

**THE JOURNAL OF
PARLIAMENTARY
INFORMATION**

**VOLUME XVIII, NO. 2
July, 1973**

THE JOURNAL OF PARLIAMENTARY INFORMATION

Editor: S. L. SHAKDHER

The Journal of Parliamentary Information, a quarterly publication, is brought out in the months of January, April, July and October every year.

Articles on constitutional, parliamentary and legal subjects are invited for publication in the Journal. The articles should be submitted typewritten on only one side of the paper.

Books intended for review in the Journal should be sent to the Editor.

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

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

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

Price per copy: Rs. 3.00

Annual Subscription: Rs. 12.00

CONTENTS

	PAGE
Addresses and Speeches	
Joint Valedictory Meeting of the Financial Committees of Parliament (1972-73)	587
Valedictory Meeting of the Railway Convention Committee	606
Articles	
Codification of Legislative Privileges by S. L. Shakhder	615
Impact of Financial Committees' Recommendations on Administration	
I. Council of Scientific and Industrial Research	636
II. Indian Drugs and Pharmaceuticals Ltd. by Library, Research & Information Service, Lok Sabha Secretariat	648
Short Notes	
I. Parliamentary Events and Activities	658
II. Privilege Issues	660
III. Procedural Matters	665
IV. Exhibition on "Freedom Struggle and the Legislature"	670
V. Obituary reference on the Death of Shri C. Rajagopalachari	673
Sessional Review	
Fifth Lok Sabha—Seventh Session	674
Rajya Sabha—Eighty-Third and Eighty-fourth Sessions	722
State Legislatures	744
Political and Constitutional Developments in the States	766

Book Reviews	Page
C. P. Bhambhri: <i>Administrators in a changing Society</i> by H. M. Patel, M.P.	780
J. M. Shelat : <i>Secularism Principles and Application</i> by Y. S. Mahajan, M.P.	783
 Summaries of Books	
Peter G. Richards: <i>The Backbenchers</i>	785
B. S. Markesinis: <i>The Theory and Practice of Dissolution of Parliament</i>	794
R. P. Anand: <i>New States and International Law</i>	800
Recent Literature of Parliamentary Interest	804
Appendices	819



Front row from left to right : Shri A. Bakshi, Comptroller and Auditor General of India; Shri Era Sezhiyan, Chairman, Public Accounts Committee; Dr. G. S. Dhillon, Speaker, Lok Sabha; Shri K. N. Tiwari, Chairman, Estimates Committee; Shri Amrit Nahata, Acting Chairman, Committee on Public Undertakings; and Shri S. L. Shukdher, Secretary, Lok Sabha.

Addresses and Speeches

JOINT VALEDICTORY MEETING OF THE FINANCIAL COMMITTEES OF PARLIAMENT (1972-73)

[A joint valedictory meeting of the three Financial Committees of Parliament, viz., the Public Accounts Committee, the Estimates Committee and the Committee on Public Undertakings, for the year 1972-73 was held on April 25, 1973. The Speaker of Lok Sabha, Dr. G. S. Dhillon, presided over the meeting, when the Chairmen of the three Committees availed of the occasion to give a broad review of the working and achievements of their respective Committees during the preceding year. We reproduce the speeches and address at the end by the Speaker—Editor.]

Speech of Shri Era Sezhiyan,

Chairman, Public Accounts Committee

We are very grateful to the Hon'ble Speaker for gracing this occasion, to mark the conclusion of our work for the term. I am personally very grateful to you, Sir, for having entrusted the work of chairing this oldest Financial Committee after the formation of the Fifth Lok Sabha. It showed how greatly you valued the precedent which had been set up in the Fourth Lok Sabha of drawing the Chairman from the Opposition Group.

Thoroughness of Examination by Members

I am very grateful to each and every Member of the Committee who has willingly devoted his time and energy to go into the allotted subject, study it in all its aspects so as to lead the examination of official witnesses in a purposeful manner. It is the thoroughness of examination done by Members, more particularly by the Conveners of the Study Groups, which has enabled the Committee to cover in depth all the subjects it took up for examination during this term.

I am happy to state that during the two years of my tenure as the Chairman, we have presented 47 original reports and 48 Action Taken Reports, which is perhaps a record number.

May I briefly recall to you, some of the important recommendations which have been made in our Reports this year.

Reports on Income Tax and other Direct Taxes

To take up the Revenue Receipts first, we have, in two Reports covering income-tax and other direct taxes, stressed the need for a close coordination and security of income-tax and wealth tax returns. In particular, we have suggested that income-tax returns of all assesseees having business incomes of over Rs. 15,000 should be reviewed to see whether all those having taxable wealth, are submitting returns of wealth. We have also suggested that the returns for wealth tax should be simplified in the interest of more effective compliance and scrutiny. The Committee have also stressed the need for a review of the working of small income schemes in the interest of their speedier disposal and reduction in the cost of collection.

Sales Tax in Delhi

In another Report, the Committee have focussed light on the sales tax receipts of Delhi and pointed out the scope for increasing the collection by checking evasion, particularly of traders from neighbouring states who use a Delhi address to conduct business, without maintaining proper books of account. The Committee have also suggested that the names of defaulters who fail to pay tax of more than one lakh of rupees should be publicised.

The Gazetteers of India

In the Report on Education Ministry, the Committee have pointed out that though the scheme for the revision and publication of Gazetteers of India in four volumes, was to be completed in five years, it has not been completed, despite the incurring of heavy cost and a lapse of 15 years. The Committee have compared this performance to the pre-Independence period when 9 volumes of the Imperial Gazetteer were published in one year and the revised edition in 26 volumes brought out in two years. The Committee have also drawn attention to the heavy accumulations of the publications of National Book Trust and called for a review of its working, to see how far it has realised its objectives.

Overseas Communications Service

The Committee took up this year for comprehensive review, the working of the Overseas Communication Service and have suggested that its working should be integrated with the P.&T. Board. The Committee have also analyzed in detail the lapses in the construction

of a prestigious building for the Overseas Communications Service in Bombay and pointed out how a lavish expenditure of Rs. 28 lakhs was incurred on exterior treatment alone of the building. I hope Government will make a thorough investigation in the matter so as to fix responsibility on all those concerned, for these costly lapses.

Posts and Telegraphs Department

In the Report on Posts & Telegraphs Department, the Committee have stressed the need for taking effective measures to check the piracy of telephones and obviate excessive billing especially in Delhi.

Defence Production

In our Report on Defence, the Committee have highlighted several instances where the production programme for manufacture of vital armaments and equipment lagged far behind, for want of coordination.

Cooperatives

In the Report on Cooperation, the Committee have focussed attention on a number of weak links, which are coming in the way of healthy growth of the movement. The Committee have stressed the need for collection of data relating to consumer cooperatives, its expert analysis and initiation of timely measures to see that the co-operatives serve the interests of the consumer; and that the sizable subsidies which are being provided by Government are put to effective use in strengthening the cooperative organization.

Railways

In the Report on Railways, the Committee has pointed out that the increase in cost of operation on broad gauge and metre gauge of a number of zonal Railways has far exceeded the combined escalation factor of 21 per cent in respect of cost of fuel, stores etc. The Committee have stressed that the Railways should analyse in detail the reasons for this excessive increase and take concrete measures to effect economy and improve efficiency, particularly when heavy investments have been made during the last two Plan periods in modernizing the rolling stock, and other ancillary facilities.

Invaluable Contribution of the Conveners

As I said in the beginning, all this work has been possible through the willing cooperation of the Members of the Committee. In parti-

cularly, I owe a debt of gratitude to the conveners, Sarvashri Bhagwat Jha Azad, Ram Sahai Pandey, H. M. Patel, Smt. Savitri Shyam, Shri M. Anandam and Shyam Lal Yadav, who meticulously went through all publications and papers and gave valuable help both at the time of questioning the official witnesses and in drafting the reports. Their contribution has been most invaluable.

Inspect of Committee's Reports

A number of Members had, from time to time, expressed an anxiety about the impact made by the Committee's Report on the Executive. I know that a regular series of articles is being brought out in the *Journal of Parliamentary Information* to show what impact certain reports of Financial Committees have had on Government. But I felt that it would be useful to review the recommendations made by the Committee on a particular subject over the last ten years and see what concerted measures Government had taken to overcome the shortcomings pointed out by the Committee. I am glad we were able to complete one such review pertaining to Customs and the painstaking study made by the Review Sub-Committee has focussed attention on at least two areas, viz. improvement in estimation of revenue and tightening up of internal audit which are in need of urgent improvement. I hope this exercise would prove to be of use to the Committee in future and of interest to other Financial Committees.

The Action Taken Reports

I may also be permitted to make a special reference to the great contribution made by my hon. friend Shri B. S. Murthy who ably chaired the Action Taken Sub-Committee and produced 24 Action Taken Reports during the year alone. The Convener and the Sub-Committee have meticulously examined each one of the statements submitted by Government showing action taken on the recommendations of the Committee, sought further elucidation, where necessary, and commented upon them in the Reports. It is because of this thoroughness of work that the Action Taken Reports this year have received fairly wide publicity.

Speaker's Guidance

In these two years, there were many occasions, particularly in 1971, when we were celebrating the 50th anniversary of the Public Accounts Committee when we turned to you, Sir, for help and

guidance. I am glad to say that you were ever willing to extend a helping hand and give wise counsel to resolve any difficulty.

Assistance by the C. and A. G.

I must also put on record our gratefulness to the Comptroller and Auditor General, Shri Baksi and his able team of officers who have helped the Committee with valuable data background material and memoranda of important points.

Valuable advice by Secretary and help by the Secretariat

Throughout this period of two years, there were many occasions when I had to consult Shri S. L. Shakhder, the distinguished Secretary of Lok Sabha. I found him ever willing to help us in our work and give valuable suggestions based on his rich experience of parliamentary work. It is no exaggeration to say that but for the help rendered by the Secretariat headed by him, it would not have been possible to present this nearly record number of about 100 reports in a short period of two years.

Speech of Shri K. N. Tiwari

Chairman Estimates Committee, Lok Sabha

Thorough study by the Members

At the beginning of the present term of the Estimates Committee the Members were unanimous that they should choose such projects as are of direct relevance and interest to the common man. Accordingly, the Committee choose a number of subjects like Special Programmes for Weaker Sections and Employment, Housing, National Water Supply, Small Scale Industries, Power, Telephones and Tourism. We constituted as usual, a number of Study Groups to study in detail each of the aforementioned subjects. I am most grateful to each and every Member of the Committee, particularly, the Conveners of the Study Groups, Sarvashri L. D. Kotoki, A. K. M. Ishaque, C. M. Stephen, Dr. H. P. Sharma, Narendra Singh Bisht and Krishna Chandra Halder, who took keen interest in studying voluminous material obtained from the Government on the subjects and memoranda received from non-official organisations as well as other relevant publications. It is because of the thoroughness of the work done by the Members and the Conveners that we were able to frame searching questions for examination of the witnesses and give meaningful recommendations.

