchandra Parmar, Deputy Speaker, Gujarat Legislative Assembly, Shri P. Ranga Reddi, Speaker, Andhra Pradesh Legislative Assembly, Shri Banarsi Dass Gupta, Speaker, Haryana Vidhan Sabha, Shri Vasudev, Deputy Speaker, U.P. Vidhan Sabha, Shri Kultar Chand Rana, Speaker, Himachal Pradesh Legislative Assembly and Shri Gulsher Ahmad, Speaker, Madhya Pradesh Vidhan Sabha also attended as delegates from their respective State Branches of the CPA. Shri Raj Kumar Malhotra, Secretary, Haryana Vidhan Sabha attended the Conference as Secretary from the State Branches.

The following subjects were discussed:—

- (1) The Commonwealth and World Security.
- (2) Parliament's role in the modern world.
- (3) Social Problems of today.
- (4) Economic Problems.

Pre-Conference tours of 5 days had been arranged by the Malawi Branch of the Commonwealth Parliamentary Association.

#### **B. FOREIGN VISITS OF PARLIAMENTARY DELEGATIONS**

##### **Visit of Indian Commonwealth Parliamentary Association Delegation to the U.K.**

In pursuance of an invitation from the U.K. Branch of the Commonwealth Parliamentary Association London, an Indian Parliamentary Association Delegation led by Dr. G. S. Dhillon, Speaker, Lok Sabha visited the U.K. from the 12th to the 30th June, 1972. The composition of the Delegation was as under:—

- (1) Dr. G. S. Dhillon, M.P., — *Leader of the Delegation.*  
Speaker, Lok Sabha
- (2) Shri Chandulal Chandrakar, M.P.



- (3) Shri Tridib Chaudhuri, M.P.
- (4) Shri Nihar Laskar, M.P.
- (5) Shri Dahyabhai V. Patel, M.P.
- (6) Shri M. Srinivasa Reddy, M.P.
- (7) Shri S. L. Shakhder, Secretary, Lok Sabha

#### *State Branches in India*

- (8) Thiru Kovai Chezhiyan, M.L.A. (Tamil Nadu Branch)
- (9) Sardar Darbara Singh, Speaker, Punjab Vidhan Sabha (Punjab Branch)
- (10) Dr. Prakash Narain Gupta, M.L.A. (Uttar Pradesh Branch)
- (11) Shri Kultarchand Rana, M.L.A., Speaker Himachal Pradesh Vidhan Sabha (Himachal Pradesh Branch).
- (12) Shri Rajendra Prasad Shukla, M.L.A. (Madhya Pradesh Branch)

#### **Visit of an Indian Commonwealth Parliamentary Association Delegation to Canada**

In pursuance of an invitation from the Canadian Branch of the Commonwealth Parliamentary Association an Indian Commonwealth Parliamentary Association Delegation led by Dr. G. S. Dhillon, Speaker, Lok Sabha visited Canada from the 9th to the 22nd September, 1972. The delegation was composed of five members and one Secretary from the India Branch (i.e. Main Branch of the C.P.A. at the Centre) and one member each from four State Branches of the C.P.A. in India, as indicated below:—

- (1) Dr. G. S. Dhillon, M.P., Speaker, Lok Sabha — *Leader of the Delegation*
- (2) Shri Godey Murahari, M.P. Deputy Chairman, Rajya Sabha
- (3) Shri C. T. Dhandapani, M.P.
- (4) Shri Sukhdev Prasad, M.P.
- (5) Shri Kamal Nath Tewari, M.P.

- (6) Shri Apurba Lal Majumdar, M.L.A., Speaker, West Bengal Legislative Assembly
- (7) Shrimati K. S. Nagarathnamma, M.L.A., Speaker, Mysore Legislative Assembly
- (8) Shri Barkatullah Khan, M.L.A., Chief Minister of Rajasthan
- (9) Shri Pratap Tarachand Shah, M.L.A., Gujarat
- (10) Shri B. N. Banerjee, Secretary, Rajya Sabha—*Secretary to the Delegation.*

#### **Visit of Indian Parliamentary Delegation to Czechoslovakia**

In pursuance of an invitation received from Czechoslovakia, an Indian Parliamentary Delegation led by Dr. G. S. Dhillon, Speaker, Lok Sabha visited Czechoslovakia from the 1st to the 9th July, 1972. The other members of the Delegation were: Shri Lal K. Advani, M.P., Shri Dinen Bhattacharya, M.P., Shri K. Lakkappa, M.P., Shri B. P. Maurya, M.P., Shrimati Purabi Mukhopadhyay, M.P., Shrimati Radhabai Anandarao, M.P. and Shri S. L. Shakdher, Secretary, Lok Sabha.

#### **Visit of Speaker, Lok Sabha and Secretary, Lok Sabha to Kenya**

Dr. G. S. Dhillon, Speaker, Lok Sabha and Shri S. L. Shakdher, Secretary, Lok Sabha visited Kenya from the 5th to the 7th September, 1972 to attend the meetings of the Standing Committee of the Commonwealth Speakers' and Presiding Officers Conference held there on the 5th and 6th September, 1972. They also participated in the Post-Conference tours of Kenya.

#### **Visit of Speaker, Lok Sabha to Tanzania and Mauritius**

(i) On his way to Malawi to attend the 18th Commonwealth Parliamentary Conference to be held there, Dr. G. S. Dhillon, Speaker, Lok Sabha visited Tanzania from the 10th to the 13th October, 1972. As guest of the Government of Tanzania, he was most cordially received and hospitably entertained.

(ii) On his way back from Malawi Dr. G. S. Dhillon, Speaker, Lok Sabha visited Mauritius from the 28th to the 31st October, 1972. As guest of the Government of Mauritius, he was most cordially received and hospitably entertained.

### **Visit of Deputy Speaker to the Republic of Korea**

In pursuance of an invitation from the Republic of Korea, Shri G. G. Swell, Deputy Speaker, Lok Sabha visited Korea from the 23rd to the 8th September, 1972.

As guest of the Government of Korea, Shri Swell was most cordially received and hospitably entertained.

### **C. FOREIGN PARLIAMENTARY DELEGATIONS IN INDIA**

#### **Visit of Hon'ble Dasho Shingkar Lam, Speaker of the National Assembly of Bhutan**

In response to an invitation from India, Hon'ble Dasho Shingkar Lam, Speaker of the National Assembly of Bhutan visited India in November, 1972.

Besides Delhi, he was taken to some places of cultural and industrial interest viz. Agra, Amritsar, Bombay, Bangalore, Madras and Calcutta.

He watched the proceedings of Lok Sabha and Rajya Sabha on November 13, 1972.

The Speaker, Lok Sabha hosted a dinner in his honour on November 13, 1972.

#### **Visit of Polish Parliamentary Delegation to India**

In response to an invitation from India, an 11-member Polish Parliamentary Delegation led by Mr. Edward Babiuch, M.P. visited India in December, 1972.

Besides Delhi, the delegates were taken to some places of cultural and industrial interest viz. Agra, Chandigarh, Jaipur and Bombay.

The Delegation called on the Speaker, Lok Sabha on December 2, 1972 at Parliament House. They watched the proceedings of Lok Sabha and Rajya Sabha on December 4, 1972. A meeting between the delegation and Members of Parliament was also held on that day.

The Speaker, Lok Sabha hosted a dinner in their honour on December 4, 1972.

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## II. PRIVILEGE ISSUES

### LOK SABHA

#### (i) Alleged reflections on members by a newspaper

On September 4, 1972, Shri Jyotirmoy Bosu raised<sup>1</sup> a point regarding the following remarks contained in an editorial article appearing in the *Indian Express*, dated the 4th September, 1972, about the proceedings of the House:—

"The ham-handed tactics resorted to by some of the clowns who masquerade as the Government's spokesman in the Lok Sabha strains one's credibility in the capacity of small men to exercise their small minds."

The Minister of Parliamentary Affairs, Shri Raj Bahadur, stated<sup>2</sup> as follows:—

"There must be a balanced view taken and an objective view taken and not a partisan view. We have got great respect for the editorial and for the editor who put out that editorial. But we cannot say that that editorial is not partisan or that it is balanced."

After some discussion, the Speaker, Dr. G. S. Dhillon, observed, *inter alia*, that no chance should be given in future for such comments. The language in which this was mentioned had not been very pleasing to him. He had all respect for the Press. It was a different matter what they wrote about some procedural lacuna or about the debate. The rules did not provide for anything and everything. Yet the Press should not give such loud stretch of imagination and use such harsh words.

The matter was, thereafter closed.

#### (ii) Reflections on Deputy Speaker in a telegram addressed to him regarding conduct of proceedings by him in the House

On August 30, 1972, Shri R. N. Sharma, a Member, sought to raise<sup>3</sup> a question of privilege against Shri Mani Ram Bagri, General Secretary, Socialist Party, for casting reflections on the Deputy

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<sup>1</sup>L.S. Deb., September 4, 1972.

<sup>2</sup>*Ibid.*

<sup>3</sup>L.S. Deb., August 30, 1972.

Speaker, Shri G. G. Swell, in a telegram addressed to the latter, in regard to the conduct of proceedings of the House by him. The impugned telegram<sup>4</sup> read as follows:—

"Shri Sitaram Singh and Shri Shiv Shankar Prasad Yadav raised the question of famine and starvation in Rajya Sabha and Lok Sabha respectively. You have acted cowardly by suppressing this issue. Therefore, you are guilty of ignoring Rajya Sabha, Lok Sabha and crores of hungry people. I condemn your action and at the same time commend the brave persons like Sarvashri Sitaram Singh and Shiv Shankar Prasad Yadav. Do not disallow such questions. This is not your *darbar*. It is the House of the People."

During the discussion on the matter, Shri Madhu Dandavate stated that Shri Mani Ram Bagri was not the General Secretary of the Socialist Party but of a dissident group thereof. He also raised<sup>5</sup> the following point of order:—

"If any Member of the House receives a telegram and there is no confirmation through a signed letter or through any other agency, whether you would permit the matter to be raised in the form of a Privilege Motion?"

Thereupon, the Speaker, Dr. G. S. Dhillon, ruled<sup>6</sup> as follows:

"I admitted it because the question of Chair was concerned..... Anyway for future guidance, I think, when such telegrams come no action can be taken unless they are verified."

The Minister of Parliamentary Affairs, Shri Raj Bahadur, stated *inter alia* as follows:

".....Whatever Mr. Mani Ram Bagri's credentials may be..... they have been belied just now by Mr. Dandavate.....We might perhaps be giving too much importance and publicity to him, which he might be yearning for. Although this constitutes clearly a breach of privilege and insult to the House, I would earnestly plead that we should not allow him, if he is the author of it, to succeed in his ambition. I request my friends, Mr. Sharma and Mr. Sathe to reconsider it, whether they would still like to press it in these circumstances, because the objective is clear."

The Deputy Speaker, Shri G. G. Swell, stated *inter alia* as follows:

".....I would like to make this distinction that there is a difference in functioning in this House as a member of the House and in running the House. I was not functioning as a member of the

<sup>4</sup>Original in Hindi.

<sup>5</sup>L.S. Deb., August 30, 1972.

<sup>6</sup>*Ibid.*

House; I was functioning as the Speaker of the House at the time, running the affairs of the House. Now we have to consider this very very carefully whether it is open to anybody in this country to speak disparagingly of the running of this House, not of how we function. That is the question to be considered. . . . I do not want to inject a new political life to Shri Mani Ram Bagri, especially when a friend like Professor Dandavate has just now disputed that he was even not the General Secretary of the Socialist Party.

I would request my colleagues not to press this motion. I am quite happy that the way in which this House runs should not be subject to criticism and condemnation from outside."

In view of the feelings expressed in the House, Shri R. N. Sharma did not press his question of privilege.

**(iii) Alleged gross disorderly conduct of a member in throwing a bundle of papers towards the Chair and his contemptuous defiance of the Speaker**

On August 28, 1972, when the Speaker withheld his consent to the moving of an adjournment motion tabled by Shri Jyotirmoy Bosu, a member, to discuss the alleged curtailment of the freedom of the Press in West Bengal, the latter sought<sup>7</sup> to make a mention of the matter in the House and when he was not permitted to do so, he threw a bundle of half-burnt newspapers in the House.

On August 29, 1972, Shri C. M. Stephen, another member, sought to raise<sup>8</sup> a question of privilege against Shri Jyotirmoy Bosu "for his grossly disorderly conduct in throwing a bundle of papers towards the Chair and his contemptuous defiance of the Speaker on the 28th August, 1972". After some discussion, Shri Stephen asked for leave of the House to raise the question of privilege. On objection being taken, the Speaker asked those members who were in favour of leave being granted to rise in their places. As not less than twenty-five members rose, the Speaker informed the House that the leave was granted.

Shri Stephen then moved that the matter be referred to the Committee of Privileges.

Shri M. Kalyanasundaram moved that the matter be considered by the House.

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<sup>7</sup>L.S. Deb., August 28, 1972.

<sup>8</sup>Ibid., August 29, 1972.

Shri H. N. Mukerjee stated, *inter alia* as follows:—

"I feel that the matter can be referred to the Committee of Privileges or any comparable body in other circumstances than in regard to an incident which has happened inside the House, where the Presiding Officer was present to do his duty, where the Leader of the House or any substitute thereof was also present, the leaders of different parties were also present and something has happened. . . . . How can the Committee of Privileges go into the question of whether privilege was affected or not in regard to the happenings inside the House and how is the Committee going to get evidence in regard to what happened inside the House?"

The Speaker, Dr. G. S. Dhillon, observed *inter alia* as follows:—

"It is a contempt of the House so far as this matter is concerned. I don't think this practice should be approved of and tolerated upon by this House at all. At least I do not advise you to go for defence of such an action. . . . . the only course, the *via media* is that the gentleman should express his regrets. After his regrets I can put it to the House whether it can be withdrawn and whether his regrets can be accepted."

The motion moved by Shri M. Kalyanasundaram that the matter be considered by the House was negatived.

During the debate, Shri Jyotirmoy Bosu denied that he had thrown the papers towards the Chair and explained his position.

After a lengthy debate and at the suggestion of some members, the Speaker adjourned the House for an hour to enable the members to consider the matter among themselves.

When the House reassembled, Shri Jyotirmoy Bosu stated *inter alia* as follows:—

" . . . . . It caused provocation in my mind which was reflected in my action, that I had to express my resentment by throwing a small bundle of half-burnt newspapers in the well of the House. . . . . I had never thrown the bundle of papers towards the Chair and I had not gesticulated in contemptuous defiance of the Chair and the House. All the Delhi newspapers will corroborate this.

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I had not the slightest intention of showing disregard to the Chair or to the House. I had no intention of showing disrespect either to the House."

Shri C. M. Stephen then withdrew his motion for reference of the matter to the Committee of Privileges, by leave of the House, and the matter was closed.

**(iv) Alleged criticism of Members' Conduct in the House by the Prime Minister in her Chamber**

On August 18, 1972, Shri Jyotirmoy Bosu, a member, sought to raised<sup>9</sup> a question of privilege against the Prime Minister for allegedly criticising his conduct in the House when he went to her chamber on August 16, 1972, in a deputation to discuss the matter regarding "Bombay Strike". Shri Bosu alleged that the Prime Minister had criticised him and other members of the deputation for pressing the acceptance of their adjournment motion on "Bombay Strike" in the House on August 16, 1972. He contended that what the Members did in the House could not be the subject matter of discussion outside the House.

The Speaker, Dr. G. S. Dhillon, while disallowing the question of privilege, observed<sup>10</sup> as follows:—

"As Leader of the House, she (Prime Minister) can meet you in her room and discuss so many things. It will be setting an unhealthy precedent if the Prime Minister were always to be in the fear that whatever she is saying in her room may not come out as a privilege or some other motion later. I do not think it is very correct."

**(v). Shouting slogans and throwing leaflets from the Visitors' Gallery on the Floor of the House**

On August 9, 1972, at 15.05 hours, when the House was discussing the Disturbed Areas (Special Courts) Bill, 1972, two persons from the Visitors' Gallery shouted slogans and threw<sup>11</sup> some leaflets on the floor of the House. They were immediately taken into custody and removed from the Visitor's Gallery by the Watch and Ward Staff. After some time on the same day, the Minister of Parliamentary Affairs, Shri Raj Bahadur, moved the following motion which was adopted by the House:

"This House resolves that the persons calling themselves (1) Siphai Rai and (2) Ram Janam Singh who shouted and threw some leaflets from the Visitors' Gallery on the floor of the House at 15.05 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.

This House further resolves that they be sentenced to simple imprisonment till 5 P.M. on Thursday, the 10th August, 1972 and sent to Tihar Jail, Delhi."

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<sup>9</sup>L.S. Deb., August 18, 1972.

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

<sup>11</sup>L.S. Deb., August 9, 1972.



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

Sarvashri Siphai Rai and Ram Janam Singh were, accordingly, taken by the Watch and Ward Staff to, and lodged in, the Central Jail, Tihar, Delhi, where they served out their sentence of imprisonment.

**(vi) Failure to send notice of a meeting of a Government Committee to members representing Lok Sabha on that Committee**

On August 1, 1972, Shri Jyotirmoy Bosu, a member, sought to raise<sup>12</sup> a question of privilege against the Minister of Foreign Trade and the Chairman, Tea Board, for not sending the notice of the meeting of the newly reconstituted Tea Board to the members representing Lok Sabha thereon. While raising the question of privilege, Shri Bosu stated *inter alia* as follows:—

“Two of the Members of this House (Sarvashri Jyotirmoy Bosu and Biswanarayan Shastri) were elected to the Tea Board on 17th May, 1972. On 18th May, the Lok Sabha Secretariat drafted and signed the intimation which was actually received by the Foreign Trade Ministry on 19th May.

Now, the Foreign Trade Ministry and the Chairman, Tea Board, in their anxiety which I will not disclose now, convened the first meeting of the reconstituted Tea Board on 3rd June in Calcutta. In that meeting, they finalised the main Executive Committee and all the Standing Committees for a period of three years, that is, for the entire tenure of the Tea Board. But Shri Biswanarayan Shastri and myself who had been elected to the Tea Board were not invited to that meeting. Therefore, we were deprived of exercising our rights....I now pray that the whole matter be placed before the Privileges Committee.....The proceedings of the meeting of the Committee (Tea Board) held on the 3rd June, 1972 should be entirely nullified and the meeting should be reheld.”

The Minister of Foreign Trade, Shri L. N. Mishra, stated *inter alia* as follows:—

“So far as hon. Members, Shri Biswanarayan Shastri and Shri Jyotirmoy Bosu are concerned, their nomination to the Board was notified on 22nd June. The first meeting was held on 3rd June. These two gentlemen could not attend the meeting. There was delay in nominating

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<sup>12</sup>L.S. Deb., August 1, 1972.

the Members to the Board.....That is why they could not attend it. In that meeting it was for the Chairman of the Tea Board to fix the agenda. There was nothing *mala fide*. It is upto the Tea Board. Government, as such, cannot intervene in the functioning of the Tea Board....."

Thereupon, the Speaker observed<sup>13</sup> *inter alia* as follows:—

"I think the Minister may look into the whole thing. I also agree that there are two elected members. What purpose do they go for if they are not given any chance to participate in the meeting.....It is not a breach of privilege."

Subsequently, the Minister of Foreign Trade, in a letter, dated the 1st August, 1972, addressed to the Speaker, stated *inter alia*:

"It is unfortunate that these two Hon. Members who were duly elected by the Lok Sabha to the Tea Board could not be invited to the first meeting of the Board and were thus deprived of participation in the election of the various Standing Committees.

You will appreciate that normally Government would not like to interfere in the work and functioning of any statutory Board or Committee. However, in compliance with your direction to look into the matter, I have given it my most careful consideration and as a special case decided under Section 31(1) of the Tea Act, 1953, to cancel the proceedings of the meeting of the Tea Board held on 3rd June, 1972. The Hon. Member had only referred to his being deprived of participation in the election to the various Standing Committee, but in order to eliminate any possibility of a further complaint that other important matters were also settled at that meeting without their participation, I have felt it necessary to cancel the proceedings as a whole.

I might mention here that I am issuing instructions in respect of Boards and Committees of this Ministry to which Members of Parliament are appointed, to ensure that no notification constituting such Boards would be issued without including the names of Members of Parliament."

The matter was, thereafter, closed.

#### **(vii) Alleged arrest of a member and misbehaviour with him by police officers**

On July 22, 1971, Shri Krishna Chandra Halder, a member, raised<sup>14</sup> a question of privilege against certain police officers of Durga-

<sup>13</sup>*Ibid.*,

<sup>14</sup>L.S. Deb., July 22, 1971.

pur (West Bengal) for allegedly arresting him and misbehaving with him on July 15, 1972, while he was visiting Durgapur. While raising the question of privilege, Shri Krishna Chandra Halder stated, *inter alia*, as follows:—

".....on the 15th July, 1971, in Durgapur, which is a part of my constituency....I went to the workers' colony of the AVB factory of Durgapur, in order to make some enquiries regarding re-trenchment and police atrocities.....I went to the colony at about 5.30 in the evening and at approximately 7.30 p.m. I felt that place. I was travelling in a car with four companions, the driver and his assistant.....My car was stopped near the Apprentice Hostel of the AVB, by the police and CRP led by the same Atin Mukherjee (A.S.I.) about whom I was told so much by the people of the workers' colony. The police officer who was in plain dress ordered me to get out of the car and to go with them. I then showed my card of the Parliament to him, but that infuriated him. He started shouting at me, saying that the fact that I was an M.P. made absolutely no difference, as far as he was concerned, and again ordered me to leave the car. His behaviour was very insulting, rude and uncivilised, and he was all the time shouting and using filthy language..... He then brought me out of the car by force and did the same in a much more insulting way to my companion.....I was then forced to go to the police station, in spite of my repeated insistence that it was improper and that it was infringing my rights and privileges as a Member of the Parliament.....I was detained and interrogated for more than one hour, but this matter was not reported to the hon. Speaker. I consider this as a matter of privilege, and the persons responsible for my arrest and detention are *prima facie* guilty of breach of privilege.....my complaints against Shri Atin Mukherjee, the ASI, are as follows:

- (1) He filthily abused me, along with the CRP personnel, although I showed him my Identity Card;
- (2) He threatened me while arresting me, and forced me out of the car;
- (3) He unlawfully restrained my movement and compelled me to go to the investigation centre, and detained me there against my wishes; and
- (4) All these amounted to molestation on his part.

I also accuse the sub-Inspector in charge of the investigation centre and the SDPO of Durgapur for being a party to this molestation, and particularly the latter for giving out a fabricated story to the press."

After some discussion, the Speaker, Dr. G. S. Dhillon, observed<sup>18</sup> as follows:—

<sup>18</sup>*Ibid*, cc. 161—172.

".....If he was arrested, the communication should have been immediately sent to me either by express letter or telegram. I have ascertained from my office that it has not been received. So I am sending this to the Home Minister to verify the facts as to what is the version from his side. When it comes, I will lay it before the House.....I am not going to send (to the Ministry of Home Affairs) anything else except about the fact of arrest. As far as other points such as disrespect having been shown to the Member are concerned, I am one with him. It should not have been done.....So far as disrespect and other matters are concerned, I have said, I am one with the members. But so far as the factum of arrest is concerned, I was asking the Minister why it was not communicated. Let me know the reasons and along with that, I want to send it to the Privileges Committee."

On July 28, 1971, the Minister of State in the Ministry of Home Affairs Shri K.C. Pant, made the following statement<sup>16</sup> in the House:—

"We have received the following information from the Government of West Bengal. One car coming from Calcutta side was searched by the police at Durgapur on 15th July, 1971, and a dagger with a nine inch long blade was recovered from one of the inmates of the car who gave his name as Shri Kalachand Bhattacharji. In that car there were three or four other occupants including Shri K. C. Halder, Member of the Lok Sabha. On being questioned, Shri Kalachand Bhattacharji offered the explanation that the dagger was being carried for the security of the M.P. He was taken by police jeep to the Durgapur police station, Shri Halder followed the police jeep in his car entirely on his own. In regard to the recovery of the dagger from Shri Bhattacharji, an entry was made in the General Diary in the police station..... No one was put under arrest. After the entry had been made in the General Diary, the party resumed their journey."

After some discussion in the House, the Speaker observed<sup>17</sup> as follows:—

"The old decision was that in the case of misbehaviour or disrespect shown, the House might decide it.....Now also a motion is moved that this matter, so far as misbehaviour and disrespect are concerned, should be referred to the Committee of Privileges.....So far as the fact of arrest is concerned, if it is unlawful restraint or anything of that nature, something which is not arrest, the legality of the arrest cannot be gone into by the Privileges Committee. This was discussed in very much detail and though it was disputed it has been decided that the

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<sup>16</sup>L.S. Deb., July 28, 1971, c. 273.

<sup>17</sup>Ibid., cc. 275—277.

Privileges Committee cannot go into the legality of it. Shri Madhu Limaye went to the Court on the question of the legality of arrest. . . . the motion before the House is that the matter be referred to the Committee of Privileges. I take it that the matter be referred to the Committee of Privileges. I take it that the House approves of it. . . . I did not want to say, so far as the legality of arrest is concerned, whether it is an unlawful restraint or restriction and all that in this House. In all these matters, Members have been going to the Court, Suppose you hold something as 'arrest' and they go to the Court and the Court holds that it is not, then it is a delicate matter. . . . It is misbehaviour, misconduct and disrespect shown that is going to be examined."

Thereafter, the following motion moved by Shri Atal Bihari Vajpayee, M.P., was adopted<sup>18</sup> by the House:—

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

#### *Findings and recommendation of the Committee*

The Committee of Privileges, after taking the oral evidence of Shri Krishna Chandra Halder, M.P., and the concerned police officers, in their Third Report presented to the House on September 1, 1972, reported *inter alia* as follows:—

- "(1) The Committee considered the question whether Shri Krishna Chandra Halder, M.P., had been ill-treated and abused, and forcibly taken to the M.A.M.C. Investigation Centre, Police Station Durgapur, for interrogation, by Shri Atin Mukherjee, Assistant Sub-Inspector of Police, as alleged by Shri Krishna Chandra Halder, M.P. In order to find out the correct position, the Committee examined on oath Sarvashri Atin Mukherjee, Assistant Sub-Inspector of Police, Durgapur (West Bengal) and Rajendra Prasad Bhattacharya, Sub-Inspector of Police and Officer-in-charge of M.A.M.C. Investigation Centre, Durgapur (West Bengal). The Committee also examined Shri Krishna Chandra Halder, M.P.

Shri Krishna Chandra Halder, M.P., in his evidence before the Committee on the 15th January, 1972 deposed that Shri Atin Mukherjee, Assistant Sub-Inspector of Police, had ill-treated him and used filthy language against him. He had added that he was also arrested and taken to the police station by Shri Atin Mukherjee.

Shri Atin Mukherjee, Assistant Sub-Inspector of Police, in his evidence before the Committee on the 10th November, 1971, however,

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<sup>18</sup>*Ibid.*, c. 277.

denied the above allegations and said that he had neither ill-treated Shri Krishna Chandra Halder, M.P., nor arrested him. On the contrary, he had shown due respect and courtesies to him. Shri Rajendra Prasad Bhattacharya, Sub-Inspector of Police and Officer-in-charge of M.A.M.C. Investigation Centre, Police Station Durgapur, in his evidence before the Committee on the 15th January, 1972, deposed that Shri Krishna Chandra Halder, M.P., had not been arrested by Shri Atin Mukherjee. He further said that Shri Halder did not complain against the misbehaviour of Shri Atin Mukherjee when he came to the police station on the day of incident.

- (ii) Shri Rajendra Prasad Bhattacharya also submitted to the Committee that he had shown due respect to Shri K. C. Halder. He also expressed his regret to the Committee for the inconvenience caused to Shri K. C. Halder in the incident, in the following terms:—

I have shown and given proper respect to learned M.P. and if he still feels anything in my dealings, then I am sorry for that. I am sorry if any inconvenience has been caused to Shri Halder in this incident.'

- (iii) The Committee are of the view that, considering all the circumstances of the case, the above unqualified apology, offered by Shri Rajendra Prasad Bhattacharya, Sub-Inspector of Police and in-charge of the M.A.M.C. Investigation Centre, Durgapur, should be construed to be an apology on behalf of his subordinate Shri Atin Mukherjee, the concerned Assistant Sub-Inspector of Police, also, as he had expressed his regret for the inconvenience caused to Shri Krishna Chandra Halder, M.P., 'in this incident'. The Committee also note that when Shri K. C. Halder had raised the question of privilege in the House on the 22nd July, 1971, he had *inter alia* stated that 'the Officer who interrogated us expressed regret for the whole incident.'

In view of the unqualified apology tendered by Shri Rajendra Prasad Bhattacharya, Sub-Inspector of Police, for the whole incident, the Committee are of the opinion that the matter may be dropped.

The Committee recommend that no further action be taken by the House in the matter."

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

#### RAJYA SABHA

##### (i) Alleged misreporting of the proceedings of the House

On June 1, 1972, Shri Bhupesh Gupta, a member, sought to raise<sup>19</sup> a question of privilege against the Editor, Printer and Publisher of the

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<sup>19</sup>R.S. Deb., June 1, 1972.

*Statesman*, New Delhi, for publishing in its issue dated the 31st May, 1972, a distorted version of his speech made in the House. He contended that the impugned news report published under the heading 'Congress and C.P.I. exploiting Orissa Drought' imputed that he (Shri Bhupesh Gupta) had suggested to the Government that Orissa Government be toppled, which was not correct. He requested the Chair to warn the press to be more careful while reporting the proceedings of the House.

The Deputy Chairman, Shri Goday Murahari, who was then in Chair, then observed as follows:—

"I have gone through the report of the *Statesman*, and I think newspaper reporting should be more careful, not to put anything in the mouth of members. To make fair comments about members' speeches is, or course, within the jurisdiction of the press. They can comment in any manner they like but to make quotation and to say that a particular member has said this when he has not said it, is wrong. I think the paper should be more careful in this respect."

The matter was then closed.

**(ii) Alleged imputation of motives to a Member for his speech in the House**

On April 7, 1972, Shri Bhupesh Gupta, a member, raised<sup>20</sup> a question of privilege against Shri T. A. Pai, former Chairman of the Syndicate Bank Ltd., for attributing, in a press statement, malice to him for his speech in the House. Shri Bhupesh Gupta also raised a question of privilege against Shri C. S. Satya, Editor, *Jwalamukhi*, Bangalore, for publishing Shri Pai's statement and accusing Shri Bhupesh Gupta of blackmail in a telegram sent to him.

The Chairman, Shri G. S. Pathak, observed<sup>21</sup> that he would, in the first instance, ask Shri T. A. Pai and Shri C. S. Satya to state what they had to say in the matter.

On August 7, 1972, the Chairman informed<sup>22</sup> the House as follows:—

"I am to inform Members that some time back Shri Bhupesh Gupta gave two notices of breach of privilege, one against Shri T. A. Pai, now a Member of this House, and another against Shri C. S. Satya, Editor, *Jwalamukhi*, Bangalore, Shri Gupta also raised

<sup>20</sup>R.S. Deb., April 7, 1972.

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

<sup>22</sup>*Ibid.*, August 7, 1972.

the matter in the House and at that time I informed the House that I would first ask Shri Pai and the Editor concerned to let me know what they would like to say in the matter. Shri Pai, in his reply, informed me that, when the news agencies contacted him to know whether he would like to make any statement in view of the observations made by Shri Bhupesh Gupta in the House that he (*viz.* Shri Pai) had sold a building belonging to the Syndicate Bank to his brother abusing his official position, he had told them orally that the allegation was entirely false. Shri Pai wrote to me saying that he did not attribute malice personally to Shri Bhupesh Gupta who, Shri Pai was sure, would not have made the Statement if he had known the facts. Shri Pai felt that the source which had given Shri Gupta the information acted out of malice not only to harm Shri Pai personally but also to create misunderstanding between him and Shri Gupta. Shri Pai further assured me that he had no intention at any time to attribute malice to Shri Bhupesh Gupta and he hoped that Shri Bhupesh Gupta would appreciate his feelings. In these circumstances, I decided to take no further action in the matter against Shri Pai.

Shri Satya, Editor, *Jwalamukhi*, has, in his telegram and letter to me, expressed his unconditional regrets and apologies. He has requested that his apologies may be conveyed to Shri Bhupesh Gupta for whom he has got the highest esteem and respect. He has unconditional regrets and apologies in the next issue of his paper. In view of this, I have decided to close the case against the Editor."

The matter was, thereafter, closed.

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### III PROCEDURAL MATTERS

LOK SABHA

**(i) Minister: Presence of concerned Minister or his Deputy is necessary when a discussion on the subject relating to his Ministry is taken up in the House**

On September 2, 1972 when the item regarding Short Duration Discussion on meeting of the Representatives of India and Pakistan in New Delhi was reached, the Deputy Speaker called the Member, Shri Samar Guha, who was to initiate the discussion. On being pointed out by a Member, Shri Indrajit Gupta, that the Minister of External Affairs was not present in the House, the Deputy Speaker adjourned the House for 10 minutes observing:

“.....We are taking up this discussion on the statement by the Minister of External Affairs regarding the meeting of representatives of India and Pakistan. I do not see the Minister of External Affairs. How can the discussion take place?

This is not the way the whole business is held up because a particular Member of the Government is absent. This is not the way how the House should be treated. Either I adjourn the House for 10 to 15 minutes until the Minister is ready to come, or, we keep quiet here until the Minister comes.

I adjourn the House for 10 minutes until the Minister is ready. We meet again at 4.21 p.m.”

When the House re-assembled, the Minister of External Affairs expressed regret for the inconvenience to the House and said that the general convention was that if any Member of the Treasury Benches was present, the discussion could start unless the Minister concerned was expected to make a statement.

The Deputy Speaker thereupon observed:—

“Now, before I call the Minister to reply, I would like to draw the attention of the House to the following observations made by Shri Mavalankar, on 1st August, 1952:

I myself wanted to say that whatever the business outside which any individual Minister or the Minister responsible may have, it is necessary to remember that no engagement outside can be higher or of greater importance than his presence in this

House. At least I personally feel that the absence from the House of the responsible Minister is perhaps not giving the House the attention and the respect that it is entitled to.....'

"After collating all that has been observed and all that has passed in this House, the book on *Practice and Procedure of Parliament* by Kaul and Shakdher says:

'It is now an established convention that on important occasions like Question Hour, discussion on the Budget or the President's Address or the motion regarding international situation, concerned Ministers are required to be present in the House, as far as possible. On other occasions, the Minister or Ministers in charge of the business before the House are required to be present. In the case of unavoidable absence of the Minister in charge from the House, it is expected that an arrangement is made for some other Minister to take notes of the debate in the House.....'

"Now, when I saw neither senior Minister nor Deputy Minister in the House, and I was not informed whether anybody had been authorised, I had to adjourn the House.'

**(ii) Sitting of Members of Opposition Groups in the House for some time after it was adjourned for want of quorum**

On September 1, 1972, the House was to sit upto 19.00 hrs. to discuss the following items of business:—

- (1) Half-an-hour discussion regarding lowering of voting age:  
[To be taken up at 5 P.M.]
- (2) Further discussion on the Report of the Direct Taxes Enquiry Committee:  
[To be taken up at 5.30 P.M.]
- (3) Discussion under Rule 193 on the working of the Food Corporation of India.  
[To be taken up 6 P.M.]

At 16.59 hrs. during discussion on the Prevention of Cow Slaughter Bill by Shri B. S. Chowhan, a Congress Member, Shrimati Sahodrabai Rai, raised the question of quorum. Quorum bells were rung. After the bells stopped, the House was not made and the Chairman, Shri K. N. Tewari, adjourned the House at 17.03 hrs. for want of quorum.

The Members of Opposition belonging to all the Groups [CPI(M), CPI, DMK, J.S., Swantantra, UIPG and S.P.], however, continued to sit in the House in protest as they contended that the lack of quorum had been deliberately manipulated by the Congress Party to scuttle discussion on the above items. They also stated that Members belonging

to the Government Party were not allowed to come in the House although a large number of them were present in the Central Hall. While sitting in the House, they jointly drafted a letter addressed to the Prime Minister about their grievances and demanded that the Leader of the House should come to the House to listen to their grievances and a special sitting of the House should be convened that night to discuss the above items. Pending that, they proposed to continue to sit in the House. They also read out that letter to the Press representatives who were still sitting in the Press Gallery. After some time the Minister of Parliamentary Affairs came and discussed the matter with the Members. Thereafter, the Members were persuaded to go to the Speaker's Chamber to discuss the matter. The Speaker then convened a meeting of the Leaders of Opposition Groups and the Minister of Parliamentary Affairs in his Chamber at 6.20 P.M. In the meeting it was decided that the House would sit on Monday, the 4th September, 1972 to dispose of the items which had remained unfinished on the 1st September, 1972 and the Minister of Parliamentary Affairs would make an announcement in the House on the 2nd September, 1972 about extension of the Session.

**(iii) Staging of Dharna or resorting to hunger strike in the precincts of Parliament House or Parliament House Estate**

On August 28, 1972, a Member, Shri Shiv Shankar Prasad Yadav, wrote to the Speaker that since the Central Government and State Government of Bihar had failed to take any effective steps regarding the drought situation and near famine conditions in Bihar, he would go on a hunger strike for 48 hours in Parliament House with effect from 3 P.M. on that day. The Member was informed through a letter that it was not permissible for anyone to resort to hunger strike or *Dharna* or any demonstration in the precincts of the Parliament House and Parliament House Estate. The Member tried to raise the matter in the House by interrupting the debate on the General Insurance Business (Nationalisation) Bill, 1972. The Deputy Speaker observed that the Member could not raise other matters in the midst of a debate. Some Members pleaded that he might be heard, but the Deputy Speaker did not allow. The Member then left the House.

Shri Yadav continued to sit in the Inner Lobby after the adjournment of the House at 7 P.M. on that day. On persuasion by the Minister of Parliamentary Affairs, Shri Raj Bahadur, Shri Yadav left the Lobby at about 7.45 P.M. and after some discussion between him and the Minister of Parliamentary Affairs in his room, went outside the Parliament House building at 8.00 P.M. but spread his bedding in

the portico outside Gate No. 1 and slept there. At about 10.15 P.M., unders of the Speaker, the Watch and Ward Officer and his staff bodily lifted the Member and removed him outside the Parliament House Estate.

On the following day, i.e. August 29, 1972 at about 8.30 A.M., Shri Yadav again came in the portico outside Gate No. 1 and squatted there on a bedding spread by him. He was asked to take away his bedding from there, but he refused. His bedding was taken away by Watch and Ward staff and kept in the Watch and Ward Office. The Member continued squatting till 11 a.m. and thereafter went inside the Chamber to attend the House.

After disposal of the formal business, at 4.35 P.M. the Speaker informed the House about the action taken against the Member. Thereafter, some Members pleaded that Shri Yadav might be allowed to have his say. The Speaker permitted the Member observing that it would not be treated as a precedent.

The Member, however, continued his *Dharna* for one day more. He squatted in the portico in the night of August 29, 1972 and was removed by the Watch and Ward staff after one hour of adjournment of the House.

On August 30, 1972, the Member entered Parliament House Estate at 10.30 A.M. and spread his bedding in the portico of Gate No. 1 and started *Dharna*. The watch and Ward staff requested him to roll his bedding. After some time, the Member acceded to their request and after removing his bedding entered the Parliament House at about 10.45 A.M.

#### **(iv) Members should not make reference to Visitors in Galleries**

On August 17, 1972, during Supplementaries on S.Q. No. 243, a Member, Shri S. M. Banerjee, pointed out that a visitor in the Diplomatic Gallery was taking notes and that papers should be snatched from him. The Speaker, thereupon, observed that references should not be made to visitors in Galleries.

#### **(v) Silence observed to pay homage to martyrs**

On August 9, 1972, when the House assembled, a Member, Shri Madhu Dandavate, suggested that the House might observe silence:

to pay homage to the martyrs of 1942 movement and all other freedom struggles. The Speaker agreed and Members stood in silence for a short while.

**(vi) Motion for reference of a Bill to a Joint Committee**

On August 9, 1972 when the House took up consideration of the Disturbed Areas (Special Courts) Bill, Government agreed to refer the Bill to a Joint Committee as some members raised doubts with regard to certain provisions of the Bill.

Shri R. D. Bhandare moved an amendment for reference of the Bill to a Joint Committee which was adopted in the House. As there were some difficulties about the composition of the Committee, two motions (i) for suspension of rule 338 in its applicatin for rescission of the decision of the House adopting the amendment for reference of the Bill to a Joint Committee, and (ii) for rescission of the decision of the House for reference of the Bill to a Joint Committee were later moved by the same member and were adopted on the same day.

On August 16, 1972, the Minister of State in the Ministry of Home Affairs, Shri Ram Niwas Mirdha, moved an amendment for referring the Bill to a Joint Committee which was adopted in the House on the same day. Rajya Sabha concurred in the motion on August 21, 1972.

**(vii) Remarks made by a Member without permission of the Chair are not recorded in the proceedings**

On August 2, 1972 a Member, Shri Hukam Chand Kachwai, asked a supplementary question on Starred Question No. 51. The Speaker observed that the supplementary was not relevant. The Member then continued to speak. The Speaker observed that what the Member spoke without his permission, would not go on record.

Immediately after the Question Hour, some Members raised objection to the order of expunction by the Speaker and made submissions in that regard. Referring to the provision of this rule, the Speaker observed that if a Member continued to speak without the Chair's permission, his remarks would not form part of the record.

**(viii) Statements by Ministers—Interruptions and Shouting of slogans by Members**

On July 31, 1972 when the Minister of External Affairs, Sardar Swaran Singh, was called to make a statement on the Simla Agreement, a Member, Shri Atal Bihari Vajpayee, raised a point of order

that there was an impropriety on the part of the Government in ratifying the Agreement before its discussion in the House, and also when Parliament was going to meet three days after. Submissions were made in this regard by several other Members. The Minister of External Affairs then made a statement and also laid on the Table a copy of the Agreement. When the Minister was making the statement, there were interruptions and shouting of slogans by Members belonging to Jan Sangh. The Jan Sangh Members came to the pit of the House and continued shouting slogans. Some of them sat down in the pit. A Member, Shri Hukam Chand Kachwai, tore up some papers and threw them in the House. The slogan shouting continued till the House was adjourned for lunch.

#### JAMMU AND KASHMIR LEGISLATIVE COUNCIL

#### **Supplementary Questions may ordinarily be Answered by Minister Concerned**

On a Point of Order raised by Shri Gurmukh Singh and supported by other Hon'ble Members whether a supplementary question could be put to any Minister other than the concerned Minister, the Deputy Chairman gave the following ruling:—

"I would once again reiterate that the Council of Ministers is collectively responsible to the Legislature, the responsibility is joint and indivisible. Under Rules of Procedure and Conduct of Business in the Jammu and Kashmir Legislative Council,

'Minister' means a member of the Council of Ministers and includes a Minister of State, a Deputy Minister or a Parliamentary Secretary";

I have also gone through the procedure evolved by Sir Erskine May for Oral answers and supplementary questions in the Mother of Parliaments which *inter-alia* provides that 'Oral answers and supplementary questions' are governed by the general rules of order affecting all questions. At least I personally feel that the absence from the House of the concerned Minister is perhaps not giving the House the attention and the respect that it is entitled to. I can understand reasons for absence in case of illness or sudden difficulties, but certainly not on any other engagement without prior information of the Presiding Officer. The Hon'ble Members put questions here with the fullest sense of responsibility and consciousness towards themselves and the people. They expect that the Hon'ble Ministers also with that very amount of responsibility and consciousness would answer the questions. I would very much wish that the Minister concerned in whose name the Parliamentary business stands in the List of Business should be present in the House to enable the members to elicit information to their entire satisfaction because only the concerned Min-

ister can reply effectively the supplementary question—he knows the entire background of the question. Besides, I feel that the 'Question Hour' affords an opportunity both to the Hon'ble Members and the Treasury benches to elicit and furnish information on some urgent matter of public importance. It is a question of doing justice to one's own Government and to the 'Parliamentary democracy', otherwise there is no bar for any 'Minister other than the concerned Minister to reply the questions, supplementary questions and take up any other 'Parliamentary business' entered in the 'Order Paper' for the day.'

#### MYSORE LEGISLATIVE COUNCIL

#### **Power of the Council to consider a Resolution disapproving an Ordinance**

On June 23, 1972, the Chairman gave the following ruling regarding power of the Council to consider a resolution disapproving an Ordinance:

"I have to inform the House that Hon. member Sri A. K. Subbiah, has given notice of a resolution under Rule 117 of our Rules of Procedure in the following terms:

"This House disapproves the Mysore Land Reforms (Amendment and Miscellaneous Provisions) Ordinance, 1972".

Rule 117 provides a Member of the Council to move a resolution disapproving the Ordinance promulgated by the Governor. But this rule is in pursuance of the provision contained in Article 213 of the Constitution.

I have given the most anxious consideration to the effect of Rule 117 read with Article 213 and also the Resolution of Sri Subbiah.

Article 213 (2) of the Constitution states that an Ordinance promulgated by the Governor has to be placed before the Houses of Legislature and shall cease to have force at the expiration of six weeks from the re-assembly of the Legislature. The article proceeds to state that before the expiration of the period of six weeks, a resolution disapproving the Ordinance can be passed by the Legislative Assembly. The Legislative Council has then to agree to the resolution of disapproval passed by the Assembly and when this process is completed, the Ordinance falls through.

I would like the House to read Article 213 (2) (a) in its proper sequence. I am clear in my mind that a resolution disapproving an Ordinance can be initiated and passed only in the Lower House. The only power that vests in the Council in this regard is to agree or not to agree with the action of the Assembly. That being so, Sri Subbiah's resolution is inadmissible in terms of Article 213 (2) (a).

But that leads us to the question of interpreting Rule 117 of our Rules of procedure. I think that this rule needs re-examination. Such a provision is not to be found in the rules of the Rajya Sabha and some other Legislative Councils of States. It might, however, be that Rule 117 may have some force if a Bill to replace an Ordinance is introduced in the Council. I, however, doubt whether such a procedure would be strictly in consonance with the provision of Article 213. I leave this matter open and I hope the House will examine Rule 117 in greater detail. A Committee of this House may possibly go into this matter.

However, on a strict reading of Article 213 I am clear in my mind that Sri Subbiah's resolution is out of order and I declare it so."

#### RAJASTHAN VIDHAN SABHA

##### **Admissibility of Adjournment Motions criticising the views and the conduct of the Governor**

On August 17, 1972, two Members of the Vidhan Sabha, Sarvasbri Gurnam Lal Lodha and Bhanu Kumar Shastri gave notice of an adjournment motion to the effect that the Governor's Address delivered within the precincts of the House on the night of August 14-15, 1972, spoke of party politics and had hurt both the dignity of the Constitution as well as his office. The Speaker disallowed the motion to be moved in the House holding that the criticism of the Head of the State, particularly of his conduct during his Address to the Legislature, was an extraordinary event and was against the Rules of Procedure and Conduct of Business in the House as well as against healthy parliamentary conventions. Extracts from the ruling by the Speaker on the occasion are given below:\*

"Governor being the representative of the President, enjoys a special and important position under the Constitution and it is very important to see whether criticism of the views expressed by him or of his conduct on any occasion and at any place can be made the subject matter of an adjournment motion or not.

"I have pondered over this point seriously. The relevant rules of the Rules of Procedure and Conduct of Business of our House are as follows:

'Rule 52, clause (8): No such question can be raised by way of an adjournment motion which can be raised separately on a motion being made under the Constitution.