May I with your permission, touch briefly upon some of the main recommendations made in these reports.

Programmes for Weaker Sections

In the report on 'Special Programmes for Weaker Sections and Employment' we have brought out how the problem of providing meaningful assistance to the small farmer and marginal farmer has assumed urgency in view of the widening gap between the rich farmers with access to inputs and services and the weaker section of small farmers who have neither resources nor the facilities to effect improvement on their own. The Committee have emphasised that inputs and credit facilities should be made available in time as a package programme. The Committee have stressed that Agro-Service Centres should be carefully located to serve best the interests of agriculturists and to provide best chance for sustained growth. The Committee have also desired that the pace of setting up the service centres should be greatly increased if the target of 2,500, set for the Fourth Plan, is to be achieved.

Housing

In the report on 'Housing' the Committee have focussed attention on the dismally slow progress made in tackling the problem of housing in metropolitan and larger cities as also for weaker sections in the rural areas. The Committee have urged that there should be a national policy on housing so that it removes the "haziness" about the responsibility of the Centre and the State Governments in the matter. The Committee have stressed that systematic action should be taken to formulate without delay, housing schemes, related to work centres with adequate transport facilities as well as essential amenities like water, electricity, sanitation and educational institutions for the children. The Committee have also stressed the need for intensive research to provide low cost housing (costing not more than Rs. 3,500 per unit) and have, in this connection, commended the lead given by the Kerala and Gujarat States in providing mass housing in recent years.

Small-Scale Industries

In the report on Small-Scale Industries, the Committee have underlined the need for Government to provide specialised technical assistance in new fields like electronics and petro-chemicals which have great potentiality for growth. The Committee have also stressed the need for equitable distribution of scarce raw materials on assured basis

to the small scale units in keeping with their share of about 40 per cent of the total industrial production. The Committee have urged modernization of the existing units, better quality control, greater marketing facilities particularly for exports, and have urged Government to reserve more items for the small scale sector as also to increase purchases on Government Account. The Committee have also stressed the need for setting up growth centres in backward areas where small scale and ancillary industries could be developed in a meaningful manner in close conjunction with large public sector units to be located in those areas.

Petro-Chemicals

In the report on 'Petro-Chemicals', the Committee have highlighted the basic weaknesses in planning which has resulted in lack of coordination and delays in development of basic, intermediate and end units. The Committee have stressed that in a key sector like petro-Chemicals, the Plan itself should have laid down in clear terms, the capacity to be developed in the basic, intermediate and end units as also its location in the public or private sector so as to make for integrated development. The Committee have stressed the need for speeding up the installation of the units so that the petro-chemical industry which can play a significant role in generating employment oriented small scale industries, come up in time.

Fertilisers

In the Report on 'Fertilizers', the Committee have pointed out how the achievement has been woefully short of the Plan targets by as much as 50 per cent with the result that there is heavy dependence on imports which have not been forthcoming on assured basis. The Committee have stressed that concerted efforts should be made to achieve the rated capacity in the existing fertiliser units and to prepare detailed plans for the setting up of new units in the Fifth Plan to meet the country's requirements. The Committee have cautioned Government against basing the new fertiliser units on fuel oil as this may become scarce or high priced like naphtha during the current Plan. The Committee have also suggested that the balanced fertilisers suitable for various crops—wheat, rice, etc. should be made available to the farmer in time and at fixed prices and that the fertilisers bags should carry detailed instructions for their application in the regional language.

Power

In the Report on 'Power', the Committee have pointed out how lack of timely implementation of planned schemes and proper maintenance of existing power houses, have resulted in a grave power famine in the country which is likely to depress gravely the development of industries. The Committee have reiterated the recommendation made by them ten years earlier that planning for power should always be a little ahead of the industrial and agricultural demand.

The Committee have also stressed the need for making proper arrangements for transmission so that power generated at pithead thermal stations or hydropoints can reach the farthest feasible place to meet the requirement. The Committee have in particular stressed that power in rural areas for agricultural purposes should be made available at concessional rates, comparable to those for industry.

Telephones

In their Report on 'Telephones', the Committee have pointed out how at the end of each plan period, the number of persons waiting for telephone connection was more than at the beginning. The Committee have stressed the need for perspective planning so that this vital communication facility is made available in metropolitan and other bigger cities with the least possible delay. The Committee have suggested the installation of more public call offices and improvement in rural exchange facilities in the interest of the common man. The Committee have also stressed that the quality of service should be improved and that effective action should be taken to obviate complaints of over billing.

Tourism

The Committee have pointed out in their Report on 'Tourism' that in a decade, when tourism earnings have increased all over the world, India's share has not correspondingly improved. To reach the target of one million tourists by 1980, it is imperative that integrated planning for provision of additional beds, transport and entertainment facilities are provided. The Committee have also stressed the need for developing infrastructure for internal tourists, particularly those belonging to the younger generation, in the interest of fostering national integration.

Form and Content of the Demands for Grants

May I add a word about the Report on 'Revision of the Form and Content of the Demands for Grants' wherein the Committee have made significant recommendations about effecting improvement in the form of performance budget and the contents of annual reports of the public undertakings. The Committee have in particular suggested that where Government intend to invest Rs. 100 crores and more in a public undertaking, a White Paper should be brought out giving the merits of the scheme *vis-a-vis* other alternatives so that Parliament and public know how best the resources are proposed to be utilised.

Action-Taken Sub-Committee

The Committee have added a new dimension to their work through the systematic and careful scrutiny done by the Action-Taken Sub-Committee headed by my distinguished and able friend, Shri Kotoki. The Sub-Committee brought to notice that while a number of important recommendations relating to Andaman and Nicobar Islands *viz.*, provision of adequate medical facilities, encouragement for small scale industry, development of forests, mechanisation of fishing boats, provision of deep sea trawlers, had been accepted by Government, concrete measures in pursuance thereof had not been taken. During the course of cross-examination of official representatives of various Ministries it came to notice that there had not been that purposeful coordination between them with the result that the recommendations had not been translated in the field. We have high-lighted this in our special report on 'Andaman and Nicobar Islands' and I do hope, Government will at least now take concrete measures to bring about improvement in these outlying Islands which are of great strategic importance to our country and have also great tourists potential.

Free Passes|PTOs. to Railway Staff

We have also given another Review Report on the value of free passes|PTOs. issued to the Railway staff and stressed the need for publishing the same in the Annual Report of the Railways.

Valuable work by Conveners and Members

I owe a special debt of gratitude to my colleagues the Members of the Committee and the Conveners Sarvashri L. D. Kotoki, A. K. M. Ishaque, C. M. Stephen, Dr. H. P. Sharma, Narendra Singh.

Bisht and Krishna Chandra Haldar who have shown such great readiness in applying themselves to the work and in throwing up constructive and useful ideas. I am glad to place on record our high appreciation of the services rendered by Shri Kotoki, particularly, during the period from September 7, 1972 to October 6, 1972 when I was out of the country. He led very ably the examination of the subject of "Revision of the Form and Content of the Demands for Grants" and had the report of the Committee finalised in time so that Government could take effective action to implement these recommendations for the coming year.

Unanimity in Recommendations

I am also happy to state that in keeping with the high tradition of the Financial Committees, we have consistently tried to judge all issues on merits and thus give unanimous recommendations.

Devoted work by Secretariat Staff

I am happy to state that all the work taken up by the Committee during this term has been completed well in time and to their entire satisfaction. For this I would like to convey our heart-felt thanks to Shri S. L. Shakhder, Secretary, Lok Sabha and the Officers and staff of the Lok Sabha Secretariat who have been rendering devoted service to the Committee in the discharge of their functions.

Speaker's Confidence

Before I conclude, may I express my personal gratitude to the Honourable Speaker who reposed such great confidence in me by giving the challenging assignment. I do not know how far I have been able to discharge the great trust that he placed in me but may I say that it has been for me a very rewarding experience.

May I in conclusion thank the Speaker and other distinguished friends who have graced the occasion.

Speech of Shri Amrit Nahata, Acting Chairman, Committee on Public Undertakings*

Dedicated Work by Members and Conveners

The Committee took for detailed examination this year six important Undertakings, namely, Indian Airlines, Hindustan Machine

*Shri Amrit Nahata, was appointed as acting Chairman vice Shrimati Subhadra Joshi in April, 1973, when she proceeded abroad.

Tools, Indian Telephone Industries, National Newsprint and Paper Mills, National Mineral Development Corporation and Pyrites, Phosphates and Chemicals Ltd. In addition, the Committee took up a very important subject for horizontal examination, viz. the Role and Achievements of Public Undertakings. I am very happy to say that each and every Member of the Committee applied himself thoroughly to the examination of the subjects taken up. This was made possible because of the volume of material that had been gathered assiduously by the Secretariat and the well documented Audit Reports and the memoranda of important points prepared by the Audit Board under the distinguished leadership of the Comptroller and Auditor General. May I, on behalf of the Chairman of the Committee, convey our grateful thanks to each and every Member of the Committee and more particularly to the Conveners who took a very keen interest in the subjects and helped in making a through probe into the working of various Public Undertakings.

Indian Airlines

To take up the Indian Airlines, for example, the Committee have laid stress on forward planning to meet the rapidly increasing demand for air travel. The Committee have also suggested that the field for selection of pilots should be made wider so as to enable talented persons with limited resources to acquire the requisite training to become pilots.

Hindustan Machine Tools

In the Report on Hindustan Machine Tools, while complimenting the Undertaking on producing quality watches, which find a ready market, the Committee have pointed out the basic weakness in planning for machine tool industry in the Third and Fourth Plans with the result that while capacity in Machine Tool industry remained unutilised in the country, crores of rupees of foreign exchange had to be spent on import of machine tools which were not being manufactured within the country. The Committee have stressed that the demand survey for machine tool industry should be more realistically drawn up and should be done in greater detail so as to provide a blueprint for fuller utilisation of existing machine tool capacity in larger national interest.

Indian Telephone Industries

In the Report on Indian Telephone Industries, the Committee have highlighted the inadequacies of the design of crossbar exchange which was taken up with foreign collaboration for manufacture in the country.

The Committee have desired that the reasons for not keeping in view the peculiar conditions of Indian Telephone operations, viz., the intensity and frequency of calls, while deciding the foreign design should be gone into and responsibility fixed.

National Newsprint and Paper Mills Ltd.

In the Report on National Newsprint and Paper Mills Ltd., the Committee have focussed attention on the grave lapse in planning the second unit which had resulted in the installation of the paper rolling mill without synchronising it with the installation of the pulp manufacturing plant. The result has been that the capacity of the new paper rolling machine has not been put to effective use and newsprint continued to be imported at a cost of over Rs. 23 crores per year.

National Mineral Development Corporation

In the Report on National Mineral Development Corporation the Committee have brought out how the failure to fix a firm price for iron ore for export has led to a situation where the accounts of the Corporation could not be finalised. The Committee have stressed that the National Mineral Development Corporation should develop ore mining at most competitive costs in order to supply this basic material to the steel plants in the Public Sector at competitive price as also to win a larger share in the exports to Japan. The Committee have asked the Corporation to investigate how wasteful expenditure was incurred on purchase of excessive machinery leading to increased overheads and losses to the Corporation.

Pyrites, Phosphates and Chemicals Ltd.

In their Report on Pyrites, Phosphates and Chemicals Ltd., the Committee have deeply analysed the lapses and failures on the part of this Undertaking leading to a very serious escalation in the cost of mining pyrites at Amjhore.

Role and Achievement of Public Undertakings

The Committee are presently finalising their Report on a very interesting horizontal study, viz. Role and Achievements of Public Undertakings and hope to present it within this term.

Action Taken Reports

The Committee have finalised this year as many as 12 Action Taken Reports. I may mention, in particular, the Action Taken Report

on Indian Oil Corporation (Pipelines Division) where the Committee have analysed at great length the spirit underlying the original recommendations and reiterated that Government take appropriate action against all those who have been responsible for dereliction of duty in as much as the Pipeline was laid for considerable length through coal bearing area against best Indian technical advice and the reduction of the capacity of the pipeline from three million tonnage to nearly half the quantity. The Committee hope that the Government would see that the recommendations of the Committee are implemented in letter and spirit.

Incidentally, I would like to tell you that the Committee held 10 formal and 5 informal sittings besides 4 meetings of the Study Group and the Members discussed at great length virtually every word of this Action Taken Report before finalising it.

Valuable Assistance by the C. & A.G.

We have been greatly helped in our tasks by the comprehensive Audit Reports which have been made available by the Audit Board and the valuable data and background material furnished by the Audit officials under the distinguished guidance of the Comptroller and Auditor General. I would like to place on record our deep appreciation of the valuable support and assistance rendered by him, the Chairman of the Audit Board and Secretary and other officers of the Audit Board.

Valuable Guidance of the Speaker

May I express my gratitude to you, Mr. Speaker, for the valuable guidance and ever willing help extended by you in our work from time to time. The guidelines laid down by you as Chairman of the Committee on Public Undertakings in the earlier years, which have stood the test of time, have been of immense help to us.

Excellent Assistance by Secretary, Lok Sabha

Sir, let me record our heart-felt appreciation of the excellent assistance, rendered to the Committee by Shri S. L. Shakhder, Secretary of Lok Sabha.

I, on behalf of the Chairman and members of the Committee must also place on record our deep appreciation of the immense hard work, active cooperation and informed assistance made available to the

Committee by the officers and staff of the Committee who have worked under great pressures and handicaps.

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

Felicitations on impressive performance

It gives me immense pleasure to be present here this evening to participate in this important valedictory function of the Financial Committees. It is gratifying to learn that all of you have completed the year's work within your term and produced as many as 88 valuable Reports. All of you deserve the highest felicitations on this impressive performance.

Implementation of Recommendations

These three Financial Committees between themselves review a very wide spectrum of the activities of the Government including the public sector and the public undertakings. The Committees have now over the years built up a tradition of judging all issues on merits and evolving consensus to reflect their considered views on important issues. I have a feeling that if the recommendations made by our Committees are fully implemented by Government expeditiously, there would hardly be any need for spending enormous time and money on various *ad hoc* Commissions or Committees appointed by Government to suggest reforms or improvements in the administrative machinery or procedures. We have, therefore, to be very watchful about the proper implementation of our recommendations and I am glad to note that the Public Accounts Committee have appointed a separate Sub-Committee to review the implementation of recommendations made over a period of the last ten years and other Committees have also devised ways and means of getting their recommendations more fully and speedily processed and implemented by Government.

Dedicated Leadership of the Chairman, PAC

The Public Accounts Committee, under the able guidance and leadership of Shri Era Sezhiyan, has presented nearly 95 reports to Parliament during the last two years. These reports cover virtually all the Departments and Ministries of the Government of India. This is a very laudable achievement, for which the present Chairman, Shri Sezhiyan deserves high praise for his qualities of dedication, leadership and hard work.

Some Important Recommendations of PAC

The Chairman has already highlighted in his speech, some of the important recommendations. I would like to recall a few of them which touch issues of larger public interest; e.g. in the report on Income Tax the Committee have suggested that the present income-tax law may be split into two so as to cover comprehensively the corporate sector and have a relatively simpler law for the non-corporate sector. The Committee have also stressed that deterrent punishment should be given for concealment of incomes and that a concerted drive should be made to recover outstanding income-tax dues, particularly from companies, which owe Rs. 5 lakhs and above.

In the report on Customs, the Committee have stressed the need for making a study of the expenditure incurred on the collection agency, as the customs revenue is showing a declining trend in recent years, while there is no corresponding reduction in expenditure on staff.

The Committee have focussed attention, in their 77th report on Railways, on the wide gaps between traffic estimation and realisation and declining share of Railways in carrying coal and other industrial and agricultural goods.

In the report dealing with National Malaria Eradication Programme, the Committee have drawn pointed attention to the growing incidence of malaria cases due to the set-back received by the Programme for want of timely supply of insecticides and effective implementation agency.

The Committee have also suggested that the Delhi Development Authority should be subjected to a critical evaluation by an expert committee to see whether it has been able to achieve development of Delhi and its suburbs, as per objectives laid down by Government.

Keen Interest of the Members and Conveners

I am very happy to know from the Chairman, P.A.C., that each and every Member of the Committee, more particularly the Conveners of the Study Groups, have taken very keen interest in going in detail into the subjects, and in cross-examining the official witnesses. The Committee have also kept up the high traditions of judging all issues on merit. It is these qualities of dedication and hard work which have made for such a large number of important reports being submitted by the Committee.

Admirable work by Chairman, E.C.

I have heard with great interest what my honourable friend Shri Tewari has said about the achievements of the Estimates Committee. I must place on record my admiration for the fine work turned out by the Committee under his inspiring guidance. In particular, I am greatly impressed by the subjects taken up for examination, namely, Special Programme for weaker Sections and Employment, National Water Supply, Housing, Small Scale Industries Power, Fertilisers, etc.

Important Recommendations of Estimates Committee

As Shri Tewari was recalling the important recommendations made in each of these subjects, it came to my mind that if only our executive agencies studied these reports with as much care as goes into their drafting, they would know not only what is holding up the progress of these schemes but also what can be done to overcome the difficulties. In particular, I have appreciated the emphasis which the Committee have laid on integrated planning and making available all inputs and credit for improving agricultural production by the weaker sections in rural areas. I have also liked their suggestions that fertiliser mix should be popularised, with detailed instructions embossed in the regional language on the package so that the farmer is able to use the fertiliser to best advantage.

I commend also the study made in depth of the problems of slums in metropolitan cities and housing for weaker sections in rural areas and I hope Government would take concerted action to see that the lead given by the Kerala and Gujarat State Governments in the matter of mass housing, gains momentum in other States also.

In the case of Water Supply, I am glad to find that the Committee have underscore the need for detailed planning and execution so as to make available safe drinking water in larger villages and towns before the end of the decade.

In Power, the Committee have rightly stressed the need for its availability being kept slightly ahead of industrial, agricultural and other requirements so as to obviate the recurrence of power famine that we are all suffering from at present.

I have also been impressed by their concrete recommendations for helping the small scale industries to maintain their growth rate particularly in new areas of electronics and petro-chemicals.

I am glad that in Telephones, the Committee have stressed the need for advance planning and implementation to meet the fast growing requirements of telephones apart from improving the quality of service.

Review of Action taken by Government

I am glad that the Committee have added a new dimension to their work by giving a review report on the action taken by Government on their earlier report on Andaman and Nicobar Islands. The Committee have put to effective use the information gathered on the spot during their study tour and brought home how woefully short of promises has been the action taken by Government in implementation of the Committee's recommendations on the subject of medical facilities, tribal welfare, development of forests, small scale industries, fisheries, etc. on the Islands.

Admirable work done by Members and Conveners

All this work has been possible because of the lead given by my distinguished friend Shri Tewari, who has a gracious personality which endears him to everyone and makes for dedicated team work. I join the Chairman in complimenting each and every Member of the Committee and in particular the Conveners who have spared no pains in examining in detail the vast material on these subjects and throwing up constructive ideas which have made for such eminently useful reports.

Committee on Public Undertakings

I have listened with great interest to the resume of work done by the Committee on Public Undertakings during the last one year. As you all know, I have had the privilege of being the Chairman of this very Committee for some time before my election as Speaker in August, 1969.

Dedicated work by Chairman, Committee on Public Undertakings

I am glad that under the distinguished chairmanship of Shrimati Subhadra Joshi, whose dedication to public causes and labour welfare are a by-word, the Committee have been addressing themselves wholeheartedly to the examination of the public undertakings. We are sorry to miss her today as she had to go to Poland for an operation. We wish her speedy recovery and happy return to the country.

Some Important Recommendations of CPU

I am glad that the Committee on Public Undertakings chose for detailed examination such significant subjects as Indian Airlines, Hindustan Machine Tools, Indian Telephone Industries and NEPA Mills etc.

I agree with the Committee that air travel is bound to expand in the Seventies and Eighties at a phenomenal rate and unless the Indian Airlines Corporation set their house in order now by forward planning and by modernising their organisation, it may not find itself equal to the task.

There is no reason why HMT which once held a place of honour among Public Undertakings, should not be able to sustain its reputation by diversifying its production to suit the requirements of Industry. I hope, the shortcoming noticed in planning for machine tool industry in the Fourth Plan would be avoided at least during the Fifth Plan. I agree that watches manufactured by HMT, which enjoy a high reputation for reliability and competitive price, should be made available in larger quantities to meet the requirements of the common man.

In the report on Indian Telephone Industries, the Committee have appropriately focussed attention on the need for rectifying the shortcomings of crossbar exchanges being manufactured under foreign collaboration and for paying special attention to the requirements of rural telephone exchanges. Telephones constitute an essential infrastructure for developmental economy and I hope Government and the Company would take concerted measures to step up the output to meet the requirements.

The report on National Newsprint and Paper Mills has aptly drawn attention to the scope for improvement of quality and for stepping up production so as to attain self-reliance in this vital field.

I have also no doubt that if the National Mineral Development Corporation redouble their efforts, they can produce iron ore at competitive prices both for the home market and export.

Role and Achievement of Public Undertakings

I am greatly impressed by the Committee's decision to undertake a comprehensive study of the role and achievements of public undertakings. I am one of those who have firm faith in the public undertakings and the public sector. It was the far-sighted vision of our

late Prime Minister Pandit Nehru which laid down the role for the public sector in the Industrial Policy Resolution of 1956. The success that our country achieved in the recent conflicts with Pakistan was contributed not a little by the public sector and public undertakings which had helped to lay a solid foundation for an industrialised India.