'Rule 272, clause (5): No Member while taking part in debate, shall cast aspersions on the conduct of high-powered authorities unless a proper substantive motion is moved:

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\*Original in Hindi.



"Here I would like to consider another aspect also. Functions of any office holder can be divided into two parts—those relating to his office and those relating to his personal conduct. This division applies to Governor's functions also. According to a ruling given on the 14th March, 1960 (cited in Kaul and Shakhder's book on page 381), actions which the Governor is competent to take under the Constitution cannot be made the subject matter of an adjournment motion. When actions taken under the provisions of the Constitution cannot be made the subject matter of an adjournment motion, how can an adjournment motion be moved on the views expressed by the Governor on the 14th August, 1972, more so when those views had not been expressed under any provision of the Constitution. The views in question were expressed on the solemn occasion of paying homage to the martyrs of the struggle for Independence."

"In the end I would like to emphasize the point that the views expressed by the Governor do not form part of the proceedings of the House because the House had already been adjourned."

#### TAMIL NADU LEGISLATIVE ASSEMBLY

##### (i) No-Confidence Motion

On August 9, 1972 with reference to the notices of motion of no-confidence against the Ministry and a motion expressing disapproval of the policy of Government, after ascertaining the sense of the House, the Chair announced that leave was granted for both the motions. Thereupon, the Chief Minister suggested that the House might straight-away proceed with the consideration of the motions as it was not desirable to consider any other subject before they knew whether the Ministry enjoyed the confidence of the House or not. Overruling the suggestions of the Opposition to take up the motions on some other day, the Chair took up the motions for immediate consideration.

##### (ii) Expunction and De-Expunction

On August 12, 1972, a point was raised by a Member seeking the de-expunction of certain portions of the proceedings of the previous day which were ordered to be expunged on the ground that such de-expunction had been ordered by the Chair on a previous occasion at the suggestion of the Chief Minister. The Chair observed that while it was not in order to de-expunge portions which had been expunged earlier, inasmuch as the subject matter of the portions expunged had been raised on the floor of the House just then, the portions of the proceedings ordered to be expunged the previous day might be retained in the proceedings. However, he ruled that in future any

matter ordered to be expunged should never find a place in the proceedings.

**(iii) Bills—Rescission of Decision taken during First and Second Reading Stages**

On August 25, 1972, the Minister for Revenue moved for the consideration of the Tamil Nadu Agricultural Income-Tax (Amendment) Bill 1972. During the first reading stage, an amendment for referring the Bill to a Select Committee was rejected and as the Government did not agree to the circulation of the Bill for eliciting public opinion, the amendment moved for that purpose was withdrawn. The motion for consideration was passed and the second reading stage was also gone through and the clauses were adopted with certain amendments moved by the Minister. During the third reading stage, *i.e.*, after the Minister moved that the Bill, as amended, be passed, the Opposition Members reiterated their earlier objections to the Bill. Thereupon, the Chief Minister, intervening in the Debate, observed amidst cheers that in deference to the persistent demand by the Opposition he was agreeable to refer the Bill to a Select Committee.

At the suggestion of the Chair, the Leader of the House moved that "the decisions of the House on clauses 1 to 7 and the main motion that the Bill be taken into consideration be rescinded" and the House adopted it. The House also adopted a motion of the Revenue Minister to refer the Bill to a Select Committee.

**UTTAR PRADESH VIDHAN SABHA**

**Formation of a Committee to consider the points on the Rulings from the Chair**

On April 11, 1972 Shri Banshi Dhar Pandey, M.L.A., raising a point of order said that many supplementary questions were allowed to be asked by one member with the result that other members did not get time for supplementary questions. The Deputy Speaker said that no other member had stood for the supplementary question and requested Shri Pandey to take his seat. Shri Pandey did not sit and continued his speech. The Deputy Speaker again objected to his speech. Thereupon, when Shri Pandey was about to leave the House against the Deputy Speaker's objection, the Deputy Speaker said "The Hon'ble member cannot leave the House like this and if he goes out action will be taken against him." Even then Shri Pandey tried to leave the House. Thereupon the Deputy Speaker named him. The

Chief Minister stood to say something. Many members stood up on their seats and began to shout loudly in the House. Therefore the Deputy Speaker adjourned the proceedings of the House at 11.46 a.m. for ten minutes. At 11.56 a.m. as soon as the Deputy Speaker entered the House many opposition members stood up on their seats and began shouting. The Chief Minister again stood up to say something. Shri Banshi Dhar Pandey, M.L.A., said "Till the Deputy Speaker is in the Chair they are not ready to hear anything." The Chief Minister suggested that the proceedings of the House be adjourned for an hour. The Deputy Speaker then adjourned the House for an hour.

The proceedings of the House again started at 2.10 p.m. Shri Nitya Nand Swami, M.L.A., raising a point of order said that when the Deputy Speaker named Shri Banshi Dhar Pandey, no motion was moved by the Chief Minister. Hence it amounted to no-confidence against the Deputy Speaker. On the request of the Chief Minister the matter was postponed to the next day.

On April 12, 1972, the Speaker gave his ruling on the previous day's happenings as under:—

"On the yesterday's sad happening in the House, I consulted the Leader of the House and Opposition leaders and have come to the conclusion that a committee consisting of Speaker, Deputy Speaker, Leader of the House, Opposition leader Shri Girdhari Lal, leader of the B.K.D. Shri Jai Ram Verma, leader of the Jan Sangh party, Shri Madhav Prasad Tripathi, leader of the SSP, Shri Anant Ram Jaiswal, leader of the C.P.I., Shri Govind Singh Negi, and the Minister for Parliamentary Affairs, be formed to consider the points on the rulings of the Speaker and Deputy Speaker in the House.

The Committee will give me its opinion".

When Shri Pandey and some other Members demanded that the Deputy Speaker should not come in the House till the Committee gave its decision, the Speaker said, "It will not be proper that the Deputy Speaker should not come in the House to conduct its business."

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### FIFTH LOK SABHA—SIXTH SESSION

The Sixth Session of the Fifth Lok Sabha commenced on November 13, 1972. After holding 29 sittings, aggregating to 182 hours and 57 minutes, the House adjourned *sin die* on December 22, 1972. A brief review of some of the important discussion held during the session is given below.

#### **Delineation of the line of actual control in Jammu and Kashmir**

A Calling Attention Notice on 'Pakistan's continued intransigence in respect of delineation of the line of actual control in Jammu and Kashmir' was tabled by Sarvashri Atal Bihari Vajpayee, Ramshekhar Prasad Singh, Girdhar Gomango, Samar Guha and Madhu Dandavate. The matter was raised in the House on November 13, 1972 by Shri Atal Bihari Vajpayee.

Replying, the Minister of External Affairs, Shri Swaran Singh said that the Senior Military Commanders of India and Pakistan, who were entrusted with the task of delineating the line of control on maps, had so far held 9 rounds of discussions. By the 7<sup>th</sup> round, which was completed on October 18, an agreement was reached on 19 maps delineating the entire length of the line of control from the Chhamb area on the international border to Partapur sector in the North. Those maps were to be signed in the 8<sup>th</sup> round. On that occasion, Pakistan's Senior Military Commander raised a fresh controversy over a pocket approximately 1½ square miles in area which was in Pakistan's occupation, but separate from the line of control. Several messages had been exchanged between the Chiefs of the Army Staff of India and Pakistan on the issue and as a result further meetings took place between the Senior Military Commanders on November 7 and 9. But to no avail.

The major task of delineation of the line of control in Jammu and Kashmir, in terms of the Simla and Delhi Agreements had been completed on maps. It was hoped that the remaining problems would also be resolved by further bilateral discussions. After the delineation of the line of control was approved by the two Governments, the

withdrawal of troops to the international border would be completed in the shortest possible time. It was hoped that the Government of Pakistan would view the matter in a realistic and constructive manner.

Answering questions, the Minister maintained that there had been no change in Government's stand all along. Out of the total of 20 maps, 19 had already been initialled. According to the Simla Agreement the difference of opinion had to be resolved bilaterally. If the differences persisted at the level of senior commanders now engaged in the task, the matter could perhaps be taken up by Military commanders at another level. If they also failed to reach any agreement, there could be a meeting at some other level—"at civilian officials level or even at Government level".

### Rise in Prices

An Adjournment Motion regarding 'rise in prices with particular reference to levy sugar and vanaspati' was tabled by Shri S. M. Banerjee and others on November 13, 1972. The Motion was admitted for discussion on November 14, 1972.

Initiating the discussion on November 14, 1972, Shri S. M. Banerjee said that even after 25 years of Independence, the Government had not been able to solve the problem of price rise. The slogan of "Garibi Hatao" would be reduced to a mockery, if the Government were unable to hold the price line. Certain suggestions were given for checking the rise in prices viz., taking over of the whole-sale trade in foodgrains, nationalisation of the sugar and textile industries, taking over the import and export trade and acquisition of the foreign companies. But none of the suggestions had been considered by the Government.

There should be some control on black money, because the Government had itself admitted that there was a parallel economy in the country being run by those who controlled the black money.

The discussion continued for more than 4½ hours in which 13 Members participated.\*

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\*The Members who participated in the discussion were Sarvaswari R. K. Sinha, Karni Singh, N. K. P. Salve, Purushottam Ganesh Mavalankar, Darbara Singh, Samar Mukherjee, Atal Bihari Vajpayee, G. Viswanathan, Shyamnandan Mishra, Pilo Mody, Madhu Dandavate and S. A. Shamra.

Intervening in the discussion, the Minister of Agriculture, Shri Fakhruddin Ali Ahmed said that Kharif crop in the current year had been affected in several parts of the country, by deficient and late monsoon. Last year also Kharif crop had suffered. This year not only coarse grain, but rice was also affected. That was one of the reasons for price rise as most of the people in the country consumed coarse grains. To meet the situation, the Government had already taken a number of steps. A massive programme for increasing the production of foodgrains during the rabi and summer season had already been undertaken. Measures had been taken to strengthen the public distribution system all over the country. The number of fair price shops had increased to 1,58,000 and steps had been taken to increase their efficiency.

In case of sugar too, the prices had registered a rise. The introduction of full control, which had been suggested by some, for meeting the situation would not be in the interests of either the consumer or the canegrowers. Until and unless some incentives were given to the canegrowers, the production of sugarcane would fall and that would affect not only the production but also the price of sugar.

Under the system of partial control, it had been possible for the Government to ensure that the domestic consumers got a reasonable portion of their requirements at a price much lower than the open market price. Under the scheme of partial control, it was also envisaged that sugar factories would plough back their excess realisations accruing to them from the sale of free sugar in the open market to the cane-growers, thereby ensuring for them remunerative and incentive prices for the sugarcane.

As regards the rise in the price of Vanaspati, about eighty per cent of the price of Vanaspati was accounted for by the cost of the raw oils used in its production. With the damage to the Kharif groundnut crop caused by drought and the consequent rise in the prices of groundnut oil, it had not been possible to avoid the frequent increase in the price of Vanaspati. The Government proposed to obtain expert advice as to whether the existing procedure of review and revision of Vanaspati prices at intervals could be suitably amended so as to ensure that the price of Vanaspati remained unchanged over a longer period of time.

Speaking on the Motion, the Minister of Finance, Shri Yeshwantrao Chavan said that the major thrust of the price rise had been in respect of agricultural commodities. In the case of agricultural prices also,

the price was higher in the case of the commodities like cereals, pulses and other things, which were greatly damaged as far as their production was concerned.

The fall in production of agricultural commodities, therefore, could not be attributed to the Government's policies. In the last two years, unfortunately, the weather had not been favourable. Last year practically most of the eastern India was under floods and most of the western, central and southern India was suffering from famine. This year also, there was failure of the Kharif crop. These natural calamities had created a natural calamity.

It had been contended that the prices had risen because the Government had not nationalised certain sectors. Although the Government certainly supported the principle of nationalisation, yet it was not something that had to be applied anywhere, any time and in any manner. Ultimately, the test for nationalisation was whether it was in the national interests and in the interests of the economy. The Government was guided by these principles in the matter of nationalisation.

On October 1, 1972, the stocks of rice and wheat with the Government were about 5.4 million tonnes. There had been increased off-take in the past few months because of drought conditions. The buffer stocks would be replenished by Kharif procurement. If necessary, the Government would resort to the import of rice, pulses or even wheat.

As far as the question of taking over the foodgrains trade was concerned, the Government had taken a decision that eventually rice and wheat would be taken over. The State Governments had been requested to make all preparations in this behalf.

So far as the distribution system was concerned, there was scope for improvement and the Government were moving in the direction to ensure that the system achieved the ultimate success. The distribution of levy part of sugar would be undertaken by the Government entirely in December, 1972. When the distribution system started functioning, the sugar prices would show a declining trend.

As far as money supply was concerned, it was disproportionate to the rate of production. Therefore, certainly, it was a matter of concern. The money supply during 1972-73 was less than what was last year. The Government were making efforts in the direction of limiting the deficit financing.

The Reserve Bank of India was an independent body and it took its own decisions. It published its own independent reports which were critical sometimes of the entire situation. When the country needed certain things, certainly Government had a right to give directions to the Bank.

The Government of India had discussed the question of raising further loans so that they could mop up certain liquidity in the economy. The Reserve Bank had agreed only that day to raise Rs. 100 crores more in public loans in the coming few weeks so that there would be that sort of constraint on the money supply and at the same time provide some sort of help to see that deficit financing also was less.

The present prices were certainly of great concern to the Government and the Government were very much with the people. It was not really a question of economic prices. It was a much deeper crisis. What the Government needed today was the cooperation of the entire people and a positive and cooperative attitude in this country.

After Shri S. M. Banerjee had replied to the debate, the motion was put to vote and was negated.

#### **Drought Situation in the Country**

Making a statement on the "drought situation in the country", on November 14, 1972 Shri Fakhruddin Ali Ahmed stated that due to inadequacy of rains and erratic behaviour of the monsoons till the end of July over large parts of the country and in some parts even during August and September, the Kharif crop had suffered considerable damage and scarcity conditions had occurred in various degrees in many States. The worst affected States were Maharashtra, Gujarat, Andhra Pradesh and Rajasthan. In Bihar, U.P., Mysore, West Bengal, Orissa and Madhya Pradesh, where the prospects of the Kharif crops appeared bleak at one time, the position had improved considerably as a result of rains later in the season.

In order to relieve the distress caused by the drought, adequate relief measures had been organised. All-out effort had been made in starting relief works, providing gratuitous relief and making arrangements for the supply of drinking water. Although the main emphasis had been on starting the relief works to provide necessary purchasing power to the affected population, yet to provide relief to the old and the infirm, gratuitous relief had been provided. Over 30 lakh persons, including children and nursing mothers were benefited by the free-feeding and milk distribution programmes.



The total ceiling of expenditure for 1972-73 fixed by Government on the recommendations of the Central Teams for the States visited so far aggregated to about Rs. 102 crores. Besides, *ad hoc* assistance of about Rs. 30 crores had also been released according to the requirements of the State Governments concerned.

To retrieve the loss in Kharif production and increase the production of Rabi and summer crops, the Ministry of Agriculture had initiated the Emergency Production Programme which was being vigorously pursued and implemented in consultation with and the cooperation of the State Governments.

The demand for the supply of foodgrains from the drought affected States had registered a sharp increase in the recent months. However, with the stocks of foodgrains which were built up by Government of India in pursuance of its policy of having buffer stocks, not only all reasonable demands of foodgrains of drought affected States had been fully met, but the Government had also been able to supply sizeable quantities of foodgrains to Bangla Desh.

Steps had been taken to strengthen and augment the public distribution system. All foodgrains available with the Government agencies were being channelised through the fair price shops. A massive movement programme had been undertaken to meet the requirements of foodgrains of the drought affected and the deficit areas.

To replenish and build up the buffer stocks to the desired level, a target of procuring 4.6 million tonnes of Kharif cereals had been fixed in consultation with the State Governments. Determined efforts to achieve that target were being made.

#### **Report of Commissioner for Scheduled Castes and Scheduled Tribes for 1969-70\***

Moving that the Nineteenth Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1969-70 be taken into consideration, the Minister of Education, Social Welfare and Culture, Prof. Nurul Hasan, on November 15, 1972, said that while a great deal had been done for the amelioration of the conditions of tribal people as well as the Scheduled Castes, much more still remained to be done. The Central and State Governments had spent about Rs. 275 crores during the first three Plans on the welfare of backward classes. Besides, an amount of Rs. 100 crores had been spent from

\*The Report was laid on the Table of the House on December 22, 1971.

Non-plan budgets of the different States. Out of a provision of Rs. 142 crores made in the Fourth Plan, more than Rs. 76 crores had been spent in the first three years and the balance would be spent before the end of the Fourth Plan period.

Approximately Rs. 55 crores had already been spent on 504 tribal development blocks operating in the tribal areas of the country. For the intensive and integrated development of the more backward and sensitive tribal areas, a special tribal development scheme had been initiated under which six projects, two each in M.P. and Orissa and one each in Andhra Pradesh and Bihar had been sanctioned, each with an outlay of Rs. 1.50 crores for the remaining period of the Fourth Plan.

The expenditure on post matric scholarship had increased from Rs. 8 lakhs to Rs. 960 lakhs in the case of Scheduled Castes and from Rs. 3 lakhs to Rs. 193 lakhs in the case of Scheduled Tribes. The programme had been extended to cover neo-Buddhists also. Meritorious students were entitled to get more or less one and a half times of the usual scholarship amount for maintenance.

Pre-examination training centres had been established for coaching students. Three centres for coaching IAS candidates belonging to Scheduled Castes and Scheduled Tribes had been established at Allahabad, Madras and Patiala.

About 43.45 lakhs of acres of land had been distributed among the landless Scheduled Castes and Scheduled Tribes till the end of the Third Plan period. During the years 1965-66 to 1968-69 about 71,367 acres of land were distributed under the Centrally sponsored scheme for resettlement of agricultural labour under the Ministry of Agriculture.

Untouchability Offences Amendment Bill had been referred to a Joint Committee of the two Houses. Specific legislative action would be possible after the Report of the Committee was placed before the House. Through the educational re-organisation programme that the Government was envisaging for the Fifth Plan, it was hoped that the whole ideology on which untouchability was based could be combated.

The discussion continued for 4 days, in which 37 Members participated.\*

Intervening in the discussion on November 21, 1972, the Prime Minister, Shrimati Indira Gandhi conceded that it was not that nothing had been done for these people. "While a lot had been done, yet we had not been able to do all that we wanted to do for them". The greatest gain of the post-independence years, however, was that Harijans and tribals had become conscious of their rights.

The problem of Scheduled Castes and Scheduled Tribes was a national problem. It was neither the concern of the Government alone nor that of any individual political party. United effort would have to be made to change the present outlook of the people.

There were no words sufficient to condemn the incidents of cruelties being perpetrated on the people belonging to Scheduled Castes and Scheduled Tribes. A communication was addressed to the Chief Ministers sometime back requesting them to exercise all vigilance to check recurrence of such incidents and in case some incidents took place, some high official should be deputed to look into the matter. It was proposed to hold another round of discussion with the Chief Ministers on steps to deal with atrocities on Harijans and tribals. The Harijans and tribals should also be vigilant themselves and if they saw any signs of the coming trouble they should inform the concerned authorities about it.

The attention of the Government had been drawn to the fact that the programmes meant for improving the lot of the Harijans and tribals had not benefited the poorest sections among them. It was Government's intention to pay special attention to those people in the new Plan.

It was wrong to compel certain sections of the people in the country to do a particular job and that too on the basis of caste. All people should have full opportunities to adopt a profession of their choice.

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\*The Members who participated in discussion were Sarvashri D. Deb, Shambhu Nath, B. S. Bhaura, Swami Brahmanand, Jagannathrao Joshi, Anant Prasad Dhusia, Sangliana, Hari Singh, R. P. Ulaganambi, Dharnidhar Basumatari, Khemchandbhai Chavda, Rudra Pratap Singh, Dhan Shah Pradhan, Balakrishna Venkanna Naik, K. Marak, R. D. Bhandare, B. S. Murthy, Kartik Oraon, Ramkanwar, S. M. Siddayya, Ramji Ram, Sadhu Ram, Panna Lal Barupal, Subodh Hansda, Paokai Haokip, Pilo Mody, Giridhar Gomango, Sakti Kumar Sarkar, Ram Bhagat Paswan, Chhotey Lal, Bhola Raut, Partap Singh, Ram Surat Prasad, B. K. Daschowdhury, and Paripoornanand Painuli and Shrimati Bhargavi Thankappan.

There were certain jobs which were very vital for the society. Arrangements could be made to do those jobs through mutual cooperation. People belonging to a particular community could not be compelled to do a particular job. For bringing about such an awakening, proper political and social education had to be given to the people.

The problem of Harijans and tribals could not be tackled by enacting legislation only. A change in the way of thinking and way of living of those people had to be brought about. The Government would not, however, shirk their responsibility in enacting legislation if that was needed.

The demand to increase the quantum of scholarship was quite justified and would be met.

Replying to discussion, on November 22, 1972, the Minister of Education, Social Welfare and Culture, Prof. S. Nurul Hasan reiterated that what had been achieved was not by any means insignificant and it was partly the result of the special measures which had been taken to bring about an improvement in the condition of the members of the Scheduled Castes and Scheduled Tribes. As a result of the general economic reforms undertaken, the level of the aspirations and demands of the members of the Scheduled Castes had rightly gone up. But the tempo of progress had still to be accelerated. The strategy of improvement had to be definitely worked out afresh.

It had been particularly observed that still there were many sections of the Scheduled Castes and Scheduled Tribes which had hardly benefited at all from all the developmental schemes and welfare measures that had so far been adopted. Therefore, in the Fifth Plan, it would be the main effort of the Government not only to continue with the measures that had so far been taken, but also to identify those areas, groups, communities etc., and provide them assistance so as to enable them to improve their conditions. With that end in view, an integrated development, developmental approach was being adopted in the Fifth Five Year Plan. The problems of each area and each community were being considered and plans were being prepared in order to bring some relief as early as possible to those who needed it most.

The incidents of exploitation in some of the tribal areas had to be given very careful consideration and immediate measures must be adopted to ensure that exploitation was eradicated and programmes of a protective nature like the regulation of alienation of land, indebtedness, bonded labour, marketing of agricultural and forest produce, etc..

would have to be taken up under a time-bound programme. Priority was also proposed to be given to those economic activities like irrigation and agriculture which might benefit the largest number of persons.

In regard to the tribal areas, the Department of Social Welfare had worked out certain proposals to ensure that adequate flow of general sector resources was available for the tribal areas. The question of untouchability was something which required to be tackled immediately. The Joint Committee of the Parliament was already considering amendments to the Untouchability Offences Act and something more positive would come out of that Act and that would provide the necessary legal sanction for ensuring it. It was suggested that there was need for adopting a national social policy resolution regarding untouchability. Earnest consideration would be given to that idea.

The amount of scholarships would definitely be raised. Out of a total post-matric student population of 31 lakhs, 1.9 lakhs or 6 per cent belonging to Scheduled Castes were in post-matric scholarships.

It had been contended by some Members that the powers of the Commissioner for Scheduled Castes and Scheduled Tribes were being taken away. The duty of the Commissioner was to investigate all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under the Constitution and report to the President on the working of those safeguards. The Government had absolutely no intention of taking away the constitutional powers of the Commissioner. The Government and the Ministries had definite instructions to supply to the Commissioner such information as needed by him for the implementation of the scheme regarding appointment or promotion of officers belonging to the Scheduled Castes and Scheduled Tribes. There was also no question of curtailing the powers of the Parliamentary Committee on Welfare of Scheduled Castes and Scheduled Tribes by the Government.

“*Begar*” or forced labour had already been prohibited under Article 23 of the Constitution along with traffic in human beings. Government would have no hesitation in framing an all-India Act, if that was considered to be the most suitable way of dealing with the problem, the Government would do all that lay in its power to see that suitable steps were taken for making provisions for such needs as drinking water and allotment of land etc., to Scheduled Castes and Scheduled Tribes.

As regards the suggestion that the Department of Social Welfare should be constituted as an independent Ministry and that it should be placed under the direct charge of the Prime Minister, it was doubtful

whether in view of her many other political and administrative burdens, it would be possible for her to find time to go into every problem which such a Ministry had to deal with. The Prime Minister was the Chairman of a high-power committee on Scheduled Castes and Scheduled Tribes.

As regards agricultural labour, the matter was being considered by the Government on all all-India pattern and it was hoped that minimum wage would be fixed as early as possible. The question of alienation of land would also be treated as a high-priority item.

#### **Leakage into open market of Woollen Garments Imported as Rags**

A Calling Attention Notice on the "reported leakage into open market of woollen garments imported as rags" was tabled by Sarvashri Shrikishan Modi, S. A. Kader, Atal Bihari Vajpayee, R. K. Sinha and R. R. Singh Deo. The matter was raised in the House on November 16, 1972 by Shri Shrikishan Modi.

Replying, the Minister of Foreign Trade, Shri L. N. Mishra said that the regulation under which import of woollen rags was permissible against the export of woollen manufactures including knitwear was effective from May, 1968. Since then there had been no change in the scheme. The 'Rags' consignments released or seized or pending clearance at the docks were the consignments imported under the May, 1968 scheme. The only change in the said scheme was made with effect from May 11, 1972, when a substantial restriction was introduced. From that date, the import of woollen rags was allowed only to the exporters of shoddy blankets.

Although the policy covering import of rags between May, 1968 to May, 1972 had remained unchanged, larger imports had taken place in the last one year or so. It was perhaps because of the fact that in the May, 1971 budget, an import duty of 40 per cent was imposed on raw wool or greasy wool, the international price of raw wool as a commodity sharply increased in the last six months and the exports of woollen products had gone up by over 30 per cent in value in 1971-72 as compared to 1969-70 thereby augmenting replenishment imports to that extent.

The replenishment licence allowed only raw wool, wool tops, shoddy rags and wool waste, to be imported. Unfortunately, however, this propensity had got combined with the manipulative instincts of some people and instead of importing rags, to be utilised as raw material after being pulled and garnetted and spun into yarn, they

imported used wearables and those had found their way into the market rather than to the factories.

As the matter involved contraventions of the Customs, Import Trade Control and Foreign Exchange Regulations, it had been decided to entrust the matter to CBI for detailed investigations covering all the aspects of the problem, including the possible complicity of the concerned officials, or any body else.

Answering questions, the Minister said that those who had violated the law would be strictly dealt with.

As regards the role of State Trading Corporation, they were aware of the likely import of usable garments against licences issued for rags, and it was for this reason that they wrote to the Collector of Customs, Bombay, on May 27, 1972 suggesting constitution of an inter-Departmental Committee comprising customs officials, Textiles Committee and STC officials or inspection of the imported rags consignments before clearance. Since STC did not directly handle the imported cargo on arrival, it was not in a position to know the contents of it.

#### **Closure of Delhi University**

A Calling Attention Notice regarding the "closure of Delhi University on account of violence in the University campus" was tabled by Sarvashri Jagannath Mishra, Samar Guha, S. M. Banerjee, Jagannath Rao Joshi and M. C. Daga. The matter was raised in the House on November 17, 1972 by Shri Jagannath Mishra.

Replying, the Minister of Education and Social Welfare and Culture, Prof. S. Nurul Hasan said that on November 14, 1972 some 400|500 students of the University including those of the Delhi College of Engineering went to the office of the Chief Executive Councillor in the Old Secretariat to demonstrate. The Chief Executive Councillor was not in his office and the students were stopped at the main gate. They forced the iron gate open and rushed into the office rooms of the Chief Executive Councillor, where they manhandled the staff and also caused damage to property. Eight students were arrested on the spot by the police.

The students, dispersing from the Old Secretariat went to the University campus, where they forced their entry into the Vice-Chancellor and Pro-Vice-Chancellors' offices by breaking the main door. They ransacked the offices of the Vice-Chancellor and Pro-Vice-Chancellor and other offices of the University.

For the second day in succession, on November 15, 1972, a group of students again attacked the offices of the Delhi University and further damaged extensively the offices of the Vice-Chancellor and the Pro-Vice-Chancellor. On the same day, some students later 'hijacked' a bus from Alipur road and while driving it themselves collided against a "tonga" near the Timarpur crossing. The horse died on the spot. Three women in the "tonga" were seriously injured and one of them succumbed to the injuries in the hospital.

The Vice-Chancellor had ordered the closure of the University for 3 days from November 16, 1972, with a view to making a complete assessment of the situation and also making necessary arrangements for the normal functioning of the University.

The Government viewed such developments with profound concern. There could be no two opinions that where such blatant breaches of public order occur, law must take its course. A small and irresponsible group of students should not be permitted to disrupt the life of the academic community to the detriment of the general body of students or cause harm to the general public.

Answering questions, the Minister said that there was great need to examine and analyse the deeper causes of the students' unrest. The matter was engaging the attention of the academic community as well as the Government. The Government was certainly anxious that there should be a change in the functioning of the institutions of higher learning and the Central Advisory Board had also given some indication and further consultations were taking place between the Government of India and the Government of States in this respect. The Government would also have to involve the Vice-Chancellors of the Universities and the University Grants Commission in bringing about a change in the educational pattern of the Universities.

So far as the question of withdrawal of the police was concerned, so long as there was a threat to public property and to University property and there was a threat of assault on University employees, the Vice-Chancellor was perfectly within his rights to seek the protection of the police and the police would remain there as long as the University authorities deemed it necessary.

The various demands of the students were being looked into and whatever was possible would certainly be done. But it could not be done in the atmosphere of strife and violence.

In regard to participation of students, the guidelines had been formulated by the Gajendragadkar Committee, which had been endorsed



by the University Grants Commission. Those recommendations had been sent to all the Universities. It was hoped that the Delhi University would *suo motu* take suitable steps to establish the various bodies for consultation with students.

### Supreme Court Judgement on Mulki Rules

A Calling Attention Notice on the "Situation arising out of Supreme Court's Judgment on Mulki Rules in Andhra Pradesh" was tabled by Sarvashri Indrajit Gupta, P. Venkatasubbaiah, S. B. Giri, P. Narasimha Reddy and K. Lakkappa. The matter was raised in the House on November 21, 1972 by Shri Indrajit Gupta.

Replying, the Minister of State in the Ministry of Home Affairs and in the Department of Personnel, Shri Ram Niwas Mirdha stated that in the former princely State of Hyderabad under a rule forming part of the Hyderabad Civil Service Regulations, no person could be appointed to any Government service, superior or inferior, without specific sanction of the Nizam if he was not a Mulki. One of the grounds for acquiring Mulki status was permanent residence in Hyderabad State for at least 15 years. This provision was continued after merger of the State in 1948, and was subsequently protected under Article 35(b) of the Constitution. At the time of formation of the State of Andhra Pradesh in 1956, one of the points of agreement between the leaders of Andhra and Telangana regions was that the benefits of securing employment in Government service for the people of Telangana region on the basis of local residential qualification would be continued in the new State for that region. The Parliament accordingly passed the Public Employment (Requirement as to Residence) Act, 1957, which, while repealing the Mulki Rules through Section 2, enabled the Central Government under Section 3 to make Rules prescribing requirement as to residence within Telangana area in regard to appointments to any subordinate service or post under the State Government or any local or other authority. In the Rules framed under this Section, requirement of 15 years' residence in Telangana for recruitment to public service in that region was continued for subordinate services and posts of Tahsildars only, while the earlier Mulki Rules applied to all posts— inferior and superior. The Public Employment Act and the Rules framed under Section 3 came into force in 1959 and were to have effect for five years. This period was, however, subsequently extended for two further periods of five years each, *i.e.* in all for 15 years till March, 1974.

The Public Employment Act and the Rules framed thereunder were challenged in the Supreme Court in AVS Narasimha Rao and others

*Vs.* the State of Andhra Pradesh and another, and by its judgement dated March 28, 1969 the Court declared Section 3 of the Act and the Rules framed thereunder in so far as they related to Telangana area to be *ultra vires* of the Constitution. Connected issues were further agitated in various cases in the Andhra Pradesh High Court and in the Supreme Court and finally the Supreme Court in its judgment dated October 3, 1972 held that Section 2 of the Public Employment Act was also bad in so far as it dealt with Telangana area, and that the residential qualification for recruitment to the Government service provided under the Mulki Rules continued to be in force in the Telangana area.

Following the Supreme Court judgment, while a demand had been made on behalf of the Telangana region that the 15 years' local residential qualification should be enforced for recruitment to all governmental service, on the other hand the Andhra region wanted that whatever safeguards had been provided earlier to the people of Telangana in respect of employment in Government service was all that should continue. Ever since the judgment was given, consultations had been going on between the leaders of the State and with the Central Government, to find a satisfactory solution of the problem in the larger interests of the State. The Government hoped that a satisfactory solution acceptable to both the sides would be evolved soon.

Answering questions, the Minister said that the safeguards for the Telangana region had a historical background. It was because of backwardness and the peculiar situation that existed at that time that special provisions for Telangana were made.

Referring to the suggestion that the present State of Andhra Pradesh be bifurcated in the interest of both Telangana and Andhra, the Prime Minister, Shrimati Indira Gandhi said that the Government was doing its utmost to see that the problem was solved in the composite State to the satisfaction of all—the people of Telangana region and other parts of Andhra Pradesh. “Both those people must have this point of view and come to some adjustment which will give them, if not an entirely satisfactory solution, I will say, the least unsatisfactory solution”, the Prime Minister added.

#### **Power Shortage in U.P.**

A Calling Attention Notice on the “reported Power shortage in U.P. resulting in partial closure of textile mills, engineering units and defence production factories” was tabled by Sarvashri S. M. Banerjee,

Sarjoo Pandey and Indrajit Gupta. The matter was raised in the House on November 22, 1972 by S. M. Banerjee.

Replying, the Deputy Minister in the Ministry of Irrigation and Power, Shri B. N. Kureel said that the power supply position in Uttar Pradesh was tight. As against an average daily requirement of energy of 24.3 million units, the average availability during the next eight months would be only of the order of 21 million units per day. There was thus a shortage to the extent of 3.3 million units per day. A relief of about 1.1 million units per day, 0.7 million units from Bihar and 0.4 million units from Madhya Pradesh, had been possible. There was also shortage in peaking capacity. As against the peak requirement of about 1500 MW in the State, the availability was only about 1100MW, leaving a gap of 400 MW. This was being met by rostering of loads and by imposing restrictions on peak loads. Drought conditions prevailing in the State as a result of failure of rains, besides reduced availability from the State's major hydro-storage project Rihand, had also resulted in increased demand for power from tubewells and other agricultural consumers who had to tap all the available subsoil water for rabi cultivation.

The U.P. State authorities had passed orders in August 1972 for staggering of holidays of industrial consumers, 25 per cent cut in consumption and reduction in the evening working hours of shops and commercial establishments with a view to keep down the peak.

The U.P. State authorities had from November 18, 1972 imposed cuts on supply of power to consumers in urban areas except continuous process industries, hospitals, defence installations and essential services like water supply between the hours 8 A.M. to 2 P.M. daily. During that period, all the tubewells and other agricultural consumers would be given supply. Improvement was expected with the commissioning of the first 100 MW unit at Obra Thermal Power Station Extension, which was expected in January 1973.

Answering questions, the Minister of Irrigation and Power Dr. K. L. Rao said that in U.P. and many other parts of the country there was shortage of power. The Uttar Pradesh Government wanted to import 400 MW generators to make up the shortage of power. That was under discussion with the Government of India.

In Kanpur there were ten textile mills and the total demand was 26 M.W. Each textile mill was drawing more than 1 M.W. power. The U.P. Electricity Board was prepared to allow the machines to be run on Sundays also. As an incentive, the Board had said that while

the cut in the day time would be 25 per cent, it would be only 12½ per cent in the night.

### **Capture of Railway Stations and Damage to Railway Properties in Andhra Pradesh**

A Calling Attention Notice regarding the "reported capture of railway stations in certain parts of Andhra Pradesh by the agitators and damage caused to the Railway properties" was tabled by Sarvaswari Biswanarayan Shastri, Jagannathrao Joshi, Dinen Bhattacharya, Hari Kishore Singh and Samar Mukherjee. The matter was raised in the House on November 24, 1972, by Shri Biswanarayan Shastri.

Replying, the Minister of Railways, Shri T. A. Pai said that the anti-Mulki Rules agitation commenced in the Andhra area of Andhra Pradesh on October 25, 1972. In the initial stage, the agitation was concentrated in the Vijayawada Division of South Central Railway. Later on, it spread to some extent also on the Waltair Division on South Eastern Railway.

As the agitation gained momentum and lawlessness intensified, the initial pulling of alarm chains and stoppages of trains at stations gave way to stoppages of trains in mid-sections, disconnection of hose pipes and also squatting on the track, pelting stones at trains and cutting off of tele-communication at railway stations and preventing staff manning cabins and stations from doing their duties. The agitators also jeopardised safety by placing boulders, rail pieces and tree trunks on the track, indulging in arson including burning of wooden sleepers on a bridge and attempt at setting fire to the coaches of an Express train.

From November 11, 1972 onwards the trouble intensified and spread to more and more stations on the South Central Railway. On November 21, 1972, the agitation reached a climax when there were serious attacks by mobs on Tenali and Ongole Stations of South Central Railway and Adoni station on Southern Railway. Arson and widespread damage was caused at those three stations and the Police were forced to open fire resulting in a number of deaths. The trouble further spread on November 22, 1972, particularly in Vijayawada Division of South-Central Railway and a number of Stations and Cabins were burnt. Heavy damages had been reported to railway property, both to rolling stock as well as fixed assets. A Switchman of the Railway at Nidubrolu Station had lost his life as a result of a mob pouring petrol on him and burning him severely.

Train services had been seriously affected on South Central Railway since the trouble started. From November 22, 1972 onwards, practically all train movement in that region within Andhra Pradesh limits had been suspended. As many as 26 Mail/Express trains, 85 Passengers trains and 20 railcar services had been fully or partially cancelled.

No railway stations had been captured as such by agitators. However, situations had arisen in the past few days wherein mobs caused complete disruption and suspension of railway working at certain stations, bringing about extensive damages.

The approximate cost of damage to railway property including rolling stock roughly assessed so far was Rs. 43 lakhs and to goods and parcels in transit Rs. 10 lakhs. Besides, the estimated loss on South Central Railway alone by way of goods revenue had been Rs. 1 crore and passenger revenue Rs. 25 lakhs. The loss which would be sustained by the other Railways not having been able to lift the traffic, which would otherwise have been cleared, would be of the order of about 3 crores of rupees. The magnitude of the loss by way of these disturbances was, therefore, enormous, apart from the serious inconvenience caused to the travelling public and the industry and trade, affecting adversely the normal economic life of the country.

Answering questions, the Minister said that it was proposed to amend the Railways Act making tampering with railway property a very serious offence punishable with death in some cases. It would also be worthwhile to consider whether there should be some kind of punitive measures imposed on those people who flagrantly allowed such things to happen. Unless there was strong condemnation by all political parties of this kind of behaviour, it would continue.

### **Mulki Rules**

Making a statement on "Mulki Rules", on November 27, 1972, the Prime Minister, Smt. Indira Gandhi announced the following measures decided upon by Government:—

- “(i) The residential qualification prescribed in the Mulki Rules will apply only for the purpose of recruitment to non-gazetted posts and posts of Tahsildar, Civil Assistant Surgeon and Junior Engineer in the Telangana region. However in the case of composite offices, such as the Secretariat, the offices of the Heads of Departments and common institutions of the State Government, these Rules will apply for the purpose of filling the second vacancy in every unit of three direct recruitment vacancies in non-gazetted posts.

- (ii) These safeguards will remain operative in the Telengana region up to the end of December, 1980. However, in the cities of Hyderabad and Secunderabad, the safeguards will continue only up to the end of December, 1977. This distinction has been made because the State Capital is located in these cities.
- (iii) In order to provide adequate avenues of promotion to the Government servants working in each of the two regions, the various service cadres will be regionalized up to the first or second gazetted level. This will not, however, apply to the services which act as direct feeders to the All India Services.
- (iv) Educational facilities, including those in the technical and professional fields, which are available at present to Telengana students in the cities of Hyderabad and Secunderabad will not be adversely affected. In these cities the facilities will be suitably expanded and these additional facilities will not be subject to any restrictions on the basis of residence.
- (v) For the cities of Hyderabad and Secunderabad, there will be a composite police force, the details of which will be worked out in consultation with the State Government".

In regard to the implementation of the above measures, the Prime Minister said: —

"Necessary legislation to give effect to the decisions, mentioned above, will be brought before the House shortly. The Central Government will devise suitable machinery to ensure the proper functioning of these arrangements."

Commending the Government's decisions to the House, she observed:—

"The above-mentioned decisions have been taken, keeping in view the requirements of the integrated State, the legitimate interests of the people of both the regions in the matter of public employment and education, and the assurances given in this House. Government hope that these decisions will receive general acceptance in the State and will be implemented in a spirit of understanding, cooperation and accommodation."

I appeal in particular to all Member of Parliament to help in maintaining peace in all parts of Andhra Pradesh."

### **Release of Prisoners of War by Pakistan**

Making a statement on November 27, 1972, regarding the "release of Prisoners of War detained in Pakistan", the Minister of External Affairs, Shri Swaran Singh stated that according to a broadcast of

Radio Pakistan, the Government of Pakistan were reported to have decided to release 617 Indian Prisoners of War, who were captured on the Western front. The Government of India had not received any official communication on the subject. It would be recalled that during the Simla Conference the Government of India had offered to release all the Pakistani Prisoners of War numbering 540 who had been capture don the Western front, but the Government of Pakistan at that time did not show any interest in the offer. He reiterated the offer of the Government of India to release all those Pakistani Prisoners of War who were captured on the Western front.

#### **Increase in I.A.F. Flying Accidents**

A Calling Attention Notice on "increase in the number of I.A.F. flying accidents culminating in the tragic death on the 26th November, 1972 of ace pilot Wing Commander Gautam" was tabled by Sarvashri Indrajit Gupta, Mukhtiar Singh Malik, Birender Singh Rao and Samar Guha. The matter was raised in the House on November 28, 1972 by Shri Indrajit Gupta.

Replying, the Minister of State in the Ministry of Defence, Shri Vidya Charan Shukla expressed deep regret on the death of Wing Commander P. Gautam, Double M.V.C., in an aircraft accident on November 25, 1972. The aircraft was on a routine training flight. A Court of Inquiry had been ordered to investigate the cause of the accident.

Aircraft accidents were unfortunate happenings, and public concern for them was justified. However, flying accidents in the Indian Air Force must be viewed in their proper perspective, *vis-a-vis* the operational roles assigned to the service, the rapid advances in the performance of military aircraft and their ever increasing complexities, the need for rigorous training to achieve combat preparedness, and the consequent increase in the total flying effort of the service. It also needed to be borne in mind that the I.A.F. today was much larger than what it was even 10 years ago, and its activities covered the entire length and breadth of the country.

Despite all the care and attention to detail, some accidents did occur, sometimes because of human failings, sometimes for reasons beyond control. This was so in all Air Forces all over the world. It was our constant endeavour to eliminate to the maximum extent practicable aircraft accidents. Accidents were investigated in detail and the lessons learnt from them were applied to the improvement of the

equipment concerned, or of the training of air and ground crews. The staff of the Aeronautical Inspection Service at the I.A.F. Repair Depots had been strengthened. In addition, Directorates of Maintenance Inspection and Air Staff Inspection had been formed at the Air Headquarters to enforce correct maintenance and operating practices and procedures throughout the Indian Air Force.

It was not the practice for Air Forces to make public the particulars of all accidents for that would reveal information of operational value. It had, therefore, not been possible to compare accident rate in India with those of other Air Forces. What could be said, however, was that the current rate of accidents was within the rate of the past 10 years and did not indicate an increasing trend.

Answering questions, the Minister said that the pilots were not covered by insurance etc. Whenever the regular pilots of the Air Force were involved in an accident, their children were looked after by the Air Force, their wives got the family pension plus the family gratuity, death-cum-retirement pension, special family pension etc.

These accidents had been causing the Government a great deal of concern and the Government had been looking into this matter as to how to control and bring down the rate of these accidents.

#### **Twelfth Report of the Commissioner for Linguistic Minorities**

The Deputy Minister in the Ministry of Home Affairs, Shri F. H. Mohsin, on November 28, 1972 moved the following motion:

"That this House do consider the Twelfth Report of the Commissioner for Linguistic Minorities for the period 1st July, 1969 to 30th June, 1970, laid on the Table of the House on April 12, 1972."

Initiating the discussion, the Deputy Minister said that the framers of the Constitution had rightly felt the need for incorporating in the Constitution a comprehensive scheme for giving necessary protection to the linguistic minorities so that they developed a sense of security and were in a position to conserve and develop their own script and language. Articles 29, 30, 347, 350 and 350-A of the Constitution had a direct bearing on the safeguards for the linguistic minorities.

From time to time, decisions had been taken at the national level and specially at the meeting of the Chief Ministers and the Central Ministers held in August 1961 to evolve specific schemes for safeguarding the interest of linguistic minorities in the matter of educational and administrative facilities. As a result of those decisions, a



scheme of safeguards had emerged and it was the duty of every State Government and the Union Territory Administration to make necessary arrangements for implementing the scheme.

The discussion continued for three days in which 29 Members participated.\*

Replying to the discussion on November 30, 1972, the Deputy Minister stated that in view of the safeguards provided by the Constitution itself and those agreed to at the Chief Ministers' and Education Ministers' Conference, it could not be said that there were no provisions for safeguarding the interests of the linguistic minorities in the country.

As regards implementation, many States had already implemented the safeguards which were promised. For implementing the Constitutional provisions, a workable formula had been evolved at the national level, which provided that arrangements must be made for instructions in the mother tongue by appointing at least one teacher, provided there were not less than 40 pupils in the whole school or 10 such pupils in a class desirous of receiving instruction in their mother-tongue. All State Governments excepting Jammu and Kashmir and Nagaland had implemented that decision. However, the Government of Assam had reserved to themselves the right to recognise or not any mother-tongue as the medium of instruction even if the stipulated number of pupils were forthcoming. In Orissa the facilities for instruction in mother-tongue were limited to minority schools exclusively functioning for them. In Haryana, use of Punjabi had been permitted to some private schools. In Punjab only private schools had been allowed to continue the medium of instruction of their own choice.

In accordance with the suggestion of the Commissioner for Linguistic Minorities, orders had been issued by all State Governments excepting Punjab and Jammu and Kashmir for opening of advance registers in the school. However, in Punjab and Jammu and

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\*The Members who participated in the discussion were Sarvashri D. Deb., Frank Anthony, Indrajit Gupta, Biswanarayan Shastri, Samar Guha, Dinesh Chandra Goswami, J. Matha Gowder, Ramsahaj Pandey, Tridib Chaudhury, Tarun Gogoi, Atal Bihari Vajpayee, Kartik Oraon, Shamnandan Mishra, B. K. Daschowdhury, L. D. Kotoki, Birender Singh Rao, B. R. Shukla, Balakrishna Venkanna Naik, A. K. Sen, Jyotirmoy Bosu, M. C. Daga, S. A. Shamim, Dharindhar Das, K. P. Unnikrishnan, H. M. Patel, P. Venkatasubbaiah, Swami Brahamanand, Dharnidhar Basumatari and Shrimati Subhadra Joshi and Shrimati Jyotsno Chanda.

Kashmir, orders existed for opening of advance registers in some selected areas which were supposed to be minorities pockets. All the Union Territories excepting Arunachal Pradesh had also issued similar orders. So, it could not be said that the State Governments were not implementing the promises made and decisions arrived at the Chief Ministers' conference.

A provision for imparting instruction through tribal languages had been reported by the Governments of Assam, Bihar, Madhya Pradesh, Nagaland Andaman & Nicobar Islands and Tripura. A point was made that the tribal dialects were being neglected. Education could not be imparted through dialects unless they adopted some script.

With a view to providing mother-tongue as the medium of instruction in the minority languages, the agreed safeguard at the national level was that there should be a minimum strength of 60 pupils in the last four classes of the Higher Secondary stage and 15 pupils in each such class. All the State Governments with the exception of Haryana, Himachal Pradesh, Jammu and Kashmir, Madhya Pradesh, Nagaland, Punjab and Uttar Pradesh had accepted the formula of 15—60 and had issued instructions for implementing that arrangement. Unfortunately, Punjab and Haryana, both had taken the stand that they were unilingual States and there were no linguistic minorities. It was not a correct stand. It was hoped that both the Governments would realise the realities and would give due protection to the linguistic minorities in their respective States.

The question of the media of instruction in Gauhati University had been a subject of controversy for quite sometime. On the 12th June, 1972, the Academic Council of Gauhati University decided in partial modification of their earlier decision that (i) Assamese would be the medium of instruction in colleges under the Jurisdiction of the Gauhati University; (ii) English would continue as the alternative medium of instruction till such time not exceeding ten years; and (iii) a student would have the option to answer either in Assamese or in English in the University examination. For appreciating the rationale behind the decision of the Academic Council, one had to bear in mind the national policy on education. It was also probably thought that it might not be feasible to ask the students to write their answers in a language through which they had not been taught in their classes.

Assamese was the official language of Assam. The State Government desired to develop that language and to make it the medium of

instruction in the Universities so that its administrators should be well-versed in the language. With a view to enabling a large number of Bengalis living in Assam, to take part in the State Administration, it was probably considered necessary that they should have proficiency in the official language. As regards the study of their mother-tongue, *i.e.* Bengali, all the facilities for the purpose were available at the primary and secondary stage of education.

The question of the medium of instruction in the University was an altogether different matter. The University Education Commission of 1948-49 considered that both from the point of view of education and general welfare of a democratic country, it was essential that study should be through the regional languages, for that would enable the students to enrich their literature and to develop their culture. It was, however, thought desirable that the University should have the option to use the federal language as the medium of instruction either for some subjects or for all the subjects.

A point was raised as regards the national policy on University education. It enunciated that urgent steps would be taken to adopt regional languages as the media of education at the University stage; and suitable courses in Hindi and English would also be available in the universities and colleges with a view to improving the proficiency of students in these languages upto the prescribed University standards. That is, the establishment in non-Hindi States of colleges and other institutions of higher education, which used Hindi as the medium of instruction should also be encouraged and the study of English deserved to be specially strengthened because of its importance as an international language and also because of its knowledge in science and technology and that every effort should be made not only to protect the rights of minorities but to promote their educational interests.

*The Constitution gave rights to the linguistic minorities in the matter of education. However, in the larger national interest, the linguistic minorities, while preserving their language and script, should make integrated efforts for achieving all-round progress of the State-*

### **Food Situation in the Country**

Moving a Motion that the 'food situation in the country' be taken into consideration, Shri Fatehsingh Rao Gaekwad on November 29, 1972, said that in spite of success of Green Revolution claimed by the Government and accumulation of buffer stocks to the tune of 9 million-

tonnes, the prices of foodgrains had rocketed skyhigh and that trend remained unabated.

It could not be overlooked that economy in the country was still greatly dependent on the monsoon and until and unless this dependence was atleast partly removed, the situation that the country was facing today would continue to face periodically. In the circumstances, there was an immediate need to undertake some flood control measures in some parts of the country and to increase the land under irrigation.

Pronouncements were made last year to the effect that self-sufficiency had been achieved and henceforth there would be no imports of foodgrains. It should be made clear whether the Government had once for all taken a policy decision never to import foodgrains under the P.L. 480 concessional programme. The time by which the Government intended to take over wholesale trade in rice and wheat should also be indicated.

The discussion continued for about 4 hours, in which 18 Members participated.\*

Intervening in the discussion, the Minister of State in the Ministry of Agriculture, Prof. Sher Singh announced that from December 1, 1972, the levy price of sugar would be less than what was contemplated, because of some reduction in the excise duty.

By asking the Food Corporation of India to reduce their operational charges and by reducing the incidence of excise duty on levy sugar from 30 to 26 per cent, the Government had decided to fix the uniform issue price of levy sugar through fair price shop to consumers all over the country at Rs. 2.15 per kilogram with effect from December 1, 1972 or such date in December on which the first issue period of levy sugar through fair price shops commenced in the different States.

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\*The Members who participated in the debate were Sarvashri P. Venkatasubbaiah, Shyama Parasanna Bhattacharyya, P. Ranganath Shenoy, Karni Singh, Nathuram Mirdha, D. K. Panda, Panna Lal Barupal, G. Vishwanathan, Sakti Kumar Sarkar, Lxminarayan Pandeya, Pilo Mody, Balakrishna Venkanna Nalk, Bhagirath Bhanwar, Birender Singh Rao, Vasant Sathe, Jyotirmoy Bosu and Sher Singh.

Replying to the discussion on November 29 and 30, 1972, the Minister of State in the Ministry of Agriculture said that despite a setback in agriculture and additional requirement to the order of 12 to 13 millions tonnes every year, the Government had managed the food situation without imports so far. The procurement target of 4.5 million tonnes of paddy plus coarse grains recommended by the Chief Ministers' Conference and Agricultural Prices Commission during the Kharif season would not only be achieved, but might even be exceeded in view of the procurement efforts being intensified by the Government.

Reference was made to the import of foodgrains and it was asked as to why the Government had embarked on it when it was talking of self-sufficiency in foodgrains. The marginal import that the Government was going to make was only to ensure the food economy against any pressure from prices and other difficulties. It had been decided to purchase foodgrains from outside purely on a commercial basis and the Government would not agree to any conditions such as those under P.L. 480. As regards the observation that the Government had not been paying adequate attention to the development of agriculture, it had to be realized that the industrial backing was required for the development of modern agriculture. India today was suffering from the lack of fertilisers. Therefore, without a properly developed industrial base, the Government would not be in a position to take the agriculture to a higher level.

It had been suggested that there should be a better economic coordination for food production. The Government had also realised that and it had already set up a Committee at the Cabinet Secretary's level for the purpose. At the political level, the Economic Committee of the Cabinet was trying to coordinate all those matters.

Doubts had been expressed as to whether the Government in the event of take over of the wholesale trad, would directly purchase from the farmers. As far as the Government was concerned, it had decided to eliminate the intermediaries and establish direct relationship with the producers.

A sum of Rs. 150 crores had been provided for emergency production programme. The main element of the said programme was to exploit underground waters or surplus water where it was available. Already some advance had been made.

A few years ago, the share of rabi production out of the total production was 30 per cent. Then it went on increasing to 34 per

cent and 35 per cent and last year it came to 38 per cent. When it reached 45 or 46 per cent, it was hoped that element of uncertainty in the food economy would be eliminated and the country's economy would be set on a sound footing.

Regarding the Food Corporation, some of the cases and some of the enquiries to which references had earlier been made on the floor of the House, were being carried out by the C.B.I. The Government were seized of the matter and would come to a very quick decision about the management of the Corporation.

The demand for the tractors had gone down. One of the reasons was the very high level of price for tractors in the country. The Government were examining the problem.

A suggestion was made to associate popular committees both at the level of procurement and distribution of foodgrains. It was a very important suggestion and the Government would like to proceed in that direction because such association would eliminate some malpractices and to the extent possible, it would strengthen the system of procurement and distribution.

#### **Problem of Unemployment**

Shrimati Maya Ray had moved the following Resolution on August 25, 1972:—

"This House, while appreciating the efforts of the Central Government to eradicate unemployment, is of the opinion that the Central Government in co-ordination with the State Governments should work out a time bound, phased programme to solve the massive unemployment problem facing the country and take immediate positive and concrete steps to tackle the same."

Initiating the discussion, Shrimati Ray had said that the spectre of unemployment cast an ominous shadow across the length and breadth of the country enveloping it with despair. If the problem was not tackled vigorously and purposefully, the very structure of the society stood imperilled. The youth of the nation were eagerly awaiting the opportunity to participate in the building of this country. If their eagerness and energy were not canalised and harnessed for the development, the country would be swept by a tidal wave of frustration, grief and revolt.

The intention of the resolution was to focus the attention of all those concerned on the burning problem of unemployment, the solution of which brooked no further delay. The first task was to find out the exact extent and dimension of the problem by taking a sample

survey of all the employment exchanges in the country. Secondly, the State Governments should undertake a survey of the unemployed in each block, in each district and in each State. There had to be a classification of the rural and urban unemployed. This was essential in order to be able to grapple with the situation. While the survey of the unemployed continued, immediate and short-term measures had to be taken to generate employment for as many as possible and as quickly as possible.

In the rural areas, there was periodic, seasonal unemployment. To eradicate that, double and triple cropping had to be introduced in order to minimise such periods. Regarding urban unemployment, the whole concept of employment had to be changed by bringing in a technical revolution, which would inevitably usher in a technological society in a technocratic age. It would necessitate vast changes in the educational system of the country. The content and structure of secondary and technical education must also be changed to give employment opportunities a high degree of priority.

Continuing her speech on November 24, 1972, Shrimati Ray pleaded that the industrial growth in the country should be increased from 1.8 per cent to 8 per cent. It might be possible by concentrating on export trade.

14 Members participated\* in the discussion.

Speaking on the Resolution, the Minister of Labour and Rehabilitation, Shri R. K. Khadilkar on December 8, 1972 said that while considering the problem of unemployment in the country, two factors had to be borne in mind. The first was that the society was being transformed and developed within a democratic framework. Secondly, in the process of industrialisation and development an effect on the rural surroundings was created, which brought people from the rural areas to the urban areas. Migration from the rural area to the urban area in search of employment or even to join the army of unemployed had been fast increasing during the last so many years.

It had been asked whether the Fifth Plan would specify the total volume of employment opportunities that would be created. In a

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\*The Members who took part in the discussion were Sarvashri. Somnath Chatterjee, Dinesh Chandra Goswami, Nageshwar Dwivedi, C. K. Chandrapan, V. K. R. Varadaraaja Rao, J. Matha Gowder, Darbara Singh, Virendra Agarwala, R. D. Bhandare, M. Ram Gojal Reddy, Kailas, Balakrishna Venkanna Naik, Ramkanwar and M. S. Sanjeevi Rao.

Plan involving an amount of Rs. 51,000 crores and with an outlay of Rs. 10,000 to Rs. 11,000 crores for employment generation, it was not possible to estimate the number of jobs which would be created.

People were carried away by the registered figure of unemployment. There were about 64 lakhs on the live register. The Government had carried out some sample surveys to find out the real picture. As a result of the survey conducted in 1968 it was found that only 51 per cent of the job-seekers were really unemployed, 42 per cent were employed and 7 per cent were students. Those who were really seeking employment were just 51 per cent. Currently, the Government was conducting another survey which was on a larger scale than the earlier one covering about 80,000 on the live register of the employment exchanges throughout the country. The results of that survey would enable the Government to gauge the extent of unemployment amongst the registrants more precisely.

Then, there was the question of urbanisation and the rural poor coming to the cities. That problem was bound to remain. It not only created unemployment but it created also slums in the city.

Experience in India and elsewhere had shown that the growth of employment opportunities was not in direct proportion to the rate of economic growth. Employment creation largely depended on the pattern of investment and choice of technique within an overall framework which provided the basic ingredients of economic growth. There was thus a limit to the type of labour-intensive techniques. It was pleaded that if the Government adopted labour-intensive techniques, it would help. There were vast and ample manpower resources, which could be utilised. But there was some limit, and as such it could not immediately solve the unemployment problem.

The Government fully shared Members' concern over the important problem of unemployment. In fact, employment had been accorded a high priority. The Government had achieved certain results during the last 20 years. Upto the end of the Third Plan, 31.5 million jobs were created. More recently, in the organised sector of the economy, employment increased from 17.49 million to 17.94 million during the year ended March 31, 1972, giving a percentage rise of 2.6. The Government had been making all-out efforts in the past and would continue to do so in future, for creation of more and more employment opportunities.



In spite of the efforts made by Government to create additional job opportunities, there was a limitation on the creation of salaried jobs. Therefore, self-employment on an extensive scale alone could relieve the unemployment problem. Government had taken steps to promote self-employment such as providing liberal credit etc. Simultaneously, steps were being taken for the re-orientation of the educational system to meet the needs of the developing economy and for promoting self-employment.

It had been suggested that surveys should be under-taken to know the dimension of unemployment in each district. The Government had agreed to the suggestion. The National Sample Survey had already started a special round to obtain a comprehensive account of employment status of all members of household in the sampling areas. The work was expected to be completed by September, 1973.

Another suggestion which had been made was that double and tripple cropping should be introduced. An area of about 3 million hectares had already been covered and the Fourth Plan target was 9 million hectares.

As regards the grant of unemployment allowance, the financial implication of such a measure were not easy to assess. Moreover, the lean resources at the country's disposal needed to be more usefully invested in a productive manner to create more employment on a permanent footing than be frittered away in giving doles to the youth.

The Government was making all possible efforts in co-ordination with the State Governments to promote employment opportunities in the country to the maximum extent consistent with the availability of the resources and inter-sectoral priorities laid down in the Fourth Plan and proposed for the Fifth Plan. In the present context of economic development of the country, the high rate of growth of the labour force and considering the present capacity of the economy to channelise resources for investment, it might not be possible to chalk out a time-bound programme for the eradication of unemployment. The object of full employment would, therefore, have to be kept as a somewhat long-term goal towards which the economy had to move in the coming years.

After Smt. Maya Ray replied to the debate, the Resolution was withdrawn by the leave of the House.

### **Celebration of Birthday of Netaji Subhas Chandra Bose**

Raising an Half-an-Hour discussion regarding 'Celebration of Netaji Subhas Chandra Bose birthday' on December 4, 1972, Shri Samar Guha said that the freedom of India was achieved by the synthesis of non-violent mass movement led by Gandhiji and the revolutionary armed action sparked off by Netaji.

The role of Netaji Subhash Chandra Bose in the Freedom Struggle was second to none and "uniquely distinctive of its own". But the Government not only completely ignored that distinctive revolutionary image, but it had failed to own the heritage of Netaji and project the same before the nation. The absence of Netaji's portrait from the galaxy of the portraits of national leaders in the Central Hall of Parliament House meant not merely the absence of portrait of the greatest revolutionary of India, but the missing of the heritage and contribution of the revolutionaries of the cause of Indian freedom.

Netaji was also a military leader during the days of the national struggle. In order to induct his heritage in National Army, his portrait should be put up in every Defence Institute and the Dehra Dun or Poona Defence Academy be renamed as Netaji Defence Academy, and a military Division be named after the Azad Hind Foj and Netaji. The Government should publish the biography, writings and speeches of Netaji. The Government should also set up a National Committee to take up adequate steps to emulate the ideals and heritage of Netaji and project his great revolutionary image before the nation.

Replying, the Minister of State in the Ministry of Home Affairs, Shri K. C. Pant observed that Netaji was a great leader among men, and in his days, he inspired the youth, and even now, if one studied what he said and did, it still remained a source of inspiration.

January 23, 1973 would be celebrated as part of the 25th Anniversary of Independence Jayanti as Subhas Bose Day. The State Governments had also been informed about it. At the Central level the Ministries of Information, Education and Defence had been actively cooperating in that programme.

The Ministry of Information and Broadcasting had proposed to arrange wide showing of the film 'Netaji Subhas Chandra Bose' on a round the 23rd January 1973. The field units of the Directorate of Field Publicity were arranging special programmes. The Song and

Drama Division of that Ministry was giving due prominence to the leadership given by Netaji in the freedom movement in a special Sound and Light Programme on the entire freedom movement, which was under preparation. Quotations from Netaji had been included in posters issued during the year in English, Hindi and Urdu on the theme of national unity and freedom. The All India Radio was planning a special feature on Netaji Subhas Chandra Bose to be broadcast on January 23, 1973. It would be a national feature. A special Pamphlet on Netaji and INA had been brought out in English, Hindi and in regional languages with photographs, under the title "Heralds of Freedom". Three other publications had been planned by the Ministry of Information and Broadcasting, *i.e.*, a biography of Netaji in the "Builders of Modern India" series, a selection of his speeches, and a pictorial biography.

The Ministry of Education had also published a biography of Netaji in Hindi, and was associated with the publication of the two books "Heralds of Freedom" and "Selected Speeches". The National Book Trust had brought out the history of the INA under the Young India Library series.

As regards the erection of Statue of Netaji in New Delhi, no proposal supported by offer of funds, had been received by the Government. It would take necessary action as and when firm proposals for the same were received.

The Ministry of Defence had already made considerable progress in compiling a comprehensive history of the INA. Some important material was to be added after which its publication would be taken in hand.

The West Bengal Government had been for quite some time considering the proposal to construct the Azad Hind Memorial Column at Calcutta.

#### **Situation Arising out of Recent Demands of Delhi University Students**

A Calling Attention Notice on "the situation arising out of recent demands of Delhi University students" was tabled by Sarvashri Jagannathrao Joshi, Nawal Kishore Sharma, Jagannath Mishra, Ramavatar Shastri and Birender Singh Rao. The matter was raised in the House on December 6, 1972 by Shri Jagannathrao Joshi.

Replying, the Minister of Education, Social Welfare and Culture, Prof. S. Nurul Hasan stated that on account of violence by a group of students in the campus on November 14 and 15, Delhi University was closed. The teaching in the University and Colleges remained suspended till December 2. On December 4, when the University reopened, the Delhi University Students' Union organised a rally and demonstrated outside the Vice-Chancellor's Office.

A memorandum was submitted to the University, in which it was stated that the students had presented to the Vice-Chancellor earlier the following demands:—(1) Democratization in the structure of the University; (2) Taking over of sick Colleges by the University, especially Delhi College of Engineering and Delhi College of Arts, (3) Admission of all those who had passed the Pre-Medical Examination in the First Division to Medical Courses, (4) Opening of a Library for students of out-Campus Colleges, and (5) Withdrawal of Police cases against students involved in the student movement. It was further stated that the Vice-Chancellor had not only failed in tackling the situation arising out of the closure of the College of Art and the College of Engineering and the question of admission to Medical Colleges, but had also distorted the facts in order to put the blame on the students. In addition, the Vice-Chancellor rusticated in an arbitrary manner the elected representatives and other responsible students of the University. The Vice-Chancellor also failed to establish a Library for out-Campus College students; nor did he do anything to bring about democratization in the structure of the University. The students had decided not to attend classes when the University reopened until their demands had been fulfilled. The students, therefore, gave an ultimatum to the Vice-Chancellor that if within the next 48 hours their demands were not met, they would take over the administration of the University in their own hands.

The position with regard to the above demands was as follows:

The demand for democratisation in the University structure had been raised by students repeatedly during the last two and a half years, but because of factionalism amongst students, the University had not been able to make any progress in the matter. It was hoped that normalisation of the situation in the University would enable it to formulate concrete proposals for the involvement of students in the process of decision-making in the University broadly in consonance with the recommendations of the Gajendragadkar Committee.

As regards the demand for the taking over of the Delhi College of Engineering and the Delhi College of Arts, University had informed the Lt. Governor of Delhi of its willingness to take over those colleges. The question of ensuring better management of the Colleges was engaging the attention of Delhi Administration. The matter would be considered by the Government on receipt of specific proposals from the Delhi Administration. However, the Government had already sanctioned the same scales of pay for the teachers of the Delhi College of Engineering as obtaining in other Colleges of the University.

So far as the demand for admission of Pre-Medical first divisioners to medical colleges was concerned, nowhere in the country it had been possible to provide admission to Medical courses to all who passed the Pre-Medical examination in the first Division. About, 600 students passed the pre-medical examination of Delhi University in the first division in 1972. Out of them, 133 students failed to get admission in Medical Courses; 107 were admitted to the second year class of B.Ss. (Hons.) courses in Botany and Zoology in the University.

In regard to the demand for the opening of a library in South Delhi, the University had been considering the question for some time. Recently an offer was received by the University from a philanthropist for establishment of such a Library. The offer had been accepted in principle by the University and further details were being worked out. A Library had already been opened on Curzon Road with 6,000 books primarily for the college students of New Delhi area. Facilities at that Library were being strengthened.

As regards the demand for withdrawal of police cases, it was understood that most of the arrests were made in connection with the DTC-Student disputes, student violence on the campus, and in the Old Secretariat, etc., in which the University was not involved.

According to the University authorities the students who were responsible for unprecedented violence on the campus had sought to create confusion by trying to suddenly raise some demands in order to divert attention from the acts of violence on November 14 and 15, 1972. Their basic demand now was the withdrawal of rustication orders passed by the Vice-Chancellor on the basis of findings of an Enquiry Committee on November 21, 1972 against four students who were involved in the incidents on November 14 and 15.

The Vice-Chancellor had issued appeals to the students, teachers *karamcharis* and the people of Delhi to realise the gravity of the situation and ensure that peaceful conditions were created for normal functioning of the University.

Giving details about the incidents that took place in the University on December 6, 1972, the Minister of State in the Ministry of Home Affairs Shri K. C. Pant on December 7, 1972, said that about 3000 to 4000 students went in a procession to the Central Office of the University shouting slogans against the University, and in pursuance of an ill-advised design to occupy the University Offices, the glass windows of the offices of the Pro-Vice Chancellor and Registrar were smashed by them. Some students forcibly entered the room of the Dean of Students Welfare. The Vice-Chancellor requested police assistance apprehending more serious violence. On the arrival of the police, some students indulged in intense stone-throwing at the police. The police had to resort to the use of teargas shells to disperse the crowds. On dispersing, some students burnt one bus and partially damaged another. A DTC booth was also burnt. Ten persons were arrested in the course of those incidents.

The matter was discussed again on December 14-15, 1972. It was raised under Rule 193 on a matter of urgent public importance on (i) increasing student unrest in the country and (ii) the incidents in Delhi University by Sarvashri P. Gangadeb and Jagannath Rao Joshi respectively.

Initiating the discussion, Shri P. Gangadeb said that indiscipline in the campuses adversely affected academic standards. The quality of human capital was also affected thereby. Therefore, it was a problem for which the Government and people of the country should try to find out a lasting solution.

Speaking on the motion, Shri Jagannath Rao Joshi said that there should be an end to politics in the Universities. So far as the Delhi University was concerned the University authorities should withdraw the rustication orders against the students. The Government should have a dialogue with the students, teachers and parents to thrash out the problems so that the University started functioning in a normal manner.

The discussion continued for about 6 hours, in which 15 Members participated\*.

Intervening in the discussion, the Minister of State in the Ministry of Home Affairs, Shri K. C. Pant reiterated that the Government was duty bound to help the authorities of the University in case they needed such help and as long as the University authorities wanted the police in the campus to maintain peace and order and to protect life and property. There might be complaints and grievances of students, but there were methods to air those grievances. All sections in the House should not get lost in party politics, but to give the right lead to the students. They should cooperate with the authorities in the University and see that normalcy and peace was restored in the University.

Replying to the debate on December 15, 1972, the Minister of Education, Social Welfare and Culture, Prof. S. Nurul Hasan said that out of 4136 cases reported of what might be called broadly student unrest between June, 1972 and November, 1972, 1395 related to regional, linguistic, communal, parochial and chauvinistic factors. Thus more than one-third of the total incidents that had taken place, had nothing to do with the campus or the organisation of the University, but for issues which divided one section of the people against another.

On December 6, 1972, after the students had given an ultimatum to the University that they wanted to take over the administration, the Vice-Chancellor wrote a letter to the Secretary of the Students' Union saying that he wanted a committee of teachers' and students' representatives to discuss all the problems facing the students. That letter was rejected by the student leadership, which happened to be at that time present. Subsequently the Vice-Chancellor requested the President of the Delhi University Teachers' Association to intervene and try to bring about normalcy. The Delhi University Teachers' Association approached the students' union and suggested formation of a Joint Committee to look into all the problems with which the University was concerned. The Students' Union sought clarification on a number of points, which were given by the President of the Delhi

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\*The Members who took part in the discussion were Sarvashri R. D. Bhandare, C. K. Chandrappan, Rajdeo Singh, J. Matha Gowder, Narain Chand Parashar, Pilo Mody, Sat Pal Kapur, Shyamnandan Mishra Jyotirmoy Bosu, Vasant Sathe, Samar Guha, C. M. Stephen, Rana Bahadur Singh, P. G. Mavalankar and M. Ram Gopal Reddy.

University Teachers' Association: The students had neither responded to the invitation given by the Vice-Chancellor to join a teacher-student committee to look into the problems of the students nor had they chosen to join the committee proposed by the President of the Teachers' Association so far.

At a meeting held between the delegation of the representatives of students, which included all the office-bearers and the Minister, an agreement had been reached on three fundamental points. Firstly, that there was no place for violence and intimidation in the university; secondly, any student who was guilty of violence and intimidation should be rusticated from the University; and, thirdly, because a person happened to be the elected representative of students, it did not, for that reason give him any immunity from the normal processes of the rules of the University.

It was put forward before the students that the issue was not the withdrawal of the rustication order *per se*. But the issue was whether the students against whom rustication order had been passed, were, in fact, guilty or not guilty. The University had appointed a three-member enquiry committee, which went into the evidence. The evidence was made available to the students. They could have made such representation, or put forward such evidence or arguments, before enquiry committee as they liked. But, except one student, the other four, against whom notices had been given, did not care even to present themselves there. The enquiry committee, on the basis of facts, came to the conclusion that the students were guilty of violence and of incitement to violence.

The statutes of the Delhi University provided that representation could be made to the Executive Council, and the Executive Council had every authority to look into any grievances of an individual student or a body of students and to redress those grievances, if it thought fit. Therefore, those who felt that action had been wrongly taken against them, could go to the Executive Council.

There was a need to distinguish between two types of problems, the problem of unrest on the one hand and the problem of violence on the other. Violence was to be condemned in any democratic society. An academic institution could not just function in an atmosphere of violence.

The Government firmly believed in the involvement of the students with the various decision-making processes of the University.



But that was not going to solve the problems of the students' unrest. It was, however, necessary as an academic and educational process.

The Government was dissatisfied with the existing system of higher education and the system of examination. But what was worrying the Government more was not that the examination system was inadequate, but that it was not a test of the competence of the students. Under the present system, people who had not succeeded in developing their intellect, managed to pass or even to get high marks. The agitation that started in some cases was for lowering the standard of evaluation, making the question papers easier, making the pass percentage lower etc. There were as many as 74 cases where that was the principal demand. It was, therefore, necessary to change the examination system and the education system so as to make education more creative. At the same time violence, intimidation and threat of violence would not be tolerated on campuses.

### International Situation

The Minister of External Affairs, Shri Swaran Singh moved for consideration the following motion on December 7, 1972:—

"That this House do consider the present international situation and the policy of the Government of India in relation thereto."

Initiating the discussion, the Minister said that the international situation had been definitely moving towards relaxation of tension and a general atmosphere of *detente* had been introduced in all important centres where formerly there was an atmosphere of conflict and confrontation.

In Europe there was a general atmosphere of confrontation between the socialist group of countries and western Europe. The NATO and the Warsaw Pact and the question of two Germanys were matters which were the focal point for tension and for confrontation. Over some months now, the situation had radically changed. The main credit for it went to the policy first initiated and then vigorously pursued by the Federal Republic of Germany under the leadership of Chancellor Willy Brandt. The signing of the Moscow Treaty between the Federal Republic of Germany and the USSR paved the way for relaxation of tension and the acceptance of the existing boundaries in Europe removed one sensitive source of continued tension and uncertainty. There was now the proper atmosphere for convening a European Security Conference in Helsinki, and preparations were afoot to make that conference a success, so that peace might be

stabilised, and there might be cooperation amongst the various countries of Europe.

In Asia the situation was not as good as it was in Europe. But the trends were in the same direction. The relaxation of tension which had followed the summit meeting at Peking between President Nixon and the Chinese leaders had definitely resulted in the lowering of tensions in the eastern portion of Asia. The countries of those regions had now to readjust their thinking and had to adopt other postures as a result of the new atmosphere.

Similarly, the summit meeting held in Peking between the Prime Minister of Japan and the Chinese leaders had also altered the situation in that part of the world. The hostility and animosity that had existed between Japan and China for such a long time was now being changed into an atmosphere of cooperation and understanding.

The divided country of Korea was also at the present moment going through a very difficult process of national reconciliation. North Korea and South Korea were undertaking bilateral discussion with some commonly agreed objective of exploring the possibility of peaceful reunification.

The position in Indo-China, however, did continue to give concern not only to the people of Indo-China, but to the whole world. The nine-point programme that had resulted from the talks between the Democratic Republic of Vietnam, and the United States of America had not yet been formally signed by the two Governments. The situation in Vietnam, both North Vietnam and South Vietnam, continued to be a source of great concern. A great deal depended upon the settlement in Vietnam and it was only thereafter that the situation in Laos would move towards a settlement. India had always supported the view that the sovereignty, integrity and neutrality of Laos was something which was in the interest of the Laotian people.

In the Indian sub-continent, significant events had taken place in the last one year, the most important being the emergence of Bangladesh as a sovereign independent country. Bangladesh, as an independent sovereign country, was now well-established and well-set on the goal of serving its people and consolidating its sovereignty and independence in an unmistakable manner. India's relations with Bangladesh were very close and friendly. She cooperated with Bangladesh in several fields—economic, cultural, technological, political, etc.

India's relations with Pakistan had passed through a chequered career, even after the cease-fire which became effective on December 17, 1971. India took the initiative to start bilateral talks with Pakistan, which resulted in the conclusion of the Simla Agreement. The implementation of the Simla agreement was in progress. The delineation of the line of control had been the subject matter of discussion between the military representatives of the two sides. As soon as that settlement was arrived at and it was approved by the two Governments, the hurdle in the way of restoration of normalcy in the relation between the two countries would be removed and it would be possible to withdraw the troops in accordance with the Simla Agreement.

As regards the question of Prisoners of War, the Government was of the view that the continued non-recognition of Bangladesh by Pakistan was coming in the way of implementation of that clause of the Simla Agreement, in accordance with which the question of the prisoners of war had been agreed to be discussed among the parties concerned. It was made clear in Simla that for a final settlement of the question of prisoners of war the association and agreement of the Bangladesh Government was essential and necessary. So long as President Bhutto and the Government of Pakistan continued not even to take notice of the reality and continued to describe it as "Muslim Bengal" and the "Authorities in Dacca", it was not conducive to the creation of a situation where Bangladesh could reasonably be expected to participate in any discussion.

The situation in the Western portion of Asia still continued to be a source of anxiety and the Israeli forces still continued to be in illegal occupation of the area that came in their possession as a result of their aggression. India had supported throughout and continued to support a unanimous resolution of the Security Council which had called upon Israel to vacate aggression.

In Uganda, India was confronted with the problem of persons of Asian origin numbering 2000 or so. The main problem was of assets and the Government were in touch with the Government of Uganda and serious efforts were being made to salvage as much as possible.

As regards China, India was desirous of normalizing relations with that country. But obviously it would be brought about only if China on its part cherished a similar desire. If the speeches made by China in the United Nations on the situation in the Indian sub-continent were any indication, then one did get a feeling that the Chinese

were perhaps not desirous of improving their relations with India. However, it was hoped that China would appreciate the desirability and the necessity of normalizing relations with India so that the two countries could live as good neighbours.

The discussion continued for about 8 hours, in which 18 Members participated.\*

Replying to the discussion, on December 8, 1972, the Minister of External Affairs stated that a point had been made about tri-lateralism between India, Bangladesh and Pakistan. It was true that in the interest of peace in the Indian Sub-continent, all the three countries had to work in close cooperation in order to reverse the trend of conflict and establish a durable peace, but it would perhaps not be quite practical, not even quite proper, to talk always of tri-lateralism. There might be several matters in which all the three countries would have to sit and arrive at appropriate agreements, but India's relations with Bangladesh were of such a nature that one could never think of any element of tri-lateralism.

In regard to India's relations with Pakistan, a mention was made of the two Resolutions recently adopted by the U.N. on the question of admission of Bangladesh and the Prisoners of War. It was well known that the General Assembly of the United Nations had adopted two resolutions on November 29, 1972. The first resolution was a 23-power resolution initiated by Yugoslavia which considering that Bangladesh was eligible for membership of the United Nations, expressed the desire that Bangladesh would be admitted to the U.N. at an early date. Pakistan was intending to move amendments to that resolution which would make the admission of Bangladesh to the United Nations dependent on the release of the Prisoners of War.

The second resolution, co-sponsored by sixteen delegations and submitted at the initiative of Argentina, was, in fact, a compromise proposal designed to avoid acrimonious debate on the Yugoslav resolution. It did not make the question of the admission of Bangladesh to the U.N. conditional upon the release of the Prisoners of War. It

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\*The Members who participated in the debate were Sarvashri Dinen Bhattacharya, B. R. Bhagat, H. N. Mukerjee, Dinesh Singh, Samar Guha, Dinesh Chandra Goswami, Atal Bihari Vajpayee, C. M. Stephen, V. K. Krishna Menon, Henry Austin, R. P. Ulaganambi, K. P. Unnikrishnan, S. A. Shamim, Hari Kishore Singh, Shyamnandan Mishra, Chintamani Panigrahi, R. K. Sinha and Jyotirmoy Bose.

made specific mention of the Assembly's satisfaction at the steps taken so far to facilitate the restoration of conditions of normalcy in the Asian sub-continent, notably the Simla Agreement. It had also expressed the hope that all the parties concerned would refrain from any act which could jeopardise the prospects of settlement and render more difficult eventual reconciliation.

As far as the question of Prisoners of War was concerned, India had drawn the attention of the General Assembly to paragraph 6 of the Simla Agreement which referred to further discussions between the representatives of the two sides for establishment of durable peace and normalisation of relations, including repatriation of Prisoners of War and civilian internees. It was also made clear in the U.N. that in discussions concerning the repatriation of the prisoners of War, Bangladesh was a necessary party.

The President of the General Assembly referred to the inter-dependence between the two view points as expressed in the resolution. According to India, it indicated that a long as Pakistan refused to recognise Bangladesh and Bangladesh was kept out of the U.N., the solution of the pending problems including the repatriation of P.O.Ws would be difficult, if not impossible.

The efforts to settle the outstanding differences in regard to the delineation of the line of control in Jammu and Kashmir had been successful after long drawn negotiations. What was involved in the negotiations, which concluded in Lahore on December 7, 1972 was not a territorial question. It involved acceptance by Pakistan of a position which India had held all along, namely, that there was a basic difference between the border dividing the State of Jammu and Kashmir and Pakistan and the line of control in Jammu and Kashmir, India had always maintained that the line of actual control was quite different from the controversy over Thako Chak. Since Pakistan agreed to settle the question of Thako Chak, the Indian Chief of Army Staff reviewed some of the claims which Pakistan had earlier made. As a gesture, in the interest of peace and in order to rationalise the line of control, minor adjustments had been made.

There would always be some element of give-and-take in whatever were the agreements that were forged as a result of discussions. So whether it was this point or any other point, India's approach should be to keep the outside forces out in the Indian Sub-continent. The

best way to keep outside forces away from the Indian sub-continent, particularly, in regard to our relations with Pakistan, was to approach those problems in a new spirit, the new spirit of willingness on either side to see the viewpoint of the other side and then try to accommodate that viewpoint. The Simla Agreement should be viewed not in terms of one particular clause or another, but as a basic philosophy, which was a good basis for ironing out India's differences with Pakistan.

It was suggested that the Simla Agreement should be scrapped and in its place another agreement should be entered into between the three countries. Any country which started any fresh negotiation by scrapping an earlier agreement would certainly not be in an advantageous position. The basic tenet of international law and relations was that even if governments changed, the first statement that they had to make was that 'we abide by international agreement'. So the suggestion to scrap the Simla Agreement was hollow, unpractical and against the national interest of the country.

The Government shared the concern expressed about the continued massive military action against the people of Vietnam. India earnestly desired restoration of peace and from all reports it appeared that the negotiations were at a very delicate stage.

It was suggested that greater attention should be paid to economic, technological and cultural cooperation with countries in Asia. The Government fully accepted that approach. As a matter of fact it had been pursuing that policy quite purposefully. India had very excellent cooperation in the economic field with Nepal, Bhutan, Sri Lanka, Afghanistan and Bangla Desh. India's cooperation with Japan or with any other affluent country had to be in the context of its development plans. The Government would certainly do everything possible to involve Japan and other countries who might be willing to participate in the economic development of the country.

One aspect about India's relationship with U.S.S.R. and other socialist countries was put across in a very forceful manner. There appeared to be a consensus in favour of recording great appreciation of the consistent friendship shown by USSR in all vital matters. The Soviet Union had cooperated in extending help in vital sectors of the economy. That was a record of relationship between India and USSR which had already become the envy of many countries, but it was based on principles and certain attitudes and the two countries had cooperated in their international activities in the United Nations and

elsewhere, to strengthen the forces against colonialism. India's relationship with the USSR had to be judged in that background. The treaty of friendship and co-operation signed with USSR last year was the natural culmination of the process of cooperation in various fields—economic, cultural, technological and other spheres. It was made clear when the treaty was signed that there were no secret clauses outside the Treaty. It was a Treaty of peace and not of war. It was not directed against any third country. In view of such clarifications, the objections raised by certain quarters had no validity.

After the Minister of External Affairs had replied to the debate, the substitute motions moved by Shri Jyotirmoy Bosu, Dr. Laxminarayan Pandeya and Shri Ramavatar Shastri, were negatived by the House.

### **Grant of Pension to Freedom Fighters**

Raising an Half-an-Hour discussion regarding the "grant of pension to freedom fighters" on December 8, 1972, Shri Ramavatar Shastri said that the decision of the Government to give pension to the freedom fighters, who had served a term of imprisonment for not less than 6 months had been welcomed by all. But the slow pace at which the Government was implementing its decision was causing disappointment. Further there had been something wrong in the matter of grant of pensions as well as *Tamra Patras* to freedom fighters. Certain genuine cases had been left out, while those which did not deserve at all had been approved. Political considerations had also weighed while taking decisions. Sanctions of pension had been given even to those persons who had played a nefarious role in the freedom struggle. It was also not known as to what was being done for giving pension to I.N.A. personnel or those freedom fighters who had come from Pakistan and whose past records were not available.

The Government should give detailed information in regard to various aspects of the whole matter. A suitable machinery should be set up so that cases of grant of pension to freedom fighters were decided expeditiously.

Replying, the Minister of State in the Ministry of Home Affairs, Shri K. C. Pant stated that the number of applications received from the freedom fighters was more than a lakh and pension was sanctioned in only 5,000 cases. The number had gone up to more than 6,000. Even that was also less as compared to the cases still to be finalised.

The Government had fixed August 15, 1973 as the target date for making necessary verifications at the Centre. There might be cases where inquiries might have to be made from State Governments.

There was no question of party considerations in the matter. The applications were disposed off in the order in which they were received. Exception was made only in the cases of those freedom fighters, who were aged or were very sick.

It had been said that certain non-deserving persons had been granted pension. Such complaints had been received earlier also. Steps had been taken to check such a thing. The pension granted to a freedom fighter was publicised in the local press with the idea that if the people found that an undeserving person had been given pension, it could be brought to the notice of the authorities concerned.

Application for grant of pension was given to both the Central as well as the State Governments concerned by the freedom fighters. The Central Government did not wait for recommendations of the State Governments. If on scrutiny, a case was found suitable, a provisional sanction was given. The final sanction was however, given on receipt of verification from the State Governments.

A question had been raised that there was no uniformity in the matter of criteria. It was because earlier, pension was given by the State Governments. Those Governments formulated their own criteria. It was in 1972 that the Central Government formulated its scheme and a uniform criteria for the entire country.

The disbursement of money was done through the treasury. The Government sent the money to the Accountants-General of the State Governments. If a freedom fighter wanted to get his pension through money-order and he was prepared to pay the commission he could tell the concerned authorities accordingly. Money could be disbursed through banks also, but in that case also the question of service charges would arise. The Government would consider any practical suggestion in that regard.

#### **Finalisation of the line of control in Jammu and Kashmir**

Making a statement on December 12, 1972 regarding the "finalisation of the line of control in Jammu and Kashmir" the Minister of Foreign Affairs, Shri Swaran Singh said that in pursuance of the decisions taken in the meeting between the Chiefs of Army Staff of India and Pakistan held at Lahore on December 7, 1972, the senior



military commanders of the two sides completed the task of finalising the maps showing the delineated line of control in Jammu and Kashmir and submitted their agreed delineation of the line of control to their respective Governments for approval. Both the Governments have since conveyed their approval to each other.

The broad description of the line of control resulting from the cease-fire of December, 1971 in Jammu and Kashmir as delineated on maps along its entire length had been laid on the Table of the House. The line had been delineated on 19 Mosaic maps commencing from the Chamb sector on the international border and ending in Turtok-Partapur sector in the north. The line of control in Jammu and Kashmir had been determined through bilateral negotiations between India and Pakistan. In accordance with the terms of the Simla Agreement, "this line would be respected by both sides, neither side would alter it unilaterally and both sides would refrain from the threat or use of force in violation of this line".

The controversy over the small pocket of Thako Chak about 1½ square miles in area in the occupation of Pakistan, had been resolved. Once Pakistan agreed to withdraw its troops from Thako Chak, the Government agreed, as a gesture of goodwill, to rationalise the line by minor adjustment of mutual claims. In the process, India withdrew its earlier claim in respect of the villages of Dhum and Ghikot, situated along the line of control, amounting to about 0.45 square miles in area.

#### **Growing C. I. A. Activities in India**

A discussion under Rule 193 on a matter of urgent public importance on the "danger of growing C.I.A. activities in India" was raised in the House on December 12, 1972 by Shri Indrajit Gupta.

Initiating the discussion, Shri Gupta said that foreign Intelligence Agencies operated in India and they operated in other countries also. This was an accepted thing in international usage. But the menace of the CIA which had been suddenly projected into the limelight by what were given as responsible statements by no less a person than the Prime Minister, was not something which was to be seen in the context of an ordinary Intelligence Agency, because the CIA was not simply a normal intelligence agency but was something more. It was a specialised type of agency, subversive agency, which was operating on behalf of rightist forces in every country where the regime was not to its liking, where the regime followed the policies which were not liked

by the U.S., where there was regime which they considered to be a progressive or leftist or democratic socialistic regime.

There were various organisations, foundations, institutions etc. working in the country which had been partly or wholly financed by CIA funds. A few years ago the Asia Foundation was revealed to be one of them and it had to be wound up. There were organisations in this country affiliated internationally to the ICFTU (International Confederation of Free Trade Unions). ICFTU channelised CIA funds to various trade union organisations in various countries.

A proper enquiry, investigation and watch must be kept particularly on the educational institutions which were the favourite hunting ground of CIA in all countries. The Government officialdom in every country was found to be honeycombed by agents of CIA. There might be officers who were hand in glove with CIA in the various Ministries and Departments.

It was high time that the disposal of funds of PL-480 or similar trade agreements which were put at the disposal of the U.S. Embassy should be brought under the scrutiny of the Government. That money had been used for all sorts of purposes. An enquiry was promised long ago as to which parties were getting money from where. But nothing happened about it. Therefore, Government should see to it that those funds were brought under Government scrutiny and a watch was kept, over them.

The discussion continued for more than three hours, in which 10 Members participated\*.

Replying to discussion, the Minister of State in the Ministry of Home Affairs, Shri K. C. Pant said that the Government were aware of the reports and statements that foreign intelligence agencies were active in different parts of the country and that they were maintaining a continuous watch over such activities. Such activities were not conducive to the promotion of mutual good relations. The disclosure of information which the Government had in their possession on the details of what was done to counter the activities of foreign intelligence organisations including the C.I.A. would not serve any public interest.

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\*The Members who took part in discussion were Sarvashri Vayaler Ravi, Samar Guha, C. M. Stephen, Jyotirmoy Bosu, M. Ram Gopal Reddy, G. Viswanathan, Shashi Bhushan, Sham Nandan Mishra, Jagannath Rao Joshi and Piloo Mody.

Every country had its own intelligence network. In the nature of things one could not perhaps object. Even if one might object, one could not prevent the collection of some intelligence. But the point was not only of intelligence. The most objectionable point was when an attempt was made to interfere in the internal affairs of a country irrespective of international or diplomatic practices. The people of India had their values, their way of life and their Constitution; they would at no cost permit any foreign organisation to erode them.

After the liberation of Bangla Desh and in the months that followed, the foreign agencies became more active. The Prime Minister had struck a note of warning. The country took it seriously and that was what counted. In various forums such as meetings of political parties, newspapers and journals published from different parts of the country, the subject came up for discussion and the need for vigilance was fully endorsed. Such a reaction was salutary and bore testimony to the fact that the Government were watchful.

Concern was expressed on the role of foreign money in the country. In pursuance of the demand made in the House, the Intelligence Bureau had probed into the allegations that foreign money was used in the country to influence the political, social and economic institutions. Owing to the severe limitations under which an intelligence organisation had to function, the Intelligence Bureau could not make open enquiries or record evidence. It had to reply on the secret sources of information which could not be made public. With such limitations, it was also not possible for the Government to make such reports public. At the same time, the general issues thrown up as a result of the enquiry were fully shared with the House. It was pointed out that while any precise quantitative assessment of the financial assistance received was not possible, the indications were that it was selective and was not so small as to be ignored. It was also mentioned that it had been possible for foreign intelligence agencies to finance the activities of certain institutions and organisations working in their academic and research fields.

The Asia Foundation had wound up its activities in the country. The Government had set up a Council of Social Sciences Research with a suitable grant to review the progress of social Sciences research and to sponsor research programmes in that field. The setting up of the Council, while considered necessary and desirable in itself, would also have the effect of reducing the dependence of Indian research institutions and scholars on foreign financial assistance for their worthwhile projects in that field.

The problem of indirect financial assistance by foreign agencies to individuals and organisations of various descriptions in India had also been considered. That was in many forms such as large commissions on sales of literature imposed from abroad, subventions paid out of trade earnings by bilateral understanding between commercial enterprises and recipient organisations, high advertisement charges, etc. Apart from creating special cells in the Intelligence Bureau or in the Directorate of Enforcement for undertaking a closer scrutiny of remittances, conversion, etc., efforts were also being made to impose rigorously the existing provisions of law to curb mal-practices.

Some reference was made to the questionable activities of some foreign scholars in India. India fully welcomed genuine scholars and academicians. At the same time, one should be careful that nothing adverse to the interests of the country was allowed to be carried on in the garb of academic pursuits. It was with that aim in view that the Government were formulating guide-lines for research by foreign scholars in India. The Government were also undertaking the drafting of a legislation to impose suitable restrictions on the receipt of foreign contributions by individuals and institutions in the country with a view to ensuring that the parliamentary institutions, political organisations, academic and other voluntary organisations working in important areas of national life were able to function in a manner consistent with the value of a sovereign democratic republic.

#### **Arrears of Taxes**

Raising an Half-an-Hour discussion regarding "arrears of taxes" on December 13, 1972, Shri Jyotirmoy Bosu recalled that according to the information given by the Minister of State in the Ministry of Finance on November 24, 1972 the arrears of taxes were only Rs. 438.60 crores and that too had not arisen in one year, but had been continuing right from 1947 onwards.

According to the details contained in the Wanchoo Committee's final report, the arrears of the tax rose from about Rs. 24 crores in 1944 to about Rs. 187 crores in the course of a decade. In the decade that followed they swelled to more than Rs. 271 crores. The spiralling which continued unabated thereafter resulted in the accumulation of the uncollected taxes to the tune of Rs. 840 crores last year.