Thorough Study by Members and Conveners of C.P.U.

The detailed reports submitted by the Committee bear witness to the thorough study which was undertaken by the Members and Conveners of the Committee on Public Undertakings to analyse the working of the undertakings, understand their difficulties and throw up concrete suggestions for overcoming these shortcomings. All the Members of the Committee more particularly the Conveners deserve compliment for putting in such hard and intelligent work.

Able Assistance by the C. & A.G.

The Committee on Public Accounts as well as the Committee on Public Undertakings are supplied a great deal of basic data by the Comptroller and Auditor-General (Shri A. Baksi) who gives Audit Report to President|Parliament. He and his able team of officers have spared no pains in providing full background material to the Committees and helped them in their work with useful memoranda on important points. I am very glad that there continues to be close coordination and understanding between the Secretariat staff serving the Committees and the C & AG's organisation.

Useful Service by the Secretariat

I am glad to learn from the Chairmen that the Officers and staff of the Lok Sabha Secretariat have been rendering useful service to these Committees.

Tributes to Members of Financial Committees

May I say how happy I am to be in your midst this evening to convey my compliments to each and every Member of the Financial Committees, the Conveners of Study Groups|Sub-Committees and Chairmen for the excellent work done by them during the current term.

VALEDICTORY MEETING OF THE RAILWAY CONVENTION COMMITTEE

[The valedictory meeting of the Railway Convention Committee of Parliament for 1971—73 was held on April 18, 1973. We reproduce below the speech of the Chairman, (Shri R. K. Sinha) and the Address delivered by Dr. G. S. Dhillon, Speaker, Lok Sabha, on the occasion.—Editor].

Speech of Shri R. K. Sinha, Chairman, Railway Convention Committee

I have great pleasure in welcoming you to the valedictory meeting of the Railway Convention Committee this evening. I am particularly grateful to you, Sir, for agreeing to spare some of your precious time so as to be in our midst today.

The Railway Budget

Sir, as you are aware, this Committee was set up in August, 1971 pursuant to a Resolution passed by both the Houses of Parliament. Soon after it was constituted, the Railways requested the Committee to give urgently their recommendations with regard to dividend and other ancillary matters so that the Railway Budget for 1972-73 could be finalised. The Committee therefore held a series of sittings and were able to prepare and present to Parliament an interim Report within a record period of less than four months. The Committee, however, felt that since the Railways had run into the red and the Plan projections which had been placed before the earlier Convention Committees had not been realised, it was imperative to undertake a deeper probe into their problems.

Four Subjects taken up

The Committee accordingly decided to take up four subjects for detailed examination on a priority basis viz., Accounting Matters, Sub-urban Services, Commercial and Allied Matters and Requirements and Availability of Wagons. Memoranda were called for from a broad

spectrum of affected and knowledgeable interests viz. State Governments, Public Undertakings, Professional Organisations, Chambers of Commerce and Industry, retired Railway Officers, Railwaymen's Unions, Members of Parliament and other eminent individuals having knowledge and experience of the working of the Railways. I am glad to report that the response was excellent as 71 Memoranda were received by the Committee. The Committee also undertook tours over all the Zonal Railways and held discussions with local Railway officials, representatives of various Railway Unions, Chambers of Commerce and Industry and other affected interests so as to gather first hand impression of the problems.

Three Study Groups

In order to assimilate the material and to enable a thorough study of the various subjects, the Committee set up three Study Groups headed by my esteemed friends Sarvashri N. K. P. Salve, Nawal Kishore Sinha and Pitamber Das.

Railway Finances

Shri N. K. P. Salve with his expert knowledge of budgetary and accounting matters gave a new dimension to the examination of this subject. He has very ably focussed attention on the problems of managing the Railway finances and the restructuring of Railway Capital. The recommendations made in the Report, if properly implemented, will provide immediate and purposeful tools for effecting economy in Railway operations and will reorient the financial structure of the Railways towards fuller accountability to Parliament.

Commercial and Allied Matters

The pragmatic approach of Shri Nawal Kishore Sinha has found its reflection in the Third and Fourth Reports of the Committee on Commercial and Allied Matters which deal with such important matters as ticketless travel, theft and pilferages, compensation claims, overcrowding in trains etc. It is due to his assiduous efforts and unflinching interest in the work that the Committee could present two comprehensive and incisive reports covering as many as nine topics.

Railway Wagons

The Fifth Report of the Committee on 'Requirements and Availability of Wagons' bears the imprint of the suave and unassuming

personality of Shri Pitamber Das. I have no hesitation in saying that the intellectual acumen and perceptive analysis of Shri Das has helped this Committee to view the problems of availability of wagons in their correct perspective. His devotion to the task has been exemplary and the Committee has benefited a great deal from his thorough study of the mass of material not only on the subjects assigned to him but in fact on all the subjects taken up by the Committee. His contribution to all the Reports has been very valuable.

Valuable work by the Conveners and Members

Sir, I am deeply obliged not only to the three Conveners but also to my other friends in the Study Groups who devoted their valuable time, labour and energy in studying the subjects entrusted to them and making useful suggestions. We have been extremely fortunate, Sir, in having on this Committee such distinguished Members of long public standing as Shri S. R. Damani, Shri M. Kalyanasundaram, Shri Atal Bihari Vajpayee, Shri T. V. Anandan, Shri Harsh Deo Malaviya, Shri Chakrapani Shukla, Shri Nageshwar Prasad Shahi, Shri M. P. Shukla and others who, despite their pressing engagements have been actively participating in the deliberations of the Committee. It is a matter of deep satisfaction that the recommendations of the Committee have all been unanimous.

Expert Guidance of Secretary, Lok Sabha and Valuable Assistance of the Staff

Sir, I take great pleasure in mentioning in this connection the able advice and guidance given to this Committee by Shri S. L. Shakhder, Secretary, Lok Sabha. I found him always helpful and ready to give concrete solutions to complex problems. I may also mention that the Committee was ably served by the Joint Secretary, Shri Avtar Singh Rikhy, the Deputy Secretary, Shri G. D. Sharma and the officers and staff working in the R.C.C. Branch who spared no pains in the service of the Committee. It is due to their unstinted help, expert guidance and constructive suggestions that the Committee has been able to complete the work which it had taken upon itself to its entire satisfaction and within the shortest possible time.

Committee's Recommendations

With your permission, I would recall briefly the important recommendations made by the Committee on the various problems affecting Railway Finances.

The reliefs and other concessions of about Rs. 22 crores per year recommended by the Committee have enabled the Railways to stand up, so to say, on their feet once again and to work with renewed confidence for the economic prosperity of the country.

Accounting and Budgetary Procedure of Railways

The First Report is a detailed study of the accounting and budgetary procedures of the Railways, the management of Railway Funds, development of management accountancy and performance budgeting etc. etc. Not satisfied with the accounting procedures of the Railways which are based on age-old concepts the Committee has recommended the setting up of an expert Working Group to examine the same so as to modernise the systems on scientific lines. The problem of over-capitalisation of the Indian Railways and restructuring of the capital, has also to be gone into in all its ramifications. A comprehensive review of the form and content of the Railway Budget in the interest of proper accountability to Parliament has been suggested.

Suburban Services

The Second Report of the Committee on 'Suburban Services' emphasises the crucial role played by the Railways in providing cheap, reliable and fast passenger transport in the major metropolitan towns. To alleviate the sufferings of the common people who have to live in filthy conditions in the slums of oversaturated cities, the Committee has emphasised the need for perspective planning for provision of Suburban Services in all cities having a population of 10 lakhs and above. The Committee has also suggested abolition of First Class from the Suburban trains.

Reorganisation of the RPF (Railway Protection Force)

In the Third Report on 'Commercial and Allied Matters' the Committee has *inter alia*, suggested reorganisation of the RPF and vesting of additional powers in this Force to make it an effective instrument of protection of Railway property and for prevention of thefts and pilferages.

Overcrowding in Railways

The Fourth Report which deals with the problems of overcrowding on Railways, classes of travel, free pass facilities to Railway Staff, 'Railway Users' Amenities and Catering Services, will be presented to

Parliament shortly. The Committee has, in this Report, come to the conclusion that given the present financial constraints, no substantial relief from the chronic problem of overcrowding on the Railways is possible unless the Railways rationalise the classes of travel by restricting them to two only.

Inspection Carriages

The Committee has also suggested that the facility of inspection carriages should in no case be treated as a perquisite and that these carriages should be used strictly for inescapable official duties involving visits to places where lodging facilities do not exist.

The Railway Wagons

The Fifth Report on "Requirements and Availability of Wagons" highlights some of the basic flaws in the estimation of requirements of wagons, their production and utilisation etc. This Report was adopted by the Committee day before yesterday and will be presented to Parliament before the end of this month. In this Report the Committee has not only drawn attention to the persistent overestimation of traffic requirements which has vitiated all Railway planning but has also pointed out areas where there is scope for fuller and better utilisation of the existing wagon capacity. It is also of the view that the existing capacity for manufacture of wagons in the country is adequate to meet the anticipated requirements of the Fifth Plan provided orders are placed on a sustained and regular basis and supplies of wheels, axles etc. are assured.

Rate of Dividend

The final Report of the Committee on the Rate of Dividend for the First two years of the Fourth Plan which were left uncovered and other ancillary matters was adopted by the Committee yesterday. Some of the other important problems such as appraisal of the Fourth Plan Schemes, the approach to the Fifth Plan, the working of Production Units and Workshops, new lines and conversion schemes etc. yet remain to be gone into and the new Committee that may be set up to give their recommendations for the next quinquennium may like to address themselves to the same.

Unstinted Cooperation from the Ministers

Sir, before I conclude I would like to express my sense of deep gratitude to you for the confidence and trust that you reposed in me

by selecting me for this challenging assignment. The unstinted co-operation and help which I have received from all my colleagues in the Committee and particularly from Shri Chavan, our Finance Minister, Shri Hanumanthaiya, the former Railway Minister and Shri Qureshi, Deputy Minister of Railways who are illustrious Members of this Committee, contributed to the success of this assignment for which I am personally obliged to each and every one of them.

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

Maintenance of High Traditions

It gives me great pleasure to be in your midst this evening. I have been watching with close interest the working of your Committee and it has given me immense satisfaction that under the able Chairmanship of Shri R. K. Sinha you have been able to put in some solid work. Your Reports have won approbation not only on the Floor of both the Houses but have also been acclaimed by the Press and the public. I have been particularly impressed with the objective approach and constructive suggestions given by you. Notwithstanding the fact that you represent various shades of public opinion in the country, your recommendations have been non-partisan and unanimous. This is in line with the best traditions of Parliamentary Committees whose stature you have undoubtedly enhanced. I will therefore not be discharging a mere formality by heartily congratulating you for all that you have done within a short span of time. The association of the Hon'ble Finance Minister and the Deputy Minister of Railways with this Committee lends weight to your recommendations and I am sure these will be implemented both in letter and spirit.