The causes for the growth of tax arrears were mainly political. It was because of the Government always serving the interests of the

monopolists. The Public Accounts Committee in one of its Reports had referred to under assessment of income. It had said that in spite of the fact that special attention of the Government was drawn repeatedly to that type of mistakes the number of mistakes in tax under-assessed was keeping an upward trend.

Replying, the Minister of State in the Ministry of Finance, Shri K. R. Ganesh expressed Government's concern over the arrears of income-tax amounting to Rs. 438 crores. The Report submitted by the Wanchoo Committee contained many recommendations for plugging the loopholes. The attitude of the judiciary had also changed as far as economic crimes were concerned. The question of accumulation of Rs. 438 crores as arrears of income tax had to be seen in the proper perspective. Out of the total demand amounting to Rs. 9694 crores raised during the period from 1947-48 to 1971-72, the arrears constituted only 5 per cent. The share of the corporate sector in Rs. 438 crores was approximately Rs. 92 crores. The total collection from the corporate sector during the last ten years had been Rs. 3,295.61 crores and an outstanding amount of Rs. 92 crores constituted only 2.86 per cent. Further it was not as if the larger houses or larger assesses were being left out. The Government were taking all possible steps. Some of the cases were pending in courts and it was not possible to realise the money in those cases.

#### **Experimental Nuclear Explosions for Peaceful Purposes**

Raising an Half-an-Hour discussion on "experimental nuclear explosions for peaceful purposes" on December 15, 1972, Shri Samar Guha said that nuclear energy in the country was being used for health purposes, for preservation of food and also for generation of power. Of late, a new development had taken place in the international world about nuclear engineering or nuclear technology. The areas where nuclear technology or nuclear engineering could be utilised had also been identified, as in the case of deep mining or surface-mining.

On April 20, 1970, the Government in a statement had said that India would develop nuclear technology or nuclear blast technology for peaceful purposes. But it was almost two years since then, and the Government had not used nuclear technology or nuclear engineering for any peaceful or constructive purposes for one or the other reasons.

India required the technology for her industrial development metallurgy, fertiliser and for various other purposes. But no power

in the world, Russia, China or France, would give any clue and expertise on blast technology. Unless India develop her own technology for the question of its uses for industrial purposes or constructive purposes did not arise. In spite of the indigenous know-how the stockpile of fuel, moderator and heavy water and all the other necessary things for undertaking experimental nuclear blasts, it was strange that Government was not doing anything and the Department of Atomic Energy had not undertaken a single nuclear blast so far.

Replying, the Minister of State in the Ministry of Home Affairs, Shri K. C. Pant, said that the Prime Minister during the course of an Half-an-Hour discussion on the subject on April 20, 1970, had said that Government was not in favour of going in for nuclear weapons but at the same time Government was not opposed to the use of nuclear energy for peaceful purposes. That was one of the important reasons that India signed a Nuclear Non-proliferation Treaty.

The Atomic Energy Commission was in touch with all the developments that were taking place in the world in the progress of technology, in the peaceful uses of atomic energy, alongwith underground nuclear explosion. They had been in touch with all such developments, both in the theoretical and in experimental aspects.

As regards underground explosions the question of the economic value of such explosions had to be studied. For example in near-surface mining a certain amount of radio activity could escape into the environment and, therefore, that had to be taken into account and the fall-out had to be measured; one could not take a big risk unless one was quite sure of what one was doing.

India had been taking an active part in international conferences dealing with the subject. There was a meeting held in connection with the Gas Buggy Text explosion in December, 1967. India was represented in that meeting. Another test explosion called Relison, took place in September, 1969. India was also associated with it. There was an international body, the I.A.E.A. in Vienna and they held a meeting on peaceful uses of nuclear explosions and there also India was represented. The said meeting was planned to ensure the fullest possible exchange and dissemination of information in the field. Among the applications in which India was particularly interested was the potential use of those explosions for mining operations in non-ferrous metals such as copper, zinc and lead. India was closely following what the other countries had been doing in the matter.

As regards the cost, the economic feasibility of peaceful nuclear explosions for any specific application required a comprehensive and careful assessment of various factors. There were many difficulties in arriving at quick decision and to give a time-limit or a date for such an explosion.

India was fully alive to the potential usefulness and to the need to keep in touch with what was happening in the world and was prepared to make use of whatever technology was offered by that technique or process for the benefit of developmental programmes. The Indian scientists were actively engaged in making the blast use of nuclear science in all its aspects for peaceful purposes.

#### **Scrapping of Agreement with Foreign Oil Companies**

Raising an Half-an-Hour discussion on December 18, 1972, on "scrapping of agreement with Foreign Oil Companies", Shri Jotirmoy Bosu said that there had been considerable increase in the production of foreign oil companies without the permission of the Government. An agreement with them contained an assurance that the Government would neither acquire nor take over their operations for a period of 25 years from the commencement of full-scale operations. In case the Government did so thereafter, it would pay a reasonable compensation to them.

Among the various other assurances and concessions granted to the oil companies, the following two were very important (i) rights of the oil companies regarding import of crude oil; and (ii) pricing of the petroleum products on the basis of import parity.

There had been substantial increase in the prices of the crude during these years. According to the report of the Estimates Committee for 1967, the three foreign oil companies were currently importing at the rate of 7.7 million tonnes of crude oil every year. The said oil companies were even allowed to make profits out of the Indian Oil Company's products. Therefore, if the Government did not scrap the agreements, with them they would completely mortgage the country to the foreign oil companies.

Replying, the Minister of Law and Justice and Petroleum and Chemicals, Shri H. R. Gokhale said that the offer had been received from Esso, one of the foreign oil companies, in October, 1972 to the effect that they wanted to participate with the Government on the basis of 74:26, giving control of the management on the basis of the

proportion in which the capital was held by Government and Esso. They had also indicated that in the event of a final arrangement being reached, the refinery agreement would be scrapped. The Government had not yet decided as a matter of policy to enter into equity participation with Essos.

It was unfortunate that the agreement with the foreign oil companies provided that they would not be nationalised for 25 years, and that they would be entitled to import their own crude through their own sources. The Government would not wait till 1979 when the agreements with the foreign oil companies would expire. Some methods were being devised to acquire adequate and effective control on the operations of the oil companies, both in the marketing and in the refinery fields. So far control to the extent of 60 per cent of the total refining capacity had been achieved. In pursuance of decision taken sometime ago, the Government had also set up a machinery for the purpose of obtaining full details about the assets, reserves, liabilities etc., of the oil companies in question. Information so collected would help the Government to come to a positive conclusion as to which was the best course open to them. The alternative of nationalization was, however, not ruled out.

The increasing demand for petroleum products could be met by building up refining capacity in the country. There were two alternatives; either to stop the extra refining which the foreign oil companies were doing or import products. The latter course was not only more expensive but was also not in the interest of the country. The Government did not favour foreign companies exceeding their licensed capacity.

With regard to repatriation of profits and home office expenses, steps had been taken to exercise greater and more rigorous control over the same and the figures for the last three years showed that the repatriations had been substantially curbed and controlled, and lesser repatriation had been allowed.

#### **Resumption of U.S. Bombing Raids on North Vietnam**

Making a statement on December 19, 1972 regarding "resumption of U.S. bombing raids on North Vietnam" the Minister of External Affairs, Shri Swaran Singh said that at the end of October 1972, substantial accord had been reported at the Paris Peace Talks and high hopes were raised of an early peaceful settlement of the Vietnam question. The hopes were further strengthened by the resumption



of the talks in the month of November and with a prolonged second round which began on December 4. The whole world was waiting for the good news of restoration of peace to this war-torn land when suddenly the news of the fresh deadlock was received. It had given a serious setback not only to the settlement of the Vietnam problem but also to the problem of restoration of peace in the entire Indo-China. Even more distressing was the news of the resumption of massive U.S. bombing raids on the Vietnamese territory and mining of the DRVN territorial waters.

The Government of India felt sorely disappointed at the tragic turn of events and hoped that wiser counsels would prevail, that there would be immediate stoppage of all bombing and acts of war, that there would be no shifting of positions likely to retard the progress of Paris Talks which, it was believed had not been called off, and that an early accord on peace settlement in Vietnam would be signed without any more delay.

Giving further details regarding U.S. bombing in Vietnam, the Deputy Minister of External Affairs, Shri Surendra Pal Singh on December 22, 1972 said that since the 19th December, 1972 when the Minister of External Affairs had made a statement, many countries of the world had raised their voice against the bombing raids, which were evidently not confined only to military targets as claimed. According to reports, several Embassy premises situated in the heart of Hanoi, including Indian Chancery buildings and staff quarters had been bombed and damaged. On India's protest to the U.S. Government on 12th October, 1972, the U.S. officials had expressed their regret and described the raids as 'unfortunate' and unintentional. The repetition of the same indiscriminate and ruthless bombings involving civilian life and property on a large-scale was a matter of the gravest concern to India. The Government would like to record its strongest protest at the bombing of its diplomatic premises in Hanoi.

India was convinced that no amount of military pressure would deter or deflect the heroic people of Vietnam. In fact, if anything, it would redouble their determination to fight the war till the bitter end and they would have the sympathies of the whole world.

Even in this tragic hour, it was earnestly hoped that wiser counsels would prevail and that instead of resorting to brutal force,

negotiations would be immediately resumed to find a settlement which would meet the wishes of the brave people of Vietnam.

#### **Mulki Rules Bill\***

Moving that the Mulki Rules Bill be taken into consideration, the Minister of State in the Ministry of Home Affairs and in the Department of Personnel, Shri Ram Niwas Mirdha said on December 21, 1972 that it was a short Bill, the provisions of which could broadly fall into 3 parts; the first part was the preliminary part, the second part, which consisted of clauses 3 and 4, related to the past and the third part, consisting of clauses 5, 6 and 7 and the Schedules related to the future. Clauses 3 and 4 sought to amend the Mulki Rules for the duration of the period commencing from the formation of the State of Andhra Pradesh and ending with the commencement of the proposed legislation and validate the appointments made during the period in contravention of the Mulki Rules.

Clause 3 by a temporary amendment sought to confine the operation of the Mulki Rules during the period from the formation of the State of Andhra Pradesh till the commencement of the proposed legislation only to those posts in respect of which a requirement as to residence in Telengana was prescribed under the Public Employment (Requirement as to Residence) Act, 1957. It validated appointments to all other posts.

Clause 4 made an amendment to the Mulki Rules for the duration of the period from the formation of the State of Andhra Pradesh till the commencement of the proposed legislation so as to make them directory in their application to the posts to which the residential requirement was applicable under the Public Employment (Requirement as to Residence) Act, 1957. Clauses 5, 6 and 7 adopted the device of a partial repeal of the Mulki Rules so that what remained after such repeal would be relevant only in respect of the posts for which the residential requirement was intended to be continued.

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\*The motion for leave to introduce the Bill moved by the Minister on December 18, 1972 was opposed by various Members on legal and constitutional grounds. They had challenged the legislative competence in regard to the subject matter of the Bill. It was also demanded that the Attorney General might be called to give his opinion.

After the Speaker, Dr. G. S. Dhillon ruled out the objections on December 19, 1972, the motion for leave to introduce the Bill was adopted and the Bill was introduced.

The Bill did not contravene the provisions of Article 16 of the Constitution as no new requirements as to residence for public purposes was being created. The Bill only sought to restrict the operation of such requirement under the Mulki Rules, which had continued in force under Article 35(b) and to repeal the rules in a phased manner.

The debate lasted for about 5½ hours in which 17 Members participated.

Intervening in the discussion, the Minister of Finance, Shri Yeshwantrao Chavan said that as far as Mulki Rules were concerned, the feeling in Telengana was that if at all there was going to be an integrated State, they should have a feeling of belonging to the State. That certainly was a very reasonable and rational demand. But at the same time, the Telengana people had a feeling that certain concessions were given to them, that they had some history and they had got some problems which needed to be solved. Therefore Mulki Rules were conceded to them.

There was one question which was very important for the integrity of the State and that was that this sort of reservation could not have any permanency about it. The present measure was a very important development and improvement towards a fuller integration of the State by putting some time-limit on the period for which the Mulki Rules would continue to exist.

Linguistic issues, particularly, in the country and in the present context of things had a tendency of becoming very explosive and it was the duty of every patriotic citizen and of those who were really interested in the integration of the country as a whole, that they did not allow these tendencies of further separation to raise their ugly heads. If the re-drawing of maps was started again, it was not known where it would go and when it would end.

The real question was the question of finding employment to a large number of masses in the fields of agriculture, industry and in the fields of self-employment. It could be solved only by taking up

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\*The Members who took part in the discussion were: Sarvashri B. N. Reddy, K. Raghuramaiah, Y. Eswara Reddy, T. Lakshmi Kantamma, Jagannathrao Joshi, Jagannath Rao, G. Viswanathan, G. S. Melkote, Frank Anthony, S. B. P. Pattabhi Rama Rao, Madhu Dandavte, P. V. G. Raju, Maganti Ankinneedu, Nathuram Mirdha, M. Satyanarayan Rao, J. Rameshwar Rao and S. B. Giri.

most progressive steps in the economy both in agriculture and in industry. The process had already been started in the country and by the unstinted cooperation of the people, the trouble of Mulki Rules and its implications would be completely forgotten after a few years' time.

The Unity of Andhra Pradesh was brought about by the leaders of Andhra with the blessings of the then national leadership. There was some danger to it some years back. The Prime Minister had tried to keep the people of the two regions together by putting forward a five-point programme.

The measure in question was not merely a piece of legislation, but it was an intimate appeal both to the people of Telengana and Andhra regions to forget their differences and work in the national cause and make efforts to see that the integrated State, which was historically an accepted Constitutional fact, became an emotional matter of fact also.

Replying to the discussion, the Prime Minister, Smt. Indira Gandhi at the outset conceded that Mulki Rules was a very highly emotional issue and said:—

“...Merely because an area is comparatively backward is not reason enough for taking drastic or irreversible decisions...Economic backwardness can go only through hard work and effort of the entire nation. While there will always be sympathy and understanding for special hardship for the backwardness of any special group or any special area, I do not think that any one should be allowed to develop a vested interest in backwardness.....From the beginning, an effort was made in the third and fourth Plans and on the basis of the recommendations of the National Development Council, 225 districts were ear-marked for concessional finance from public financial institutions. In this are included districts from the Andhra region as well as from the Telengana region. In the Fifth Plan, it is our intention to launch a massive minimum needs programme..While transitional measures may be necessary in some areas for historical or other reasons, I think we should all view the problem and the possibilities of its solution in the proper perspective.”

Ruling out division of Andhra Pradesh, she observed:—

“...We have not at all gone back on any assurance given and I would like to re-assure that we are deeply concerned with their problems. But we feel that this is not the way of solving them. In fact, as I said on an earlier occasion, merely talking of separation is not an

end of the problem. It is the beginning of another very big problem, no far other States but that area, that State itself also. The decisions which we announced on the 17th November, 1972 were in response to the request by the leaders of the State."

Referring to the suggestion that the Bill be referred to the Supreme Court or circulated for eliciting public opinion, she said:—

"...The hurry is in the immediate interests of the proper administration of the State. It is obvious that any delay would create serious complications. I stand very firmly for an integrated State, but I would like to say here that so far as this is concerned, even had there been two States, it would have made no difference to this Bill because this is dealing mainly with the problem of the twin-cities and also the rest of Telengana.

Dealing with the provisions of the Bill, she said:—

"...The Supreme Court held that section 2 of the Public Employment (Requirement as to Residences) Act, 1957, which sought to repeal the Mulki Rules, was bad. This was a complex situation.....It is obvious that the administration could not be run on the basis that Mulki Rules would apply to posts under the State Government at all levels. Certain appointments made in the past also had to be regularised.....The Bill covers three of the five points mentioned in our decisions. The other two points do not require any legislation....Considerable work has already been done on the scheme of regionalisation of services and the whole scheme would be finalised before long....The other decision related to the expansion of educational facilities in Hyderabad-Secunderabad. The Ministry of Education has already discussed this matter with the State Government and in the light of those discussions the State Government is framing specific proposals. Suitable machinery will be devised so that these measures are faithfully carried out.

Rightly there is a strong feeling in the country that any residential qualification for public employment goes against the very concept of common citizenship which is enshrined in our Constitution. But at the same time, the framers of the Constitution did realise that the safeguards available to people who suffer from special hardships could not be abrogated straightaway. This was one of the purposes of Article 35. It kept alive the Mulki Rules, which had come to be looked upon as a valuable safeguard and had generated an emotional attachment. When the Telengana area was merged with Andhra, there were assurances from the Andhra region that this safeguard would be continued in certain respects. This approach was accepted by successive Governments in Andhra Pradesh all along, even while there were different judicial pronouncements on the Mulki Rules."

After Smt. Gandhi replied to the debate, the Bill was passed.—  
Ayes 233; Noes 40.

### **Delay in Approving Land Ceiling Legislations of Bihar and other States**

A Calling Attention Notice on the "delay in according approval to land Ceiling legislations of Bihar, Andhra Pradesh, Maharashtra and other States" was tabled by Shri Bhogendra Jha. The matter was also raised by him in the House on December 22, 1972.

Replying, the Minister of Agriculture Shri Fakhruddin Ali Ahmed said that the Chief Minister's Conference held on July 23, 1972 made certain recommendations on the ceiling on agricultural holdings and the Government of India formulated a set of guidelines in the light of those recommendations. The said recommendations were communicated to the State Governments who were requested to amend their existing ceiling laws or introduce fresh legislation, as the case might be, in conformity with the national guidelines. Revised ceiling laws passed by the State legislatures of Andhra Pradesh, Bihar, Haryana and Maharashtra were referred to the Government of India for the accordance of President's assent to them. The legislations in question had been examined by the concerned Ministries of the Government of India in consultation with the officials of the State Governments. As the laws referred to above did not strictly conform to the norms contained in the national guidelines, discussions were held and assurances had been solicited from the State Governments for incorporation of the revisions necessary to bring their legislation in conformity with the national guidelines.

The Bihar Bill had been discussed with the State Government and all points had been resolved and it was expected that the Government of India would be in a position to communicate the accordance of President's assent to the Bihar Bill shortly. The required formalities for according President's assent to the Haryana Bill had been completed and President's assent was expected to be accorded to the Bill very shortly.

The Maharashtra Bill which had been passed by the Legislature before the issue of the national guidelines, was discussed with the representatives of the Maharashtra Government from whom further communication was awaited.

The Andhra Pradesh Bill was in an advanced stage of examination and it was expected that President's assent would be accorded soon.

The Government of India as well as the concerned State Governments had been fully alert to the need for enacting ceiling legislations at the earliest possible opportunity. Land Reforms, and specifically land ceiling, were highly complex issues. Apart from the State Governments which were directly responsible for the enactment of legislation consonant with the national guidelines, the Government of India in its various Ministries and Departments had to examine the various implications of the provisions of land ceiling so that the law that emerged was consistent with the national policy on land reforms and fitted in within the overall framework of development strategy.

#### **Take over of wholesale Trade in Wheat and Rice**

Making a statement on December 22, 1972 on the "take-over of whole-sale trade in wheat and rice" the Minister of Agriculture, Shri Fakhruddin Ali Ahmed said that the Government had already reached the decision to take over the wholesale trade in wheat and rice. The decision was taken in consultation with the Chief Ministers of the States. The essential features of the scheme were to give the public agencies a more dominant role in the procurement and distribution of wheat and rice and thereby eliminate the role of the middlemen.

A conference of Food Ministers of States was held on December 15-16, 1972, to finalise the steps necessary to implement the decision to take over wholesale trade in wheat and rice. In the conference the State Governments were agreeable in principle to the decision taken by the Central Government. They, however, expressed certain operational difficulties likely to be experienced in the taking over of the wholesale trade. The consensus in the conference was that a committee might be appointed to examine the various operational difficulties that might be faced by the State Governments in implementing the decision. Necessary steps were being taken to form a committee consisting of representatives of surplus and deficit States, Planning Commission and the various Ministries of the Central Government. The Committee would be headed by the Minister for Agriculture.

#### **The Question hour**

##### *Total number of Questions*

During the Sixth Session of Fifth Lok Sabha, 17, 586 notices of questions (15,848 Starred, 1553 Unstarred and 185 Short Notice) were received. Out of these, 580 were admitted as Starred, 5602 as

Unstarred and 1 as Short Notice Question. After the Lists of Questions were printed, 156 Unstarred Questions were deleted from the Lists of Unstarred Questions on account of their being withdrawn by the Members concerned or transferred from one Ministry to another. Consequently 5,446 written answers to Unstarred Questions were laid on the Table.

*Daily average of Questions included in the Lists of Questions and orally Answered*

Each Starred List contained 20 Questions whereas the average number of questions in the Unstarred Lists came to 188 as against the maximum limit of 200 questions prescribed for the purpose. On an average 9 questions were orally answered on the floor of the House on each day when there was Question Hour—the minimum number orally answered being 2 on the 13th November, 1972 and the maximum being 12 on the 8th and 19th December, 1972.

*Half-an-Hour Discussions*

Out of the 236 notices of Half-an-Hour Discussions received during the Session, 12 were put down on the Order Paper, but only 10 Half-an-Hour Discussions were actually discussed during the Session. One Half-an-Hour Discussion was postponed on a request made by Members and agreed to by Speaker and was discussed on a subsequently date; and one Half-an-Hour discussion lapsed.

**Obituary References**

On November 13, references were made to the passing away of four sitting Members, viz., Shri C. C. Desai, Swami Ramanand Shastri, Shri Shiva Chandika, and Shri M. Rajangam, two Members of the Central Legislative Assembly—Shri Jagannath Das and Shri Manu Subedar; Shri R. Shanker, Member of the Constitution Assembly; Shri R. S. Vidyarthi, Member of the Fourth Lok Sabha and Sant Fateh Singh.

On December 6, 1972 obituary references were also made in respect of Shri N. M. Lingam, Member of First Lok Sabha and Sheikh Mohammad Akbar Member of the Second Lok Sabha.

As a mark of respect to the memory of the deceased the Members stood in silence for a short while.



The Eighty-Second Session of the Rajya Sabha commenced on November 13, 1972 and adjourned on December 23,\* 1972. Some of the important discussions held and the other business transacted by the House during the Session are briefly mentioned below.

**Recovery of Letter Bombs in the various Post Offices of the Country**

On November 13, 1972 Smt. Sita Devi, called the attention of the Minister to the recovery of a large number of letter bombs in the various Post Offices of the Country and the steps taken by the Government to meet the situation.

Shri H. N. Bahuguna, Minister of Communications, stated in reply that on November 6, 1972, one postal official, while sorting letters in Colaba Post Office (Bombay), was injured when one of such letters exploded in his hand. The matter was immediately reported to the Bombay Police and was under investigation by them. The injured official had been hospitalised and was recovering.

Instructions had been issued to all the Post Offices in the country to detect and segregate postal articles suspected to be letter-bombs. The postal staff had also been advised to handle the suspected articles very carefully and to contact officers of the State CID and the Chief Inspectorate of Explosives of the respective Zone whenever such articles were noticed by them.

Replying to the points raised by the hon. Members, the Minister said, that there had been no incidents in India in the past comparable to the present letter-bomb cases except the explosion of a parcel in September last year in the Returned Letter Office, Lucknow. In the wake of the recent explosion of the letter-bomb, adequate measures had been taken to detect such articles. Thorough investigations were being made in this regard and the culprits, when detected, would be dealt with severely.

**\*Twelfth Report of the Commissioner for Linguistic Minorities**

On November 13, 1972, the Deputy Minister in the Ministry of Home Affairs, Shri F. H. Mohsin, moved the motion for consideration of the Twelfth Report of the Commissioner for Linguistic Minorities for the period from 1st July, 1969 to 30th June, 1970. Speaking on the Motion, the Deputy Minister said that the Indian society was a multi-lingual society. The framers of the Constitution had rightly felt the need to incorporate in the Constitution a comprehensive scheme for giving necessary protection to the linguistic minorities so that they were able to develop a sense of security and were in a position to conserve and develop their own script and language. From time to time, decisions had been taken at the national level, and specially in the meeting of the Chief Ministers and the Central Ministers held in August, 1961, to evolve specific schemes for safeguarding the interests of linguistic minorities in the matter of educational and administrative facilities.

The Commissioner for Linguistic Minorities prepared annual reports regarding the implementation of the constitutional safeguards as also the safeguards agreed to at the national level for the linguistic minorities. The Commissioner also received complaints from the linguistic minorities and took up the matter with the concerned State Governments for remedial action.

However, the Commissioner was not an executive agency, and the main responsibility for implementing the agreed safeguards was that of the State Governments. The reports of the Commissioner were welcome inasmuch as they gave an accurate and impartial account of the position of facilities that had been assured to be provided to the linguistic minorities.

Replying to the debate, the Deputy Minister in the Ministry of Home Affairs, Shri F. H. Mohsin, said that at the time of the formation of linguistic States, there was a fear that linguistic minorities might be faced with difficulties. So, special provisions were incorporated in the Constitution by the Constitution (Seventh) Amendment Act, 1956. The Commissioner for Linguistic Minorities was invested with the power of going and meeting people and hearing complaints of linguistic minorities in each and every State and report to the President.

He said that the question of medium of instruction in the Gauhati University had been a subject of controversy for quite some time.

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\*Laid on the Table of the House on April, 13, 1972.

On June 6, 1972, the Academic Council of the Gauhati University took a decision to permit Bengali students to write their answer papers in Bengali while continuing with Assamese and English as the medium of instruction from the Academic Session 1972-73. On the 12th June, 1972, the Academic Council decided in partial modification of their earlier decision that (i) Assamese would be the medium of instruction in colleges under the jurisdiction of the Gauhati University; (ii) English would continue as the alternative medium of instruction till such time the people of that University wanted it but for a period not exceeding ten years; (iii) a student would have the option to answer either in Assamese or in English in the University examination.

The question of the medium of instruction in the University was an altogether different matter. The University Education Commission of 1948-49 considered this matter and came to the conclusion that the study should be through the regional languages for that would enable the students to enrich their literature and to develop their culture. But for the time being it was thought desirable that the University should have the option to use the federal language as the medium of instruction either for some subjects or for all the subjects. In case of regions having pockets of linguistic minorities, the commission considered that the right policy to follow was to unreservedly allow the use of the mother tongue for basic education and if the numbers were adequate for secondary education also, introducing the regional language gradually in the upper grades at the school and make it the medium of instruction at the University stage. Articles 29 and 30 of the Constitution *inter alia* provided that any section of the citizen residing in the territory of India or any part thereof having a distinct language, should have the right to establish and administer the educational institutions of their choice. No State could deny these rights to the linguistic minorities.

#### Recent Price Situation in the Country

On November 15, 1972, Shri Krishna Kant moving the motion on the recent price situation in the country said that the Ministers Statement\* did not envisage the deep crisis into which the country would be entering now.

From the end of May to the middle of October, the prices in general had risen by 8.4 per cent. But the foodgrain prices had risen by 12.4

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\*Laid on the Table on November 13, 1972.

per cent. Not only that, the coarse grain prices had risen by 33 per cent. It was all due to the lack of proper planning in this respect.

The rate at which the consumer prices were rising, it seemed that by the time the Fifth Plan was launched, the situation would become very difficult. So, it was necessary to look at the problem of prices from that angle and see what could be done by a very massive effort to arrest the rising prices.

Intervening in the debate, the Minister of State in the Ministry of Agriculture, Shri Annasaheb P. Shinde, said that basically there was nothing wrong with the Indian economy. What was appearing today were the tensions and pressures in the economy which were mainly because of the set back in the agricultural sector. Food articles had contributed to the maximum extent to the rise in the price index. On the agricultural front, difficulties started appearing last year. Many areas had suffered from drought last year. This year drought was in much more serious form than last year.

Shri Shinde said that it was alleged that the Government was not serious about the taking over of wholesale trade of wheat and rice. There was no question of going back on it. But some preparation was also necessary before the take-over could be effected. The Government had written to the State Governments and all the Chief Ministers that they must prepare themselves for the eventual takeover.

Intervening in the debate the Minister of State in the Ministry of Finance, Shri K. R. Ganesh, said that the Finance Minister had already stated in the Lok Sabha that it was a national calamity brought about by certain natural calamities. Many reasons had been advanced, viz., insufficient production, deficit financing, hoarding and profiteering, lack of a perspective and an integrated policy, black money, income-tax arrears, distribution system and so on. All these factors might have contributed marginally in one way or the other to make the price situation very difficult. But at the same time it would not be correct to completely deny the fact that there had been a Bangla Desh situation, that there had been an un-precedented drought in some areas and un-precedented flood conditions in certain other parts of the country.

Shri Ganesh said that the statement had indicated the various steps taken by the Government to meet this crisis. The Kharif crash programme, the procurement drive to have four million tonnes, the public distribution system, taking over the foodgrains trade, strict check on overdrafts, resort to market borrowings, reduction in non-plan expenditure, were some of the economic measures that were necessary to

overcome this problem and to see that the effects of this price rise were remedied to the maximum extent possible.

Replying to the debate, Shri Krishna Kant inquired as to why in spite of the war with Pakistan and the drought situation in the country, no action was taken to build up a distribution system and to procure more foodgrains, so that the prevalent situation could have been avoided. He added that in spite of the warning of the Prime Minister, and the position stated in the *Economic Survey*, the Food Corporation of India and the State Governments did not dovetail the food distribution, and so naturally the prices had risen.

It would be better to take the people into confidence and generate a political will to solve that problem without the help of anybody. He hoped that the Government would be able to do that with the united efforts of all.

#### **Power Shortage in various Parts of the Country and Loss Suffered in Production in the Industrial and Agricultural Sectors**

On November 22, 1972, Shri A. G. Kulkarni, initiating a Short Duration discussion on the subject, said that power shortage had a staggering effect on the economy both industrial and agricultural. Nobody was to blame for the power shortage due to natural calamities. But at the same time, one could not ignore the power planning, particularly, the energy planning, for the whole country which required a very close attention in view of the severe strains to which the economy was exposed at present.

The time had come when there must be a Central power generating agency. Otherwise various problems could not be solved and a perspective planning could not be undertaken. Such a Central Power Authority could make the various monopolistic State Boards to function properly and keep up to the prescribed norms.

Wherever there were inter-State disputes, the Government must exercise its authority and see that such disputes were relegated to the background in the interests of the nation.

Dr. K. L. Rao, the Minister of Irrigation and Power, intervening in the discussion, said that the Government was giving the highest priority to power. In the next five years there should be at least 41 million kwts. of power in the country. Otherwise, the country would suffer greatly and further progress would be affected. 'Ganga Cauvery' project had been understood properly. It was not 'Ganga-Cauvery'

alone. This was the building up of a national grid in the country, water coming from one river to the other.

The national power grid meant that we conveyed power from one big power station to another big power station. This would give a chance to exchange power from one place to another. Most of the lines were connected, practically all over the country, except a few missing links and these missing links were under construction.

In India, generation of power rested with the States and where there were more than one State involved, only then the Central generation was put. It was one of the subject which was under careful consideration. The Government was trying to have Regional Boards in the various regions to develop regional generation, with guidelines for the whole country.

#### **Situation arising out of the Supreme Court Judgment on the Mulki Rules**

On November 23, 1972, Shri O. P. Tyagi called the attention of the Prime Minister to the situation arising out of the Supreme Court Judgment on the Mulki Rules, the agitation in Andhra Pradesh in connection therewith and the reaction of the Government thereto.

Shri K. C. Pant, the Minister of State in the Ministry of Home Affairs stated that in the former princely State of Hyderabad, under a rule forming part of the Hyderabad Civil Service Regulations, no person could be appointed to any Government service, superior or inferior, without specific sanction of the Nizam if he was not a Mulki. One of the grounds for acquiring Mulki status was permanent residence in the Hyderabad State for at least 15 years. This provision was continued after the merger of the State in 1948, and was subsequently protected under Article 35(b) of the Constitution.

The Public Employment (Requirement as to Residence) Act, 1957, which, while repealing the Mulki Rules through Section 2, enabled the Central Government under Section 3 to make Rules prescribing requirement as to residence within Telengana area in regard to appointments to any subordinate service or post under the State Government or any local or other authority.

The Public Employment Act and the Rules framed thereunder were challenged in the Supreme Court in *A. V. S. Narasimha Rao and others Vs. the State of Andhra Pradesh and another*, and by its judgment dated March 28, 1969 the Court declared Section 3 of the Act and the

Rules framed thereunder, insofar as they related to Telengana area, to be *ultra vires* of the Constitution.

Following the Supreme Court judgment, while a demand was made on behalf of the Telengana region that the 15 years' local residential qualification should be enforced for recruitment to all Government services, on the other hand, the Andhra region wanted that whatever safeguards had been provided earlier to the people of Telengana in respect of employment in Government service should continue. Ever since the judgment was given, consultations had been going on between the leaders of the State and the Central Government, to find a satisfactory solution of the problem in the larger interests of the State.

Shrimati Indira Gandhi, the Prime Minister, replying further to the points, said that some people had regretted the fact that the Government had been talking to different people and that no agreement had been reached. But even if no agreement was reached, the Government had to discuss this with the people of different shades of opinion not only in the ruling party but also in other parties.

Whether with regard to the people of Telengana or all those living in other parts of Andhra Pradesh, we all know that Telengana was a backward area and that certain things which were to be done were not done in good time. However, it was not true to say that the Government had been just sitting back complacently, because ever since the trouble arose, the Government had been meeting continuously, and the programme that was made was not a patch-work programme; it was a programme which the Government thought would help to integrate the two people, which would remove the doubts in the minds of the Telengana people about their not getting full justice in the composite state of Andhra Pradesh.

The Government had already announced that a decision would be taken very soon. Whatever the decision might be, it would not satisfy all the people, even though the State Government had said that they would try to implement whatever decision the Prime Minister gave. There might be elements who would try to take advantage of the situation. The Prime Minister appealed to all the parties to help in matters which affected the whole nation.

On November 27, 1972 the Prime Minister, Shrimati Indira Gandhi, announced in the House the following measures which were decided upon by the Central Government regarding the Mulki Rules:

- (i) The residential qualification prescribed in the Mulki Rules would apply only for the purpose of recruitment to non-gazetted posts

and posts of Tehsildar and Civil Assistant Surgeon and Junior Engineer in the Telengana region. However, in the case of composite offices—e.g. the Secretariat, the offices of the Heads of Departments and common institutions of the State Government—these Rules would apply for the purpose of filling the second vacancy in every unit of three direct recruitment vacancies in non-gazetted posts.

- (ii) These safeguards would remain operative in the Telengana region up to the end of December, 1980. However, in the cities of Hyderabad and Secunderabad, the safeguards would continue only up to the end of December, 1977. This distinction had been made because the State Capital was located in those cities.
- (iii) In order to provide adequate avenues of promotion to the Government servants working in each of the two regions, the various service cadres would be regionalised up to the first or second gazetted level. This would not, however, apply to the services which acted as direct feeders to the All India Services.
- (iv) Educational facilities, including those in the technical and professional fields, which were available at present to Telengana students in the cities of Hyderabad and Secunderabad, would not be adversely affected. In these cities, the facilities would be suitably expanded, and the additional facilities would not be subject to any restrictions on the basis of residence.
- (v) For the cities of Hyderabad and Secunderabad there would be a composite police force, the details of which would be worked out in consultation with the State Government.

The Prime Minister added that necessary legislation to give effect to these decisions would be brought before the House shortly and suitable machinery would be devised by the Centre to ensure the proper functioning of these arrangements.

#### **Discussion on International situation**

The Rajya Sabha had a discussion on November 29 and 30, 1972, on international situation on a motion moved by Sardar Swaran Singh, the Minister of External Affairs, on November 29, 1972.

Replying to the debate, the Minister said that by and large, the positive developments in the world today were significant. These new developments could today were significant. These new developments could be described as developments in the direction of creating an atmosphere of a detente and of relaxation of tensions. The significant moves in Europe were the coming nearer to each other of the Federal Republic of Germany and the Soviet Union, the Warsaw Treaty between Poland and the Federal Republic of Germany and the signing of treaties and agreements between the Federal Republic of Germany and the German Democratic Republic thus paving the way for admission of both of them to the United Nations next year.



The Minister added that the situation in Asia had changed significantly by the seating of the rightful Government of the People's Republic of China in the United Nations. The reconciliation between Japan and the People's Republic of China was also a welcome development. The two Koreas, North and South, had bilateral talks . . . and efforts were being made by both to bring about a peaceful reunification of the two Koreas. The situation in Indo-China continued to be fluid and complex and so far eluded a satisfactory solution. An end to the Vietnam conflict would create conditions for a solution of the problem of Laos and Cambodia. India would like to see that the independence, sovereignty and territorial integrity of the two States were safeguarded in accordance with the provisions of the Geneva Agreement of 1954. In the Arab-Israeli conflict, India had stood on the Arab side because she firmly believed that justice was on the side of the Arabs. So long as Israel continued to be in possession of territories occupied by it as a result of aggression, India would continue to support the Security Council Resolution that all those territories should be vacated.

India recognized the existence of Israel as a State. But at the present juncture no useful purpose and no national interest would be served by upgrading the level or representation or having regular ambassadors in each other's countries.

As regards the developments in the Indian sub-continent, an atmosphere of friendship and good neighbourly relations was developing between what at one time used to be the eastern wing of Pakistan, and which was now independent, sovereign Bangladesh, and India. It was a positive development in the international situation. A treaty of peace, friendship and co-operation had been concluded between India and that country.

So far as America was concerned, the Minister said that India had much in common with the great country and its people. The common points included our belief in democracy and in the democratic way of life, individual liberty and human dignity.

As regards China, geography had placed India as a neighbour of this great country. Border problems had existed between neighbouring countries throughout the ages. These countries should settle such matters through peaceful negotiations and not by resort to force, the Minister concluded.

**Reported Constitutional Crisis in Tamil Nadu**

On December 5, 1972, Shri Dahyabhai V. Patel called the attention of the Minister of Home Affairs to the reported constitutional crisis in Tamil Nadu.

Shri K. C. Pant, Minister of State in the Ministry of Home Affairs, stated that the Government had seen newspaper reports of the Tamil Nadu State Assembly proceedings of the 2nd December, 1972. The Government had also been newspaper reports that the High Court of Madras was being moved for a judicial pronouncement on the legality of the said proceedings. In these circumstances, it would not be appropriate for the Government to take a view in the matter.

Replying to the points raised by Members, the Minister said that the Government was not going to form any opinion on the basis of newspaper reports. The first thing to be seen was the authoritative version of the record of the proceedings of the House which had been asked for. The issues were very serious and of far reaching importance. And, therefore, it was with due caution that the Government had to take a stand and form an opinion. It was only for that purpose, and because of delicacies of the issues involved that Government were not venturing to express any opinion on the matter.

**Situation arising out of continued students' agitation in  
Delhi University**

On December 7, 1972, Prof. Nurul Hasan, Minister of Education and Social Welfare, stated that although Delhi University was initially closed in the wake of the incidents of November 14 and 15, 1972 only for three days, its reopening on the 16th November, 1972 was postponed by the Vice-Chancellor.

On December 4, 1972 when the University reopened, the Delhi University Students' Union organised a rally and demonstrated outside the Vice-Chancellor's Office.

Simultaneously, memorandum was submitted by the students to the University, the main points in which were: democratization in the structure of the University, taking over of sick Colleges, especially, the Delhi College of Engineering and Delhi College of Arts, by the University, admission of all those who had passed the Pre-Medical examination in the first division to Medical Courses, opening of a Library for students of out-Campus Colleges, and withdrawal of

Police cases against students involved in the student movement. The students, also gave an ultimatum to the Vice-Chancellor that if within the next 48 hours their demands were not met, they would take over the administration of the University in their own hands.

On December 6, 1972 a mob of about 3000 to 4000 students came to the Central Office of the University shouting slogans and started pounding the doors of the Vice-Chancellor's Office. They smashed the glass windows of the room of the Pro-Vice-Chancellor. Thereafter, the mob went to the Registrar's Office and broke the window panes. Some of the students forcibly entered the room of the Dean of Students' Welfare. The police were called in when it was feared that the Vice-Chancellor's room might be broken. The crowd dispersed when the police fired tear gas shells. The students burnt one bus and partially damaged another.

Replying to the points raised by the Members, the Minister said that the point that the Vice-Chancellor was not eager to restore normalcy was not borne out by facts.

The authorities of the Delhi University were deeply conscious of the changing times. Otherwise, the Vice-Chancellor would not have sent the letter dated the 6th December, 1972 suggesting to the Students' Union that committee of teachers and students might be constituted to go into all the problems which were affecting the students. It was really unfortunate that there was a group of students who had greater regard for a certain section of political leadership than for academic leadership.

The Minister added that if a person had been wrongfully rusticated, he would be prepared to use his good offices to get the order rescinded. But if a person had been correctly rusticated, he was sure that the Members would not want him to intervene.

#### **Legislative Business**

Some of the important Bills passed by the House during this period were as follows:

##### *The All-India Services Regulation (Indemnity) Bill, 1972*

On November 21, 1972, Shri Ram Niwas Mirdha, the Minister of State in the Ministry of Home Affairs and in the Department of

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\*The Bill was introduced in the House on November 16, 1972.

Personnel, moving the Motion for consideration of the Bill said that Under sub-section (2) of section 3 of the Act, all rules made were required to be laid before Parliament for not less than fourteen days soon after they were made and they were subject to such modifications, whether by way of repeal or amendment, as Parliament might make in that behalf. As this sub-section provided only for the laying of the rules, it was interpreted by Government to mean that it was not necessary to lay the regulations before Parliament. Accordingly, most of the regulations framed and the amendments made thereto prior to the 1st July, 1967 were not laid before Parliament.

Subsequently, the Government was advised that in view of certain observations of the Supreme Court in a judgment, the regulations made as aforesaid should be taken to form an integral part of the rules made under sub-section (1) of section 3 of the Act and were required to be laid before Parliament in the same manner as the rules. This was now being done in regard to regulations and amendments made thereto from the 1st July, 1967 onwards.

The Minister added that the Bill provided for indemnifying the Central Government and its officials for the failure to lay regulations before Parliament and for validating the regulations which were not so laid.

The Motion for the consideration of the Bill was adopted and the Bill was passed on November 21, 1972.

*The Authorised Translations (Central Laws) Bill, 1972\**

On November 27, 1972 Shri F. M. Mohsin, the Deputy Minister in the Ministry of Home Affairs, moving the motion for consideration of the Bill, said that under article 345 of the Constitution, the Legislature of a State could, by law, adopt any one or more of the languages used in the State or Hindi as the language or languages to be used for all or any of the official purposes of that State. Accordingly most of the States had already adopted their own official languages which were being used not only for State official purposes but also in varying degrees in the subordinate courts. It would, therefore, be useful if authorised translations of the Central laws in the State official languages were available.

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\*The Bill was introduced in the House on November 22, 1972.

According to the existing arrangements, the translation in a State official language was prepared by or under the auspices of the Government of the State (Legislative) Commission, in consultation with the translating authority. The Commission had already made some progress with regard to the preparation of translations of certain Central Acts in the regional languages. Since there was no legal provision for the authentication and publication of the translations of the Central Acts in the regional languages, such translations had no legal status and their utility was necessarily limited. The Bill sought to give legal status to these translations.

The Motion for the consideration of the Bill was adopted and the Bill was passed on November 27, 1972.

*The Food Corporations (Amendment) Bill, 1972.\**

On December 5, 1972, Shri Annasaheb Shinde, Minister of State in the Ministry of Agriculture, moving the motion for consideration of the Bill said that the main object of the Bill was to extend the audit control of the Comptroller and Auditor-General of India to the accounts of the Food Corporation of India.

A Joint Committee of Houses of Parliament had recommended that as substantial sums of money from the Consolidated Fund of India had been invested in the Food Corporation, the Comptroller and Auditor-General should be empowered at least to conduct a supplementary or test audit of the accounts of the Corporation, as in the case of a Government company. The Bill, therefore, sought to make provisions in the Food Corporations Act, 1964 empowering the Comptroller and Auditor General to direct the manner in which the accounts of a Food Corporation should be audited, to conduct a supplementary or test audit of the accounts of the Corporation, and to comment upon or supplement the audit report of the professional auditors.

The Bill also sought to extend the Food Corporations Act, 1964 to the State of Jammu and Kashmir.

The motion was adopted and the Bill was passed on December 6, 1972.

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\*The Bill as passed by the Lok Sabha was transmitted to the Rajya Sabha and laid on the Table of the House on November 27, 1972.

***The Payment of Bonus (Amendment) Bill, 1972.\****

On December 11, 1972, Shri R. K. Khadilkar, the Minister of Labour and Rehabilitation moving the motion for consideration of the Bill said that the Bill sought to replace the Payment of Bonus (Amendment) Ordinance, 1972.

The Bonus Review Committee, which was set up by a Government Resolution dated the 20th April, 1972 to review the operation of the Payment of Bonus Act, 1965, had been given detailed terms of reference and its work was in progress. It had, however, given its finding on one of the terms of reference relating to the raising of the minimum bonus payable under the Act.

Unfortunately, the Committee could not come to unanimous conclusions on the subject. Its findings were given in two separate reports. After a careful consideration of both the reports, the Government decided that the statutory minimum bonus payable to the workers covered by the parent Act for the accounting year commencing on any day in 1971, should be raised from 4 per cent of the wages or salary to 8.33 per cent.

The Minister stated that the provisions in the Bill were transitional and temporary in nature. The Government might have to come up with more comprehensive proposals for amendment when the final report of the Bonus Review Committee was received and examined.

The Motion for the consideration of the Bill was adopted and the Bill was passed on December 11, 1972.

***The Code of Criminal Procedure Bill, 1970\*\****

On December 12, 1972, Shri Ram Niwas Mirdha, the Minister of State in the Ministry of Home Affairs and in the Department of Personnel, moving the motion for consideration of the Bill, said that the Joint Committee on the Bill had given its report after examining many witnesses and after holding many sittings. Most of the changes made by the Committee were intended to expedite the investigation and trial of cases and also to secure more effective protection to the

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\*The Bill as passed by the Lok Sabha was transmitted to the Rajya Sabha and was laid on the Table of the House on December 8, 1972.

\*\*The Bill was introduced in Rajya Sabha on December 10, 1970.

accused. It was hoped that the new Procedure Code would be able to ensure efficient and speedy justice to all.

The Motion was adopted and the Bill was passed on December 13, 1972.

*The Delimitation Bill, 1972.\**

On December 19, 1972, Shri Niti Raj Singh Chaudhury, Minister of State in the Ministry of Law and Justice, moving the motion for consideration of the Bill, said that the Bill was brought forward in compliance with Article 82 of the Constitution which dealt with the delimitation of seats for Parliament and Article 170(3) which dealt with those of the Legislative Assemblies.

Clause 3 of the Bill dealt with the constitution of the Delimitation Commission. It provided that two Members would be from the serving judges or retired Judges of the Supreme Court or the High Court and the third Member would be the Chief Election Commissioner. There was also a provision for having 10 Associate Members, 5 from the Lok Sabha and 5 from the Legislative Assemblies to assist the Commission in respect of each State. In the States from where there were less than 5 Members in the Lok Sabha, all of them would be the Members for that State.

The duties and the working procedures of the Commission had been laid down in the Bill which was in line with the Delimitation Commission Act of 1962.

The term 'state' had been redefined to exclude the State of Jammu and Kashmir in terms of the Constitution (Application to Jammu and Kashmir) Order, 1954. The Order would be modified after the passing of the Bill.