Choice of subjects

The working of the Railways has been and continues to be a subject of keen public interest and Parliament has also been considerably exercised about the deteriorating state of Railway finances over the past few years. I am glad to find that in your choice of subjects for detailed examination, you have picked up some of the most significant issues which have been agitating the public mind and which have contributed in no small measure to the losses incurred.

Pinpointing of Areas of Improvement

As everybody knows, the Railways are our biggest national enterprise. Though they must work as a commercial organisation, none

would affirm that the social and other burdens that they have to bear should cease to be their responsibility. You have rightly struck a balance between these two obligations. While your recommendations have given much-needed relief to the Railways, you have also taken pains to pinpoint the areas where improvement is possible and should be effected.

The First Report

Your recommendations in the First Report regarding introduction of modern concepts of management accountancy, performance budgeting, inventory control, computerisation etc. reflect latest thinking in the matter. The Railways would do well to implement these ideas and discard age-old practices which do not serve well the present day needs.

Report on Commercial Matters

Your Report on "Commercial Matters" has focussed attention on the problem of acute over-crowding in the mail and express trains on the major trunk routes in the country. The technological advancement made by the railways in running longer and faster trains has necessarily to be placed at the service of the common people by adding more Janta trains and more third class coaches to existing trains. It is high time that Government gave serious consideration to your suggestion for rationalisation of the classes of travel on the Railways so as to tackle effectively the problem of overcrowding in third class.

The necessity for providing more sleeper coaches to meet the requirements of long distance third class passengers has also been rightly emphasised by your Committee.

Traffic Estimates

In your Fifth Report on "Requirements and Availability of Wagons" you have drawn attention to the persistent over-estimation of traffic materialisation during the course of the Third and Fourth Five Year Plans which has resulted in creation of excessive facilities in certain areas thus blocking up the scarce capital resources and depriving other areas of the much-needed developmental resources. You have rightly cautioned Government to exercise utmost care in preparing the traffic estimates for the Fifth Plan. The association of Zonal Railway administrations in this exercise is a very significant suggestion which should go a long way in preparation of realistic traffic estimates

and for assessing the requirements of rolling stock, line capacity, staff etc. on a more rational basis.

Goods Traffic Consultative Committee

I have noted with interest your suggestions for setting up a Goods Traffic Consultative Committee and for revamping the entire consultative machinery of the Railways so as to associate Railway users with the functioning of the Railways in a more purposeful manner.

Salvaging the Image

As you have rightly pointed out, Railways have all along enjoyed a pride of place in the national economy but in the face of growing competition from road transport particularly in the matter of carriage of high rated commodities where they are slowly losing their edge, they have to salvage their image as a reliable, efficient and quick carrier of public goods.

Improving the Financial Position

Your recommendations for checking ticketless travel, reducing the incidence of thefts and pilferages, streamlining the procedures for payment of, compensation claims, reorganisation of the Railway Protection Force etc. will, I am sure, get serious consideration from Government, as these will go a long way in improving the financial position of the Railways and in refurbishing their image in public mind.

Departmental Catering

The Departmental Catering System on the Railways which has often come up for criticism in the House, has also been dealt with and I am glad to find that you have laid stress on the need for providing hygienic and nutritious food to the travelling public. The need for modernising the kitchens to ensure that food is prepared in a hygienic manner free from any contamination is very essential and the Railways would do well to take up the matter on priority basis as recommended by you.

Suburban services

Your Report on Suburban Services has rightly laid stress on the need for perspective planning for provision of fast inter-city and intra-city services for our rapidly expanding urban population.

Laudable Leadership of the Chairman

I must convey my heart-felt appreciation to Shri Sinha, Chairman of the Committee who has led the team most ably. I commend specially his gracious bearing and courteous dealings which have made for unstinted cooperation of all concerned and ensured maximum participation by the Members.

Valuable Contribution of Conveners

I join the Chairman in paying my compliments to the three Conveners—Sarvashri Nawal Kishore Sinha, N. K. P. Salve and Pitamber Das as well as their colleagues in the Study Groups who have made valuable contribution at all stages of the work of the Committee.

Task of the new Committee made easier

I feel confident that your labours have made easy the task of the next Committee that may be set up for giving recommendations for the quinquennium 1974—79. Informed criticism is the very life blood of Parliamentary democracy. Your efforts in this direction are a contribution to the noble ideals that we all cherish. I must therefore heartily congratulate you all, collectively and individually, for the fine work that has been done by this Committee. I am very happy that the Hon. Minister of Railways has also joined us today.

THE CODIFICATION OF LEGISLATIVE PRIVILEGES*

S. L. SHARDEH,
Secretary, Lok Sabha

The powers, privileges and immunities of either House of Parliament and of its members and Committees have been laid down in Article 105 of the Constitution of India.

In this Article, the privilege of freedom of speech in Parliament and the immunity to Members from "any proceedings in any court in respect of anything said or any vote given" by them in Parliament or any Committee thereof, are specifically provided for. This article also provides that no person shall be liable to any proceedings in any court "in respect of the publication by or under the authority of either House of Parliament of any report, paper, votes or proceedings". In other respects, however, clause (3) of this article provides that, "the powers, privileges and immunities of each House of Parliament, and of the members and the Committees of each House, shall be such as may from time to time be defined by Parliament by law, and until so defined shall be those of the House of Commons of the Parliament of the United Kingdom and of its members and Committees, at the commencement of this Constitution", namely, 26th January, 1950.

No comprehensive law has so far been passed by Parliament under clause (3) of Article 105 to define the powers, privileges and

*— *Paper contributed for the seminar on "Constitutional Developments since Independence" organised by the Indian Law Institute, New Delhi on April 19-22, 1973. The article is being published with the kind permission of the Indian Law Institute.

¹(1) In 1956, the Parliament enacted the Parliamentary Proceedings (Protection of Publication) Act, 1956, sponsored by a private Member, Shri Feroze Gandhi, Section 30 of which provides:

"3.(1) Save as otherwise provided in Sub-section(2) no person shall be liable to any proceedings, civil or criminal, in any court in respect of the publication in a newspaper of a substantially true report of any proceedings of either House of

immunities of each House, and of the members and the Committees thereof. In the absence of any such law, the powers, privileges and immunities of the House, and of the members and the Committees thereof continue to remain the same as those of the House of Commons, U.K., and of its members and Committees, at the time of the commencement of the Constitution, that is, 26th January, 1950.

In the United Kingdom, no attempt has so far been made to codify the entire law of privilege. There, the privileges of Parliament are based "partly upon custom and precedents which are to be found in the Rolls of Parliament and the Journals of the two Houses and partly upon certain statutes which have been passed from time to time for the purpose of making clear particular matters wherein the privileges claimed by either House of Parliament have come in contact either with the prerogatives of the Crown or with the rights of individuals."²

In India the plea for codification of privileges was put forward in 1954 by the Press Commission.³

Parliament, unless the publication is proved to have been made with malice.

- (2) Nothing in sub-section (1) shall be construed as protecting the publication of any matter the publication of which is not for the public good."

The Act also applies to Parliamentary proceedings broadcast by wireless telegraphy.

(ii) In 1958-59, a private Member, Shri N. C. Bharucha, sponsored a Bill to include Members' letters to Ministers within the meaning of the term "Proceedings in Parliament" but it was rejected by Lok Sabha. See L. S. Deb., dated 20-2-1959 cc. 2241-2304.

(iii) Under Section 320(aa) of the Code of Criminal Procedure, Members of Parliament and Members of State Legislatures are exempt from liability to serve as jurors.

(iv) Under Section 135A of the Code of Civil Procedure read with Article 105(3) of the Constitution, Members of Parliament and State Legislatures are exempt from arrest and detention under civil process during the continuance of a session and during the forty days before and after such session.

²Halsbury's *Laws of England*, 2nd Ed., Vol. XXIV, pp. 345-46.

³Report of the Press Commission (1954), Part I, p. 421 (Para 1096).

Referring to that plea, the late Speaker (Shri G .V. Mavalankar) in his address to the Conference of Presiding Officers at Rajkot on the 3rd January, 1955 stated as follows:

"The Press Commission considered this matter purely from the point of view of the Press. Perhaps they may have felt the difficulties of the Press to be real; but from the point of view of the legislature, the question has to be looked at from a different angle. Any codification is more likely to harm the prestige and sovereignty of the legislature without any benefit being conferred on the Press. It may be argued that the Press is left in the dark as to what the privileges are. The simple reply to this is that those privileges which are extended by the Constitution to the legislature, its members etc., are equated with the privileges of the House of Commons in England. It has to be noted here that the House of Commons does not allow the creation of any new privileges; and only such privileges are recognized as have existed by long time custom. No codification, therefore, appears to be necessary."

The Conference of Presiding Officers unanimously decided that "in the present circumstances, codification is neither necessary nor desirable."

The question of undertaking legislation of the subject has engaged the attention of the Presiding Officers since 1938. Before 1947, the question was whether sections 28/71 of the Government of India Act, 1935 should be so amended so that the privileges of the Indian Legislatures were made the same as those enjoyed by the British House of Commons.

At the Conference held in 1939 the discussion proceeded on the basis of the Bengal Legislature Assembly Powers and Privileges Bill 1939 introduced in the Bengal Legislative Assembly on the 12th July, 1939. The Conference agreed that there should be a definition of the privilege. However, no legislation on the subject was ultimately passed in the Bengal Legislature.

In 1947, the Conference agreed that each Province should send its own draft of Privileges Bill to the Central Assembly Department and thereafter a special session of the Conference might be called to consider the matter. However, in view of the announcement made by the Government of the U.K. on the 20th February, 1947, regarding transfer of power to India, the Chairman informed the Presiding Officers of State Legislatures that it would serve little purpose if they look up the drafting of Privileges Bill before the Constitution was settled.

In September, 1949, when the question of enacting legislation on the subject was considered by the Conference, the Chairman (the late Shri G. V. Mavalankar) expressed the view:

"It is better not to define specific privileges just at the moment but to rely upon the precedents of the British House of Commons. The disadvantage of codification at the present moment is that whenever a new situation arises, it will not be possible for us to adjust ourselves to it and give members additional privileges. To-day, we are assured that our privileges are the same as those of the Members of the House of Commons.....

In the present set up any attempt at legislation will very probably curtail our privileges. Let us, therefore, content ourselves with our being on a par with the House of Commons. Let that convention be firmly established and then we may, later on, think of putting it on a firm footing."

After some discussion, it was agreed by the Conference that a preliminary survey might be made to collect ideas as to what the privileges should be and to visualise the points on which legislation might be necessary. A Committee consisting of four Speakers was appointed to examine the recommendations received from the Provinces on this matter.

In their Report, the Committee of Speakers, made, *Inter alia*, the following observations:—

"Article 194(3) of the Constitution of India provides that in other respects—other than those referred to in clauses (1) and (2) of the article—the powers, privileges and immunities of a House of the Legislature of a State, and of the members, and the Committees of a House of such Legislature shall be such as may from time to time be defined by the Legislature by law, and, until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and Committees, at the commencement of the Constitution. It seems from this that, as soon as a Legislature enacts a law defining the powers, privileges and immunities of its members, the privileges of the House of Commons will not be available to the members of the Legislature. The Committee is doubtful as to whether under article 194(3) a Legislature can enact a law defining the powers, privileges and immunities of its members in certain respects only and also providing therein that in other respects the powers, privileges and immunities will be those of the House of Commons. The Committee is of the opinion that if it is competent to a Legislature under this article to enact such a law, then only the Legislature should undertake a legislation defining the powers, privileges and immunities of Members. Otherwise, it

would not be advisable to undertake any legislation at present. Whether it is open to the Legislature to do so or not depends upon the interpretation of article 194(3). As the question is one of legal interpretation, the Committee has left the matter for the decision of the Speakers' Conference."

The issue of the codification of privileges and the Report of the Committee of Speakers was discussed in detail at the Conference of Presiding Officers held in August, 1950. In his opening address to the Conference, the Chairman (late Shri G. V. Mavalankar), observed:—

"I believe it might not be out of place here if I were to express as to how I feel about the question of legislation on matters of privileges. I may at once say that I have an open mind and would willingly abide by the decisions that the Conference takes. But my own reaction for the time being is that we may allow the matter to rest for the present where it is, specially in view of the present level of parliamentary life in the country and set-up of Governments. The Constitution has granted the maximum possible privileges when the same are equated to those of the House of Commons. Legislation in respect thereof is, therefore, now not at all necessary, or at least not so necessary as it was when the privileges were very much restricted. Further, I feel two great difficulties and handicaps if we were to think of any legislation in respect of the privileges. These are—

- (i) Any legislation at the present stage would mean legislation only in regard to matters acceptable to the executive Government of the day. It is obvious that, as they command the majority, the House will accept only what they think proper to concede. It is important to bear in mind that the privileges of members are not to be conceived with reference to this or that party, but as privileges of every member of the House, whether he belongs to Government or the opposition party. My fears are, therefore, that an attempt at legislation would mean a substantial curtailment of the privileges as they exist today. We may think, therefore, of legislation after a few years, by which time we may expect that sound parliamentary conventions will grow.
- (ii) My second reason is that any legislation will crystallize the privileges and there will be no scope for the presiding authorities to widen or change the same by interpretation of the privileges as they exist in the British Parliament. Today they have an opportunity of adapting the principles on which the privileges exist in the United Kingdom to conditions in India.

I may here invite your attention to the Secretary's (Shri M. N. Kaul's) note on the subject which is being circulated to you. It points out a fundamental aspect of the question which deserves careful and anxious consideration."

In his note referred to above, Shri M. N. Kaul had emphasised *inter alia*:—

"Our Constitution has one important peculiarity in that it contains a declaration of fundamental rights and the Courts have been empowered to say that a particular law or a part of a law is void or invalid because it is in conflict with a particular fundamental right and therefore beyond the powers of Parliament.

At the present time, and until Parliament had codified its privileges, the privileges of Parliament are defined in the Constitution itself as being the same as those of the House of Commons in the United Kingdom. It follows from this fact that at the present time the privileges of Parliament are part and parcel of the Constitution and therefore, of what is known as the 'fundamental law.' The Courts will, therefore, be compelled to reconcile the existing law of privilege, which carries with it the power of the Speaker to issue a warrant without stating the grounds on the face of it, with the fundamental rights. It will be extremely difficult for the Supreme Court to say that what is so explicitly provided in a part of the Constitution in regard to the existing privileges of Parliament is in any way restricted by the fundamental rights.

Once, however, the privileges are codified by an Act of Parliament in India, the position changes entirely. . . the statute will be examined in the same way as any other statute passed by Parliament, and the Courts may well come to the conclusion that, in view of the provisions in the fundamental rights, it is not open to any legislature in India to prescribe that the Speaker may issue a valid warrant without disclosing the grounds of commitment on the face of the warrant—all matters would (then) come before the courts and parliament would lose its exclusive right to determine matters relating to its privilege."

It may be mentioned here that in 1958, the Supreme Court, (in their majority judgement) in the *Searchlight* case, upheld this view and declared:

"It is true that a law made by Parliament in pursuance of the earlier part of Art. 105(3) or by the State Legislature in pursuance of the earlier part of Art. 194(3) will not be a law made in exercise of constituent power. . . but will be one made in exercise of its ordinary legislative powers under Art. 246 read with the entries referred to above and that consequently if

such a law takes away or abridges any of the fundamental rights, it will contravene the preemptory provisions of Art. 13(2) and will be void to the extent of such contravention as it may well be that that is precisely the reason why our Parliament and the State Legislatures have not made any law defining the powers, privileges and immunities just as the Australian Parliament had not made any under section 49 of their Constitution corresponding to Art. 194(3).....It does not, however, follow that if the powers, privileges or immunities conferred by the latter part of those Articles are repugnant to the fundamental rights, they must also be void to the extent of such repugnancy. It must not be overlooked that the provisions of Art. 105(3) and Art. 194(3) are constitutional laws and not ordinary laws made by Parliament or the State Legislatures and that, therefore, they are as supreme as the provisions of Part III".

"Article 19(1) (a) and Art. 194(3) have to be reconciled and the only way of reconciling the same is to read Art. 191(1) (a) as subject to the latter part of Art. 194(3).....In our judgment the principle of harmonious construction must be adopted and so constructed, the provisions of Art. 19(1) (a), which are general must yield to Art. 194(1) and the latter part of its clause (3) which are special."

Mr. Justice K. Subba Rao, in his minority judgement in the same case, however, observed *inter alia*:

"The first thing to be noticed in Cl. 3 of Art. 194 is that the Constitution declares that the powers, privileges and immunities of a House of Legislature of a State and of the members and Committees of a House of such Legislature are such as defined by the Legislatures by law. In the second part, as a transitory measure it directs that till they are so defined, they shall be those of the House of Commons of the Parliament of the United Kingdom and of its members and Committees, at the commencement of the Constitution. I find it impossible to accept the contention that the second part is not a transitory provision; for the said argument is in the teeth of the express words used therein. It is inconceivable that the Constituent Assembly, having framed the Constitution covering various fields of activity in minute detail, should have thought fit to leave the privilege of the Legislatures in such a vague and nebulous position compelling the Legislatures to ascertain the content of their privileges from those obtaining in the House of Commons at the commencement of the Constitution.

I have no doubt, therefore, that part two of cl. (3) of Art. 194 is intended to be a transitory provision and ordinarily, unless there is a clear intention to the contrary, it cannot be given a higher sanctity than that of the first part of cl. (3).

When the Constitution expressly made the laws prescribing the privileges of the Legislature of a State or our country subject to the fundamental rights, there is no apparent reason why they should have omitted that limitation in the case of the privileges of Parliament of the United Kingdom in their application to a State Legislature.

The contention also, if accepted would lead to the anomaly of a law providing for privileges made by Parliament or a Legislature of our country being struck down as infringing the fundamental rights, while the same privilege or privileges, if no law was made, would be valid.

It may not be out of place to suggest to the appropriate authority to make a law regulating the powers, privileges and immunities of the Legislature instead of keeping this branch of law in a nebulous state, with the result that a citizen will have to make a research into the unwritten law of the privileges of the House of Commons at the risk of being called before the Bar of the Legislature."⁴

Speaking in Lok Sabha on the 20th February, 1959, on a private Member's "The Parliamentary Privilege Bill" which sought to include Members' letters to Ministers within the meaning of the term "Proceedings in Parliament", the former Minister of Law, Shri Asoke K. Sen observed:

"After all, it is now acknowledged more or less universally that matters of privileges should be left uncodified rather than codified.....It is all the more so in the country.

Though in England, Parliament may, if it so chooses, pass any law concerning privilege without any limitation whatsoever either by way of extending it or restricting it, in this country the moment we think of passing any law we shall have to contend with the limitations which the Constitution imposes upon us. Let us not be deluded into the idea that this House can pass any law concerning its privileges. It is all right to stick to those which have been inherited by reason of article 105 of the Constitution. But the moment we try to codify them by passing laws ourselves, for, the whole of the limitations in part III, of the Constitution and the other limitations will have full play the moment Parliament seeks to legislate. That matter has been made quite clear in the recent judgment of the Supreme Court in the Patna Searchlight case wherein it

⁴A.I.R. 1959 S.C. 395—422.

⁵LS Deb. dated 20-2-1959 cc. 2275-76.

appears to have been laid down that if Parliament sought to pass a law seeking to confer some privilege which it now enjoys, it might have been bad in law as well as against the Constitution.

Yet, since no law has conferred it, and it is only a matter of inheritance, we continue to enjoy it. That is the position. Therefore, I think it will be a good rule of caution and prudence if we do not indulge in large scale legislation or indiscriminate legislation concerning the privileges of this House or of the other House. After all, centuries of experience of other Parliaments have cautioned them against landing themselves into a body of codified laws of privilege. I think we can safely follow it as a rule of caution."

A pronouncement on the subject by the Supreme Court was made in their Opinion on the special Reference (No. 1 of 1964) made by the President in *Keshav Singh's* case. The majority Opinion of the Supreme Court observed:—

"That takes us to clause (3). The first part of this clause empowers the Legislatures of States to make laws prescribing their powers, privileges and immunities the latter part provides that until such laws are made, the Legislatures in question shall enjoy the same powers, privileges and immunities which the House of Commons enjoyed at the commencement of the Constitution. The Constitution-makers must have thought that the Legislatures will take some time to make laws in respect of their powers, privileges and immunities. During the interval, it was clearly necessary to confer on them the necessary powers, privileges and immunities. There can be little doubt that the powers, privileges and immunities which are contemplated by clause (3), are incidental powers, privileges and immunities which every legislature must possess in order that it may be able to function effectively, and that explains the purpose of the latter part of clause (3).

The implications of the first part of clause (3) may, however, be examined at this stage. The question is, if the Legislature of a State makes a law which prescribes its powers, privileges and immunities, would this law be subject to Art. 13 or not? It may be recalled that Art. 13 provides that laws inconsistent with or in derogation of the fundamental rights would be void. Clause (1) of Art. 13 refers in that connection to the laws in force in the territory of India immediately before the commencement of the Constitution, and clause (2) refers to laws that the State shall make in future. *Prima facie*, if the Legislature of a State were to make a law in pursuance of the authority conferred on it by clause (3), it would be law within the meaning of Art. 13 and clause (2) of Art. 13 would render it void if it contravenes or abridges the fundamental rights

guaranteed by Part III. As we will presently point out, that is the effect of the decision of this Court in Pandit Sharma's case. In other words, it must now be taken as settled that if a law is made under the purported exercise of the power conferred by the first part of clause (3), it will have to satisfy the test prescribed by the fundamental rights guaranteed by the Constitution. If that be so, it becomes at once material to enquire whether the Constitution-makers had really intended that the limitations prescribed by the fundamental rights subject to which alone a law can be made by the Legislature of a State prescribing its powers, privileges and immunities, should be treated as irrelevant in construing the latter part of the said clause. The same point may, conveniently be put in another form. If it appears that any of the powers, privileges and immunities claimed by the House are inconsistent with the fundamental rights guaranteed by the Constitution, how is the conflict going to be resolved. Was it the intention of the Constitution to place the powers, privileges and immunities specified in the latter part of cl. (3) on a much higher pedestal than the law which the Legislature of a State may make in that behalf on a future date? As a matter of construction of clause (3), the fact that the first part of the said clause refers to future laws which would be subject to fundamental rights, may assume significance in interpreting the latter part of clause (3)."