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

*The Sick Textile Undertakings (Taking Over of Management) Bill, 1972\*\*.*

Shri L. N. Mishra, Minister of Foreign Trade, moving the motion for consideration of the Bill, said that the Bill sought to replace the

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\*The Bill as passed by the Lok Sabha was transmitted to the Rajya Sabha and laid on the Table on December 15, 1972.

\*\*The Bill as passed by the Lok Sabha was transmitted to the Rajya Sabha and was laid on the Table on December 19, 1972.

**Sick Textile Undertakings (Taking Over of Management) Ordinance**, which was promulgated on October 31, 1972. Under that Ordinance the management of 46 sick textile undertakings was vested in the Central Government pending their nationalisation.

The Minister stated that the Bill sought to rectify some of the shortcomings of the Industries (Development and Regulation) Act. The procedures pertaining to reconstruction/liquidation were lengthy and tortuous and the possibility of a sick industrial undertaking, after being rehabilitated reverting to the old managements or other private interests after a period not exceeding 15 years, was not ruled out. These features inhibited the much-needed public investments in the sick undertakings. In the past, there had been some instances where a 'sick' unit was nursed back to health by the Government and was restored to the original owners. However, shortly after such reversion, the unit again relapsed into 'sickness' and the old managements, in the meantime, had the fullest opportunity of canibalising the units. The Bill eliminated the recurrence of such situations. The Bill, which sought to take over the management of 46 'sick' textile undertakings, was, in fact, the first step towards the nationalisation of these undertakings.

The Motion was adopted and the Bill was passed on December 21, 1972.

*The Mulki Rules Bill, 1972\*.*

Shri Ram Niwas Mirdha, Minister of State in the Ministry of Home Affairs, moving the motion for consideration of the Bill, said that the House had had occasion to discuss the Mulki Rules issue earlier on a call attention motion, and on November 27, 1972 the Prime Minister had made a statement before the House on the decision to meet the situation arising out of the Supreme Court judgement given in October last.

The Bill was a very short one, consisting of 7 clauses and 2 schedules. Clauses 3 and 4 sought to amend the Mulki Rules for the duration of the period commencing from the formation of the State of Andhra Pradesh and ending with the commencement of the proposed legislation, and validate the appointments made during this period in contravention of the Mulki Rules.

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\*The Bill as passed by the Lok Sabha was transmitted to the Rajya Sabha and was laid on the Table on December 22, 1972.



The Minister stated that the authority for the Bill was derived from Article 35 (b) of the Constitution which had continued, after the commencement of the Constitution, residential requirement for Government employment provided under the Mulki Rules framed by the Nizam, "until altered or repealed or amended by Parliament." The Bill did not contravene the provisions of Article 16 of the Constitution as no new requirement as to residence for Public employment was being created. The Bill only sought to restrict the operation of such requirement under the Mulki Rules which had continued in force under Article 35(b) and to repeal the rules in a phased manner under powers given to the Parliament under that Article.

Intervening in the debate, the Prime Minister said that the present situation arose because the Mulki Rules were upheld by the Supreme Court which created an extremely difficult and complex situation in the State, because the administration could obviously not be run on the basis that the Mulki Rules were applied to posts in the State Government at all levels, and certain appointments made in the past had also to be regularised. She said that the Bill was absolutely necessary and urgent in the immediate interest of the proper administration of the State. No matter how much they disliked each other or suspected each other, the two regions would have to live together. There were a large number of people from the areas of Andhra living in the twin cities of Hyderabad and Secunderabad and it was they who were being affected mainly by the Mulki Rules. The geographical position of the States could not be changed, no matter what anybody felt. She hoped that the Bill, which dealt not with any larger problem but only with the situation that developed because of the Supreme Court ruling, would be passed.

The Motion for the consideration of the Bill was adopted and the Bill was passed on December 23, 1972.

#### **Obituary References**

During the session the Chairman made references to the passing away of Sarvashri Balkrishna Gupta and S. R. Vasavda, sitting members of Rajya Sabha; Ram Gopal Agarwal, S. C. Karayalar, Swami Keshvanand, Shrimati T. Nallamuthu Ramamurthy, and Shri N. M. Lingam, Ex-Members; and Sant Fateh Singh, Akali Leader. On these occasions the House observed one minute's silence, all Members standing, as a mark of respect to the memory of the deceased.

## STATE LEGISLATURES

### Andhra Pradesh

A session of the Andhra Pradesh Legislative Assembly was held in two meetings—the first from June 19, 1972 to August 3, 1972 and the second from August 14, 1972 to September 6, 1972.

#### *Constitution (Twenty-eighth Amendment) Bill, 1972.*

On July 29, 1972 the Assembly adopted a Resolution moved by Shri P. Basi, Minister for Medium Irrigation and Law on behalf of the Chief Minister, seeking to ratify the Constitution (Twenty-eighth Amendment) Bill, 1972 as passed by both Houses of Parliament.

#### *Protection of Wild Animals and Birds*

On July 29, 1972 the Assembly adopted a Resolution moved by Shri R. S. Suryanarayana Raju, Minister for Forests, seeking to empower Parliament to make laws for protection of wild animals and birds.

#### *Nationalisation of Oil Companies*

On August 3, 1972 the following non-official Resolution was moved in the Assembly by Shri V. Srikrishna:—

“This House recommends to the Government of India to nationalise the three foreign oil companies operating in India namely Burmah Shell, ESSO and Caltex in the national interest and in the interest of job security of oil workers employed in these companies”.

The Resolution was discussed by the House and passed on September 1, 1972.

### Bihar

#### *Bihar Legislative Assembly*

The Bihar Legislative Assembly held its two sessions—one from March 20, 1972 to April 12, 1972 and the second from May 17, 1972

to June 29, 1972. The Assembly passed 4 Government Bills.\* The total number of notices of Starred, Unstarred and Short Notice Questions received was 4233, 1565 and 1960 respectively, while those admitted were 2653, 1441 and 969 respectively.

#### *Bihar Legislative Council*

The 51st and 52nd sessions of the Bihar Legislative Council commenced on August 14, 1972 and September 1, 1972 respectively. The sessions ended with the adjournment of the Council on August 15, 1972 and on September 22, 1972 respectively. During this period, 4 Government Bills were introduced and one Government Bill was passed by the House\*\*. The number of notices received for Starred Questions was 800 but only 701 were admitted as Starred and 34 as Unstarred. Of the 90 notices of Short Notice Questions, 58 were admitted as such.

#### **Goa, Daman and Diu**

A session of the Goa, Daman and Diu Legislative Assembly consisting of 20 sittings was held from July 3 to 28, 1972.

Eight Government Bills were introduced in the Assembly and 5 Government Bills were passed† by it during the session. Of the 369 notices received for Starred Questions, 286 were admitted as Starred

\*The Bills passed by the Assembly were as follows:—

1. Bihar Land Reforms (Amendment) Bill, 1972.
2. Bihar Appropriation (No. 2) Bill, 1972.
3. Bihar Land Reforms (Ceiling on Land and Acquisition of Surplus Land) (Amendment) Bill, 1972
4. Bihar Urban Properties (Ceilings) Bill, 1972.

\*\*Bihar Appropriation (No. 3) Bill, 1972.

†The Bills passed by the Assembly were as follows:—

1. The Goa, Daman and Diu Entertainment Tax (Amendment) Bill, 1972.
2. The Goa, Daman and Diu (Protection from Eviction of Mundcars Agricultural Labourers and Village Artisans) (First Amendment) Bill, 1972.
3. The Goa, Daman and Diu Sales Tax (Validation) Bill, 1972.
4. The Goa, Daman and Diu Sales Tax (Amendment) Bill, 1972.
5. The Goa, Daman and Diu Appropriation Bill, 1972.

and 43 as Unstarred. The number of notices received for Unstarred and Short Notice Questions was 32 and 6 while those admitted numbered 32 and 4 respectively.

### Gujarat

A session of the Gujarat Legislative Assembly was held from June 26 to August 14, 1972. Altogether 40 sittings aggregating to 173 hours and 24 minutes were held.

#### *Protection of Wild Animals and Birds*

On June 29, 1972 the Assembly discussed and passed a statutory Motion moved by Shri Ratubhai Adani, Minister for Agriculture seeking to empower Parliament to make laws to regulate matters in the state relating to the protection of wild birds and animals.

#### *Ceiling on Urban Property*

On August 14, 1972, the House adopted another statutory Motion moved by the Chief Minister, Shri Ghanshyambhai Oza, empowering Parliament to regulate by law the imposition of a ceiling on the holding of urban immovable property and acquisition of such property in excess of the ceiling and all other matters connected therewith in the State of Gujarat.

#### *Constitution (Twenty-eighth Amendment) Bill, 1972*

On August 14, 1972 the Assembly also passed another statutory Motion moved by Shri Ghanshyambhai Oza, Chief Minister, seeking to ratify the Constitution (Twenty-eighth Amendment) Bill, 1972 as passed by the two Houses of Parliament.

### Haryana

The Haryana Vidhan Sabha held its session from August 14, to August 23, 1972 and again from October 3, to October 6, 1972.

#### *Constitution (Twenty-eighth Amendment) Bill, 1972*

On August 16, 1972, the House adopted a Resolution moved by the Chief Minister seeking to ratify the Constitution (Twenty-eighth Amendment) Bill, 1972 as passed by both Houses of Parliament.

*Haryana and Punjab Agricultural Universities Act, 1970.*

The House adopted the following Resolution moved by the Chief Minister on August 18, 1972:—

"Whereas the Haryana and Punjab Agricultural Universities Act, 1970 (hereinafter referred to as the said Act), was passed by Parliament under clause (1) of Article 252 of the Constitution of India;

And whereas it is felt that in the day to day working, the State Government is likely to come across certain difficulties and lacuna in the said Act, which would necessitate the amendments thereof; and the procedure prescribed in clause (2) of Article 252 of the Constitution of India is very cumbersome and time consuming;

And whereas it is intended to repeal the said Act;

And whereas clause (2) of Article 252 of the Constitution of India provides that any Act passed by Parliament under clause (1) of Article 252 thereof, may, be amended or repealed by an Act of Parliament in the like manner but shall not, as respects any State to which it applies, be amended or repealed by an Act of Legislature of that State;

And whereas it appears to this Assembly to be desirable that such legislation should be undertaken by Parliament;

Now, therefore, in pursuance of clause (2) of Article 252 of the Constitution of India, this Assembly hereby resolves that the Haryana and Punjab Agricultural Universities Act, 1970, should be repealed by Parliament by law."

*Constitution (Thirtieth Amendment) Bill, 1972*

On October 4, 1972, the House adopted a resolution moved by the Chief Minister, seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972\* as passed by both Houses of Parliament.

*Non-official Resolution*

The following Private Member's Resolution was moved by Chaudhri Hardwari Lal On August 17, 1972:—

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\*The Bill proposed to amend Article 133(1) of the Constitution in order to do away with the value of the subject matter of a dispute as a criterion for exercise of the appellate jurisdiction of the Supreme Court in Civil matters.

"This House invites the attention of the Government to the decisions of the Government of India published vide Press Communique—Punjab Disputes on 29th January, 1970, relating to the transfer of a part of the Fazilka tehsil of Ferozepore district in Punjab comprising the old Zail of Fazilka and Fazilka Town, the area within the jurisdiction of police station Khuian Sarwar and the area within the jurisdiction of the old Abohar police station excluding the Zails of Chandankhera and Kundal, to Haryana, and also relating to the transfer to Haryana of a strip of territory of an average width of about one furlong along the inter-State boundary between Punjab and Rajasthan in village Kandukhera of Muktsar tehsil. This House also recommends to the Government that the Government of India be approached with the request to appoint, at an early date, a commission, as contemplated in the Government of India's communique dated 29th January, 1970 for the settlement of "claims and counter claims for readjustment of the existing inter-State boundaries" so that the transfer of Fazilka and Abohar are mentioned above and the transfer of other Hindi-speaking areas to which Haryana has laid claim, may be expedited".

The Vidhan Sabha discussed the resolution on August 17 and October 5, 1972.

#### Jammu and Kashmir

The Jammu and Kashmir Legislative Council commenced its session on July 17, 1972 and adjourned on August 23, 1972. Altogether 19 sittings were held.

#### Legislative Business

The Council passed 18 Government Bills\* out of which 6 were introduced in the Council and 12 received from the Lower House.

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\*The Council passed the following Bills:—

1. A Bill to amend the State Land Acquisition Act, Samvat 1990.
2. A Bill to amend the Jammu and Kashmir Public Premises (eviction of unauthorised occupants) Act, 1959.
3. A Bill to amend the Jammu and Kashmir Cooperative Societies Act 1960. ..
4. A Bill to amend and Consolidate the Law relating payment of remuneration of Lambardars for recovery of Public demands.
5. The Jammu and Kashmir Appropriation (No. 2) Bill, 1972.
6. The Jammu and Kashmir Appropriation (No. 3) Bill, 1972.
7. The Jammu and Kashmir Taxation Laws (Amendment) Bill, 1972.

The notices received for Starred, Unstarred and Short Notice Questions numbered 381, 113 and 3 respectively while those admitted were 348, 96 and 3 respectively.

### *Protection of Wild Animals and Birds*

The House adopted a Government Resolution seeking to empower Parliament to make laws for the protection of wild animals and birds.

### **Kerala**

A session of the Kerala Legislative Assembly commenced on September 22, 1972 and continued beyond September 30, 1972. In the course of its six sittings held during this period the House passed 4 Governments Bills.\* Out of 450 and 281 notices of Starred and Unstarred Questions, 181 and 157 Questions respectively were admitted.

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8. A Bill to amend the Enemy Agents Ordinance 2005.
  9. A Bill to amend the Jammu and Kashmir Electricity (Supply) Act, 1971.
  10. A Bill to amend the Jammu and Kashmir Land Revenue Act, 1996.
  11. A Bill further to amend the Jammu and Kashmir Co-operative Societies Act, 1960.
  12. The Jammu and Kashmir Land Improvement Scheme Bill, 1972.
  13. A Bill to amend the Jammu and Kashmir Development Act, 1970.
  14. A Bill to amend the Agriculturists Relief Act, Samvat 1983.
  15. A Bill to amend the Jammu and Kashmir Municipal Act, 2008 and the Jammu and Kashmir Town Area Act, 2001.
  16. A Bill to amend the Jammu and Kashmir Tenancy Act, 1960.
  17. A Bill to amend the Jammu and Kashmir Big Landed Estates Abolition Act, 2009.
  18. A Bill to amend the Jammu and Kashmir Houses and Shops Rent Control Act, 1966.

\*The Bills passed by the Assembly were as follows:—

1. The Wakf (Kerala Amendment) Bill, 1972.
2. The Kerala General Sales Tax (Second Amendment) Bill, 1972.
3. The Calicut University (Amendment) Bill, 1972.
4. The Kerala Preservation of Private Forests Bill, 1972.

### Madhya Pradesh

The July-August, 1972, Session of the Madhya Pradesh Vidhan Sabha Commenced on July 10, 1972, and was prorogued on August 14, 1972. This was the second session of the Fifth Vidhan Sabha. Twenty four sittings were held during the period. The House adjourned for a week's recess on August 4, and reassembled on August 13, 1972. Financial business was mainly transacted during the second phase of the assembly session. Some of the major events that took place and the actual work transacted during the session are detailed below:—

#### *Financial Business*

The Chief Minister Shri Prakash Chand Sethi who also holds the Finance portfolio, presented the excess demands for the year 1968-69 on July 11, 1972. The excess demands were voted by the Vidhan Sabha on July 12, 1972.

The Chief Minister presented the Budget Estimates for year 1972-73 on July 11, 1972. Beginning on July 14, General Discussion on the Budget continued in the Vidhan Sabha for four days. Individual Demands for Grants were debated and voted in full by July 28, 1972.

The excess demands for the year 1969-70 were presented on July 29, 1972 and were voted by the Vidhan Sabha on August 2, 1972.

#### *Election of the Speaker*

Shri Gulsher Ahmed was unanimously elected Speaker of the Assembly on August 14, 1972, Shri Ahmed succeeds Shri Tejlal Tembhere who resigned from his office as Speaker on August 10, 1972 on becoming a Minister.

#### *Election of the Deputy Speaker*

Shri Narayan Prasad Shukla of Congress was elected Deputy Speaker of the Assembly on July 28, 1972 defeating his only rival Shri Shaligram Shrivastava an independent candidate.

#### *Ratification of the Constitution (28th Amendment) Bill, 1972*

On August 2, 1972 the Law Minister Shri Chandra Pratap Tiwari moved a resolution in the State Assembly for the ratification of the Constitution (Twenty-eighth Amendment) Bill, 1972 as passed by



both Houses of Parliament. The Resolution was unanimously adopted on the same day.

#### *Government Resolution*

On August 4, 1972, the Chief Minister, Shri Prakash Chand Sethi, moved an official Resolution regarding the procedure to be adopted when a Member of Parliament or a State Legislature commit a breach of privilege in respect of the other House or another Legislature or its members or Committees. The resolution was passed by the House without any amendment.

#### *Opticians and Refractionists*

On August 4, 1972, the Health Minister, Shri Shyam Jundar Narayan Mushran moved a statutory resolution empowering Parliament to enact a law for setting up a uniform statutory body for regulating the training and trade of opticians and refractionists.

#### *Discussion on Pay Commission Report—1972*

On August 13, 1972 a discussion on the Pay Commission Report, 1972 was initiated by Shri Shitla Sahay, M.L.A. Besides him the nine other members participated in the debate. Shri Prakash Chand Sethi, Chief Minister replied to the debate.

#### *Drought Situation in the State*

On August 3, 1972 a discussion on "Drought Situation prevailing in the State" was initiated by Shri Shriniwas Tiwari, M.L.A. Besides him five other members participated in the debate. Shri Prakash Chand Sethi, Chief Minister replied to the debate.

### **Manipur**

The Manipur Legislative Assembly held its session from March 30, to June 22, 1972. In all 21 sittings were held.

#### *Constitution (Twenty-fifth Amendment) Bill, 1971*

On June 20, 1972 the Assembly unanimously adopted a resolution moved by the Minister of Education seeking to ratify the Constitution (Twenty-fifth Amendment) Bill, 1971 as passed by the two Houses of Parliament.

*Protection of wild Animals and Birds*

In pursuance of clause (1) of Article 252 of the Constitution another resolution moved by the Finance Minister was also unanimously adopted by the House on June 20, 1972 which sought to empower Parliament to make laws for regulating the conservation and management of wild life in the State.

*Nationalisation of Oil Companies*

On June 9, 1972 the House unanimously adopted the following resolution moved by the Bira Sing:—

“This House is of the opinion that the three Foreign Companies operating in India namely Burmah-Shell, Esso and Caltex be nationalised in our national interest and in the interest of job security of oil workers employed in these companies.

*Manipuri as Official Language*

On June 9 and 16, 1972 the House discussed the following Resolution moved by Sarvashri Tompak Sing and Bira Sing:

“This House resolves that Manipuri language be introduced as official language of the State of Manipur in addition to English language. This House further urge the Government of Manipur to take necessary steps in this regard at an early date.”

After the discussion, the Chief Minister assured the Members that a Bill in this regard would be introduced and requested for withdrawal of the Resolution. The Resolution was however, put to vote and lost.

**Meghalaya**

A one-day session of the Meghalaya Legislative Assembly was held on August 14, 1972. The Assembly unanimously adopted a resolution moved by the Chief Minister, Capt. W. A. Sangma recommending to the Assembly to use its Chamber for the meeting at Mid-night of August 14, 1972 for celebration of the Twenty-fifth Independence Jayanti of India.

### Mysore

Mysore Legislative Assembly which had commenced its session on June 19, 1972\* adjourned on August 5, 1972 to meet again on August 14, 1972. The House adjourned *sine die* on August 19, 1972.

The session of the Mysore Legislative Council commenced on June 21, 1972\*\* was held in three spells—from June 21, to July 8, 1972; from July 17, to August 5, 1972 and again from August 14 to August 19, 1972.

#### *Constitution (Twentyeighth Amendment) Bill, 1972*

On July 20, the Assembly unanimously adopted a Government Resolution moved by Shri D. K. Naikar, Minister of Law and Parliamentary Affairs, seeking to ratify the Constitution (Twenty-Eighth Amendment) Bill, 1972 as passed by both Houses of Parliament.

The Resolution was discussed and adopted by the Council on July 25, 1972.

#### *Change in name of State to Karnataka*

On July 25, 1972 the Chief Minister, Shri Devraj Urs, moved the following Resolution:—

“That this House declares its firm opinion that the name of this State as mentioned in the Constitution of India should be changed as ‘Karnataka’ (†) and recommends that steps be taken by the State Government for securing necessary amendments to the Constitution.”

The House discussed the Resolution for 3 days *i.e.* on July 25, 26 and 27, 1972 and thereafter adopted it unanimously on July 27, 1972.

The Legislative Council also discussed the Resolution for 3 days—on August 3, 4 and 5, 1972—and adopted it unanimously on August 5, 1972.

#### *Protection of Wild Animals and Birds*

On August 4, 1972, the Assembly discussed and adopted a resolution moved by the Chief Minister on behalf of the Minister for

\*See, *JPI*, Vol. XVIII, No. 4, October 1972, p. 978.

\*\**Ibid.*, p. 979.

†‘Karnataka’ written in ‘Kannada’.

**Agriculture and Forests seeking to empower Parliament to enact legislation for protection of wild animals and birds.**

The Resolution was discussed and adopted by the Council on August 19, 1972.

### **Orissa**

The Fourth Session of the Orissa Legislative Assembly commenced on August 14, 1972 and adjourned on September 27, 1972. Altogether 18 sittings were held during the session.

During the session, seven Bills were introduced and nine Bills were actually passed\*. The number of notices received during the period of July 1, to September 30, 1972 for Starred, Unstarred and Short Notice Questions was 9483, 629 and 252 respectively while those admitted numbered 1340, 361 and 27 respectively.

### **Pondicherry**

The Pondicherry Legislative Assembly met on August 14, 1972 at 9.50 p.m. After the Finance Accounts, 1970-71, the Appropriation Accounts, 1970-71, and the Report of the Comptroller and Auditor General for 1970-71 had been presented, the House adjourned at 9.55 p.m. to meet again at 10.00 p.m.

The Lieutenant Governor addressed the House in connection with the celebration of the Twenty-fifth Anniversary of the Independence of India. Speeches were also made by the Ministers, the Speaker and some other Members.

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\*The Bills passed by the Assembly were:—

1. The Orissa Ayurvedic Medicine (Amendment) Bill, 1972.
2. The Bihar and Orissa Excise (Orissa Amendment) Bill, 1972.
3. The Orissa Consolidation of Holdings and Prevention of Fragmentation of Land Bill, 1972.
4. The Orissa Prohibition of Alienation of Land Bill, 1972.
5. The Orissa Panchayat Samiti (Amendment and Validation) Bill, 1972.
6. The Public Wakfs (Extension of Limitation) (Orissa Amendment) Bill, 1972.
7. The Orissa Appropriation (No. 5) Bill, 1972.
8. The Orissa Estates Abolition (Amendment) Bill, 1972.
9. The Orissa Municipal (Amendment) Bill, 1972.

The House observed two minutes' silence to pay homage to the martyrs of the freedom movement in India and adjourned *sine die* at 0.05 a.m. on August 15, 1972.

### **Punjab**

The Punjab Vidhan Sabha held its one-day session on August 14, 1972.

During the session the House passed two Government Bills.\* Out of 111 and 79 notices received for Starred and Unstarred Questions, 68 and 44 respectively were admitted.

### **Rajasthan**

The second session of the Fifth Rajasthan Vidhan Sabha commenced on August 14, 1972 and adjourned *sine die* on August 18, 1972. Altogether three sittings were held during this session.

#### *Constitution (Twenty-eighth Amendment) Bill, 1972*

On August 17, 1972, the Vidhan Sabha discussed and passed a Government Resolution seeking to ratify the Constitution (Twenty-eighth Amendment) Bill, 1972 as passed by both Houses of Parliament.

#### *Twenty-fifth Anniversary of Independence*

On August 14, 1972, after the adjournment of the Vidhan Sabha at 11.01 p.m. till 11.00 a.m. on August 16, 1972, a function to celebrate the Silver Jubilee of Independence was held in the Meeting Hall of the Assembly. The Governor, the Chief Minister and the Speaker addressed the Members from the dais and thereafter 2 minutes silence was observed by all present there to pay homage to the martyrs.

### **Tamil Nadu**

The Fifth Session of the Fifth Tamil Nadu Legislative Assembly was held from August 9, 1972 to August 25, 1972.

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\*The Bills passed by the Punjab Vidhan Sabha were:—

1. The Punjab Appropriation (No. 4) Bill, 1972.
2. The Punjab Municipal (Amendment) Bill, 1972.

**Constitution (Twenty-eighth Amendment) Bill, 1972**

On August 25, 1972, the Assembly adopted a Resolution seeking to ratify the Constitution (Twenty-eighth Amendment) Bill, 1972 as passed by both Houses of Parliament.

The same Resolution was adopted by the Legislative Council also which commenced its session on August 9, 1972 and adjourned on August 25, 1972.

**No-confidence Motion against Ministry**

The following No-confidence Motion and Motion disapproving the policy of the Ministry were moved on August 9, 1972:

- (i) "That the House expresses its want of Confidence in the Council of Ministers headed by Hon. Dr. M. Karunanidhi".
- (ii) "That this House disapproves the policy of the Ministry about the manner in which the farmers' agitation was handled."

The motions were discussed, put to vote separately and declared lost on August 12, 1972.

**Uttar Pradesh****U.P. Vidhan Sabha**

The session of the Uttar Pradesh Vidhan Sabha which commenced on March 20, 1972\* ended on September 1, 1972. During this session the House sat on 50 days.

**Legislative Business**

During the period April 1, 1972 to the end of the session the Vidhan Sabha passed 18 Government Bills introduced therein and one introduced in the Legislative Council. During this period, 1283 notices of Starred and 4168 notices of Short Notice Questions were received. Of the former, 650 were admitted as Starred Questions and 66 as Unstarred Questions, while of the latter, 1709 were admitted as Starred, 217 as Unstarred and 304 as Short Notice Questions.

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\*See J.P.I., Vol. XVIII, No. 8, July, 1972 pp. 627 and 730.

**Constitution (Twenty-eighth Amendment) Bill, 1972**

On July 31, 1972, the Assembly adopted a Government Resolution seeking to ratify the Constitution (Twenty-eighth Amendment) Bill, 1972 as passed by both Houses of Parliament.

**Protection of Wild Animals and Birds**

On May 2, 1972, the House adopted a Resolution seeking to empower Parliament to make laws with respect to the protection of wild animals and birds.

**U.P. Vidhan Parishad**

The Uttar Pradesh Legislative Council held its session from July 31, 1972 to August 14, 1972. In all eight sittings were held. All the nine Government Bills introduced in the Council were passed by the House during the session.\* Out of 410 notices of Starred Questions received, 51 were admitted while all the six notices of Short Notice Questions were admitted for answer. There were no Unstarred Questions.

**West Bengal**

The session of the West Bengal Legislative Assembly which commenced on June 26, 1972 adjourned on August 16, 1972. The Assembly held 27 sittings during this period.

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\*The titles of Bills passed by the Vidhan Parishad are as follows:—

1. Uttar Pradesh High Court (Letters Patent Appeal and Amendment) Bill, 1972.
2. Uttar Pradesh Viniyog (1965-66) *Barti vyava ka Viniyamn* Bill, 1972.
3. Uttar Pradesh Panchayat Raj (Amendment) Bill, 1972.
4. Uttar Pradesh *Sampati Sema (Antaran Dar Asthavi Nirbandhaw)* Bill, 1972.
5. Uttar Pradesh Excise (Amendment) Bill, 1972.
6. Uttar Pradesh *Vasathan Adhigrhan* (Amendment) Bill, 1972.
7. Uttar Pradesh Vidhi (Amendment) Bill, 1972.
8. Uttar Pradesh Basic Education Bill, 1972.
9. Uttar Pradesh *Bhoomi Vikas Kar* Bill, 1972.

During the session, 13 Bills were introduced in the Assembly and all of them were passed by the House.\* The number of notices received for Starred, Unstarred and Short Notice Questions was 553, 267 and 116 respectively. The Questions actually admitted numbered 433, 222 and 7 respectively.

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\*The Bills passed by the Assembly were:—

1. The West Bengal Entertainments and Luxuries (Hotels and Restaurants) Tax Bill, 1972.
2. The West Bengal Housing Board Bill, 1972.
3. The Calcutta Municipal (Third Amendment) Bill, 1972.
4. The West Bengal Agricultural Produce Marketing (Regulation) Bill, 1972.
5. The Code of Criminal Procedure (West Bengal Amendment) Bill, 1972.
6. The Provincial Small Cause Courts (West Bengal Amendment) Bill, 1972.
7. The West Bengal Apartment Ownership (Amendment) Bill, 1972.
8. The West Bengal Appropriation (No. 2) Bill, 1972.
9. The Sri Aurobindo Memorial Bill, 1972.
10. The Calcutta Municipal (Fourth Amendment) Bill, 1972.
11. The Public Wakfs (Extension of Limitation) (West Bengal Amendment) Bill, 1972.
12. The West Bengal Acquisition and Settlement of Homestead Land (Amendment) Bill, 1972.
13. The Bengal Municipal (Amendment) Bill, 1972.



## **POLITICAL AND CONSTITUTIONAL DEVELOPMENTS IN THE STATES\***

[September 1, 1972 to November 30, 1972]

### **(a) General**

#### *By-elections to Lok Sabha*

The Congress retained the Mandya Lok Sabha seat from Mysore when its candidate, Shri K. Chikkalingaiah, won the by-election, held on October 22, 1972, defeating his nearest Congress (O) rival, Shri M. Shrinivas, by a margin of 20,112 votes. The by-election was necessitated by the vacation of the Mandya seat by the sitting Member, Shri S. M. Krishna, when he joined the Mysore Cabinet as Minister for Industries.<sup>1</sup>

In another by-election, on October 30, the Ahmedabad Lok Sabha seat was won by an Independent, Shri Purshottam Mavlankar. Shri Mavlankar, who was supported by all the opposition parties in the State (Gujarat), except the C.P.I., defeated his nearest rival, Shri Manubhai Palkhiwala (Congress) by 25,447 votes. The by-election was caused by the death of the sitting Member, Shri Indulal Yagnik.<sup>2</sup>

#### *North-Eastern Council Inaugurated*

The Prime Minister, Shrimati Indira Gandhi, inaugurated the North-Eastern Council<sup>3</sup> in Shillong on November 7, 1972. She announced that the Union Government would make available to the

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\*This feature, prepared by the Library, Reference and Information Service (Lok Sabha Secretariat), is based on newspaper reports and no responsibility is accepted by the Lok Sabha Secretariat for the information or views contained therein.

<sup>1</sup>*Hindustan Times*, and *Hindu*, October 25, 1972.

<sup>2</sup>*Times of India* (Ahmedabad) and *Hindustan Times*, October 31, 1972.

<sup>3</sup>The North-Eastern Council comprises the States of Assam, Manipur, Meghalaya, Tripura and the Union Territories of Arunachal Pradesh and Mizoram. Nagaland, another State of the North-Eastern region, is yet to join the Council.

Council Rs. 50 crores for such regional projects as it might draw up during the remaining period of the Fourth Five Year Plan. This amount will be over and above the funds that the member States and Union Territories will receive under their own plans. Referring to certain "misconceptions" regarding the scope and functioning of the Council, the Prime Minister said that the Council was not a "super-government" and would not abridge the powers of the constituent States and Union Territories in any manner, whatsoever.<sup>4</sup>

At its first session held under the chairmanship of Governor, Shri B. K. Nehru, the Council decided to draw up urgently needed schemes of regional character involving an expenditure of Rs. 50 crores being made available by the Centre. It was agreed that transport and communications should get the highest priority in the development programme for the region.<sup>5</sup>

### (b) States

#### ANDHRA PRADESH

##### *Land Ceilings Bill*

The State Assembly on September 5, 1972 passed the Land Reforms (Ceiling on Agricultural Holdings) Bill. The Bill, as adopted, lays down different ceilings in respect of different types of agricultural lands, grape gardens, coconut gardens, etc.<sup>6</sup>

##### *Mulki Rules Issue*

The Constitution Bench of the Supreme Court by a judgment delivered on October 3, 1972, held unanimously that the "Mulki Rules", promulgated by the Nizam over half a century ago, were valid and continued in force even after the merger of the erstwhile State of Hyderabad (now Telangana region) in the State of Andhra Pradesh formed under the States Reorganisation Act, 1956.<sup>7</sup>

The "Mulki Rules" stipulate that "no person will be appointed to any superior or subordinate service of the State (now Telangana region) if he is not a permanent resident of the State (that is, Telangana region) for 15 years". The Rules further require that candidates for Government jobs should obtain a "Mulki Certificate" from a

<sup>4</sup>*Hindustan Times*, November 8, 1972 and *The Statesman Weekly*, November 11, 1972 pp. 4 and 13.

<sup>5</sup>*The Hindu*, November 9, 1972.

<sup>6</sup>*Indian Express* (Vijayawada), September 7, 1972.

<sup>7</sup>*Hindu*, October 4, 1972.

Magistrate that they have no intention of returning to their previous residence.<sup>8</sup>

Allowing an appeal filed by the Andhra Pradesh Government against a judgment of the State High Court that the Rules were not valid and operative after the formation of the State of Andhra Pradesh, the Supreme Court observed that the "Mulki Rules", being "laws in force" immediately before the commencement of the Constitution, were protected by Article 35(b) of the Constitution and, as such, continued to be valid and operative in the Telengana region till they were altered, amended or repealed by Parliament.<sup>9</sup>

Since the "Mulki Rules" applied to all Government appointments in the Telengana region, the revival of the Rules meant that all the posts even in the State Secretariat and other State Government offices in the State capital, Hyderabad, which was situated in the Telengana region, could be held only by those who had been resident in that area for 15 years. Thus, the Supreme Court's decision added a new dimension to the political situation in Andhra Pradesh. Regional emotions were stirred up and there were agitations all over the State—in the Telengana region for the full enforcement of the "Mulki Rules" and in the Andhra region for setting these Rules aside. The crisis deepened further as the parties in the State were sharply divided over the issue.<sup>10</sup>

In a bid to find a way out of the crisis the Chief Minister, Shri P. V. Narasimha Rao and other State Ministers and leaders, representing the two regions, had a series of discussions with the Central leaders, including the Prime Minister.<sup>11</sup>

The "Mulki Rules" issue and related developments in Andhra Pradesh were also the subject of Calling Attention motions in both the Houses of Parliament. During the debate in the Lok Sabha on November 21, 1972, several Members expressed concern over the deteriorating law and order situation in the State, some of them criticising the Centre for its failure to find a speedy solution to the problem. In his statement, the Minister of State for Home Affairs, Shri R. N. Mirdha, recalled that consultations over the issue between the Andhra

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

<sup>9</sup>*Ibid.*, and *Hindustan Times*, October 4, 1972.

<sup>10</sup>*The Statesman Weekly*, October 21, 1972, p. 13 and *Hindustan Times*, October 17—19, 1972.

<sup>11</sup>*Ibid.*, and *Hindustan Times* and *Hindu*, November 18, 1972.

and Telengana leaders had been going on ever since the Supreme Court's judgment validating the "Mulki Rules". The talks were still continuing and the Centre hoped that a satisfactory solution acceptable to both sides would be evolved soon, Shri Mirdha added. Intervening in the debate, the Prime Minister, Shrimati Indira Gandhi, said that the Centre was confident of finding a solution to the "Mulki Rules" issue which, even if it was not "completely satisfactory would be the least unsatisfactory" to the people of the Andhra and Telengana regions.<sup>12</sup> Later, on November 23, making a statement at the end of a discussion on the subject in the Rajya Sabha, the Prime Minister ruled out bifurcation of Andhra Pradesh as a solution to the "Mulki Rules" tangle. She said that separation of Andhra and Telengana would not provide a solution but would open a series of new problems for there were other backward areas in Andhra Pradesh like Rayal-seema. She appealed to all parties to cooperate in trying to convey that the larger interests of the people of the State lay in their working together for the improvement of the conditions of all the backward areas of the State.<sup>13</sup>

On November 27, the Prime Minister announced in both Houses of Parliament a "three-tier" formula as the Centre's solution for the "Mulki Rules" problem. According to this formula the residential qualification prescribed in the "Mulki Rules" would apply only for the purpose of recruitment to non-gazetted posts and posts of tehsildars, civil assistant surgeons and junior engineers in the Telengana region. However, in the case of composite offices such as the Secretariat, the offices of the Heads of the Departments and other common institutions of the State Government, these Rules would apply for the purpose of filling the second vacancy in every unit of three direct recruitment vacancies in non-gazetted posts. Secondly, these regional safeguards would remain operative in the twin State Capital cities—Hyderabad-Secunderabad—until December, 1977 and in the rest of the Telengana region upto December, 1980. The third part of the Centre's formula related to the provision of adequate avenues of promotion to Government employees working in each of the two regions. The various services cadres would be regionalised upto the first or second gazetted level. This would not, however, apply to the services which act as direct feeders to the All-India services.<sup>14</sup>

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<sup>12</sup>*Hindustan Times*, November 22, 1972.

<sup>13</sup>*National Herald* (New Delhi), *Times of India* (Bombay) and *Hindustan Times*, November 24, 1972.

<sup>14</sup>*Hindustan Times*, November 28, 1972. For a resume of discussions in Parliament on the "Mulki Rules" issue also see "Sessional Review"—pp. Post.

Announcing the proposals, the Prime Minister said that the Centre had decided on those measures following a request from the State Government that the Central Government should take a final decision on the Mulki Rules issue which had created for the entire State a serious law and order situation. She added that necessary legislation to give effect to those measures would be brought before Parliament soon, and the Central Government would also devise suitable machinery to ensure the proper functioning of the arrangements announced by her.<sup>15</sup>

The Prime Minister expressed the hope that the Central award would receive general acceptance in Andhra Pradesh and would be implemented "in a spirit of understanding, cooperation and accommodation".<sup>16</sup>

The Andhra Pradesh Cabinet, meeting at Hyderabad on November 27 night, endorsed the Prime Minister's proposals on the "Mulki Rules" issue. The Cabinet also requested the Prime Minister to constitute a regional Committee for the Andhra region on the lines of the Telengana Regional Committee.<sup>17</sup>

#### ASSAM

##### *Language Disturbances*

The State Legislative Assembly on September 23, 1972, resolved unanimously that the medium of instruction at the university stage for the Gauhati and Dibrugarh Universities should be Assamese with English being retained as the alternative medium. Supporting the resolution, an Opposition Member, Shri Charan Narzary, who was also a member of the Linguistic Minorities Rights Committee, urged that English should continue to have its "present status" in the Universities in deference to the wishes, sentiments and aspirations of the linguistic minorities.<sup>18</sup>

Although the resolution had the support of all the sections of the House, its adoption sparked off a violent reaction outside. In October, language riots broke out in many parts of the State. Violence began with the October 5 "Assam Bandh" organized by the All-Assam

<sup>15</sup>*Ibid.*,

<sup>16</sup>*Ibid.*

<sup>17</sup>*Ibid.*

<sup>18</sup>*Hindustan Standard and Indian Express (New Delhi), September 24, 1972.*

Students' Union. The Union also launched a movement to back up its demand for summoning the State Assembly to rescind its September 23 resolution on the University medium of instruction and for expeditious implementation of the Gauhati University Academic Council resolution of June 12, according to which Assamese would be the sole medium of instruction in the University and English would be continued as an alternative medium for "a period of not more than 10 years."<sup>19</sup>

In a broadcast on October 29, 1972, the Chief Minister, Shri S. C. Sinha, said that the September 23 Resolution of the State Assembly was a suggestion only and its execution was not compulsory. Later, on November 4, at a joint meeting of the Assam Legislature Congress party and the State Congress party a resolution was adopted saying that the medium of instruction at the Gauhati University would be on the basis of the University Academic Council resolution of June 12.<sup>20</sup>

With the principle underlying its demand being conceded, the All-Assam Students Union decided, on November 12, to 'temporarily suspend' its 39 day old movement. However, the Students' Union Executive said, the movement 'would be kept alive in principle' until the State Assembly rescinded its September 23 resolution on the University medium of instruction.<sup>21</sup>

In response to a Calling Attention notice in the Lok Sabha, on November 14, 1972, a statement on the situation in Assam was made by the Union Minister of State for Home Affairs, Shri K. C. Pant. While admitting that the disturbances in Assam over the issue of medium of instruction at the University stage were a "matter of serious concern" to the Government, Shri Pant said that lately there had been "a perceptible improvement in the situation." He emphasized that any solution of such complex issues could be found only in an atmosphere of peace.<sup>22</sup>

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<sup>19</sup>*Hindustan Times* and *Hindusthan Standard*, October 6, 1972 and *Hindu*, October 27, 1972.

<sup>20</sup>*Assam Tribune*, October 30, 1972, and *The Statesman Weekly*, November 11, 1972, p. 6.

<sup>21</sup>*Times of India* (New Delhi), November 13, 1972.

<sup>22</sup>*Hindustan Times*, November 15, 1972, and *Lok Sabha Debates (Part II)* November 14, 1972.

## BIHAR

*By-Elections to State Council*

Shri Lalitshwar Jha (Congress) and Shri Ranjit Bahadur Singh (Independent) were, on November 28, 1972, declared elected to the Bihar Legislative Council in by-elections from two Graduate Constituencies. The by-elections were caused by the resignations of the Power Minister Shri Jaganath Mishra and the Minister of State for Food, Shri Ram Ashray Prasad Singh, following their election to the State Assembly.<sup>23</sup>

## GUJARAT

*No Religious Rites at Government Functions*

The Gujarat Cabinet had decided to do away with religious ceremony at Government functions. Informing newsmen about the Cabinet decision, Chief Minister, Shri Ghanshyam Oza, said on November 2, 1972 that in secular India Government-organized functions should be free from religious colour.<sup>24</sup>

*Assembly Adjourned for Fortnight*

The Speaker of the State Assembly, on November 24, 1972, adjourned the winter session of the Assembly for a fortnight. The session which began on November 13, was due to last till December 15.<sup>25</sup>

The decision to adjourn the Assembly was taken on the advice of the Business Advisory Committee, whose report to this effect was adopted by the House, on November 23, by a voice vote. Explaining the reasons which had necessitated adjournment of the House, the Minister for Parliamentary Affairs, Shri Ratubhai Adani, stated that some important Bills, slated for discussion during the current session, could not be finalised as they were either still under consideration of the Select Committee or were awaiting clearance from the Centre.<sup>26</sup>

<sup>23</sup>*Times of India* (New Delhi), November 29, 1972.

<sup>24</sup>*Hindustan Times*, November 3, 1972.

<sup>25</sup>*State:man* (Delhi), November 25, 1972.

<sup>26</sup>*Times of India* (Ahmedabad), November 24, 1972. The Gujarat Chief Minister, Shri Ghanshyam Oza, stated in New Delhi on November 30, that the Central Government had cleared the Gujarat Land Ceilings and Tenancy Bills. The Bills would now go to the Planning Commission for formal approval and then brought before the State Assembly.—*Times of India* (New Delhi), December 1, 1972.

## HARYANA

*Land Ceiling Bill Passed*

The Haryana Assembly passed the Land Ceiling Bill on October 4, 1972 without a dissenting voice. The Bill provides for a ceiling of 7.25 hectares of land with assured irrigation capable of yielding at least two crops in a year. The next ceiling is of 10.9 hectares of irrigated land capable of yielding at least one crop in a year. For the rest of the land, the ceiling is 21.8 hectares.<sup>27</sup>

*Ministry Expanded*

Nine more Ministers were added to the Haryana Ministry on October 8, 1972, raising its strength to 14. The Ministry now has nine Ministers of Cabinet rank and five Ministers of State. The only Deputy Minister in the pre-expansion Ministry—Shrimati Sharda Rani—was made a Minister of State.<sup>28</sup>

## HIMACHAL PRADESH

*Reshuffle of Portfolios*

Within six months of the constitution of the Himachal Ministry after the General Election held in March 1972, the portfolios of the Ministers underwent change for the second time on September 20. The first reshuffle of portfolios took place when the Ministry was only one week old. With the second reshuffle, the demand of the Ministers of State for independent charge of Departments had been accepted. All the three Ministers of State had been given independent charge of one Department each. A Minister of State had also been attached to the Public Works Minister.<sup>29</sup>

## JAMMU AND KASHMIR

*Ministry Expanded*

The strength of the Jammu and Kashmir Council of Ministers was raised to 17 on September 14, 1972, with the induction of 12 new Ministers. The Ministry now has six Cabinet Ministers, six Ministers of State and five Deputy Ministers. According to reports, this was

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<sup>27</sup>*Hindustan Times*, October 5, 1972.

<sup>28</sup>*Ibid.*, October 9, 1972.

<sup>29</sup>*Tribune*, September 21, 1972.



the largest ever Council of Ministers to hold office in Jammu and Kashmir since Independence.<sup>20</sup>

#### *Assembly Adopts Land Reforms Bill*

The Jammu and Kashmir Assembly adjourned *sine die* on October 31, 1972, after unanimously adopting the Land Reforms Bill designed to eliminate intermediaries in land and simultaneously imposing a ceiling of 12½ standard acres on land holdings. Under the Bill, outgoing proprietors had been given the option to become actual cultivators of upto three standard acres provided their monthly income did not exceed Rs. 500 and the tenants also got the proprietary rights for at least two acres.<sup>21</sup>

### KERALA

#### *No-Confidence Motion Rejected*

The Kerala Assembly on September 27, 1972 rejected a no-confidence motion against the Achutha Menon Ministry moved by Shri E. Balanandan (CPI-M) by a margin of 12 votes, 58 voting for and 70 against, after a 12 hour debate spread over two days. This was the third unsuccessful no-confidence move against the 23-month old six-party Coalition Government.<sup>22</sup>

#### *State Assembly Deplores 'Sons of Soil' Job Slant*

The State Assembly on October 27, 1972, unanimously adopted a non-official resolution expressing anxiety over the reported tendencies of several State Governments to reserve employment opportunities for the "sons of the soil". Chief Minister, Shri Achutha Menon, winding up a one-hour discussion on the resolution, condemned the move to deny jobs to people of other States and said that the question would be taken up with the Centre and remedies sought. The "employment for the sons of the soil" policy should be objected to since the Constitution had ensured equal job opportunities for all the people of the nation, he added.<sup>23</sup>

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<sup>20</sup>Hindustan Times and National Herald (New Delhi), September 15, 1972.

<sup>21</sup>Indian Express (New Delhi), November 1, 1972.

<sup>22</sup>Hindustan Times, September 28, 1972 and The Statesman Weekly, September 30, 1972, p. 10.

<sup>23</sup>Dewan Herald, October 28, 1972.

## MAHARASHTRA

*Independent MLA Joins Congress (O)*

Shri Kisanrao Baburao Bankhele, Independent Member of the State Assembly, joined the Congress (O) on October 28, 1972. With this, the Congress (O) now had one representative in the Maharashtra Assembly to which it could return no Member in the March, 1972 General Elections.<sup>34</sup>

*No-Confidence Motion Rejected*

The State Assembly, on November 23, 1972, rejected by a voice vote a no-confidence motion against the Naik Ministry. On the same day, following noisy interruptions, the Speaker suspended 35 Opposition Members for two days for not allowing the Chief Minister to reply to the two-day debate on the motion. In the midst of pandemonium, the Chief Minister, Shri V. P. Naik, placed his reply to the debate on the Table of the House. After the no-confidence motion was rejected, the Speaker adjourned the House till the next day.<sup>35</sup>

## MANIPUR

*New Leader of Congress Legislature Party*

Shri Athiko Daiho, former Finance Minister of Manipur, was unanimously elected Leader of the State Congress Legislature Party on September 26, 1972. The election was held following the resignation of Shri M. Koirang Singh.<sup>36</sup>

*Three MLAs Quit Ruling Party*

Three Members of the State Assembly, Sarvashri Oinal Tomba Singh, Chungkham Rajmohan Singh and K. H. Lakshman Singh, resigned from the ruling Manipur People's Party (MPP) on November 16, 1972. However, they would, they said in a statement, continue supporting the MPP-led United Legislature Party (ULP) Government headed by Shri Mohammed Alimuddin "so long as it was required".<sup>37</sup>

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<sup>34</sup>*Free Press Journal*, October 29, 1972.