Mr. Justice Sarkar in his dissenting Opinion, however, observed:—

"Then as to the second part of Art. 194(3) being transitory, that depends on what the intention of the Constitution-makers was. No doubt it was provided that when the law was made by the Legislature under the first part of Art. 194(3) the privileges of the House of Commons enjoyed under the latter part of that provision would cease to be available. But I do not see that it follows from this that the second part was transitory. There is nothing to show that the Constitution-makers intended that the Legislature should make its own law defining its privileges. The Constitution-makers had before them when they made the Constitution in 1950, more or less similar provisions in the Australian Constitution Act, 1901 and they were aware that during fifty years, laws had not been made in Australia defining the privileges of the House of the Legislatures there but the Houses had been content to carry on with the privileges of the House of Commons conferred on them by their Constitution. With this example before them I have no reason to think that our Constitution-makers, when they made a similar provision in our Constitution, desired that our Legislatures should make laws defining their own privileges and get rid of the privileges of the House of Commons conferred on them by the second part of Art. 194(3). I think it right also to state that even if the rights conferred by the second part of

Art. 194(3) were transitory, that would not justify a reading the result of which would be to delete a part of it from the Constitution."⁶

The question of defining the powers, privileges, etc. of Parliament and State Legislature figured in a writ petition filed in the Madras High Court. It was contended that article 194(3) was transitory in character, that non-enactment of any law on the subject was a deliberate inaction with the consequence that what was guaranteed under the second limb of the said article was no longer available, and must be held to have lapsed by default. In this connection, the Court observed:

"It is very difficult to see how any theory of automatic lapse, or lapse due to inaction can apply to article 194(3) in its relation to the State Legislature.... We may take notice of the fact that certain petitions have been submitted to Parliament and to the State Legislature, stressing the need for early enactment, in the interest of the Rule of Law; but it is impossible to arrive at any conclusion that the inaction is deliberate; far more so, to sustain any theory that such inaction has the effect of a lapse or extinction. *Per contra*, where the Constitution intends setting a term to any situation or rights, it explicitly says so, and articles 334, 337 and 343 are very clear instances."⁷

Position in other Commonwealth Countries

In the United Kingdom, the privileges of Parliament have not been codified so far. There, the privileges of Parliament are based largely upon custom and precedents. There are, however, certain statutes also which have been passed from time to time for the purpose of making clear particular matters wherein the privileges claimed by the Houses of Parliament have come in contact either with the prerogatives of the Crown or with the rights of individuals. In this connection, the Select Committee of the House of Commons, U.K., on the Official Secrets Acts, in their report in 1939, observed:

"The privileges of Parliament, like many other institutions of the British constitution, are indefinite in their nature and stated in general and sometimes vague terms. The elasticity thus secured has made it possible to apply existing privileges in new circumstances from time to time. Any attempt to translate them into precise rules must deprive them of the very quality

⁶A.I.R. 1965 S.C. 2L.

⁷C. Subramaniam vs Speaker of the Madras Legislative Assembly and others A.I.R. 1969 Madras 10.

which renders them adaptable to new and varying conditions, and new or unusual combinations of circumstances, and indeed, might have the effect of restricting rather than safeguarding members' privileges, since it would imply that, save in the circumstances specified, a member could be prosecuted without any infringement of the privileges of the House. 'The dignity and independence of the two Houses,' says Sir William Blackstone with great force, 'are in great measure preserved by keeping their privileges indefinite. If all the privileges of Parliament were down and ascertained and no privileges to be allowed but what was so defined and determined, it were easy for the executive power to devise some new case, not within the line of privilege, and under pretence thereof to harass any refractory member and violate the freedom of Parliament.'⁸

The question of defining Parliamentary Privileges was also raised in the House of Commons, U.K., when on the 11th April, 1957, Mr. Iremonger, M.P., stated that there was considerable public doubt and anxiety on the general question of the nature and extent of Parliamentary Privileges and requested the Leader of the House to grant some time for discussion of a Motion put on the Order Paper in the name of six Members including himself. The Motion read as follows:

"That it be an instruction to the Committee of Privileges, in view of the prevailing public uncertainty and anxiety on the matter, to prepare and submit to the House a report which shall define the nature and clarify the purpose of Parliamentary Privilege and recommend a procedure designed to secure its equitable protection."

Mr. Butler, Lord Privy Seal and Leader of the House, promised to give due consideration to the motion, but advised the Member to take his chances through a ballot for the Private Members' Motion.

He also recommend to the House to consider some very valuable statements contained in the Report of the Select Committee on the Official Secrets Acts of 5th April, 1949, which included the following weighty words of Sir William Blackstone:

"The dignity and independence of the two Houses are in great measure preserved by keeping their privilege indefinite."⁹

⁸H.C. 101 (1938-39), p. (xiv), para 22.

⁹H.C. Deb., Vol. 563, cc. 1300-01.

The question of codification of categories of contempt was also considered by the Select Committee on Parliamentary Privilege (1966-67) of the House of Commons (U.K.). The Committee reported¹⁰ *inter alia* as follows:

"It has been suggested to your Committee that the categories of contempt should be codified. They have given careful consideration to this proposal but have been compelled to reject it. The very definition of 'contempt' which they have proposed for the future guidance of the House clearly indicates that new forms of obstruction, new functions and new duties may all contribute to new forms of contempt. They are convinced therefore that the House ought not to attempt by codification to inhibit its powers."

In some other Commonwealth countries, notably Australia and Canada, although Parliament has been empowered under the Constitution to define by law its powers, privileges and immunities, no such legislation has so far been enacted.

In the case of Australia, the powers, privileges and immunities of Parliament are governed by section 49 of the Commonwealth of Australia Constitution Act 1900, which is in similar terms as article 105(3) of the Constitution of India.

In the case of Canada, Section 18 of the British North America Act, 1867, as substituted by the Parliament of Canada Act, 1875, empowers the Parliament of Canada to define from time to time by Act the privileges, immunities and powers of each House of Parliament and of the members thereof.

In 1868, the Canadian Parliament enacted a law which gave to each of the House, in almost the identical words used in the original section 18 of the British North America Act, 1867, the powers, immunities and privileges enjoyed by the British House of Commons at the time of passing the British North America Act, 1867, "so far as the same are consistent with and not repugnant to the said Act."

The Act stated that these were part of the general and public law of Canada and "it shall not be necessary to plead the same, but the same shall in all courts in Canada and by and before all judges be taken notice of judicially."¹¹

¹⁰H. C. (1966-67) 34.

¹¹Dawson, *The Government of Canada*, (1954 Ed.), p. 398.

"The privileges, immunities and powers of the House of the Parliament of Canada are thus potentially those of the British House of Commons, although their primary base in statutory and not established customs and inherent rights."¹²

In South Australia, Parliament had been empowered by section 35 of the Constitution Act, 1855-56, to define by Act the privileges, immunities and powers of two Houses and its members, provided they did not exceed the privileges, immunities and powers of the British House of Commons, as at the time of the passing of the Act. In pursuance of this authority, Parliament of South Australia in 1858 enacted the Parliamentary Privileges Act, which set out in comprehensive detail the privileges of the local legislatures. This Act, however, was repealed by the South Australian Parliament in 1872, since in its actual working great difficulties were experienced. For example, it was provided in the said Act that any warrant issued by the Speaker for the apprehension and imprisonment of any person adjudged guilty of contempt should contain a statement not only that the person named therein had been adjudged guilty of contempt by the House, but also specify the nature of such contempt in the words of the Act defining the same, or in equivalent words. Power was thus given to every court that had jurisdiction in such cases to decide upon the validity of the warrant, and it was not sufficient to plead the warrant alone in answer to an application under the *habeas corpus* Act, as the validity of it could be questioned by the Court. In fact, if in the judgment of the Court, before which it came, the warrant of the Speaker was not held to be correct, "it was not worth the paper on which it was written."

James P. Boucaut, the Attorney-General, while speaking on the second reading of the Bill he had introduced in 1872 to repeal the Parliamentary Privilege Act, 1858, quoted Lord Cairns as saying:

"Parliament's most important privilege is not to define their Privileges. A privilege to commit which is dependent upon the chance or some other body to whom a narrative shall be given of that which was done before their own eyes, being of the same opinion as you are as to whether it was a contempt or not, is no privilege at all."

These principles were recognised in the 1872 Act, and the 1858 Act setting out details of parliamentary privileges was repealed. In essence the 1872 Act declared that the privileges, powers and

¹²*Ibid.* p. 399.

immunities of the two Houses and its members and Committees were to be the same as those of the House of Commons at the time of passing of the South Australian Constitution Act in 1856. This is still the law of parliamentary privilege today in South Australia.¹³

In some Commonwealth countries notably Ceylon, Kenya, Zambia, Mauritius, Nyasaland, Trinidad and Tobago and Malaysia, the privileges of Parliament have been specifically defined by law. Similarly, in the Union of South Africa, a former member of the Commonwealth the Parliament has, in pursuance of Section 57 of the South Africa Act, 1909, enacted the Powers and Privileges of Parliament Act, 1911, which defines and declares all the powers and privileges of the Parliament of the Union of South Africa. Section 4 of the said Act, constitutes both Houses separately or jointly a "Court of Record", which may impose fines for contempt. Further, section 5 provides machinery for removing all questions of Parliamentary Privilege from the jurisdiction of the Courts of law.¹⁴ Burma has also enacted legislation in 1959 defining the powers and privileges of its Parliament.

The Privileges of Members of the U.S. Congress rest primarily on the Constitution, which gives them a conditional immunity from arrest and on unconditional freedom of debate in the House. Article 1, section 6 of the U.S. Constitution provides.

"They (the Senators and Representatives) shall in all cases, except Treason, Felony, and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they (the Senators and Representatives) shall not be questioned in any other place."

According to Rule IX of Rules of the U.S. House of Representatives: "Questions of Privilege shall be, first those effecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members individually in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn."

In U.S.A. each House of the Congress has the power to punish its Members for disorderly behaviour and other contempts of its authority, as well as to expel a Member for any cause which seems to the

¹³Gordan D. Combe, *Responsible Government in South Australia*, pp. 104-05.