<sup>35</sup>*Hindustan Times*, November 24, 1972.

<sup>36</sup>*The Statesman Weekly*, September 30, 1972, p. 3.

<sup>37</sup>*Indian Express* (New Delhi), November 17, 1972.

## MEGHALAYA

*Change of Party Affiliation*

Dr. D. Lyngdoh, a Congress Member of the Meghalaya Assembly, on November 27, 1972, joined the ruling All Party Hill Leaders' Conference (APHLC). This brought the strength of the APHLC to 37 in the 60-member Assembly.<sup>38</sup>

## MYSORE

*By-election to State Assembly*

Congress (O) candidate, Shri H. T. Krishnappa, won the by-election to the Mysore Assembly from the Nagmangala constituency, held on October 22, 1972, defeating the Congress nominee Shri Chagri Gowda by a margin of 6,548 votes in straight contest. The seat was held by the Congress.<sup>39</sup>

## NAGALAND

*All Underground Wings Banned*

The Government of India on August 31, 1972 banned the political, administrative and military wings of the Naga underground under the Unlawful Activities (Prevention) Act and terminated the eight-year-old order for the suspension of Army operations in Nagaland. The actions, which followed a policy review by the Central and Nagaland Governments in the light of developments in the State, including the recent attempt on the life of Chief Minister Hokishe Sema, were announced by Governor, Shri B. K. Nehru, in a speech broadcast over the Kohima station of All India Radio on August 31, 1972.<sup>40</sup>

Speaking to newsmen on September 1, Chief Minister, Shri Hokishe Sema, said that the withdrawal of the extension of suspension of operations against the hostiles was a major step towards restoring permanent peace in the State. The periodical extension of the agreement was meaningless, he said, as the underground Nagas had never honoured it in Letter and spirit. He added that if the members of the now banned underground federal set-up did not give up their secessionist approach, the Government would not hesitate to take stern action.<sup>41</sup>

<sup>38</sup>*Times of India* (New Delhi), November 29, 1972.

<sup>39</sup>*The Statesman Weekly*, October 28, 1972, p. 5.

<sup>40</sup>*Hindustan Times*, September 1, 1972.

<sup>41</sup>*Hindusthan Standard*, September 2, 1972.

*Five MLAs Released*

Five Opposition MLAs, including former Chief Minister of the State, Shri T. N. Angami, who were arrested on October 12, 1972, in connection with the unsuccessful attempt on the present Chief Minister, Shri Hokishe Sema's life in August, were discharged from judicial custody on October 30, following an order by the Additional District Commissioner who held that no *prima facie* case had been established against them.<sup>42</sup>

*No-Confidence Motion against Ministry Lost*

The Nagaland Assembly, on November 28, 1972, rejected an Opposition no-Confidence motion against the Hokishe Sema Ministry by voice vote. The four-day session of the Assembly later adjourned *sine die*.<sup>43</sup>

## ORISSA

*Resolution on Urban Property Ceiling*

The State Assembly on September 26, 1972, passed an official resolution authorizing Parliament to legislate on fixation of Urban property ceiling and all matters connected therewith. The Swatantra party, the major Opposition group in the Assembly, supported the resolution.<sup>44</sup>

*Nationalisation of Kendu Trade*

The State Government will take over the entire Kendu leaf trade in January, 1973. This was announced by the Chief Minister, Shrimati Nandini Satpathy, at the end of a six hour meeting of the State Cabinet on October 20, 1972. She described the decision as unanimous.<sup>45</sup>

*New Governor*

Shri B. D. Jatti, former Lieutenant Governor of Pondicherry, was sworn in as the Governor of Orissa on November 8, in place of Chief Justice Shri G. K. Misra, who had acted as the Governor since July 1, 1972.<sup>46</sup>

<sup>42</sup>Hindustan Times, October 13 and 31, 1972.

<sup>43</sup>Times of India (New Delhi), November 29, 1972.

<sup>44</sup>The Statesman Weekly, September 30, 1972, p. 3.

<sup>45</sup>Times of India (Bombay), October 21, 1972.

<sup>46</sup>Indian Express (New Delhi), November 9, 1972.

### *Chief Minister Wins By-election*

Orissa Chief Minister, Shrimati Nandini Satpathy, was, on November 27, 1972, declared elected to the State Assembly from the Cuttack constituency, defeating her nearest rival, Shri Biren Mitra by a margin of 10,791 votes in a five-cornered contest. Shri Mitra was supported by the CPM, the Jan Sangh, the Swatantra Party, the Utkal Congress and the Socialist Party.<sup>47</sup>

The by-election was caused by the resignation of Shri B. C. Mohanty. Shri Mohanty had vacated the seat to accommodate Shrimati Satpathy, who became Chief Minister in June, 1972, but had not yet become a member of the State Assembly.<sup>48</sup>

## TAMIL NADU

### *Split in the DMK*

Simmering discord in the DMK—the ruling party in the State—came into open on October 10, 1972, when the party's treasurer, Shri M. G. Ramachandran, a popular film actor, was suspended from the party. Announcing the action, the General Secretary of the party, Shri Nedunchezian, said that Shri Ramachandran had been suspended as he had lately been acting in a manner that violated party discipline and brought it into discredit. It may be recalled that for over a fortnight past Shri Ramachandran had been sharply, if indirectly, attacking the party leadership. Two days before his suspension he had demanded at a public meeting that a specific party directive be issued to all DMK Ministers, legislators and party office-bearers to disclose their assets as well as the assets of their relatives.<sup>49</sup>

The split in the DMK became complete on October 18 when Shri Ramachandran formally announced the formation of a new party called the Anna Dravida Munnetra Kazhagam. Addressing a Press Conference at Madras, Shri Ramachandran said that the new party's policies would be the same as those laid down by the late Shri Annadurai, including prohibition. To a question on the name of the new party, he said that it was named after "Anna" (Annadurai) so as to differentiate it from the existing DMK "which has turned into the Karunanidhi DMK". A long statement issued by Shri Ramachandran prefaced his charge that his suspension from the DMK was the

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<sup>47</sup>*Hindustan Times*, November 28, 1972.

<sup>48</sup>*Indian Express* (New Delhi), November 28, 1972.

<sup>49</sup>*Hindu*, October 9 and 11, 1972 and *The Statesman Weekly*, October 14, 1972, p. 3.

result of a "conspiracy during the past seven or eight months" and its object was "to eliminate one who kept asking inconvenient questions".<sup>50</sup>

Later, on November 11, 1972 eight Members of the State Assembly formed the Legislature Party of the Anna DMK and elected Shri M. G. Ramachandran as its leader. Shri Ramachandran told newsmen at Madras on November 12 that a letter had been written to the Speaker of the Assembly, requesting him to allot separate seats in the House for the members of his party.<sup>51</sup>

*Speaker Adjourns Assembly, Advises Government to seek Fresh Mandate*

The Speaker of the State Assembly, Shri K. A. Mathialagan, on November 13, 1972, abruptly adjourned the House to December 5, after advising the Karunanidhi Ministry to seek a fresh mandate from the people.<sup>52</sup>

The Assembly was on that day meeting for the first time since the ruling DMK split. As soon as the House met, the Speaker announced that he had received notice of a no-confidence motion against him given by two members of the ruling party and would allow a discussion on the motion on the next day. Immediately, members belonging to the newly-formed Anna DMK and the Communist Party (CPI) stood up questioning the competence of the DMK Government to continue in office after the recent split in the ruling party.<sup>53</sup>

Raising a point of order, Shri Ramachandran, founder-leader of the Anna DMK, said that the Karunanidhi Ministry had lost the confidence of the majority of the members in the party (DMK) and of the people outside, and asked whether it was proper for the Government to continue in power. The Chief Minister, Shri Karunanidhi, however, claimed that his Government continued to enjoy majority support in the House and said that his claim could be tested by taking up immediately a no-confidence motion against his Ministry, notice of which had been given by the C.P.I. leader, Shri Thangamani, and others. The Speaker, Shri Mathialagan, thereupon, observed that the conflicting claims of the Chief Minister and certain Opposition parties had created an "extraordinary situation". Maintaining that the "only solution", in the circumstances, was to have a mid-term poll in

<sup>50</sup>*The Statesman Weekly*, October 21, 1972, p. 10.

<sup>51</sup>*Hindustan Times*, November 13, 1972.

<sup>52</sup>*Hindustan Times*, and *Times of India* (Bombay), November 14, 1972.

<sup>53</sup>*Ibid.*

the State he advised the Chief Minister to seek a fresh mandate from the people, Rejecting the advice, the Chief Minister said that his Government would "certainly go to the people but only in 1976" when the present Assembly would be completing its normal five-year term.<sup>54</sup>

Meanwhile, Shri Ramachandran repeatedly insisted on a ruling from the Speaker on his point of order regarding the propriety of the Karunanidhi Ministry continuing in power, saying his party would not be satisfied with the Speaker's "advice" to the ruling party. The Speaker then announced that he was adjourning the House till December 5, 1972 "to give time to the Chief Minister" to consider his "suggestion that he may recommend to the Governor dissolution of the Assembly and seek a fresh mandate from the people". Having said so the Speaker left the House.<sup>55</sup>

#### *Demand for Speaker's Resignation*

Following the sudden adjournment of the House on November 13, Members belonging to the DMK and its allies—the Tamil Arasu Kazhgam, the Muslim League and the Forward Bloc—decided at an emergency meeting, held on the same night, to send a letter urging the Speaker, Shri Mathialagan, to resign as they had "lost confidence" in him. The letter, which was signed by 182 MLAs, charged that Shri Mathialagan had "conducted the proceedings of the Assembly this morning in a manner violating democratic traditions and principles." However, the Speaker told newsmen on the following day that he had not received the letter and was not going to accept the demand for his resignation. He said that there was already a motion of no-confidence pending against him and Members would have ample opportunity to discuss it.<sup>56</sup>

#### *Both Houses Prorogued*

On November 14, the Tamil Nadu Governor prorogued both the Houses of the State Legislature on the advice of the State Government. Announcing this to newsmen, the Chief Minister, Shri Karunanidhi, said that the date of re-summoning the two Houses would be decided later. The prorogation cleared the way for the reconvening of the State Assembly which the Speaker had adjourned till December

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<sup>54</sup>*Hindu* and *Times of India* (Bombay) November 14, 1972.

<sup>55</sup>*Ibid.*

<sup>56</sup>*Hindu* and *Hindustan Times*, November 14, 1972; and *Indian Express* (New Delhi) and *Statesman* (Delhi), November 15, 1972.

5, 1972. Later, on November 28, the Governor summoned both the Houses of the State Legislature to meet on December 2, 1972.<sup>57</sup>

Meanwhile, two writ petitions challenging the Governor's order proroguing the State Legislature and seeking to have the order quashed were admitted in the Madras High Court on November 16. One of the petitions was filed by the Speaker, Shri Mathialagan, and the other by Shri M. G. Ramachandran, the Anna DMK leader. Shri Mathialagan contended in his petition that the Governor's order was contrary to the letter and spirit of law and the Constitution and was vitiated by lack of good faith. He maintained that as Speaker it was his exclusive right and responsibility to steer the course of the Assembly and guide its deliberations, and that by the impugned order proroguing the House the Governor had invaded the petitioner's exclusive jurisdiction.<sup>58</sup>

#### *Demand for Probe into Corruption Charges against DMK Ministry*

On November 6, 1972, Anna DMK Leader, Shri Ramachandran, submitted a memorandum to the President containing certain charges of corruption against the Karunanidhi Ministry. On the same day, another memorandum listing charges of "corruption and misdeeds" against the Tamil Nadu Chief Minister and five other Ministers was presented to the President by the CPI leader, Shri Kalyanasundaram MP, who also urged the President to appoint a commission to go into the charges.<sup>59</sup>

Speaking to newsmen at Madras on his arrival from New Delhi, Shri Ramachandran said that he had explained to the President the circumstances under which he had to approach him direct. The Governor, he had told the President, did not agree to forward the memorandum without consulting the Chief Minister, and as that would not be conducive to get justice done he had decided to go to the president.<sup>60</sup>

Subsequently, both the memoranda levelling charges of corruption against the DMK Ministry were reported to have been forwarded by the Prime Minister, Shrimati Indira Gandhi to Shri Karunanidhi for his comments on the allegations made.<sup>61</sup>

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<sup>57</sup>*Hindustan Times*, and *Indian Express* (New Delhi), November 15, 1972, and *Times of India* (New Delhi), November 29, 1972.

<sup>58</sup>*Indian Express* (New Delhi), and *Statesman* (Delhi), November 17,

<sup>59</sup>*Hindu*, November 7, 1972.

<sup>60</sup>*Ibid.*

<sup>61</sup>*Hindustan Times*, November 18, 1972.



*Change of Party Affiliations*

Chief Minister, Shri Karunanidhi, told newsmen at Madras on October 28, 1972, that two Independent Members of the State Assembly—Sarvashri Kadhar Batcha *alias* Vellaisamy and Kuzha Chelilian—had joined the DMK. Asked whether these two MLAs were not expelled from the DMK for having contested the 1971 mid-term elections against the official alliance candidates, Shri Karunanidhi said that the two Members had expressed regrets for their action; the party accepted their submission and decided to take them back in its fold.<sup>62</sup>

Another MLA, Shri K. M. Subramaniam, announced on November 28 his resignation from the Congress (O) to join the Anna DMK. With this, the strength of the Congress (O) in the State Assembly was reduced to 12 while that of the Anna DMK rose to 10.<sup>63</sup>

## UTTAR PRADESH

*New Governor Sworn in*

Shri Akbar Ali Khan was sworn in as Governor of Uttar Pradesh on November 14, 1972. The Acting Chief Justice of the Allahabad High Court, Shri D. S. Mathur, administered the oath of office to him.<sup>64</sup>

## (C) Union Territories

## PONDICHERRY

*New Lt. Governor*

Shri Cheddi Lal was sworn in as Lieutenant Governor of Pondicherry on November 8, 1972. He succeeded Shri B. D. Jatti who had been appointed as Orissa Governor.<sup>65</sup>

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<sup>62</sup>*Indian Express* (New Delhi), October 29, 1972.

<sup>63</sup>*Times of India* (New Delhi), November 29, 1972.

<sup>64</sup>*Times of India* (New Delhi), November 15, 1972.

<sup>65</sup>*Hindu*, November 9, 1972.

## Book Reviews

### COMPETITION AND THE CORPORATE SOCIETY

by

Nigel Harris, London, Methuen and Co. Ltd., 1972, 384 p., £3.75.

In an interesting book, *Left or Right: The Bogus Dilemma*, Samuel Britton of the *Financial Times*, London, has written: "...the difference between the two parties (Labour and Conservative) at any one time is a tiny fraction of the difference that exists between one party's policy today and that same party's policy a few years previously".

The book under review, which purports to deal with the policies and attitudes of the Conservative Party of Britain during the post-war years (1945-1964), amply bears out the truth of the above observation.

The Conservative Party is supposed to be committed to the *status quo*, and to exert for its conservatism. But in an era in which there is no such thing as a stable *status quo*, and society is almost in a state of perpetual flux, steadfast adherence to the *status quo* could have only meant the party's own extinction. If this has not happened, and the British Conservative Party has not only survived but has actually proved the most successful party of the Twentieth Century, it is because over the years it has shown a remarkable capacity of readapting itself to the changed *status quo*. The results have often been paradoxical. Comments Nigel Harris:—

"In conservatism today, the shadowy fragments of a commitment to free competition co-exist with continuing attempts to regulate and damp down competition; the defence of free enterprise co-exists with the acceptance and even the desire to extend State ownership; of self-help with public welfare provisions; of imperialism with decolonization; of individualism with collectivism."

For outside observers these contradictory attitudes have seemed confusing. Labour adherents have been inclined to dub them as dishonest and opportunistic. Conservative spokesmen themselves have often been at a loss to rationalise these contradictions. But the fact

is that it is precisely this ability to co-exist with contradictions which has given to British Conservative Party the resilience needed to survive and grow in a fast changing world, in spite of its theoretical commitment to the *status quo*.

This book begins with an introductory study of Conservative thought before 1945, dealing very cogently with what it describes as Liberal Conservation in the last decades of the nineteenth century. The author then goes on to discuss the role of the Conservatives in the Opposition (1945-51) and then back again in Government (1951-64), examining in particular their attitudes to nationalisation and the public sector, to the trade unions and to private business.

The author does not approve of pragmatism as such. The absolute pragmatism and the absolute diehard, he says, are the inventions of the people who are neither, for neither can exist. These terms, he holds, are the stuff of political abuse rather than categories of analysis. This view notwithstanding, Harris' book on the actual working of the Conservative philosophy turns out to be much less a plea for doctrinaire conservatism, which it is supposed to be, than a plea for uncommitted pragmatism, which the author very clearly disowns.

—L. K. ADVANI, M.P.

### EUROPE AT RISK

by

Alan Watson, London, George G. Harrap & Co., 1972, 224 p., £2.50.

"*Europe at Risk*" by Alan Watson is a book on one of the most topical subjects of the world today, viz. European Common Market. The book is distinctive in two ways. It traces the history and the working of the idea of common market and the inevitable march of European countries towards a political union—another United States—of Europe. Mr. Watson has described the compulsions that were growing in the post-war European countries which were pushing them firmly towards an economic union. He has also shown how the logic of post-war development will persuade these countries towards subordinating their national sovereign status in favour of a federal Europe.

The book deals with several factors, both economic and political, which were working at a criss-cross game, ultimately directed towards the goal of survival. The European economy was experiencing the pressure and impact of competition developed as a result of American economic development. The American economy backed by new technology was pressing ahead to make each one of the European countries an economic vassal of America.

The process enumerated above would have been faster but for the lack of understanding on the part of the leaders of some of the countries, especially France and United Kingdom General De Gaulle was worried about his own and the French leadership in an economically unified Europe. He resisted the lesson which other smaller countries of Europe were ready to learn because they were most directly menaced by the formidable American economic and political power. Their trade got distorted because of failure to understand and accept the logic of post-war world events. The author has very well described this in "The Common Market's inability to generate common commercial institutions which could really exploit the volume of intra-community trade disastrously weakened Europe's capacity to compete with America even in the home ground."

In the 'Fifties and 'Sixties America created giant industrial units and Europe could not compete with her because several States refused to build up the same big sized commercial and industrial institutions. If in the 'Seventies they are not able to do this each one of them will come under the economic hegemony of America. But now that U.K. is joining the Common Market the march towards supra industrial society in the form of giant industrial and commercial organisations should be quicker. The failures of the 'Sixties should have and probably has paved the way for more effective steps to be taken in the 'Seventies. Any hesitations in this behalf will lead to a larger leeway, making the task more difficult.

Ultimately the political union of Europe has to be the final outcome. Europe will have two big sized industrial societies—the Western European and Eastern European—both having much expanded productive capacity. The book is a very able exposition of this process which passed through hopes and disappointments but is now on rails. The author has described this very well: "It can thus be seen that the EEC has survived to supply integration in the 'Seventies and 'Eighties with a foundation and an incentive and to some extent a structure". This means that instruments of winning the race for Europe have come into existence and the race is under way. It was the enlargement of the community which was required to provide the resources for winning the race. But any such amalgam can be federal on the political side with well integrated industrial and commercial institutions.

A day is not very far when in the area of foreign policy the two Europes evolve some kind of co-ordination. Europe has a much better chance of success than Middle-Eastern, Far Eastern and Atlantic policies because the interests of European States are fundamentally

the same. As always, in the ultimate analysis the economic factors will prevail.

The book sustains the reader's interest through all its pages and is strongly recommended to all students of modern economic and political development of Europe.

—RASIKLAL PARIKH, M.P.

### *EARTHKEEPING*

by

*Gordan Harrison, London, Hamish Hamilton, 1971, 276 p., £2.50.*

The author, as the head of the Ford Foundation's Resources and Environment programme, had a wonderful opportunity to study the problems of environment in all its aspects and he presents his brilliant analysis and solutions in this book. Though he calls himself an amateur, he has succeeded in giving an expert treatment to a subject in which both the developed world and the developing world are currently interested.

Though the author deals with the subject more with reference to the American context, his observations have a wider application as the issue transcends political boundaries and stages of economic development. There is a general awareness that though man armed with advancing science and technology, has acquired the power to transform his surroundings instead of being a creature of his surroundings as before, he has not used this power wisely to bring the benefits of development and the opportunity to enhance the quality of life to all peoples. Because that power was thoughtlessly employed, there is growing evidence of man-made harm to human environment in many regions of the earth: dangerous levels of pollution in water, air, earth and living beings; major and undesirable disturbances to the ecological balance of the biosphere; destruction and depletion of irreplaceable resources; and gross deficiencies in the man-made environment of human settlements.

Few scientists believe that any of these risks have yet reached the point of irreversibility. Equally, few would deny the real possibility that this might happen. The author also cautions us against alarm. He is certain that if by environmental crisis is meant an imminent and catastrophic failure of natural systems under human abuse resulting in mass starvation or mass deaths from poisoned air, food or water, there

is no convincing evidence that we now face an environmental crisis. Coming from the learned author, this is quite reassuring as there is time yet to save the environment and thereby save man. He says that we are in the mess we are in because our economic, political and value systems, operating very well, are producing mess as part of their normal output and that is the theme dealt with in this book. He puts it picturesquely when he says that he is embarking upon an analysis of the origins and characteristics of man's long war with nature offering some tentative suggestions to end that war in time, that is to say, before he has completely won it.

Though, since Independence, India has been receding at an accelerating pace from Gandhiji, it is refreshing to note how he continues to be relevant in the modern context. He used to tell us that multiplication of man's wants does not tantamount to civilization. While the author agrees that no friends of environment would seriously argue that we should dismantle our technological civilization and return to the good old wild, he directs several pertinent questions to the children of the scientific and industrial revolutions. They are well worth repeating: Does a particular gadget for doing something better answer a real need for better performance or is it rather the product of a momentum of science? Is it promoted by manufacturers unreasonably for profit or bureaucracies for occupation? Does it chiefly flatter national pride or man's sense of his own cleverness? Regardless of motivation, what does it cost and whom does it cost? Admitting a genuine need to be met, are there alternative responses? Do the evaluated costs include the consequences of the new technology in creating demand for more? If satisfying one need only establishes a new demand more importunate than the first, if consumer hungers grow by what they feed on, then frustration inheres in the process. It is mad to direct human aspiration toward goals that by their nature recede as they are approached. India will do well to ponder over these and similar questions as it stands poised to enter the technological era, an era, as it has unfolded itself in the past few decades, which is not just an extension of the developments of the preceding millennia but signifies a crossing of a threshold.

Population, green revolution, family planning, growth of cities, slums, etc. are discussed. U. N. demographers predict a world population of 7000 million by the year 2000, about one half of which will be living in urban areas compared to about one-third in 1960. between 1970 and 2000, the urban population is expected to rise from

about 65 to 80 per cent in the industrialised countries and from 25 to 45 per cent in the less industrialised countries. The difference between two and three children is the difference between the population replacing itself and one doubling in about 40 or 45 years. While considering the pressure of population, it is not only numbers but also distribution, not only density but also capacity of the environment and the consumptive capacity of the population that should be taken into account. If one American has 50 times the purchasing capacity of one Indian, then 200 million American consumers are equal to 10 billion or 100 crores of Indians. It is not numbers that threaten civilization as the rate of growth making demand on existing institutions for food, shelter, education, justice, liberty. A wise policy will be not to halt population growth suddenly but to accept continuing growth at reduced rates aiming at a plateau some time early in the next century. It is possible for the green revolution to multiply food grain yield from 2 to 20 times in under-developed countries.

While listing various measures taken in America to fight population of air and water, the author despairs of the private citizen's automobile, to control which no city has a plan. In 1970, Congress passed a Bill requiring a 90 per cent reduction of hydro-carbons and carbon-monoxide emitted from cars manufactured after 1975. But, this does not seem to be technically feasible.

The annual cost of controlling air and water pollution and disposing of solid waste is put at 13.5 billion dollars. In 1969, Federal Government spent only 320 million dollars, *i.e.* one-fortieth of the requirement. If this is the position in America, the position in less affluent countries may be imagined.

Cleaning up is comparatively simple. What is not so simple is to go about in such a way as to make the world not just cleaner, but better over all. The author then goes on to enunciate the *task which is not to get rid of pollution but to manage producing systems of all kinds so that they do not pollute*. To my mind, this is the central message of the book.

—O. V. ALAGESAN, M.P.

### *BUDGET INNOVATION IN THE STATES*

by

Allen Shick, the Brookings Institution, Washington, D.C., 1971.

In this study, the author who is a research associate in the Governmental Studies Programmes at the Brookings Institution, examines the application of two budget innovations, namely, performance budgeting, and planning-programming budgeting (PPB), in State governments in the U.S.A. The goal of performance budgeting, introduced in the 1950s was to enable administrators and policy makers to assess the efficiency and the work of the spending government agencies. PPB, started in 1961 had a significantly broader purpose to use the budget process for analysing the objectives and future consequences of public programmes, and for evaluating the extent to which the programmes were achieving their objectives.

The author delineates the diverse roots and aims of performance budgeting and PPB and finds that both have been hindered by the difficulty of changing entrenched budget practices and traditions. He also finds that some States are substantially more advanced than others, in the development and use of modern budget techniques. He expressed the view that neither of the two innovations has been completely successful, though each has left a legacy of improvements and new procedures. He bases his conclusion on a general survey of the States as well as on detailed investigation in selected States.

#### *Relation between Performance Budgeting and PPB*

The functional distinction between management and planning clarifies the relation between performance budgeting and PPB. Performance budgeting pertains to activities, not to objectives. Its principal thrust is to improve work efficiency by means of activity classifications and work/cost measurements. In line with its management orientation, the Hoover Commission spoke of the work or service to be accomplished as "the all-important thing in budgeting." In a planning framework, however, the all-important thing is not work or service but objectives and benefits. Whereas performance



budgeting implicitly regards work and activities as values in themselves, PPB (along with its programme budget component) treats them as intermediate processes of converting inputs into public benefits.

The function of a planning-programming-budgeting system is to enable policymakers to evaluate the costs and benefits of alternative expenditure proposals. For this purpose, its primary focus is on expenditure aggregates, and details come into play only as they contribute to an understanding of the total budget or of marginal choices among competing programmes. In this analytical approach, the stress is on a systematic grouping of data into categories that facilitate comparisons among alternative expenditure mixes. The basic purpose of the performance budget, however, is to enable administrators to assess the efficiency and the work of the spending agencies. Its method is particularistic—the itemizing of data into discrete work/cost units. While it would be misleading to portray a full-blown PPB system—each jurisdiction will have its own version to suit its limitations and opportunities—it is useful to identify the basic elements and to indicate how they diverge from traditional performance budgeting.

#### *Main Features of PPB*

PPB introduces four major changes in budget practice: (1) Budget choices are to be made more explicitly in terms of public objectives rather than in terms of the resources needed to finance agency activities and operation; (2) the multi-year costs and effects of public programmes, not just next year's costs, are estimated; (3) formal consideration is given to alternative means of accomplishing public objectives, not merely to the single way justified in the budget estimates; (4) efforts are made to evaluate the benefits or the effectiveness of government expenditures.

Under PPB, the budget is stretched from single to multi-year length, expenditures are classified into programme categories, new procedures for planning and analyses are incorporated into the budget process, and the information system is adjusted to accommodate the expanded functions of budgeting and to link the programme, organizational, and budgetary accounts. PPB tries to infuse an analytic disposition into budgeting by bringing economists and other new men into positions of influence, by creating new centres of analytic talent at the

top decision-making levels, and by moving the budget process closer to the central planning and programme development functions.

The evaluation of programmes and the evaluation of performance are two distinct budgetary processes. It would be a mistake to assume that the use of performance techniques presupposes that programme budgeting has been undertaken or that it is not possible to collect performance data without programme classification. It is possible to devise and apply performance methods without relating them to, or having the use of, larger programme aggregates. A cost accountant or work measurement specialist can measure the cost or effort required to perform a routine task without probing into the purpose of the work or its relationship to the programme of the organization. Indeed, the complication of workload statistics and some types of cost data (for example, *per capita* costs for hospital patients) is a routine practice in many agencies that do not budget on a programme basis. Work measurement is only distantly and indirectly related to the process of determining government policy at the higher levels. Programme classifications, however, deal with the function or the mission of the organization. They are vitally linked to the making and implementation of policy through the allocation of public resources. Whereas programme techniques are directed at the purpose of work and at deciding what activities should be authorized, performance techniques generally are concerned with the process of work and with determining what methods should be used. The strong tendency towards itemization in performance budgeting thus presents a constant threat to PPB's emphasis on a systemic assessment of alternatives.

#### *Evaluation of Performance Budgeting*

Evaluating the working of Performance budgeting in the states in the U.S.A., the author feels that it had failed to achieve its aspirations and potential. What it did accomplish were changes in the forms and procedures of budgeting. Yet it was not the last word in budget innovation and the disappointing career of the proposed reform did not deter a new generation of reformers from striving to convert the tradition-bound budget apparatus to new purposes.

#### *Evaluation of PPB*

The introduction of PPB has brought a damaging gap between publicity and performance. Agencies go through the motions of preparing PPB documents—in addition to their regular budget work.

The regular submissions get all the attention, while the analyses and plans are disregarded. In the final days of budget decision, months of promotional and analytic work can go down the drain as budgeters forsake the long view in favour of the short run, and the analytic in favour of the justificatory material. (Analyses raise questions, justifications give answers, and these are what decision-makers want in the final stages). Thus, PPB seems out of place in the final moments of budget making.

The feature of PPB will be dismal if it exhausts itself in formal routines. The Governor wants programmes, not programme structures, and he will lose all interest in PPB if it is only an accounting exercise. All the participants have a subsidiary interest in the forms and a major stake in the outcomes; PPB can endure as form but the routines will not mean that budget decisions are made within analytic or planning frameworks.

Part of the problem of PPB implementation is the failure to recognize that what might have been appropriate at the start may not be appropriate several years later. Without concrete steps to create a permanent structure for PPB, it might have withered for lack of support, even if some useful analyses had been produced under it. In the long run, therefore, the survival of PPB can be enhanced by institutionalization, provided that the institution created for PPB is within the ambit of budget making. However, this has not often been the case, and as a result, the separate PPB machinery has been remote from the budget process.

In some ways, PPB's main accomplishment thus far has been to raise the level of exception far above what it was a few years ago. The prevailing standard of "good enough" has been redefined, as budget participants have been exposed to PPB's criticism of the established order and its criteria for public choice.

The stakes in PPB are high not only for the planners and analysts but also for the perennial budget participants. Planning is more salient than management, since it goes directly to the outcomes of the budget process, the purposes and valuation of public expenditures and activities, and the "who gets what" of budgeting. One can ignore the cost per pound of laundry if he wishes, but he had better get involved in the work of defining his agency's or the government's programmes. Each of the stakeholders in the budget process has something to gain

or lose from the way future costs are projected, effectiveness measured and alternatives framed and presented. Participants can withdraw from programme planning only at the risk of losing their say in these matters. Consequently even if PPB fails to make the grade, state officials can be expected to retain their interest in planning and analysis. In the long run, there may be planning, programme, and budgeting without PPB; that is, each of the main components may be adopted but without the systems umbrella and identification currently provided by the PPB label.

#### *Experience of Different States*

The author traces the origin of Performance Budgeting and PPB and the forces that influenced state governments to explore them. Relying on a survey of budget practices in the states as a whole and on case studies of budget changes in selected states, he explains the disappointing fate of budget innovations and finds that efforts to make budgeting a better instrument of management and planning have been hindered by administrative controls adopted many years earlier.

#### *Need for Improvement in Budget Form*

Discussing the question whether budget innovation was possible, the author feels that despite the difficulties of altering the budget process, and despite the disappointments with performance budgeting and PPB, budget innovation is possible.

A budget process must be in harmony with its political environment. Regardless of the organisational functions it serves, budgeting must be compatible with the processes and rules of political choice.

Budget form is more a product of bureaucratic than of political influences. Whether developed or developing, presidential or parliamentary, democratic or authoritarian, local or national, governments generally adhere to the itemisation of supplies and purchases, and they use the budget process to control spending by departments and agencies. Rarely do governments use their budget machinery directly for planning and policy purposes; where planning is a major function, it is often entrusted to a separate agency that has many of the same problems that U.S. planning agencies have in relation to their budget counterparts. What is common to most governments is their bureaucratic machinery for resource allocation.

Regardless of the approach it takes, a state will enhance both its budget practices and the prospects for innovation by re-examining the

uses to which it puts its budget process. By addressing the uses of the process, the state can arrange its budget reforms in an effective sequence.

The business of budget improvement will not be concluded with the current cycle of innovation. PPB will leave in its wake many unfulfilled expectations, much as performance budgeting departed the scene only partly realised. A future round of reform will look at the unrealised potential of PPB, cast it into somewhat different and more contemporary form, and provide new standards for analysis and planning. PPB itself might fail or fade away, but its concepts will have an increasing influence over budget practices.

*COMPARATIVE DEVELOPMENT OF INDIA AND CHINA* by  
Kuan-I Chen and J. S. Uppal (*The Free Press, New York; 1971*)

This volume contains a number of articles by specialists on India and China, who present a study of the problems and processes of development in the two societies from a comparative point of view. The subjects covered include development of agriculture and industry, planning strategy and industrial policy, agrarian structure and land reform, population policy, capital formation and development of human resources, trade and aid.

*Pattern of development in Agriculture*

India and China are still predominantly agricultural economies with agriculture continuing to be their economic backbone. The low economic standards of the great masses of people in the two countries are owing primarily to the backwardness of agriculture. Improvement of agriculture continues to be an integral part of the countries' development plans. The extent to which they are able to raise the standard of living of their people will depend largely on the effectiveness of their agricultural plans.

On the eve of Indian independence and downfall of the Nationalist regime on the Mainland China, the agricultural sectors of the two countries were characterized by limited arable land; subsistence farming with semifeudal land tenure relationships; continuous subdivision and fragmentation of small holdings; widespread rural underemployment and unemployment; inadequate transportation and marketing facilities; and illiteracy among the rural population. The growth rates in food production are quite close, 1.7 per cent for India and 1.9 per

cent for China during the period 1952-53 to 1967-68. Chinese land is more intensively cultivated than Indian land. Chinese farmers use comparatively larger quantities of organic manure. China has been able to utilize some part of her surplus manpower on construction of rural overhead capital, whereas India has largely failed in this respect. China's attempts to consolidate small fragmented uneconomic holdings have been much more successful than India's. Uncertainties resulting from constant experimentation, reorganisation of rural institutions, and sporadic policy shifts had disruptive effects on productive efficiency in China. By the end of the 1950s, China had attained a level of yield per hectare which seems about the maximum attainable within the framework of traditional agriculture. Much greater use of modern agricultural inputs will, therefore, be required to get further increases in yield. Because the policy of increasing modern inputs did not begin until 1962, the effects were not felt until the end of the 1960s.

In India the use of improved varieties of seeds, has recently been adopted as a part of the new strategy in agriculture. The Intensive Agricultural District Programme (IADP), originally tried as a pilot project in seven IADP districts in 1960-61, covered 6 million hectares by 1967-68. The new strategy aims at using high yield variety (HYV) seeds of wheat and rice with recommended quantities of fertilisers in irrigated areas. The strategy has met with spectacular success. By 1967-68, it led to an increase of 7.3 million tonnes in the production of food. If the expectations of the Indian government are realized, the production of foodgrains will touch 140 million tonnes by 1974-75 against the figure of 95.6 million tonnes in 1967-68. This target is characterized by many economists as over-optimistic, because Indian economy is still vulnerable to the ravages of monsoons and other natural calamities.

In their quest for establishing a socialist society, the Chinese government experimented with several forms of land reorganization: peasant ownership; mutual team societies; cooperative and collective farms; and finally the communes. Agricultural production in China, however, has been sporadic. The greatest increase in production occurred during the decade of 1950. The best year for Chinese agriculture prior to 1966 was 1958. That year was followed by a serious decline in agricultural output caused mainly by disruptions from collectivization and the chaos resulting from the commune system. The regime and the peasants seemed to have lost contact with reality. There were reports of excessive destruction of livestock and crops.

These chaotic conditions along with unfavourable weather conditions reduced agricultural production to a crisis level during 1959—61. Efforts to increase irrigation, fertilization, mechanization, seed selection, disease and pest control, and other measures were undertaken. Adjustments aiming at administrative reforms, increased peasant motivation, and modernization were made. By 1964, total agricultural output started increasing again and came close to the 1957-58 bumper crop output. A significant part of the increased output, especially of hogs, poultry and vegetables, came from private plots. Latest estimates on the gains in food output in Mainland China show fairly good yields for 1967, 1968, and 1969. Wider use of the strains of miracle rice (Los Banos seeds) and the improved varieties of wheat and corn are reported to have contributed to the higher yields, especially during 1969.

From the increased output in agriculture during recent years, it seems both India and China have been paying increasing attention to the use of modern agricultural inputs: irrigation, chemical fertilizers, improved seeds, and the like. Thus the prospects of further increase in output during the 1970s are quite promising. Although the yield of the foodgrains per hectare is much higher in China than in India, the yield in China is close to the maximum attainable using the traditional agricultural inputs. Thus the prospects for achieving a higher rate of growth in agricultural yield are more promising in India than in China.

#### *Patterns of Development in Industry*

Transformation from the present agricultural economy to an industrial economy is the major objective of the Indian and Chinese patterns of economic development. The slogan "agriculture as the foundation and industry as the leading sector" emphasized in the New Economic Policy of China (1962), and the Indian Planning Commission's ambitious plans for industrialization indicate this planning strategy.

The strategy is to expand the output of capital and intermediate goods in preference to consumer goods in order to reduce dependence on imports of machinery for future growth. About achievements in this direction, it is believed that though the actual output has been less than the planned target, the Indian economic scene has literally been transformed through the vigour and diversity of the nation's

industrial expansion. As regards the progress of the steel and fertilizer industries and their future prospects, output in the steel industry has been far below the target owing to delays in the scheduling of component parts and construction, especially in case of steel mills in the public sector. However, expansion in fertilizer and machine tools industries has been quite impressive.

Compared to India's growth rate of industrial production (6.4 to 6.7 per cent) during 1950—66, expansion of industrial production in China has been at a higher rate (11 per cent) during the same period.

By 1969, both countries has attained a much higher level of sophistication and diversification of their industrial products than that which had existed in the early 1950s. Diversification became a common feature of Indian industry during 1968-69, indigenously producing for the first time a wide range of hitherto imported products. This included cadmium, high density polythlene, electrocardiographs, operation tables, needles, roller bearings, malleable pipe fittings, industrial furnaces, and special electrodes. Another indicator of progress was the winning in global competition of large contracts for items such as railroad wagons, textile machinery, and power generators. India now exports technical know-how and capital on an increasing scale. It has joint industrial projects operating in a number of countries in Africa and southeast Asia. Indians are setting up manufacturing plants in Thailand, Afghanistan, Ghana, Yugoslavia, and Luxembourg, just to name a few. These firms produce a wide range of products—textiles, iron and steel, electrical goods, bicycles, paper pulp, trucks, tractors, asbestos cements, pharmaceuticals, pesticides, air conditioners, refrigerators, precision tools, plastics, chemicals, clocks, and others.

A number of new engineering products have also been reported from China. Items built for the first time in 1969 include 125,000-kilowatt steam turbogenerators, 5,000-horsepower hydraulic drive locomotives; 15-ton heavy-duty tip trucks, trucks with 12-ton load capacity, and a 20-ton trailer. The machine-building industry also produces a wide range of industrial products, including metallurgical and mining machinery, electrical machinery and appliances, chemical and petroleum industry equipment, ships, instruments and meters, and others.

Despite these gains in the industrial field, both nations still have a long way to go before they can attain the level of sophistication and



diversification already achieved by the leading industrialised nations.

*Planning strategy and Industrial Policy*

The major economic policies in both countries relate to their respective plans, which contain statements on objectives, past achievements, and targets in the different sectors. Both societies are very much plan-conscious, and their major prides and disappointments emanate from the extent of the plans' fulfilment. The planning techniques in the two countries reflect differences in their political ideologies and economic systems.

The Chinese National Plan governs all Chinese economic activities in general. It seeks to achieve a balance between the supply and demand of the nations' resources, labour, and finances, on both the national and regional levels. The national plan also covers aggregates for industrial and agricultural production, transportation, labour, and employment, allocation of materials, commodity flows, capital construction, social cultural and welfare undertakings, foreign trade, technological development and the like. The financial plan is also included in the national plan, and it covers the consolidated state budget, the credit and cash plans of the banking system, the financial plans of the ministries, the enterprises and communes, and the estimated receipts and expenditures of government agencies and enterprises. These national aggregates are the sum total of the plans of various provinces, autonomous regions, and enterprises.

One may conclude that Communist China does not really have a truly comprehensive national plan. The formulation of the First Year Plan, 1953—57 was not formally completed until half of that period had elapsed. The Second and Third Plans were largely overshadowed by the crises stemming from the Great Leap Forward and the Cultural Revolution. Thus during the most of the past two decades, China's economic development has been guided by a partial plan on a year-to-year basis and largely on a regional level. Further decentralization of industry was reported to have occurred during 1969. It seems this trend may continue in the immediate future.

The structure of the Indian Planning Commission and the planning strategies adopted by it are different from those of China in several respects. The Indian Planning Commission is an advisory body created by an executive order of the Union Government. Its function is to "make an assessment of the material, capital and human resources of the country," recommend a plan for "the most effective and

balanced utilization of the country's resources," and "determine the nature of the machinery which will be necessary for securing the successful implementation of each stage of the plan in all its aspects." The Commission recommends Five Year Plan on an all-India basis, for execution by the Union and State governments in their respective constitutional spheres.

India's Five Year Plans are not comprehensive in the sense that every sector of the economy is planned in detail. The greater part of the plan refers to programmes of development undertaken by the Central and State governments and by local authorities. These programmes constitute a minor part of the national economy. A large proportion of the economy—agriculture, small scale industries, and large scale industries (except the ones in the public sector) is in private ownership and is guided through the indirect mechanism of the market. In several areas there are controls and regulations but this does not change the general conclusion. The plans of the private sector are the estimates and forecasts undertaken in consultation with private industry; such plans serve as target guides. In India, the private and public sectors are viewed as being complimentary.

#### *Agrarian Structure and Land Reforms*

In both countries bold programmes for reorganization of agrarian structures have been undertaken. The objective of this reorganization, according to the Indian Planning Commission are . . . . . "to remove such motivational and other impediments to increase agricultural production as arise from the agrarian structure inherited from the past, to create conditions for evolving an agricultural economy with a high level of efficiency and productivity and eliminate elements of exploitation and social injustice within the agrarian system." The steps taken to achieve these objectives have, however, been different in the two countries.

India's land reforms measures aimed at "transferring ownership of the land to the tillers and security of tenure to the tenants." Land reform legislation enacted in different States between 1950—60 was built around the following measures: (1) abolition of intermediaries and big absentee landlords and transferring ownership rights to the actual tillers; (2) security of tenure to the tenants and fixing fair rents; and (3) fixing an upper ceiling on landholdings by one family and distribution of surplus land to the cultivators holding less than the upper ceiling. The pattern of land reforms in different States is more or less similar.

China's land policy and methods of reorganisation of agrarian structure have been markedly different from India. China's main objective was to transform agriculture from a system of private ownership into a system of public ownership without alienating the peasants. This objective was achieved in five successive stages during the decade 1950—60. It started with simple land reforms (more or less like Indian land reforms) involving reduction of rents and transferring ownership to the actual tillers. This was followed by forming Mutual Aid Teams comprising five to ten or more households pooling their agricultural tools and farm animals for common use for farm production and subsidiary occupations. The next step was setting up Agricultural Production Cooperatives consisting of thirty to forty households pooling their land and other agricultural resources and drawing compensation based on members' contributions of labour, land, and other inputs. These cooperative farms were transformed into collective farms, each containing about 100 households and their members organised into production brigades and production teams. From August 1958, communes came into existence, engulfing collective farms and other enterprises in a designed area.

The striking feature of the communes is that they enable the planners to obtain funds for capital investment. The success of China in increasing capital accumulation from agriculture and utilizing its huge manpower resources is likely to accelerate her growth rate. India's record on these two counts has been less than satisfactory. India's attempts to utilize rural manpower through the Community Development Project Scheme have not met with much success. However, when the promise of Green Revolution is fully materialized, India may be able to increase capital accumulation through an increase in agricultural productivity achieved largely in the medium and large farm units.

#### *Population Policy*

Both countries suffer from serious overpopulation problems. The runaway population growth is reflected in tragically low economic standards and serious unemployment, both overt and disguised. A dramatic decline in the death rate from improved public health facilities and a slower reduction in the fertility rate explain the population explosion. Under all but the most pessimistic expectations, the population of China will surpass one billion by 1985. Due to the drastic decline in the mortality rates for both the urban and rural areas, the official birth control campaigns have not been successful.

*Capital formation*

Capital formation refers to the increase in the production facilities in an economy. Because the process of capital formation will increase the productive capacity of an economy, it becomes a crucial factor in the economic development and growth of any country. Both India and China are still in the early stages of industrialization. Thus the trends of capital formation in both countries not only will influence their aggregate economies but also the direction of growth in their various sectors.

The trends of capital formation in China indicate why heavy industry grew more rapidly than other sectors and created an imbalance in growth among the various sectors of the economy by the end of the 1950s. The new trends of capital formation since 1964, reflect a more balanced allocation of investment funds among the sectors. Heavy industry has been oriented towards the support of agriculture and light industry. In the sector of light industry, emphasis has been placed on producing synthetic fibres to release more acreage from cotton production to foodgrains production.

*Improvement of Human Resources*

In the field of primary education in India, a new pattern of basic education emphasizing the study of crafts has been introduced to aid rural reconstruction. In the field of secondary education, a three-or four-year multipurpose secondary school curriculum, following eight years of basic education, has been adopted. Efforts have been made to meet the needs of vocational training, including crafts and agriculture.

In the field of higher education, attempts have been made to adjust enrolment to the manpower needs, to modernize the curriculum, especially in the natural and social sciences, to increase opportunities for Women in education, and to synthesize India's cultural tradition and values with the newer knowledge from the West. Other innovations have been made in education to support community development programmes. In order to establish closer ties between higher education and rural life, two experiments have been made. One experiment involves the development of the people's college inspired by the famous Danish folk schools. The other involves the creation of a number of rural higher institutes whose purpose is to carry out extensive education and research on rural problems.

China's goal is to create conditions for the gradual elimination of differences between industry and agriculture, between town and country, and between manual and mental labour. To pursue this goal, a system of education would have to be established that would raise the overall literacy and the educational level of the masses, thus enabling them to be both "expert" (trained) and "red" (ideologically correct). During the past two decades, the vacillations of China's educational policies have reflected the shifts in emphasis between "expert" and "red".

Although the basic goals and policies of Chinese education are the same throughout the country, the educational system is extremely diversified and decentralized, utilizing various forms, methods, and practices. A variety of schools and colleges exists in China: government-managed schools; schools run by factories, mines, communes and other enterprises; general and technical schools; schools for adults and for children; full-time, part-time, spare-time and correspondence schools; free schools and schools that require tuition. With each category, there are great variations in the length, content, and course of the programme.

In 1969, a new pattern for the school system emerged. Schools were opened not as a part of the state educational system but as enterprises run by communes and factories. Within a commune, primary schools were to be run by the production brigades and secondary schools by the commune itself. Total primary and secondary school education was to be compressed from twelve years to nine years. Emphasis was to be on vocational training combined with the work-study programme. The current economic policy of moving industries from the cities to the countryside and emphasizing the development of small scale industries in the commune should hasten the development of such vocational schools and work-study programmes in the rural areas.

During the past twenty years, China has continued to redesign and reorganize its system of education hoping to raise the overall literacy and educational level of the masses and at the same time provide the necessary trained personnel for industrial and agricultural development.

#### *Trade and Aid*

India and China undoubtedly have benefited from foreign aid during the past two decades. Both have been fairly successful in utilizing

foreign aid and trade to stimulate economic development at home. Because the prospect of expanded external aid to these two countries in the 1970s is not so promising as in the past, the success of their future economic development efforts will depend in part on how skillfully they utilize the aid extended to them. (And China may receive no aid at all). The lessons learnt from their experience in the past two decades should provide them with insight into how to coordinate aid, trade, and domestic economic policy to their greatest economic advantage.

#### *Future prospects*

During the past two decades both China and India have made substantial gains in their economic development. The planning mechanism of India has gradually attained a high degree of sophistication and is in much better position than before to implement the new plans. Economic planning in China has become more and more decentralized and has adjusted to the newly emerged patterns of her economic organization. The industrial bases in both countries are now more diversified and balanced.

#### *India*

It is predicted that the growth rate for national income will accelerate from the annual 5.64 per cent during the Fourth Plan (1966—71) to 6.34 per cent during the Fifth Plan (1971—76) and to the high rate of 9.1 per cent for 1976—81. The achievement of the 9.1 per cent rate for 1976—81 truly will represent a breakthrough and must depend a great deal on the attainment of food self-sufficiency and favourable trade balance, the latter through the maturing of machine industries and expansion of new lines of imports. Even with a population growth rate of slightly over 2 per cent until 1971 and a little under 2 per cent in the following decade, the growth rate of *per capita* income should increase from 3.4 per cent annually during 1966—71 to 7 per cent during 1976—81. Thus in 1981, the national income would be 3.6 times and the *per capita* income 2.4 times as large as in 1961.

To achieve these goals the saving rate is envisaged to increase from 14 per cent of the national income during 1966—71 to 21 per cent during 1976—81. Any gap between the savings funds and the investment outlay will be filled by foreign capital.

Modern factory production in India should attain an annual growth rate of 13 per cent whereas output in small-scale industry should grow at about 6 per cent between 1967 and 1981. The agriculture sector is expected to improve at a more moderate rate, and foodgrain production is expected to reach a level of 166 million tonnes by 1981. This will enable India to build up an impressive stock of foodgrains. Growth in agriculture will come mainly from the extensive adoption of double cropping practices, improved irrigation, and greater use of chemical fertilizers and new seeds.

The foreign trade sector is anticipated to have a surplus in trade balance. Because of the great expansion in the output of consumer goods, the absolute level of India's import will decline between 1961 and 1981 while import of intermediate and capital goods will be stepped up considerably.

The achievement of the plans will provide a much higher living standard for the average Indian citizen in 1981 than in 1961. Of course the success of these plans depends on a number of factors.

Judging from the developments during the past few years, the goal of 166 million tonnes of foodgrains in 1981 may materialize. Even though the actual performance of the economy on the whole may fall short of the goal by a considerable margin, India in 1981 will be in a much better position to generate sufficient investment funds for a self-sustained growth in the future.

The Chinese economy may be able to achieve an annual GNP growth rate of 6 per cent or slightly higher during the 1970s. Thus by 1980 the GNP may reach 180 to 190 billion dollars and the *per capita* GNP around 200 dollars. The output of foodgrains may reach 290 to 300 million tons, in 1980. The output of modern manufacturing industry may grow at an annual rate of 10 per cent, and the volume of foreign trade may reach 7 to 8 billion dollars in 1980. Despite a substantial improvement in the *per capita* GNP, the average citizen in China would still be living at a subsistence level in 1980.

It is interesting to note that political stability, agriculture growth, population control, and improvement in technology will all be crucial for the economic development of both India and China. Although these two countries will rank among the ten largest economies in the world, their *per capita* income will still be among the lowest in the world around 1980-81. With the achievement of their respective economic goals by 1980-81 the two countries will begin to enter the

stage of self-sustained economic growth. Only after a few more decades beyond 1980-81 can they hope to approach the living standard already attained by the more affluent countries today.

*LEADERSHIP, BUREAUCRACY AND PLANNING IN INDIA*  
by K. P. B. Nayar, [Associated Publishing House, New Delhi; 1969].

This is a sociological study of Indian planning, using the structural-behavioural frame of reference. It focusses attention on the role of leadership and bureaucracy in socio-economic development. The study includes a detailed analysis of the planning machinery and procedures in Andhra Pradesh and Kerala.

#### *Organisation for Planned Change*

The author emphasises the point that a major problem in development administration is the building of suitable organisations which are capable of introducing and sustaining planned change. He says that in India, as in many other developing countries, this problem is being tackled at government level through planning agencies which are generally attached to the established bureaucracy. Therefore, he remarks, the success of any plan depends on the capacity of the planning agency to create in the bureaucracy certain behavioural patterns that facilitate planning.

#### *Role of Bureaucracy*

Elaborating on the role of bureaucracy *vis-a-vis* planning, the author observes that even when autonomous or semi-autonomous planning boards are constituted, they deal mainly with overall planning. Many details of planning and usually all the activities requiring implementation are left to the bureaucratic machinery. The planner's role in these countries is confined merely to setting broad objectives, priorities and targets, and evolving major strategies for achieving them. The selection of individual schemes, the elaboration of their details, and the whole task of implementation are entrusted to the bureaucracy. Even in countries where the planning agency completely controls the plan, the shortage of trained personnel in development administration has made it necessary to rely on the bureaucratic personnel to administer these projects.

Assigning the planning function to bureaucracies assumes that a public bureaucracy is capable of handling planned programmes effi-



ciently. Many disagree with this assumption, saying that a bureaucratic organization is characterized by centralization of authority, lack of adaptiveness, heavy emphasis on rules and precedents, restriction of communication, and fear of innovation. Planning involves making proposals for the future, evaluating alternative proposals, and formulating and assessing methods by which these proposals, may be achieved. It places emphasis on change rather than stability, innovation rather than precedent, and adaptiveness rather than rigidity. Because these characteristics clash with those of a bureaucratic system, the bureaucracy's ability to act as an instrument of change has been seriously disputed.

The success of a planning body to act as a change-agent, therefore, largely depends on its ability to create, in the bureaucracy, certain normative patterns that facilitate planning. As these new patterns of behaviour differ from those existing in the bureaucracy, a planning agency cannot be expected to foster them as a matter of course. For the planning body to induce the bureaucracy to accept changes in its existing behaviour patterns, it must possess certain attributes capable of transforming the bureaucracy from an advocate of the *status quo* to an instrument of change.

#### *Reorientation of Bureaucracy*

Explaining how the bureaucracy can be oriented to function as an agent of change in the task of planning and its implementation, the author observes that planning requires imagination and includes an element of risk. The vision to formulate alternative plans and to forecast their outcomes is basic to the process of planning. An uncertain future is at the core of planning activity which entails willingness to accept risks and to alter the decisions made previously in the light of subsequent information. The planner must be able to quickly perceive inter-relationships among various programmes of action and fit pieces together. These qualities are hard to find in a bureaucracy that does not facilitate the development of an innovative personality. For bureaucracy to suit the needs of planning, it has to undergo considerable structural and behavioural change. A few of the more important changes required for this transformation are: (1) replacing a vertical with a horizontal relationship, (2) the shifting of emphasis from rule observation to goal achievement, (3) changing inter-personal behaviour, (4) establishing a two-way communication system, (5) recognizing mutual inter-dependence, and (6) creating a sense of urgency.

*State Plans*

Stressing the need for a proper formulation and prompt implementation of State plans, which account for nearly half of the Five Year Plan outlays, the author says that States are heavily dependent on the Centre for financing their plans. The assistance of the Centre as a proportion of the State Plan outlay has been 62 per cent, 51 per cent, and 62 per cent respectively, for the First, Second and Third Plans. Assistance to individual States has shown wider variations.

The heavy reliance of the States on the Centre for financing most of their plan projects has developed in them a client mentality towards the Centre. This has made many States to comply readily with the directions of the Planning Commission and the Central Ministries not only in the matter of fixing priorities but even in selecting individual scheme. The striking similarity of the State Plan priorities and schemes in spite of differing regional needs is indicative of the influence of the Centre over the State planning.

While the plans formulated by the Planning Commission reflect a realistic appraisal of the needs and capacity for mobilizing resources, the State plans generally represent a collection of projects which may be lifted into the all-India plan. The States do not have any planning machinery worth the name. Most of the States, so far, have tended to treat planning as a peripheral function, to be performed by an official who has no special qualification for it, possesses no special status, and sometimes combines planning responsibilities with other extremely onerous duties. The work of this official, generally, has been to co-ordinate the schemes submitted by the Development Departments. Because of the absence of an expert body (like the Planning Commission) at the State level, the State plans have lacked definite objectives, priorities and interdependencies. Since a large part of the plan funds comes from the Centre, and since the State plan outlay is finally decided by the Planning Commission, the State Governments generally submit a list of all things they want to do and leave it to the Planning Commission to sort them out and relate them to its pattern of priorities and available financial resources. This tendency of the States to unload on the Planning Commission more projects than could be possibly taken up is further strengthened by the fact that the final outcome is the result of hard bargaining where the larger the number of schemes, the greater is the bargaining power.

*Need for independent State Planning agencies*

The present crisis in planning has given urgency to the task of improving the planning machinery and methods in both the Centre and the States.

The recommendations of the ARC have strengthened the argument for the States to have more freedom in planning. A few of the States, however, are seized of the idea of an independent State planning agency and a fewer still have not shown any enthusiasm in establishing it. The reasons for not establishing such an agency are many: such a body might act as a super cabinet; the nature of State planning does not require any specialized agency; there is paucity of experts for manning the agency. Of these, fear of restriction of freedom which a Planning Board might impose on the State political leadership seems to be the major inhibiting factor. Paradoxically, even as the Planning Commission was urging the States to take up larger responsibilities in planning, the latter were complaining about the dominant role of the Planning Commission and the Central Ministries in determining their priorities and even individual schemes.

It is true a part of the plan, e.g., heavy industry, is ineluctably national and every other part has to conform with nationally determined priorities, limits and proportions. But within this general framework, the scope for effective regional and area planning is immense. ♥

*Obstacles to Planning at State level*

There are some major obstacles to effective planning and plan implementation at the State level. One of them is the severe limitation on the State's resources. The States are heavily dependent on the Centre for meeting not only their "Plan expenditure" but also "non-plan expenditure". The latter is met out of statutory awards made by the Finance Commission appointed by the Government of India once in five years. The plan expenditure is met from allocations made by the Planning Commission. The States have been dissatisfied with the awards of both Commissions. They complain that while their requirements are rapidly increasing due to the large-scale implementation of social welfare programmes, the scope for increasing the taxes in their sphere is limited. Regarding the Planning Commission, it has been pointed out that political considerations outweigh economic considerations in their allocation of

plan resources. There is truth in both complaints. The present division of The Central assistance into two broad and independent categories,—revenue and capital, and their assignment to two independent bodies, the Finance Commission and the Planning Commission, is rather unscientific and does not take into consideration the inter-dependence of the two items of expenditure. In the context of total planning and spatial allocation of resources for achieving optimum growth, the responsibilities for resource transfer should not be entrusted to two separate agencies without ensuring adequate and continuous co-ordination. National economic planning involves the mobilization and allocation of the entire resources of the country in such a manner that the maximum growth rate is generated consistent with social Justice. Such a total view is rendered impossible by the present arrangement for federal transfers. The feasibility of combining both these tasks and entrusting them to a single agency functioning on a continuing basis may have to be examined.

#### *Central assistance for State Plans*

The pattern of Central assistance for the plan also needs to be reviewed. The Central assistance is given to the States in the form of grants and loans. The grant-loan ratio applicable for a particular project or scheme is the same for all the States. A constant ratio grant tends to aggravate inter-state inequalities. It is necessary to vary the grant-loan ratio as between different States and different projects taking into account the relative financial position of the States. This will help weaker States to get a higher volume of Central assistance as grants.

The system of "tying" Central assistance to individual schemes also needs reconsideration. It is true that assistance to certain sectors which are of vital national and regional importance should be specifically earmarked and its proper utilization ensured. But then State governments should have the freedom of deciding priorities regarding individual schemes within each sector. The central assistance for each sector should be related to targets achieved for each sector as a whole and not tied to each scheme. In regard to other projects, the States should be given more freedom since they are the best judges of their requirements and priorities. They are more competent to decide these issues and the determination of priorities must be left to them. The present method of using Cen-

tral assistance as a lever for imposing centrally designed projects on the States has only contributed to waste of scarce resources.

*Administrative machinery for the plans*

The absence of an efficient administrative machinery is another handicap to successful planning. Plans will have to be formulated and implemented by the Development Departments which use traditional methods in handling these tasks. Only if modern techniques of project planning and programming are used could original financial and physical targets be achieved. The Development Departments do not have qualified personnel for this. The Planning Cells (or Units) attached to them are manned by regular departmental staff whose knowledge of planning and programming is not superior to that of their colleagues. It is difficult to get qualified personnel in large numbers all at once. But the Planning Board could organize in-service training programmes in modern planning techniques for the staff of the Development Departments.

Expertise alone may not be able to deliver the goods. The people who posts in the developmental administration must be motivated and committed to the goals of the organisation. One way to ensure this is to appoint to such posts only individuals with proven motivation and commitment.

A radical reform of the civil service to ensure efficiency and integrity is imperative for the success of any programme; but this also seems impracticable in the present context; it is outside the action programme of all the ruling parties. Under the prevailing circumstances, the only other alternative in motivating the oureaucacy is to provide for a good incentive system, but its effect may not be very significant. A well-designed and efficiently carried out evaluation system, though of limited scope, would enable the Planning Board to use the feedback and control mechanisms in ensuring proper planning and prompt implementation of projects.

*Need for active-public participation*

An important task in developmental planning, especially in a tradition-oriented agrarian society like that of India, is the implanting of development potential—the ability and willingness to change—in its people. This is the most important but most difficult and least spectacular aspect of planning. No programme of social change can claim success if it fails to motivate the people to change

and make them its committed agents. A serious lacuna in Indian planning is the lack of proper attention to this aspect. Though the Five year plans speak eloquently of its need, they have not made any serious effort in devising ways and means of achieving it. The problem assumes great significance at the State level where a large part of the plan effort is directed to projects whose success is dependent on active public co-operation and participation.

Lack of appreciation of the importance of motivating the people (or lack of appropriate mechanism for achieving it) has reduced the effectiveness of many of the governments's development efforts, including top priority items such as agricultural extension and family planning programmes.

Associating the people with development programmes is an important method of establishing ties with them and of making them partners in the development process. The government's efforts in this direction have been only peripheral. In spite of much talk about planning from below, India's Five Year Plans have been impositions from above. It is possible that with the expansion of Panchayati Raj institutions, the problem would be solved to some extent, but this is itself related to the question of improving the machinery for state planning. However, a Planning Board is in a much better position than a Planning Department in activating diffused linkages and getting them involved in the planning process.

#### *Role of Political Leadership*

It is the responsibility of the ruling party to discipline the bureaucracy to the requirements of planning. If the bureaucracy has not been so disciplined, major share of the blame must be borne by political leadership. In a democracy, the responsibility of political leadership is not confined to transforming the bureaucracy into a committed agent of change. The discipline of planning has to be accepted by all sections of the community-bureaucracy, the masses, and the ruling party itself.

It is the responsibility of the ruling party to discipline and educate the electorate in the requirements of planning. But, for this, its leadership must itself incorporate the behaviouristic norms of planning. If they do not obey the rules of the game, their efforts at enforcing these rules on others may not be effective. The biggest obstacle to the success of the Indian Planning is the lack of commitment to the rules of planning by those who direct planning. This

is why fifteen years of planning in India have not made much healthy impact on the socio-economic framework of the country. Unless the political leadership realizes this responsibility and performs its roles in the development process, planning may be reduced to a mere ritual which may result in only waste of scarce means and resources.

*DEMOCRACY IN CRISIS: NEW CHALLENGES TO CONSTITUTIONAL DEMOCRACY IN THE ATLANTIC AREA* Edited by E. A. Goerner (University of Notre Dame Press; 1971)

This volume of essays examines the current challenges to democracy in Britain and France, Italy and West Germany, the United States and Canada, and to Western liberal democracies in general.

The articles address themselves to the viewpoint that the nations of the North Atlantic area have a common cultural heritage founded on the principles of democracy, individual liberty, and the rule of law and to the problem whether free institutions, and political democracy itself, can survive the internal conflicts and social problems afflicting these nations.

In the Editor's opinion, the political movement commonly called the "New Left," constitutional courts, integrating a former revolutionary party into a bourgeois democracy, bicultural democracies, superficially rooted democratic institution burdened with the massive demands associated with major economic, social and cultural changes—all these conditions give rise to a series of problems within the nations under study.

*Democracy in Britain and France*

Jean Blondel, one of the contributors writing on 'Challenges to Democracy in Britain and France', states that in the course of the twentieth century, two broad conceptions of liberal democracy came to be adopted successively in Western societies. In the first conception, which was widely shared in Britain, democracy was related to policy choices, embodied in political parties competing for votes on the basis of different views on the future of the society. Once their party achieved power, the views in which they believed would, at least in part, be tried and implemented. This was a conception of democracy as "competitive mobilization" in which large bands of supporters fought for policies held to be opposed, though with enough tolerance to allow opponents to manifest their views, by equally large bands committed to a different future for the policy.

Another concept of democracy was the model of "interest group democracy" in which governments and parties slowly integrated many divergent views through incremental change on an "instantaneous" basis. First developed in the United States, this model extended to Western Europe in the course of the postwar period and by the 1960s, few European political parties hoped to achieve more in their years of office than some marginal moves in a continuing process. Increasingly, leaders became convinced that modern societies were too complex, and the number of groups so great, that only in this way could any change be achieved. Thus party leaderships appeared somewhat ambivalent, at best; hypocritical, at worst, to the broad electorate or its most active elements. The gaps between views (as expressed in party programmes) and policies appeared increasingly large. Parties appeared "irrelevant," as they lost their prior function and were unclear about their new role.

The French political system of the 1970s may be more immune to the challenge of despair than the British political system because, as long as France is led from the right and as long as the divided left is unable to achieve office, the myth of competitive mobilization may remain unimpaired as it will not come to the test. In the Britain of the 1970s, the myth of competitive mobilization will probably be strong enough to reduce substantially the support for the system. Only if some way is eventually found to reconcile the idea of competitive mobilization with that of interest group democracy and if this compromise does not wholly dampen the enthusiasm of the young and of those who benefit relatively less from the social system can this crisis of confidence be gradually reduced and the future of democracy assured.

The challenge to democracy is thus probably more limited than it might have appeared in the late 1960s. In 1970, France seems to have begun to forget student demands and regionalism, let alone farmers' cooperatives and workers' participation. But the long-term prospects for the strength of democracy in the West, particularly in Europe, where the tradition of ideological parties has been strong and long, do depend on the ability of these polities to meet at least some of the requirements of competitive mobilization. Thus the problem is more to integrate within the party system stand-points and ideologies relating to the future of society than to increase at a constant and very small rate the percentage of participation. Interest group democracy, as it has been discussed here, is still not wholly satisfactory for the European public, whether in Britain, France, or in other democracies. The integration of enthusiasm remains one of the major problems for developed societies if they are, in the long run, to meet the challenge and not merely reduce it.



*Democracy in USA*

Glenn Tinder, writing on 'the Current Challenges to Democracy in the United States', sets down the challenges in a list as follows:

1. *Economic Challenges*: American democracy is weakened by the persistence of poverty and unemployment, by unjust privileges such as those embodied in the present tax laws, and by inflation. All such conditions undermine the allegiance of important groups of citizens.
2. *Racial Situation*: Discrimination against large segment of the population expresses attitudes and incites emotions that are incompatible on which democracy depends.
3. *War in Vietnam*: War is likely to weaken a nation's fidelity to liberal and democratic canons of order even when it is uncontroversial, short and victoriously concluded; when it offends large groups, lasts for many years, and leads to no final victory, democratic order must be seriously imperilled.
4. *Alienation*: A number of well-known conditions, such as urban disintegration, a ravaged natural environment and cultural vulgarity in the mass media, divide men in various ways from reality and thus give rise to alienation. A political order is jeopardized, as indicated by the example of the Weimar Republic, when those within it come to lack stable and satisfying relationships.
5. *Political Challenges*: The French Fourth Republic fell in large part due to governmental immobility and popular dissension which became fatal with France's involvement in the Algerian War. Recent American political history provides little ground for confidence that the American Government can adequately meet any of the challenges listed above. Further, even in what it does, it is doubtful whether the Government receives the kind of informed and critical assent which the standard of democracy demands.

*Western Liberal Democracy*

Anthony Hartely in his article entitled 'The Withering Away of Western Liberal Democracy', analyses the causes behind the people's

dissatisfaction. The obvious one in his view is the bureaucratization of politics and of the administrative decision-making which affects the lives of citizens. The complicated questions that governments have to decide these days are not responsive to the purely moralistic opinions which are the way in which the political views of most of us tend to express themselves.

There are of course, a whole range of decisions in which "participation" by the individual citizens is equally impossible and lack of participation is equally unsatisfactory. In broad questions of this nature which touch upon the lives of most citizens there is no substitute for the political leader—Prime Minister or President or Chancellor—explaining the measures taken and the reasons for them. If such explanations were reasonably presented, they would be accepted. Unfortunately, it has not always been the case that democratic political leaders have spoken out to their electorates.

#### *Citizens and Bureaucracy*

Clashes between the citizen and bureaucracy in which the latter acts in an arbitrary or tyrannical fashion are a contributing factor to the resentment of the individual to his feeling of separation from the government which he is meant to control. In democracies there should always be a remedy for the arbitrary decisions of officials say in the form of an appeal to some higher and more impartial authority. It is thoroughly unsatisfactory and ultimately damaging to democratic government when officials are judges in their own cause. One of the things that Western liberal societies badly need is some cognizance taken of the administrative law—a process in which the French Council d' Etat might serve for a model.

#### *Communication with Citizens*

Basically, however, the difficulties of applied democracy in the process of government of advanced industrial societies remain. Difficulties of communication: rapidity of communication as well as possibility of communication. Take a case such as the measures introduced by the French government to meet the run on the franc in November 1968. There was no time to consult even political opinion—let alone the various categories of people vitally interested in the fate of the national currency. Any delay would have increased the amount of money going out of France to a catastrophic figure. The government's view of these matters will be dictated by knowledge which is necessarily kept

secret and by calculations which have been growing in complication yearly. It is quite clear that even parliaments or congresses now find it extremely difficult to do much in the way of real criticism of a government in areas where that government has access to better information, and that area usually includes defense and certain aspects of foreign affairs. Between the democratic political process and the realization in practice of governmental policies there intervenes more and more corps of technicians without whom decisions cannot be translated into action and by whom they are sometimes changed before they become action. This is the dilemma. It is easy enough to see why it causes dissatisfaction among those who mistrust the processes of bureaucracy, and it is harder to understand the necessity for those processes than to distrust them. But, of course, it is almost impossible to see how one would replace a professional body of civil servants or skip the administrative stage in the realization of political decisions.

#### *Concentration of Political Power*

There is an additional factor which can be called the increasing Bonapartism which is making itself felt in democratic countries. Modern publicity, television and the tendency of party organization to try to back a winning figure-head all lead to a concentration of attention and power on the person of the party leader. He is the one who will carry the banner during the electorate period. He is the one who, if he and his party succeed, will be so identified with its fate in the public mind that no one can get rid of him without risking the destruction of the party itself. This is the so-called charismatic style of leadership. Their parties are unlikely to revolt against them since their means of manipulation and patronage give them powerful means of pressure within the party machine. They can be removed by any means only with great difficulty. It is they who, through the TV screen, are known to the country. Their mere presence at the head of affairs gives them an enormous political advantage over the rival.

#### *Concentration of Administrative Power*

But if there has been a concentration of political power in the head of the executive in Western liberal democracies, there has also been an increasing concentration of administrative power. In the United States, to take one example, the President is constitutionally bound to get a declaration of war approved by Congress. But does

anyone any longer believe this to be possible in the case of a full-scale "total" war? If enemy missiles were sighted coming towards the United States, the decision on how to respond would rest with the President and the President alone. Even in the Cuban crisis of 1962, there was little attempt to formally consult Congress, though congressional leaders were told something. The President of the United States, the President of France and the Prime Minister of England all have far greater powers than their opposite number of the past.

For what has been taking place is the substitution for parliamentary government as the nineteenth century knew it of government by an executive advised by civil servants and only aimly affected by an elected assembly. The tightening of party organisation, the technical complication of the questions government has to decide and the charisma imposed on the head of the party by the habitual techniques of public relations have all combined to make government less responsive to the fears and desires of the average citizen; to make it more paternalistic and technocratic.

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## **Special Tables**

### **AGE, EDUCATIONAL BACKGROUND AND PRIOR OCCUPATION OF MEMBERS OF RAJYA SABHA\***

The tables on the following pages show the age, composition, educational background and prior occupation of Members of Rajya Sabha from 1952 to 1970. The compilation has been based on the *Rajya Sabha Who's Who* published from time to time and does not include details about Members whose names do not figure therein. This would explain the variation in the totals mentioned in the tables and the number of seats of the House in a particular year.

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\*Prepared by the Library, Reference and Information Service of the Lok Sabha Secretariat on the basis of information furnished by the Rajya Sabha Secretariat.

TABLE No. 1  
Distribution of Members of Rajya Sabha by Age Groups

Age Groups	Number of Members										
	Year	1952	1955	1957	1958	1960	1962	1964	1966	1968	1970
I	2	3	4	5	6	7	8	9	10	11	
30-35	25(2)	11(2)	10(2)	8(1)	6(2)	6(1)	7(2)	6(1)	3	4	
36-40	15(1)	14(4)	18(5)	20(5)	25(4)	26(3)	16(1)	14	8(2)	8(1)	
41-45	33(4)	25(2)	23(4)	24(4)	23(3)	27(1)	37(4)	37(5)	43(4)	37(2)	
46-50	37(3)	34(3)	30(2)	32(3)	32(6)	38(3)	30(2)	27(2)	46(6)	47(4)	
51-55	33(4)	38(2)	50(3)	48(2)	52(4)	38(3)	38(5)	30(3)	30(3)	37(2)	
56-60	30	30(1)	27(2)	24(3)	23(2)	25(2)	35(4)	46(8)	36(3)	38(3)	
61-65	23	36	35(2)	33(2)	27(2)	29(1)	28(2)	31(3)	28(3)	30(2)	
66-70	10	15(1)	21(1)	25(1)	26	24(1)	21	18(1)	22(1)	24(1)	
71-75	3	8	14	12	12(1)	14(1)	13	12	3	5	
76-80	3(1)	1	1	3	3	3(1)	3	4	3	5	
81-85	..	2	1	1	2	1	1	2	2	1	
*TOTAL	212(15)	214(15)	230(20)	230(21)	231(24)	231(17)	229(20)	227(23)	224(22)	236(15)	
TOTAL NO. OF SEATS	216	219	252	232	236	236	238	238	240	240	

NOTE: Figures are inclusive of figures in brackets which indicate women Members.

\*The total indicates only those Members in respect of whom information is given in the '1970', '1970', '1970' published by the Rajya Sabha Secretariat.

TABLE No. 2  
Educational Background of Members of Rajya Sabha

IS. No.	Category	Number of Members										
		1952	1955	1957	1958	1960	1962	1964	1966	1968	1970	
1	2	3	4	5	6	7	8	9	10	11	12	
1	Under Matriculates	10(1)	7(1)	10(1)	8(1)	11(3)	14(1)	9(2)	9(1)	7(1)	11(1)	
2	Matriculates/ Higher Secondary or Intermediate Certificate Holders	52(6)	27(7)	49(9)	52(7)	50(6)	58(4)	57(4)	53(7)	50(4)	53(3)	
3	Graduates	90(4)	106(3)	108(2)	106(6)	104(7)	99(6)	97(5)	95(6)	102(6)	102(5)	
4	Post Graduates (Including Technical Qualifications)	40(4)	52(2)	50(6)	51(5)	53(5)	48(4)	52(7)	58(7)	55(8)	55(4)	
5	Doctoral degree or other high academic qualification holders	20	12(2)	13(2)	13(2)	13(3)	12(2)	14(2)	12(2)	10(3)	15(2)	
*TOTAL:		212(15)	204(15)	230(20)	230(21)	231(24)	231(17)	229(20)	227(23)	224(22)	236(15)	
TOTAL No. of SBAS		216	219	232	232	236	236	238	238	240	240	

NOTE: Figures are inclusive of figures in brackets which indicate women Members.

\*The total indicates only those Members in respect of whom information is given in the 'Who's Who' published by the Rajya Sabha Secretariat.

TABLE No. 3

## Distribution of Members by Prior Occupation

Sl. No.	Occupation	1952	1955	1957	1958	1960	1962	1964	1966	1968	1970										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
		No. of Mem- bers	Percent- age to total	No. of Mem- bers	Percent- age to total	No. of Mem- bers	Percent- age to total	No. of Mem- bers	Percent- age to total	No. of Mem- bers	Percent- age to total	No. of Mem- bers	Percent- age to total	No. of Mem- bers	Percent- age to total	No. of Mem- bers	Percent- age to total	No. of Mem- bers	Percent- age to total	No. of Mem- bers	Percent- age to total
1	Cultivators & Land Holders	33(1)	15.6	35	16.3	40	17.4	39	17.0	44(2)	19.0	48	20.8	42(2)	18.3	45(2)	19.8	46(4)	20.5	42(2)	17.8
2	Political & Social Workers	44(8)	19.8	40(10)	18.7	45(12)	19.5	54(11)	23.4	57(11)	24.6	60(11)	26.0	65 (11)	28.4	65(12)	28.6	62(11)	27.7	50(7)	21.2
3	Lawyers	50(2)	23.6	55(2)	25.7	58(4)	25.1	57(4)	24.8	51(2)	22.1	53(2)	23.0	42(2)	18.3	50(2)	22.0	44(2)	19.7	54(2)	22.9
4	Traders & Industrialists	25	11.8	22	10.3	23	10.0	15	6.5	22(2)	9.5	15	6.5	25	10.9	18	8.0	24	10.7	24	10.2
5	Teachers and Educationists	23(3)	10.8	15(1)	7.0	14(1)	6.1	12(3)	5.2	11(3)	4.8	12(3)	5.2	11(4)	4.8	10(4)	4.4	8(2)	3.6	15(1)	6.3
6	Journalists & Writers	19(1)	9.0	23(1)	10.8	23(2)	10.0	24(2)	10.4	27(3)	11.7	27(1)	11.7	25(1)	10.9	20(1)	8.9	25(2)	11.2	25(2)	10.6
7	Civil Service	3	1.4	4	1.9	5	2.2	4	1.8	2	0.9	1	0.4	1	0.5	2(1)	0.9	1	0.4	3	1.2
8	Military Service			2	0.9	3	1.3	3	1.3	2	0.9	1	0.4	2	0.9	1	0.4	1	0.4	1	0.4
9	Medical Practitioners	7	3.3	5	2.3	5	2.2	6	2.6	2(1)	0.9	4	1.7	3	1.3	3(1)	1.3	3(1)	1.4	3(1)	1.3
10	Engineers and Technolo- gists	2	0.9	2	0.9	2	0.9	3	1.3	1	0.4	2	0.9	3	1.3	2	0.9	2	0.9	2	0.9
11	Former Rulers	1	0.5	4	1.9	3	1.3	3	1.3	4	1.7	1	0.4	4	1.7	2	0.9	1	0.4	1	0.4
12	Religious Missionaries	1	0.5	2	0.9	2	0.9	2	0.9	2	0.9	1	0.4	1	0.5	1	0.4	1	0.4	1	0.4
13	Industrial Workers	4	1.9	6	2.8	5	2.2	6	2.6	6	2.6	6	2.6	5	2.2	7	3.1	6	2.7	12	5.1
14	Artists	2	0.9	1(1)	0.5	2(1)	0.9	2(1)	0.9	..	..	..	..	..	..	1	0.4	..	..	4	1.7
	*TOTAL:	212(15)	100.0	214(15)	100.0	230(20)	100.0	230(21)	100.0	231(24)	100.0	231(17)	100.0	229(20)	100.0	227(23)	100.0	224(22)	100.0	236(15)	100.0
	TOTAL No. of SEATS	216		219		232		238		238		238		240		240		240		240	

NOTE: Figures are inclusive of figures in brackets which indicate women Members.

\*The total indicates only those Members in respect of whom information is given in the "Whos Who" published by the Rajya Sabha Secretariat.



## APPENDICES

- I. Statement showing the work transacted by the Fifth Lok Sabha during the Sixth Session.
- II. Statements showing the work transacted by Rajya Sabha during the Eighty-Second Session.
- III. Statement showing the activities of the State Legislatures during the period 1st July to 30th September, 1972.
- IV. List of Bills passed by the Houses of Parliament and assented to by the President during the period 1st August to 31st October, 1972.
- V. List of Bills passed by State Legislatures during the period 1st July to 30th September, 1972.
- VI. Ordinances issued by the Central and State Governments during the period 1st July to 30th September, 1972.
- VII. Party Position in Parliament and State Legislatures:
  - A. (i) Lok Sabha (State-wise)  
(ii) Lok Sabha (Party-wise)
  - B. (i) Rajya Sabha (State-wise)  
(ii) Rajya Sabha (Party-wise)
  - C. State Legislative Assemblies.

**APPENDIX I**

**STATEMENT SHOWING THE WORK TRANSACTED DURING THE SIXTH  
SESSION OF FIFTH LOK SABHA**

<b>1</b>	<b>PERIOD OF THE SESSION</b> . . . . .	13th November to 22nd December, 1973.
<b>2</b>	<b>NUMBER OF MEETINGS HELD</b> . . . . .	29
<b>3</b>	<b>TOTAL NUMBER OF SITTING HOURS</b> . . . . .	182 hours 57 minutes.
<b>4</b>	<b>NUMBER OF DIVISIONS HELD</b> . . . . .	10
<b>5</b>	<b>GOVERNMENT BILLS :</b>	
	(i) Pending at the commencement of the Session . . . . .	13
	(ii) Introduced . . . . .	22
	(iii) Laid on the Table as passed by Rajya Sabha . . . . .	8
	(iv) Returned by Rajya Sabha with any amendment/ recommendation and laid on the Table . . . . .	Nil
	(v) Referred to Select Committee . . . . .	Nil
	(vi) Referred to Joint Committee . . . . .	1
	(vii) Reported by Select Committee . . . . .	Nil
	(viii) Reported by Joint Committee . . . . .	1
	(ix) Discussed . . . . .	23
	(x) Passed . . . . .	30
	(xi) Withdrawn . . . . .	Nil
	(xii) Negatived . . . . .	Nil
	(xiii) Part-discussed . . . . .	1
	(xiv) Discussion postponed . . . . .	Nil
	(xv) Returned by Rajya Sabha without any recommen- dation . . . . .	7
	(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted . . . . .	1
	(xvii) Pending at the end of the Session . . . . .	23

## 6. PRIVATE MEMBERS' BILLS :

(i) Pending at the commencement of the Session	100
(ii) Introduced	11
(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	4
(vii) Passed	Nil
(viii) Withdrawn	1
(ix) Negatived	1
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed (Debate adjourned)	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	109

7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 :  
(Matters of Urgent Public Importance)

(i) Notices received	145
(ii) Admitted	4
(iii) Discussion held	4

8. NUMBER OF STATEMENTS MADE UNDER RULE 197 :  
(Calling-attention to matters of Urgent Public Importance)

Statements made by Ministers	24
------------------------------	----

## 9. HALF-AN-HOUR DISCUSSIONS HELD

## STATUTORY RESOLUTIONS :

(i) Notices received	2
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	Nil
(v) Negatived	1

(vi) Withdrawn . . . . .	Nil
<b>11. GOVERNMENT RESOLUTIONS :</b>	
(i) Notices received . . . . .	1
(ii) Admitted . . . . .	1
(iii) Moved . . . . .	1
(iv) Adopted . . . . .	1
<b>12. PRIVATE MEMBERS' RESOLUTION :</b>	
(i) Received . . . . .	9
(ii) Admitted . . . . .	8
(iii) Discussed . . . . .	2
(iv) Withdrawn . . . . .	1
(v) Negatived . . . . .	Nil
(vi) Adopted . . . . .	Nil
(vii) Part-discussed . . . . .	1
(viii) Discussion postponed . . . . .	Nil
<b>13. GOVERNMENT MOTIONS :</b>	
(i) Notices received . . . . .	4
(ii) Admitted . . . . .	4
(iii) Moved . . . . .	3
(iv) Adopted . . . . .	Nil
(v) Discussed . . . . .	3
<b>14. PRIVATE MEMBERS' MOTIONS :</b>	
(i) Received . . . . .	146
(ii) Admitted . . . . .	48
(iii) Moved . . . . .	4
(iv) Adopted . . . . .	Nil
(v) Discussed . . . . .	4
(vi) Negatived . . . . .	1
(vii) Part-discussed . . . . .	Nil
(viii) Withdrawn . . . . .	1

<b>15. MOTIONS RE: MODIFICATION OF STATUTORY RULE :</b>		
(i) Received . . . . .	}	Nil.
(ii) Admitted . . . . .		
(iii) Moved . . . . .		
(iv) Adopted . . . . .		
(v) Negatived . . . . .		
(vi) Withdrawn . . . . .		
(vii) Part-discussed . . . . .		
<b>16. NUMBER OF PARLIAMENTARY COMMITTEES CREATED, IF ANY, DURING THE SESSION . . . . .</b>		Nil.
<b>17. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION . . . . .</b>		42490
<b>18. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED . . . . .</b>		2838 on 15-12-1972
<b>19. NUMBER OF ADJOURNMENT MOTIONS :</b>		
(i) Brought before the House . . . . .		1
(ii) Admitted and discussed . . . . .		1
(iii) Barred in view of adjournment . . . . .		1
(iv) Motion admitted on the subject Consent withheld by Speaker outside the House . . . . .		34
(v) Consent given by Speaker but leave not granted by House . . . . .		Nil.
<b>20. TOTAL NUMBER OF QUESTIONS ADMITTED .</b>		
(i) Starred . . . . .		580
(ii) Unstarred (including Starred Questions converted as Unstarred Questions) . . . . .		5602
(iii) Short-notice Questions . . . . .		1
<b>21. NUMBER OF REPORTS OF VARIOUS PARLIAMENTARY COMMITTEES PRESENTED TO THE LOK SABHA :</b>		
(i) Estimates Committee . . . . .		2
(ii) Public Accounts Committee . . . . .		9
(iii) Committee on Public Undertakings . . . . .		1
(iv) Business Advisory Committee . . . . .		6
(v) Committee on Absence of Members from the sittings of the House . . . . .		1
(vi) Committee on Subordinate Legislation . . . . .		
(vii) Committee on Petitions . . . . .		2

(viii) Committee of Privileges . . . .	Nil.
(ix) Committee on Private Members Bills and Resolutions . . . . .	4
(x) Committee on Government Assurances . . . . .	1
(xi) Committee on the Welfare of Scheduled Castes and Scheduled Tribes . . . . .	3
(xii) Joint Committee on Offices of Profit . . . . .	1
(xiii) Rules Committee . . . . .	Nil.
(xiv) Railway Convention Committee . . . . .	1
22. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE . . . . .	2
23. PETITIONS PRESENTED . . . . .	2
24. NAME OF NEW MEMBERS SWORN WITH DATES AND CONSTITUENCIES :	

Sl. No.	Name of Members sworn	Dates on which sworn	Constituency
1	Shri K. Chikkalingaiah . . . . .	13-11-1972	Mandya—Mysore
2	Shri Purushottam Ganesh Mavalankar . . . . .	13-11-1972	Ahmedabad—Gujarat

**APPENDIX II**

**STATEMENT SHOWING THE WORK TRANSACTED DURING THE  
82nd SESSION OF RAJYA SABHA.**

1. PERIOD OF THE SESSION	.. November 13 to December 23,	
	1972	
2. NUMBER OF MEETINGS HELD	. 30 Days	
3. TOTAL NUMBER OF SITTING HOURS	. 156 Hrs. 38 Mts.	
4. NUMBER OF DIVISIONS HELD	5	
5. GOVERNMENT BILLS		
(i) Pending at the commencement of the Session		6
(ii) Introduced . . . . .		8
(iii) Laid on the Table as passed by Lok Sabha . . . . .		20
(iv) Returned by Lok Sabha with any amendment . . . . .		..
(v) Referred to Select Committee by Rajya Sabha . . . . .		1
(vi) Referred to joint Committee by Rajya Sabha . . . . .		..
(vii) Reported by Select Committee . . . . .		3
(viii) Reported by Joint Committee . . . . .		30
(ix) Discussed . . . . .		26
(x) Passed . . . . .		..
(xi) Withdrawn . . . . .		..
(xii) Negatived . . . . .		..
(xiii) Part-Discussed . . . . .		7
(xiv) Returned by Rajya Sabha without any recommendation . . . . .		..
(xv) Discussion postponed . . . . .		6
(xvi) Pending at the end of the Session . . . . .		..
6. PRIVATE MEMBERS BILLS		
(i) Pending at the commencement of the Session . . . . .		46
(ii) Introduced . . . . .		7
(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 . . . . .	..
(vii) Withdrawn . . . . .	2
(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 session . . . . .	5
<b>7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176.</b>	
(MATTERS OF URGENT PUBLIC IMPORTANCE)	
(i) Notices received . . . . .	12
(ii) Admitted . . . . .	3
(iii) Discussion held . . . . .	3
<b>8. NUMBER OF STATEMENTS MADE UNDER RULE 180.</b>	
(Calling-attention to matter of urgent public importance)	
Statements made by Ministers . . . . .	26
<b>9. HALF-AN-HOUR DISCUSSION HELD</b>	<b>1</b>
<b>10. STATUTORY RESOLUTIONS</b>	
(i) Notices received . . . . .	2
(ii) Admitted . . . . .	2
(iii) Moved . . . . .	2
(iv) Adopted . . . . .	Nil.
(v) Negatived . . . . .	2
(vi) Withdrawn . . . . .	Nil.
<b>11. GOVERNMENT RESOLUTIONS :</b>	
(i) Notice received . . . . .	1
(ii) Admitted . . . . .	1
(iii) Moved . . . . .	1



(iv) Adopted . . . .	I
<b>12. PRIVATE MEMBERS' RESOLUTIONS :</b>	
(i) Received . . . .	9
(ii) Admitted . . . .	9
(iii) Discussed . . . .	I (The discussion was not concluded)
(iv) Withdrawn . . . .	Nil.
(v) Negatived . . . .	Nil.
(vi) Adopted . . . .	Nil.
(vii) Part-discussed . . . .	Nil.
(viii) Discussion postponed . . . .	Nil.
<b>13. GOVERNMENT MOTIONS :</b>	
(i) Notices received . . . .	3
(ii) Admitted . . . .	2
(iii) Moved . . . .	2
(iv) Adopted . . . .	Nil.
(v) Part-discussed . . . .	Nil.
<b>14. PRIVATE MEMBERS' MOTIONS :</b>	
(i) Received . . . .	35
(ii) Admitted . . . .	31
(iii) Moved . . . .	2
(iv) Adopted . . . .	Nil.
(v) Part-discussed . . . .	Nil.
(vi) Negatived . . . .	Nil.
(vii) Withdrawn . . . .	Nil.
<b>15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE:</b>	
(i) Received . . . .	Nil.
(ii) Admitted . . . .	Nil.
(iii) Moved . . . .	Nil.
(iv) Adopted . . . .	Nil.
(v) Negatived . . . .	Nil.
(vi) Withdrawn . . . .	Nil.

(vii) Part-discussed	Nil.
16. NUMBER OF PARLIAMENTARY COMMITTEES CREATED, IF ANY, DURING THE SESSION	one The Joint Committee on the Indian Penal Code (Amendment) Bill, 1972.
17. TOTAL NUMBER OF VISITORS, PASSES	8939
18. MAXIMUM NUMBER OF VISITORS, PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED.	396 on 20th December, 1972.
19. NUMBER OF MOTION FOR PAPERS UNDER RULE 175 :	
(i) Brought before the House . . . . .	Nil.
(ii) Admitted and discussed . . . . .	Nil.
20. TOTAL NUMBER OF QUESTIONS ADMITTED :	848 (Excluding 1 withdrawn)
(i) Starred . . . . .	
(ii) Unstarred including Starred Questions . . . . .	1898
(iii) Short-notice Questions . . . . .	1
21. NUMBER OF REPORTS OF VARIOUS PARLIAMENTARY COMMITTEES PRESENTED TO/LAID ON THE TABLE OF THE RAJYA SABHA :	
(i) Public Accounts Committee . . . . .	9
(ii) Committee on Public Undertakings . . . . .	1
(iii) Business Advisory Committee . . . . .	3
(iv) Committee on Subordinate Legislation . . . . .	Nil.
(v) Committee on Petitions . . . . .	Nil.
(vi) Committee of Privileges . . . . .	Nil.
(vii) Committee on the Welfare of Scheduled Castes and Scheduled Tribes . . . . .	3
(viii) Joint Committee on Offices of Profit . . . . .	1
(ix) Rules Committee. . . . .	
(x) Committee on Government Assurances . . . . .	1
22. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE . . . . .	3
23. PETITIONS PRESENTED . . . . .	2
24. NUMBER OF NEW MEMBERS SWORN WITH DATES :	

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Name of Members Sworn	Date on which sworn
Shri Durga Prasad Dhar . . . . .	13-11-1972

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## APPENDIX III

Statement showing the activities of the state legislatures during the period from 1st July, 1972 to 30th September, 1972

Sessions held	Bills Passed		No. of Questions					Committee at Work		No. of Reports presented	
	Govt.	Private	Starred Recd. Admtd.	Unstarred Recd. Admtd.	Short Notice Recd. Admtd.	Name of the Committee	Sittings held				
1	2	3	4	5	6	7	8	9	10	11	12
<i>Andhra Pradesh Legislative Assembly</i>											
Two											
(i) 20-3-72 to 8-4-72	3		1276	696		101*	190**	31	Business Advisory Committee	8(1)	7(-)
—8 Sittings									Committee on Government Assurances	7(-)	
									Committee on petitions	1(-)	
(ii) 19-6-72 to 6-9-72	12		915	168		202*	637†		45 Committee on Privileges	—(3)	1(-)
—50 Sittings									Committee on Public Undertakings		5(7)
									Committee on Subordinate Legislation		3(-)

Estimates Committee . . . . .	11(6)	..
House Committee/Members' Accommodation Committee . . . . .	3(7)	
Public Accounts Committee . . . . .	4(9)	
<i>Joint Select Committees</i>		
Joint Committee to look after the Amenities of the Legislators . . . . .	2	
Joint Select Committee on the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Bill, 1972 . . . . .	12	1

*Bihar Vidhan Sabha†*

Two					
(i) 20-3-72 to 12-4-72					
—14 Sittings					
(ii) 17-5-72 to 29-6-72	4	4233	2653	1565	1441
—29 Sittings					
Business Advisory Committee . . . . .					8
Committee on Government Assurances . . . . .					6
Committee on Petitions . . . . .					4
Committee on Privileges . . . . .					1
				969	1960

• Starred notices admitted as Unstarred Questions.

•• 82 Short Notice Questions admitted as Ordinary Starred Questions.

† 332 Short Notice Questions admitted as Ordinary Starred and Unstarred Questions.

‡ Refers to the period 1-4-72 to 30-6-72.

Notes.—Figures in brackets indicate the details during the period 1-4-72 to 30-6-72.



*Goa, Daman and Diu Legislative Assembly*

One (3-7-72 to 28-7-72)	5	369	286	32	75†	6	4	Business Advisory Committee Committee on Subordinate Legislation	1	1
—20 Sittings								Estimates Committee	2	
								Library Committee	1	
								Rules Committee	1	

*Gujarat Legislative Assembly*

One (26-6-72 to 14-8-72)	12	1662	868	378	107	84	14	Business Advisory Committee Committee on Government Assurances	5	5
—40 Sittings								Committee on Private Members' Bills and Resolutions	2	2
								Committee on Privileges	3	
								Committee on Public Under- takings	1	
								Estimates Committee	5	

\*\*Notices received for Starred Questions but admitted as Unstarred Questions.

†Of these, 43 Starred Questions were treated as Unstarred.



*Himachal Pradesh Vidhan Sabha*

Committee on Government Assurances . . . . .	15
Committee on Petitions . . . . .	6
Committee on Privileges . . . . .	5
Committee on Subordinate Legislation . . . . .	19
Estimates Committee . . . . .	22
House Committee/Members' Accommodation Committee . . . . .	3
Library Committee . . . . .	8
Public Accounts Committee . . . . .	18
Rules Committee . . . . .	6

*Jammu & Kashmir Legislative Council*

One									
(17-4-72 to 23-9-72)	18	381	348	113	96	3	3	Committee on Privileges	1
—90 Sittings									1

*Kerala Legislative Assembly*

One									
(From 22-9-72)*								Business Advisory Committee.	1
—6 Sittings	4	450	181	281	157			Committee on Government Assurances	4
								Committee on Petitions.	3
								Committee on Private Members' Bills and Resolutions	1

\*The Session continued beyond 30-9-72.



	1	2	3	4	5	6	7	8	9	10	11	12
Committee on Privileges . . . . .											2	
Committee on Public Under- takings . . . . .											18	
Committee on Subordinate Legislation . . . . .											12	
Estimates Committee . . . . .											10	
House Committee/Members' Accommodation Committee . . . . .											4	
Library Committee . . . . .											2	
Public Accounts Committee . . . . .											16	4
Rules Committee . . . . .												1
<i>Madhya Pradesh Vidhan Sabha</i>												
One												
(10-7-72 to 14-8-72)	18	366	557*	146	321*	48	8				4	4
Bus ness Advisory Committee . . . . .											2	
Committee on Government Assurances . . . . .											1	
Committee on Petitions . . . . .											4	4
Committee on Private Members Bills and Resolutions . . . . .											2	2
Committee on Privileges . . . . .											4	
Committee on Subordinate Legislation . . . . .											4	

—24 Sittings!



1 2 3 4 5 6 7 8 9 10 11 12

## Mysore Legislative Assembly

\*One

(1-7-72 to 5-8-72  
and 14-8-72 to  
19-8-72)—36 Sit-  
tings.

7	328	254	102	74	57	9	Business Advisory Committee . . . . .	4	..
							Committee on Government Assurances . . . . .	1	..
							Committee on Petitions . . . . .	1	..
							Committee on Private Members' Bills and Resolutions . . . . .	3	3
							Committee on Public Undertakings . . . . .	3	..
							Committee on Subordinate Legislation . . . . .	2	..
							Estimates Committee . . . . .	4	..
							Public Accounts Committee . . . . .	4	..
							Committee on the Welfare of Scheduled Castes & Scheduled Tribes . . . . .	7	..

## Joint/Select Committees

Joint/Select Committee on the Mysore (Bombay and Hyderabad areas) Religious and Charitable Inams Abolition Bill, 1972 . . . . .

2

..

Mysore Legislative Council

One**												
(1-7-72 to 8-8-72, 17-7-72 to 5-8-72 and 14-8-72 to 19-8-72)—30 Sittings.	7	..	112	86	11	6	22	10	Business Advisory Committee	2	..	
									Committee on Government Assurances	2	..	
									Committee on Public Undertakings	3	..	
									Committee on Subordinate Legislation	2	..	
									Public Accounts Committee	4	..	
									Committee on the Welfare of S.C. & S.T.	7	..	
									<i>Joint/Select Committee</i>			
									Joint/Select Committee on the Mysore (Bombay and Hyderabad areas) Religions and Charitable Inams Abolition Bill, 1972	2	..	

Nagaland Legislative Assembly†

\*The Session had commenced on 19-6-72. See J.P.I. Vol. XVIII No. 4, (October, 1972) p. 978.

\*\*The session had commenced on 21-6-72. See J.P.I. Vol. XVIII No. 4, October, 1972, p. 979.

†For information regarding the Session held upto 3-7-72, See J.P.I. Vol. XVIII, No. 4, October, 1972, p. 979.



Committee on Public Under- takings . . . . .	22
Committee on Subordinate Legislation . . . . .	25
Estimates Committee . . . . .	7
House Committee . . . . .	7
Library Committee . . . . .	16
Public Accounts Committee . . . . .	12
Business Advisory Commit- tee . . . . .	1
Committee on Government Assurances . . . . .	26
Committee on Petitions . . . . .	21
Committee on Privileges . . . . .	18
Committee on Public Under- takings . . . . .	21
Committee on Subordinate Le- gislation . . . . .	19
Estimates Committee . . . . .	35
House Committee/Members' Accommodation Committee . . . . .	22
Public Accounts Committee . . . . .	30
Rules Committee . . . . .	8

*Rajasthan Legislative Assembly*

One  
(14-8-72 to  
18-8-72)—3 sittings

3 503 251 108 95 1



*Joint/Select Committees*

1. Joint/Select Committee on Tamil Nadu Land Reforms (Fixation of ceiling on Land) Third Amendment Bill, 1972.	15	1
2. Select Committee on the Tamil Nadu General Sales Tax (Fifth Amendment) Bill, 1972	4	1
3. Joint/Select Committee on the Tamil Nadu Labour Welfare Fund Bill, 1972.	7	1
4. Joint/Select Committee on the Tamil Nadu debit Relief Bill, 1972.	5	1
5. Joint/Select Committee on the Tamil Nadu Agriculturalists Relief (Amendment) Bill, 1972.	5	1

*Tripura Legislative Assembly*

Committee on Government Assurances.	3	—
Committee on Privileges.	2	—
Committee on Subordinate Legislation.	2	—
Estimates Committee	6	—
Library Committee.	1	—
Public Accounts Committee.	9	—
Rules Committee	3	—



	1	2	3	4	5	6	7	8	9	10	11	12
<i>Uttar Pradesh Legislative Assembly*</i>												
One (20-3-72 to 1-7-72)—30 sittings	19	—	1283	—	3339	—	1283	4168	304	Business Advisory Committee	6	5
										Committee on Government Assurances	18	2
										Committee on Petitions	2	1
										Committee on Privileges	4	2
										Committee on Public Undertakings	22	—
										Committee on Delegates Legislation	54	7
										Estimates Committee	16	5
										Library Committee	4	—
										Public Accounts Committee	32	2
<i>Uttar Pradesh Legislative Council</i>												
One (31-7-72 to 14-8-72)—8 sittings	9	—	410†	—	51	—	—	6	6	Business Advisory Committee	4	—
										Committee on Government Assurances	25	—
										Committee on Petitions	2	—
										Committee on Privileges	4	—

Committee on Public Under- takings. . . . .	22	1
House Committee . . . . .	12	—
Rules Committee . . . . .	13	—
Committee on Chitrakoot & Prajapur Dham. . . . .	5	—
Committee on Cultural Activities	6	—
Committee on Administrative Delays. . . . .	15	—
Committee on Compilation of Rulings. . . . .	14	—

*West Bengal Legislative Assembly*

nc  
(26-6-72 to  
16-8-72)—27 Sittings

13	—	553	433	267	222	116	17	Business Advisory Committee . .	6	6
								Committee on Government Assurances. . . . .	1	1

Estimates Committee . . . . .	3	—
Public Accounts Committee . . . . .	9	—
Rules Committee . . . . .	1	1

\*The Session commenced, on 20-3-72. See J.P.I. Vol. XVIII, No. 3, p. 729. The data given above relates to the period from 1-4-72 to 30-9-72.

\*\* Of these, 1709 Notices of S. N. Questions were admitted as Starred Questions.

†66 Notices of Starred Questions and 217 of S. N. Questions were admitted as Unstarred Questions.

‡337 Questions were received in September which were Still Under Consideration.

#### APPENDIX IV

*List of Bills passed by the Houses of Parliament and assented to by the President during the period 1st August, 1972 to 31st October, 1972.*

S. No.	Title of Bill	Date of Assent by the President
1	The Coking Coal Mines (Nationalisation) Bill, 1972 . . . . .	17-8-72
2	The Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Amendment Bill, 1972 . . . . .	20-8-72
3	The Indian Telegraph (Amendment) Bill, 1972 . . . . .	21-8-72
4	The Payment of Gratuity Bill, 1972 . . . . .	21-8-72
5	The Victoria Memorial (Amendment) Bill, 1972 . . . . .	25-8-72
6	The Income-tax (Amendment) Bill, 1972 . . . . .	26-8-72
7	The Dentists (Amendment) Bill, 1972 . . . . .	27-8-72
8	The Constitution (Twenty-eighth Amendment) Bill, 1972 . . . . .	27-8-72
9	The Diplomatic Relations (Vienna Convention) Bill, 1972 . . . . .	29-8-72
10	The Public Debt (Amendment) Bill, 1972 . . . . .	29-8-72
11	The Taxation Laws (Amendment) Bill, 1972 . . . . .	31-8-72
12	The Insecticides (Amendment) Bill, 1972 . . . . .	3-9-72
13	The Rice-Milling Industry (Regulation) Amendment Bill, 1972 . . . . .	3-9-72
14	The Delhi University (Amendment) Bill, 1972 . . . . .	3-9-72
15	The Punjab New Capital (Periphery) Control (Chandigarh Amendment) Bill, 1972 . . . . .	3-9-72
16	The Indian Iron and Steel Company (Taking over of Management) Bill, 1972 . . . . .	3-9-72
17	The Appropriation (No. 4) Bill, 1972 . . . . .	5-9-72
18	The Antiquities and Art Treasures Bill, 1972 . . . . .	9-9-72
19	The Wild Life (Protection) Bill, 1972 . . . . .	9-9-72
20	The Rulers of Indian States (Abolition of Privileges) Bill, 1972 . . . . .	9-9-72

S.No.	Name of Bill	Date of Assent by the President
21	The Seeds (Amendment) Bill, 1972 . . . . .	9-9-72
22	The Mines and Minerals (Regulation and Development) Amendment Bill, 1972 . . . . .	12-9-72
23	The General Insurance Business (Nationalisation) Bill, 1972 . . . . .	20-9-72
24	The Indian Copper Corporation (Acquisition of Undertaking) Bill, 1972 . . . . .	[21-9-72
25	The Former Secretary of State Service Officers (Conditions of Service) Bill, 1972 . . . . .	] 21-9-72
26	The Constitution (Thirtieth Amendment) Bill, 1972 . . . . .	Awaiting Assent*

\*See proviso to article 368(2) of the Constitution.

## APPENDIX V

List of Bills passed by the State Legislatures during the period 1st July to 30th September 1972

### Andhra Pradesh Legislative Assembly

1. The Andhra Pradesh Agricultural Lands (Prohibition of Alienation) Bill, 1972.
2. The Andhra Pradesh Vacant Lands in Urban Areas (Prohibition of Alienation) Bill, 1972.
3. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1972.
4. The Andhra Pradesh Appropriation (No 3) Bill, 1972.
5. The Andhra Pradesh Agricultural University (Amendment) Bill, 1972.
6. The Indian Treasure Trove (Andhra Pradesh Amendment) Bill, 1972.
7. The Andhra Pradesh (Andhra Area) Tenants and Ryots Protection (Amendment) Bill, 1972.
8. The Visakhapatnam Steel Project (Acquisition of Lands) Bill, 1972.
9. The Andhra Pradesh Civil Courts Bill, 1972.
10. The Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Bill, 1972.
11. The Jawaharlal Nehru Technological University Bill, 1972.
12. The Andhra Pradesh Gram Panchayats and Panchayat Samithis and Zilla Parishads (Amendment) Bill, 1972.

### Andhra Pradesh Legislative Assembly

1. The Gajapathinagaram Taluk and Ongole District (Formation) (Amendment) Bill, 1972.
2. The Public Works (Extension of Limitation) (Andhra Pradesh Amendment) Bill, 1972.
3. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1972.

### Bihar Vidhan Sabha

1. Bihar Land Reforms (Amendment) Bill, 1972.

2. Bihar Appropriation (No. 2) Bill, 1972.
3. Bihar Land Reforms (Ceiling on Land and Acquisition of Surplus Land) (Amendment) Bill, 1972.\*
4. Bihar Urban Properties (Ceilings) Bill, 1972.

**Goa, Daman and Diu Legislative Assembly**

1. The Goa, Daman and Diu Entertainment Tax (Amendment) Bill, 1972.
2. The Goa, Daman and Diu (Protection from Eviction of Mundcars-Agricultural Labourers and Village Artisans) (First Amendment) Bill, 1972.
3. The Goa, Daman and Diu Sales Tax (Validation) Bill, 1972.
4. The Goa, Daman and Diu Sales Tax (Amendment) Bill, 1972.
5. The Goa, Daman and Diu Appropriation Bill, 1972.

**Gujarat Legislative Assembly**

1. Gujarat Sales Tax (Amendment) Bill, 1972.
- †2. Gujarat Rural Housing Board Bill, 1972.
3. Bombay Industrial Relations (Gujarat Amendment) Bill, 1972.
4. Gujarat Appropriation Bill, 1972.
5. Gujarat Vacant Lands in Urban Areas (Prohibition of Alienation) Bill, 1972.
6. Bombay Prevention of Gambling (Gujarat Amendment) Bill, 1972.
7. Gujarat Appropriation (Excess Expenditure) Bill, 1972.
8. Bombay Motor Vehicles (Taxation of Passengers) (Gujarat Amendment) Bill, 1972.
9. Bombay Entertainments Duty and Advertisements Tax (Gujarat Amendment) Bill, 1972.
10. Bombay Industrial Relations and Industrial Disputes (Gujarat Amendment) Bill, 1972.
11. Gujarat Education Cess (Amendment) Bill, 1972.
12. Gujarat (Second Supplementary) Appropriation Bill, 1972.

**Haryana Vidhan Sabha**

1. The Patiala Municipal (Executive Officers) Haryana Amendment Bill, 1972.

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\*As passed by the Legislative Council.

†Awaiting assent.

2. The Punjab Legislative Assembly (Allowances of Members) Haryana Amendment Bill, 1972.
3. The Punjab Gram Panchayat (Haryana Amendment) Bill, 1972.
4. The Punjab Agricultural Produce Markets (Haryana Validation) Bill, 1972.
5. The Punjab Motor Vehicles Taxation (Haryana Amendment) Bill, 1972.
6. The Haryana Appropriation (No. 3) Bill, 1972.
7. The Punjab Motor Spirit (Taxation of Sales) Haryana Amendment Bill, 1972.
8. The Punjab Separation of Judicial and Executive Functions (Haryana Amendment) Bill, 1972.
9. The Haryana Public Premises and Land (Eviction and Rent Recovery) Bill, 1972.
10. The Haryana Ceiling on Land Holdings Bill, 1972.
11. The Punjab Co-operative Societies (Haryana Amendment) Bill, 1972.
12. The Punjab Agricultural Produce Markets (Haryana Second Amendment) Bill, 1972.
13. The Punjab Khadi and Village Industries Board (Haryana Amendment) Bill, 1972.
14. The Punjab General Sales Tax (Haryana Amendment and Validation) Bill, 1972.
15. The Punjab Anatomy (Haryana Amendment) Bill, 1972.
16. The Haryana Municipal Common Lands (Regulation) Bill, 1971. (This Bill which was passed by the Vidhan Sabha on 2nd August, 1971 was received back from the Governor and was reconsidered by the House and passed again with amendments on the 6th October, 1972.

#### **Jammu and Kashmir Legislative Council**

1. A Bill to amend the State Land Acquisition Act Samvat 1990.
2. A Bill to amend the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959.
3. A Bill to amend the Jammu and Kashmir Cooperative Societies Act, 1960.
4. A Bill to amend and Consolidate the Law relating to payment of remuneration of Lambardars for recovery of Public demands.
5. The Jammu and Kashmir Appropriation (No. 2) Bill, 1972
6. The Jammu and Kashmir Appropriation (No. 3) Bill, 1972.

7. The Jammu and Kashmir Taxation Laws (Amendment) Bill, 1972.
- 8 A Bill to amend the Enemy Agents Ordinance 2006.
9. A Bill to amend the Jammu and Kashmir Electricity (Supply) Act, 1971.
10. A Bill to amend the Jammu and Kashmir Land Revenue Act, 1996.
11. A Bill further to amend the Jammu and Kashmir Co-operative Societies Act, 1960.
12. The Jammu and Kashmir Land Improvement Scheme Bill, 1972.
13. A Bill to amend the Jammu and Kashmir Development Act, 1970.
14. A Bill to amend the Agriculturists Relief Act, Samvat 1983.
15. A Bill to amend the Jammu and Kashmir Municipal Act, 2008 and the Jammu and Kashmir Town Area Act, 2001.
16. A Bill to amend the Jammu and Kashmir Tenancy Act, 1960.
17. A Bill to amend the Jammu and Kashmir Big Landed Estates Abolition Act, 2009.
18. A Bill to amend the Jammu and Kashmir Houses and Shops Rent Control Act, 1906.

#### **Kerala Legislative Assembly**

1. The Wakf (Kerala Amendment) Bill, 1972.
2. The Kerala General Sales Tax (Second Amendment) Bill, 1972.
3. The Calicut University (Amendment) Bill, 1972.
4. The Kerala Preservation of Private Forests Bill, 1972.

#### **Madhya Pradesh Vidhan Sabha**

1. Madhya Pradesh Scheduled Tribes Loan Assistance (Amendment) Bill No., 1972.
2. Madhya Pradesh Khadi and Village Industries (Amendment) Bill, 1972.
3. Madhya Pradesh Public Health (Amendment) Bill, 1972.
4. Madhya Pradesh Appropriation (No. 2) Bill, 1972.
5. Madhya Pradesh Panchayat (Amendment) Bill, 1972.
6. Madhya Pradesh Control of Premises (Amendment) Bill, 1972.
7. Madhya Pradesh Co-operative Bank (Taking over of Management) Bill, 1972.



8. Madhya Pradesh Appropriation (No. 3) Bill, 1972.
9. Madhya Pradesh Finance Bill, 1972.
10. Madhya Pradesh Land Revenue Code (Amendment) Bill, 1972.
11. Madhya Pradesh Land Revenue (Surcharge) Bill, 1972.
12. Madhya Pradesh Agricultural Produce Marketing (Amendment) Bill, 1972.
13. Madhya Pradesh Members of Legislative Assembly (Salaries and Allowances) Amendment Bill, 1972.
14. Madhya Pradesh Ministers (Salaries and Allowances) Bill, 1972.
15. Madhya Pradesh Speaker and Deputy-Speaker (Salaries and Allowances) Bill, 1972.
16. Madhya Pradesh Appropriation (No. 4) Bill, 1972.
17. Madhya Pradesh Municipal Council (Continuance and Validation) Bill, 1972.
18. Madhya Pradesh Official Language (Supplementary Provisions) Bill, 1972.

#### **Manipur Legislative Assembly**

1. The Manipur Appropriation (No. 1) Bill, 1972.
2. The Manipur Appropriation (No. 2) Bill, 1972.
3. The Salaries and Allowances of the Ministers (Manipur) Bill, 1972.
4. The Salaries and Allowances of Speaker and Deputy Speaker of the Legislative Assembly (Manipur) Bill, 1972.
5. The Salaries and Allowances of Members of the Legislative Assembly (Manipur) Bill, 1972.
6. The Manipur Secondary Education, Bill, 1972.

#### **Mysore Legislative Assembly**

1. The Mysore Appropriation (No. 2) Bill, 1972.
2. The Indian Penal Code (Mysore Amendment) Bill, 1972.
3. The Press and Registration of Books (Mysore Amendment) Bill, 1972.
4. The Mysore Sales Tax (Amendment) Bill, 1972.
5. The Mysore Sales Tax (Second Amendment) Bill, 1972.
6. The Mysore Motor Vehicles Taxation (Amendment) Bill, 1972.
7. \*The Mysore Motor Vehicles (Taxation on Passengers and Goods) Bill, 1972.

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\*Assent awaited.

**Mysore Legislative Council**

1. The Mysore Appropriation (No. 2) Bill, 1972.
2. \*\*The Indian Penal Code (Mysore Amendment) Bill, 1972.
3. \*The Press and Registration of Books (Mysore Amendment) Bill, 1972.
4. The Mysore Sales Tax (Amendment) Bill, 1972.
5. The Mysore Sales Tax (Second Amendment) Bill, 1972.
6. The Mysore Motor Vehicles Taxation (Amendment) Bill, 1972.
7. \*The Mysore Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 1972.

**Orissa Legislative Assembly**

1. The Orissa Ayurvedic Medicine (Amendment) Bill, 1972.
2. The Bihar and Orissa Excise (Orissa Amendment) Bill, 1972.
3. \*The Orissa Consolidation of Holdings and Prevention of Fragmentation of Land Bill, 1972.
4. The Orissa Prohibition of Alienation of Land Bill, 1972.
5. The Orissa Panchayat Samiti (Amendment and Validation) Bill, 1972.
6. \*The Public Wakfs (Extension of Limitation) (Orissa Amendment) Bill, 1972.
7. The Orissa Appropriation (No. 5) Bill, 1972.
8. \*The Orissa Estates Abolition (Amendment) Bill, 1972.
9. \*The Orissa Municipal (Amendment) Bill, 1972.

**Punjab Vidhan Sabha**

1. The Punjab Appropriation (No. 4) Bill, 1972.
2. The Punjab Municipal (Amendment) Bill, 1972.

**Tamil Nadu Legislative Council**

1. \*The Tamil Nadu Additional Assessment and Additional Water Cess (Amendment) Bill, 1972.
2. \*The Tamil Nadu Additional Assessment and Additional Water Cess (Second Amendment) Bill, 1972.
3. The Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Bill, 1972.
4. \*The Tamil Nadu Cultivating Tenants Protection and Payment of Fair Rent (Extension to Kanyakumari District) Bill, 1972.

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\*Assent awaited.

\*\*Received the Assent on 7-10-1972.

5. \*The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Bill, 1972.
6. \*The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Bill, 1972.
7. \*The Tamil Nadu Labour Welfare Fund Bill, 1972.
8. \*The Tamil Nadu Debt Relief Bill, 1972.
9. \*The Tamil Nadu Agriculturists Relief Bill, 1972.
10. The Tamil Nadu Excise (Amendment) Bill, 1972.
11. \*The Madurai City Municipal Corporation (Amendment) Bill, 1972.
12. \*The Madras City Municipal Corporation (Amendment) Bill, 1972.
13. The Tamil Nadu Public Buildings (Licensing) (Amendment) Bill, 1972.
14. The Tamil Nadu General Sales Tax (Fifth Amendment) Bill, 1972.
15. The Tamil Nadu Buildings (Lease and Rent Control) Amendment Bill, 1972.
16. \*The Tamil Nadu Agricultural Labourer Fair Wages (Amendment) Bill, 1972.
17. \*The Tamil Nadu Agricultural Lands Record of Tenancy Rights (Amendment) Bill, 1972.
18. The Tamil Nadu Appropriation (No. 3) Bill, 1972.
19. \*The Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Bill, 1972.
20. The Tamil Nadu Fleet Operators Stage Carriages (Acquisition) Amendment Bill, 1972.
21. \*The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Bill, 1972.

#### Uttar Pradesh Legislative Assembly

1. The Motor Vehicles (U.P. Amendment) Bill, 1972.
2. The Uttar Pradesh Nagar Mahapalika (Amendment) Bill, 1972.
3. The Uttar Pradesh Muslim Wakfs (Amendment) Bill, 1972.
4. The Uttar Pradesh Municipalities (Amendment) Bill, 1972.
5. The Uttar Pradesh Public Premises (Eviction of unauthorised Occupants) Bill, 1972.
6. The Uttar Pradesh Tendu Patta (Vyapar Vinjyaman) Vidheyak, 1972.
7. The Varanasey Sanskrit Vishwavidyalaya (Samshodhan) Vidheyak, 1972.

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\*Assent awaited.

8. The Uttar Pradesh Kshettra Samiti tatha Zila Parishad (Samshodhan) Vidheyak, 1972.
9. The Uttar Pradesh High Court (Abolition of Letters Patent Appeals) (Amendment) Bill, 1972.
10. The Uttar Pradesh Panchayat Raj (Sanahodhan) Vidheyak, 1972.
11. The Uttar Pradesh Ceiling on Property (Temporary Restrictions on Transfer) Bill, 1972.
12. Uttar Pradesh Accommodation Requisition (Amendment) Bill, 1972.
13. The Uttar Pradesh Excise (Amendment) Bill, 1972.
14. The Uttar Pradesh Land Development Bill, 1972.
15. The Uttar Pradesh Basic Educaion Bill, 1972.
16. The Uttar Pradesh Civil Laws Amendment Bill, 1972.
17. The Electricity (Supply) Uttar Pradesh Amendment Bill, 1972.
18. The Uttar Pradesh Appropriation (Regularization of Excess Expenditure, 1965-66) Bill, 1972.

#### Uttar Pradesh Legislative Council

1. Uttar Pradesh High Court (Letters Patent Appeal End (Amendment) Bill, 1972.
2. Uttar Pradesh Vinyog (1965-66) Barti vyaya ka Vinyayman Bill, 1972.
3. Uttar Pradesh Panchayat Raj (Amendment) Bill, 1972.
4. Uttar Pradesh Sampati Sema (Antaran par Asthaya Nirbandhan) Bill, 1972.
5. Uttar Pradesh Excise (Amendment) Bill, 1972.
6. Uttar Pradesh Vassthan Adhigrhan (Amendment) Bill, 1972.
7. Uttar Pradesh Vidhi (Amendment) Bill, 1972.
8. Uttar Pradesh Basic Education Bill, 1972.
9. Uttar Pradesh Bhoomi Vikas Kar Bill, 1972.

#### West Bengal Legislative Assembly

1. The West Bengal Entertainments and Luxuries (Hotels and Restaurants) Tax Bill, 1972.
- \*2. The West Bengal Housing Board Bill, 1972.
3. The Calcutta Municipal (Third Amendment) Bill, 1972.

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\*Bill awaiting assent.

4. \*The West Bengal Agricultural Produce Marketing (Regulation) Bill, 1972.
  5. The Code of Criminal Procedure (West Bengal Amendment) Bill, 1972.
  6. The Provincial Small Cause Courts (West Bengal Amendment) Bill, 1972.
  7. The West Bengal Appropriation (No. 2) Bill, 1972.
  8. The West Bengal Apartment Ownership (Amendment) Bill, 1972.
  9. The Sri Aurobindo Memorial Bill, 1972.
  10. The Calcutta Municipal (Fourth Amendment) Bill, 1972.
  11. \*The Public Wakfs (Extension of Limitation) (West Bengal Amendment) Bill, 1972.
  12. \*The West Bengal Acquisition and Settlement of Homestead Land (Amendment) Bill, 1972.
  13. The Bengal Municipal (Amendment) Bill, 1972.
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\*Bills awaiting assent.

**APPENDIX VI**

*Ordinances issued by the Central and State Governments during the period 1st July, 1972 to 30th September, 1972*

S. No.	Subject	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
<b>Central</b>					
1	The Payment of Bonus (Amendment) Ordinance, 1972.	23-9-72			..
<b>States</b>					
<i>Andhra Pradesh</i>					
1	The Andhra Pradesh Agricultural Lands (Prohibition of Alienation) Ordinance, 1972	2-5-72	20-6-72	31-7-72	Replaced by legislation.
2	The Andhra Pradesh Agricultural University (Amendment) Ordinance, 1972.	27-5-72	20-6-72	31-7-72	Do.
3	The Andhra Pradesh Vacant Lands in Urban Areas (Prohibition of Alienation) Ordinance, 1972.	5-6-72	20-6-72	31-7-72	Do.
<i>Bihar</i>					
1	Bihar State University (Patna) Bihar Bhagalpur, Ranchi and Magadh Universities (Control & Management) Ordinance, 1972.	17-5-72	17-5-72	3-7-72	
2	Chota Nagpur Tenancy (Amendment) Ordinance, 1972.	..	..	..	

1	2	3	4	5	6
3.	Bihar Tenancy (Amendment) Ordinance, 1972	17-5-72	17-5-72	3-7-72	
4.	Bihar Public Bhang Procurement (Second Amendment) Ordinance, 1972.	"	"	"	
5.	Bihar Motor Vehicles Sales Tax (Second Amendment) Ordinance, 1972.	"	"	"	
6.	Bihar Sales Tax (Amendment) Ordinance, 1972.	"	"	"	
7.	Bihar Entertainment Tax (Second Amendment) Ordinance, 1972.	"	"	"	
8.	Anugraha Narain Sinha Institute of Social Studies (Amendment) Ordinance, 1972.	"	"	"	
9.	Bihar State Subsidy to Industries (Amendment) Ordinance, 1972.	"	"	"	
10.	Bihar Khadi & Village Industries (Amendment) Ordinance, 1972.	"	"	"	
11.	Bihar Pay and Allowances of Ministers (Third Amendment) Ordinance, 1972.	"	"	"	
12.	Bihar Pay and Allowances of Deputy Ministers (Third Amendment) Ordinance, 1972.	"	"	"	
13.	Bihar Legislature (Pay and Allowances of Officers) Second Amendment Ordinance, 1972.	"	"	"	
14.	Bihar State University of Laws and School Laws (Amendment and Modification) Ordinance, 1972.	"	"	"	
15.	Bihar Hindu Religious Trusts (Amendment) Ordinance, 1972.	"	"	"	

1	2	3	4	5	6
16.	Chota Nagpur and Santhal Parganas Autonomous Development Authority (Amendment) Ordinance, 1972.	17-5-72	17-5-72	3-7-72	
17.	Bihar Motor Vehicles Taxation (Amendment) Ordinance, 1972.	"	"	"	
18.	Patna Municipal Corporation Amendment Ordinance, 1972.	"	"	"	
19.	Bihar Land Revenue (Exemption from Payment) Ordinance, 1972.	"	"	"	
20.	Bihar Municipalities Amendment Ordinance, 1972.	"	"	"	
21.	Bihar Kendu Leaves (Control on Trade) Second Ordinance, 1972.	"	"	"	
22.	Bihar Board of School Examinations (Amendment) Ordinance, 1972.	"	"	"	
23.	Patliputra Medical College (Taking over of Management) Ordinance, 1972.	"	"	"	
24.	Bihar Primary Education (Amendment) Ordinance, 1972.	"	"	"	
25.	Bihar Panchayat Samitis and Parishads (Second Amendment) Ordinance, 1972.	"	"	"	
26.	Bihar Land Reforms (Validation and Amendment) Ordinance, 1972.	"	"	"	
27.	Bihar Panchayat Raj (Amendment and Validation) Ordinance, 1972.	"	"	"	
28.	Bihar District Boards and Local Boards (Control and Management) (Second Amendment) Ordinance, 1972.	"	"	"	



1	2	3	4	5	6
29.	Bihar Houses (Control of Lease, Rent and Eviction)(Amendment) Ordinance, 1972.	17-5-72	17-5-72	3-7-72	
30.	Bihar Children Ordinance, 1972.	"	"	"	
31.	Bihar Conservation of Land and Water and Land Development Ordinance, 1972.	"	"	"	
32.	Bihar Shops and Establishments (Second Amendment) Ordinance, 1972.	"	"	"	
33.	Bihar State Housing Boarding Ordinance, 1972.				
34.	Indian Stamp (Bihar Amendment) Ordinance, 1972.	"	"	"	
35.	Bihar Entertainment Duty, Court Fee and Stamp (Surcharge, Amendment) Amending Ordinance, 1972.	"	"	"	
36.	Bihar Agricultural Produce Marketing (Second Amendment) Ordinance, 1972.	"	"	"	
37.	Bihar Excise Duty (Amendment) Ordinance, 1972.	"	"	"	
38.	Motor Vehicles (Bihar Second Amendment) Ordinance, 1972.	"	"	"	
39.	Bihar Sugar-cane (Regulation of Supply and procurement) Ordinance, 1972.	"	"	"	
40.	Bihar Co-operative Societies (Amendment) Ordinance, 1972.	"	"	"	
41.	Bihar Ancient Monuments and Archaeological Sites and Remains Second Ordinance, 1972.	"	"	"	

1	2	3	4	5	6
42.	Bihar Land Reforms (Fixation of Ceiling and Acquisition of Surplus Land(Amendment) Ordinance, 1972.	17-5-72	17-5-72	3-7-72	
43.	Bihar Gramdan (Second Amendment) Ordinance, 1972.	"	"	"	
44.	Bihar Public Carrier (Taxation on Passengers and Goods carried by Motor Vehicles (Amendment) Ordinance, 1972.	"	"	"	
45.	Bihar Industrial Development Authority Ordinance, 1972.	"	"	"	
46.	Bihar Institute of Medical Education (Control and Regulation) Ordinance, 1972.	"	"	"	
47.	Bihar Health Service Ordinance, 1972.	"	"	"	
48.	Mithila University Ordinance, 1972.	"	"	"	
<i>Gujarat</i>					
1.	The Gujarat Sales Tax (Amendment) Ordinance, 1972.	9-6-72	26-6-72	19-7-72	Replaced by Legislation.
<i>Kerala</i>					
1.	The Kerala Contingency Fund (Amendment) Ordinance, 1972.	26-8-72			
2.	The Calicut University (Amendment) Ordinance, 1972.	8-9-72			
<i>Orissa</i>					
1.	The Orissa Contingency Fund (Amdt.) Ordinance, 1972.	22-6-72	21-8-72		No Bill replacing the Ordinance was introduced.
2.	The Orissa Prohibition of Alienation of land Ordinance, 1972.	27-6-72	21-8-72 21-9-72	..	Replaced by the Orissa Prohibition of Alienation of Land Bill, 1972.
6.	The Orissa Prohibition of Alienation of Land (Amdt.) Ordinance, 1972.	16-7-72	21-8-72		Do.

1	2	3	4	5	6
<i>Tamil Nadu</i>					
1	Tamil Nadu Agricultural Labourer Fair Wages (Amendment) Ordinance, 1972.	29-7-72	10-8-72		Replaced by legislation.
<i>Uttar Pradesh</i>					
1	The Uttar Pradesh Panchayat Raj (Sanshodhan) Adhyadesh, 1972.	19-5-72	17-7-72	16-8-72	Replaced by legislation.
2	The Uttar Pradesh Bhoomi Vikas Kar Adhyadesh, 1972.	16-6-72	„	28-8-72	Do.
3	The Uttar Pradesh Basic Education Ordinance, 1972.	10-7-72	„	19-8-72	Do.
4	The Uttar Pradesh Excise (Amendment) Ordinance, 1972.	30-6-72	„	16-8-72	Do.
5	The Uttar Pradesh High Court (Abolition of letters Patent Appeals) (Amendment) Ordinance, 1972.	„	„	18-8-72	Do.
6	The Uttar Pradesh ceiling of Property (Temporary Restriction on Transfer) Ordinance, 1972.	11-7-72	„	11-9-72	Do.
<i>West Bengal</i>					
1	The West Bengal Mining Settlement (Health and Welfare) (Amendment) Ordinance, 1972.	20-9-72			
2	The Bengal Cooperative Societies (Amendment) Ordinance, 1972.	30-9-72			

**APPENDIX VII**  
**A. PARTY POSITION IN LOK SABHA**

(i) State-wise

(As on December 1, 1972)

Name of the State	Seats	Cong.	CPI(M)	CPI	DMK	J.S.	Other parties	Unattached	Total
1	2	3	4	5	6	7	8	9	10
Andhra Pradesh	41	37	1	1	..	..	2(a)	..	41
Assam	14	14	..	..	..	..	..	..	14
Bihar	53	37	..	5	..	2	7(b)	1	52 (2 vacant)
Gujarat	24	12	..	..	..	..	9(c)	2	23 (1 vacant)
Haryana	9	7	..	..	..	1	..	1	9 (1 vacant)
Himachal Pradesh	4	4	..	..	..	..	..	..	4
Jammu and Kashmir	6	5	..	..	..	..	..	1	6
Kerala	19	6	2	3	..	..	6(d)	1	18 (1 vacant)
Madhya Pradesh	37	21	..	..	..	10	5(e)	..	36 (1 vacant)
Maharashtra	45	41	..	..	..	..	2(f)	1	44 (1 vacant)
Manipur	2	2	..	..	..	..	..	..	2
Meghalaya	2	..	..	..	..	..	..	2	2
Mysore	27	27	..	..	..	..	..	..	27
Nagaland	1	..	..	..	..	..	1(g)	..	1
Orissa	20	14	..	1	..	..	5(h)	..	20
Punjab	13	9	..	2	..	..	..	1	12*
Rajasthan	23	15	..	..	..	4	4(i)	..	25
Tamil Nadu	39	9	..	1	20	..	3(i)	..	38 (1 vacant)
Tripura	2	..	2	..	..	..	..	..	2
Uttar Pradesh	85	73	..	5	..	4	..	2	84 (1 vacant)
West Bengal	40	15	20	3	..	..	2(k)	..	40
<b>Union Territories</b>									
Andaman & Nicobar Islands	1	1	..	..	..	..	..	..	1
Arunachal Pradesh	1	1	..	..	..	..	..	..	1(l)
Chandigarh	1	1	..	..	..	..	..	..	1
Dadra and Nagar Hav. li	1	1	..	..	..	..	..	..	1
Delhi	7	7	..	..	..	..	..	..	7
Goa, Daman and Diu	2	1	..	..	..	..	1(m)	..	2
Mizoram	1	..	..	..	..	..	..	1	1
Pondicherry	1	1	..	..	..	..	..	..	1
Anglo-Indian	2	..	..	..	..	..	..	2(n)	2(l)
<b>TOTAL</b>	<b>524</b>	<b>362</b>	<b>25</b>	<b>24</b>	<b>20</b>	<b>21</b>	<b>49</b>	<b>14</b>	<b>515*</b> (excluding Speaker and 8 vacancies)

\*Excludes the Speaker, who is not a member of any Party.

(a) Telengana Praja Samiti	2	(h) Swatantra UIPG	3
(b) Socialist Party	2		2
Congress (O)	3	(i) Swatantra UIPG	2
UIPG	2		2
(c) Swatantra Congress (O)	7	(j) Muslim League Forward Bloc Congress (O)	1
(d) Muslim League	1		1
Revolutionary Socialist Party	2		2
Kerala Congress	3		3
(e) Socialist Party	1	(k) Socialist Party	1
UIPG	4	Revolutionary Socialist Party	1
(f) Socialist Party	1	(l) Nominated by the President	1
Forward Bloc	1		1
(g) UIPG	1	(m) UIPG	1
	1	(n) UIPG	2

## A. PARTY POSITION IN LOK SABHA

(H) Party-wise

(As on December 1, 1972)

<i>Names of the Party</i>	<i>Strength</i>
Congress Party . . . . .	362
C.P.I. (M) . . . . .	25
C.P.I. . . . .	24
Jan Sangh . . . . .	21
D.M.K. . . . .	20
<i>Other Parties</i>	•
U.I.P.G. . . . .	14
Congress (O) . . . . .	11
Swatantra . . . . .	7
Socialist Party . . . . .	5
Muslim League . . . . .	2
Revolutionary Socialist Party . . . . .	3
Kerala Congress . . . . .	3
Forward Bloc . . . . .	2
Telengana Praja Samiti . . . . .	2
Unattached . . . . .	14
Vacancies . . . . .	8
<b>TOTAL</b>	<b>523</b>
	(excluding Speaker)

## B. PARTY POSITION IN RAJYA SABHA

(i) State-wise

(As on December 1, 1972)

States	No. of Seats	CONG.	CONG (O)	JS	DMK	CPI	SWA	CPI (M)	M	S. P. (L)	REK	SP	AKALI DAL	APHLC	FB (M)	MPP	PSP	Rep.	SMS	RSP	MUP	IND	Nominated	Vacancies.	
A. P.	18	14					1																3		
Assam	7	6										1													
Bihar	22	11	2	1		3				2								1					1	1	
Gujarat	11	7	1	1			1																	1	
Haryana	5	4	1																						
Himachal Pradesh	3	3																							
J. & K.	4	4																							
Kerala	9					3		2	2			1								1					
Madhya Pradesh	16	11	1	4																					
Maharashtra	19	13				1					1	1								1	1		1		
Manipur	1															1									
Meghalaya	1														1										
Mysore	12	6	2																				4		
Nagaland	1	1																							
Orissa	10	4					5																	1	
Punjab	7	4		1									2												
Rajasthan	10	6	1	1			1																1		
Tamil Nadu	18	1	1	11		1	1	3																	
Tripura	1	1																							
U. P.	34	14	7	5		1			1	3													3		
W. Bengal	16	7				3		4							1								1		
Arunachal Pradesh	1																							1	
Delhi	3	1		2																					
Mizoram	1																				1				
Pondicherry	1				1																				
Nominated	12	2																						10	
	243	120	16	15	12	11	9	7	5	3	4	3	2	1	1	1	1	1	1	1	1	1	14	11	3

## B. PARTY POSITION IN RAJYA SABHA

(II) Party-wise  
(As on December 1, 1972)

<i>Name of Party</i>	<i>Strength</i>
Congress	120
Congress (O)	16
Jan Sangh	15
D.M.K.	12
C.P.I.	11
Swatantra	9
C.P.I. (M)	7
<i>Other Parties</i>	
Muslim League	5
B.K.D.	3
S.P.(L)	4
Akali Dal	3
S.P.	2
A.P.H.L.C.	1
R.P.	1
M.P.P.	1
F.B.(M)	1
R.S.P.	1
S.M.S.	1
P.S.P.	1
Independents	14
Others	12
Vacancies	3
<b>TOTAL</b>	<b>243</b>

## C. PARTY POSITION IN STATE LEGISLATIVE ASSEMBLIES

States	Seats	Cong.	(o)	Swat.	JS	CPI	CPI (M)	SP	PSP	Other Parties	Ind.	Nom.	DMK	Total
I	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Andhra Pradesh (as on 30-9-72)	288	218		2	..	8	1			2(a)	19	1	..	288 (b)
Assam (as on 28-4-72)	126	95	..	1	..	3		4		5(b)	6	..		114 (d)
Bihar (as on 30-6-72)	319	167	30	1	25	34		34		10(e)	15	1	..	319 (f)
Gujarat (as on 30-9-72)	168	140	16		3	1				..	8			168
Haryana (as on 3-10-72)	81	52	6		2	..	..			14(g)	7			81
Himachal Pradesh (as on 10-11-72)	68	53	..		5	..	1	..	..	2(h)	7			68
Kerala (as on 3-11-72)	134	33	3		..	16	30	8	4	36(i)	1	..	..	134 (j)
Madhya Pradesh (as on 27-10-72)	297	224			45	5		7		..	12	1		297 (k)
Manipur (as on 26-10-72)	60	20			..	5		3		20(l)	12			60
Meghalaya (as on 1-9-72)	60	9			..	..		..		43(m)	8			60
Mysore (as on 30-9-72)	217	163	25		..	3		3		1(n)	22			217 (o)
Nagaland (as on 19-8-72)	52				..	..	..			52(p)	..			52 (q)
Orissa (as on 22-11-72)	140	93		26	..	4	2			3(r)	10			140 (s)
Punjab (as on 28-10-72)	104	67			..	10	1			25(t)	1			104
Rajasthan (as on 6-8-72)	184	144	1	11	8	4		4		..	12	..	..	184 (u)
Tamil Nadu (as on 7-11-72)	235	6	13	6	..	8	..			10(v)	3	1	183	235 (w)
Tripura (as on 28-7-72)	60	41	..		..	1	16			..	2(x)	..		60
Uttar Pradesh (as on 8-8-72)	426	280	26	1	38	4	1	16	..	46(y)	4	..		426
West Bengal (as on 30-9-72)	281	216	2		..	35	14		1	8(z)	4(aa)	1	..	281 (bb)
Goa, Daman & Diu (as on 31-3-72)	32	1			..					28(cc)	1	..	..	31 (dd)
Pondicherry (as on 26-4-72)	30	7	3		..	3	..	..	..	..	2	..	15	30

(a) Swatitra—Sampoorna Telengana Praja Samiti Front—3; Socialist Democratic Front 11; Andhra Progressive Democrats Progressive Front 7; Peoples' Democrats 6; Majlis Ittehad-ul-Muslimeen 3; RPI—1.

(b) Vacant—2.

(c) Revolutionary Communist Party-I; Peoples Democratic Party-3; Plains Tribal Council-1.

(d) Vacant—12.

(e) Includes All India Jharkhand-4; Hul Jharkhand-2; Progressive Hul Jharkhand; Jharkhand (N.E. Horo Group)-1; Hindustani Soshit Dal—2.

(f) Vacant-1; Includes Hon. Speaker.

(g) Includes Vishal Haryana Party-3; Progressive Independent Party-II

(h) Lok Raj Party.

(i) Includes Kerala Congress-13; Muslim League-11; Revolutionary Socialist Party-6; Kerala Socialist Party-2; Congress Socialist Party-2; Karahak Tozhiali Party-2.

(j) Vacant-2; Includes Hon. Speaker.

(k) Vacant-2; Includes Hon. Speaker.

(l) Includes M.P.P.-17; U.N.I.C.-3.

(m) Includes A.P.H.L.C.-35; H.S.P.D.P.-8.

(n) Janata Paksha.

(o) Includes Hon. Speaker.

(p) Includes Nagaland Nationalist Organisation—30 United Parliamentary Group-22.

(q) Includes Hon. Speaker.

(r) Jharkhand-2; Jana Congress-1.

(s) Includes Hon. Speaker; Vacant-1.

(t) Shrimani Akali.

(u) Including Hon. Speaker.

(v) Tamil Arasu Kazhagam-1; Forward Block-7; Muslim League-6.

(w) Including Hon. Speaker.

(x) Supported by CP(M)

(y) Includes B.K.D.-40; Unattached-2 (Hon'ble Speaker & Hon'ble Deputy Speaker) Muslim Majlis-1; S.S.P.-1; Vacant-2.

(z) Includes R.S.P.-3 Socialist Unity Centre-1; Workers Party-1. Gorkha League-2; Muslim League-1.

(aa) Includes Hon. Speaker.

(bb) Vacant-1.

(cc) Includes Maharashtrawadi Gomantak Party-19; United Goans-10.

(dd) Vacant-1; Includes Hon. Speaker.