¹⁴Ralph Kilpin, *Parliamentary Procedure in South Africa*, p. 191.

House to render it unfit that he continues to occupy one of its seats.¹⁵ This power is generally enumerated in the constitution¹⁶ of the U.S.A. In such cases, the courts of law cannot inquire into the justice of the decision, or even so much as examine the proceedings of the House to see whether or not the proper opportunity for defence was furnished.¹⁷

Although, the Constitution is silent about the power of the Houses of Congress to punish non-Members for committing contempts of their authority, each House has the inherent power to punish contempts of its authority by persons, other than Members where they are committed in its presence, or where they tend directly to embarrass or obstruct its legislative proceedings.¹⁸ This power was first judicially confirmed in the 1821 case of *Anderson v. Dunn*.¹⁹ In their case, John Anderson, a citizen, was arrested on a general warrant issued by the Speaker under the direction of the House, tried, and censured by the House, for attempted bribery of a Member of the House of Representatives. After being reprimanded by the Speaker at the Bar of the House, he was discharged from custody. John Anderson, thereupon, brought a suit against the Serjeant-at-Arms of the House for assault, battery and false imprisonment, which was finally settled by a decision of the United States Supreme Court, delivered by Mr. Justice Johnson in February, 1821. The Supreme Court affirmed that other House of the Congress has the power to commit any person for its contempt as an essential implied power.²⁰ As explained in a later case,²¹ in *Anderson v. Dunn*, it was "explicitly decided that from the power to legislate given by the Constitution to Congress there was to be implied the right of Congress to preserve itself; that is, to deal by way of contempt with direct obstructions to its legislative duties."

¹⁵Cooley's *Constitutional Limitations*, 8th Ed., Vol. I, p. 271.

¹⁶Art. 11, Sec. 5 Cl. 2 of the U.S. Constitution provides: "Each House may, determine the Rules of its proceedings, punish its Members for disorderly behaviour and, with the concurrence of two-thirds, expel a Member."

¹⁷Cooley's *Constitutional Limitations*, op. cit. See also *Hiss v. Bartlett*, 3 Gray 468, *Anderson v. Dunn*, 6 Wheat 204, *French v. Senate*, 146 col. 604.

¹⁸Cooley's *Constitutional Limitations*; *Ibid*, p. 272.

¹⁹Wheat 204(1821); *Hinds' Precedents*, Vol. II, pp. 1606-07.

²⁰A *Commentary on the Constitution of United States*, Vol. I., by Dr. Bernard Schwartz, p. 122, *Jefferson's Manual*, p. 123.

²¹*Marshall v. Gordon*, 243 U.S. 521 (1917).

²²*Ibid*, 537 (1917); quoted also by Dr. Bernard Schwartz, Vol. I., p. 122.

In recent years, however, the Congress has practically abandoned its practice of utilizing the coercive sanction of contempt proceedings at the bar of the relevant House against contumacious witnesses, and has instead invoked the aid of the Courts in protecting itself against contumacious conduct.²³ It has become customary to refer 'contempt of Congress' cases against contumacious witnesses to the Department of Justice for criminal prosecution under the statute Law.²⁴

It is settled in English law that a commitment for contempt by the House of Commons is not examinable by any Court.²⁵ The exclusion of *lex parliament* from the *lex terrae* or law of the land, has precluded judicial review of exercises of the legislative contempt power²⁶

The American Courts have, however, never followed the English practice and precedents on the non-reviewability of the legislative exercises of the contempt power.²⁷ As Chief Justice Warren of the U.S. Supreme Courts has stated: "Unlike the English practice, from the very outset the use of the contempt power by the legislature was deemed subject to judicial review."²⁸

It is seen that the United Kingdom, Canada, Australia and India have not so far condified the privileges of Parliament. On the other hand, a number of Commonwealth and other countries, like Burma, Ceylon, Kenya Malaysia, South Africa, Zambia, etc., have defined and declared the privileges of their Parliaments by law.

In India, the demand for condification of the privileges of Parliament has been raised from time to time both inside and outside Parliament. The Press has been particularly foremost in raising this demand.

On the 23rd March, 1967, when the Speaker made an announcement in Lok Sabha regarding a Writ Petition filed in the Supreme

²³Bernard Schwartz, *op. cit.* p. 125.

²⁴*Ibid.*

²⁵May 18th Ed. pp. 116 and 196.

²⁶Bernard Schwartz, *op. cit.* p. 124.

²⁷*Ibid.*

²⁸*Watkins v. United States* 354, U.S. 178, 192(1957), cited by Bernard Schwartz, *op. cit.*

Court against the Speaker and Members of the Committee of Privileges, Questions were raised in the House whether legislation should be undertaken to define the privileges of the House. The Minister of Law, Shri P. Govinda Menon, thereupon, stated that if the view of the House was that legislation should be undertaken on the subject defining the privileges of Parliament, that would be a welcome step and he would be happy to have steps taken in that direction. The Minister of Law had further in reply to a question on the 21st June, 1967 stated that the question of defining the Privileges was under consideration.

In this connection, Shri M. Hidayatullah, ex-Chief Justice of the Supreme Court, has made²⁹ the following observations:—

“If there is mutual trust and respect between Parliament and Courts there is hardly any need to codify the law on the subject of privileges. With a codified law more advantage will flow to persons bent on vilifying Parliament, its members and Committees and the Courts will be called upon more and more to intervene. At the moment, given a proper understanding on both sides, parliamentary right to punish for breach of its privileges and contempt would rather receive the support of Courts than otherwise. A written law will make it difficult for Parliament as well as Courts to maintain that dignity which rightly belongs to Parliament and which the Courts will always uphold as zealously as they uphold their own.”

So far the predominant opinion has been against any codification and for leaving the position as it is. Those who do not agree with this view give several reasons for codification. Broadly speaking, these reasons fall into the following categories:

- (a) It is undignified for a sovereign country like India to write in its Constitution that the privileges, powers and immunities of its Parliament, and legislatures are equated to those enjoyed by the British House of Commons.
- (b) There should be a clear exposition of the various privileges, powers and immunities which the Houses of Parliament, their Members and Committees enjoy and they should be made definite and precise in their meaning.
- (c) The privileges, powers and immunities of Houses of Parliament and their Members should be restricted to the barest minimum.
- (d) The Courts should have full power to enquire into the existence of privileges, powers and immunities claimed by the

²⁹A *Judge's Miscellany*, Bombay, 1972, pp. 210-11.

Houses of Parliament and their proper exercise by the Houses; and to set aside any order made by the Houses or to give interim relief to a complaint pending final disposal of the complaint.

As regards (a) above, the Constituent Assembly of India of its own accord and voluntarily decided that such a provision should be made in the Constitution. The provision is of an interim nature only. It is provided in the Constitution that Parliament and legislatures should in due time make laws defining their privileges, powers and immunities. The Constituent Assembly had no time to do it when the Constitution was being made. It was their opinion that the matter should be studied leisurely and after sufficient experience had been gathered, proposals in this regard formulated. It is a matter of opinion whether the time has come when an attempt could be made to undertake this work. A strong argument now in favour of such a course is that during the last 23 years sufficient experience has been gained and sound conventions and a number of precedents have grown on the subject. It is therefore worthwhile examining whether the interim provision should be replaced now by a permanent law which will do away with the necessity of referring to the position in the British House of Commons.

As regards (b) above, there is no doubt that it will be helpful if there is the clearest exposition of the various privileges, powers, and immunities which the Houses of Parliament, their Members and Committees enjoy. In fact attempts have been made during the last 23 years to enumerate these privileges, powers and immunities at one place. However precisely the law of privilege may be stated, there is bound to grow from time to time a body of precedents and case law on the subject which in due course will accumulate. Law alone will not be sufficient. The decision made by the Houses from time to time, the reports of the Privileges Committee, the debates in the Houses, the judgements of the courts will also steadily increase along with the law and they will all form the whole body of law of privilege. Even as it is, the law that is at present applicable is not unknown. It is stated in May's Parliamentary Practice, reports of various Privileges Committees, debates in the Houses and various books that have appeared on the subject. A point to be noted in this connection is that despite one's wishes and attempts, the law relating to privileges, powers and immunities can never be made definite and precise absolutely; because the most important privilege of a House of Parliament is to punish any one for its contempt and what constitutes contempt can never be precisely defined. In any definition a residue will always

remain undefined. The House will have the power to punish for any contempt and the House will be the sole judge to determine what constitutes contempt and in what circumstances and what punishment should be given for it in each case.

As regards (c) and (d), if the intention behind the codification is that the present privileges should be whittled down or curtailed, either expressly or by choosing words and phrases which will amount to such curtailment, then the motive behind the suggestion for codification is liable to be misunderstood. Codification should not mean that the present privileges, powers and immunities which are essential for a Parliament should in any way be abridged or curtailed. If codification also means that there should be an external authority other than the House, say courts of law, who should enquire into the existence of privileges, powers and immunities enjoyed by the Houses of Parliament, or that the courts should have the right to entertain appeals against orders of the Houses of Parliament or should have the power to set aside any order passed by the Houses of Parliament or grant interim relief to the complainants, then the purpose is not to codify the privileges, powers and immunities of Parliament, but to take away or curb those powers under the suggestion of codification. The privileges, powers and immunities which are at present enjoyed by the British House of Commons are the barest minimum which a Parliament should have to protect its authority, dignity and honour and therefore Parliament will have to be vigilant that when any law to define and declare privileges, powers and immunities of Parliament is undertaken, it is ensured that the present position is kept intact. It is essential that as originally envisaged by the Constituent Assembly, the authority of the courts is ousted. It is relevant in this connection to quote what the Speaker of Lok Sabha and the Conference of Presiding Officers stated in January 1965.

The courts in India have clearly stated that if the present provision in the Constitution is replaced by an ordinary law of Parliament, the courts will have full power to examine *vires* of such law, to entertain applications and writ petitions as in the case of any other law and to pass such judgment as the courts may deem fit.³⁰ In the face of this clear exposition by the courts, any ordinary law will not meet the requirements of the case. Therefore in order to achieve the purpose it is essential that in case privileges, powers and immunities of Parliament have to be codified, they should form part of the Constitution itself and it has to be specifically provided therein that the

³⁰A.I.R. (1959) S.C. 395; AIR (1965) S.C. 745

authority of the courts to enquire into them is barred. Further, the privileges will have to be stated in such a way that they are adaptable to new and varying conditions and new or unusual combinations or circumstances. The whole idea should be that the authority, dignity and the independence of the Houses should be preserved with the aid of the power of the Houses to apply the privileges to all circumstances and cases that may arise and not be limited by any interpretation of the strict definition; and the Houses should not be rendered helpless in any new case which may threaten to violate their freedom.

To sum up, the time is perhaps ripe when an exploratory survey should be undertaken to see whether and how the privileges, powers and immunities of the Houses of Parliament, their Members and Committees should be defined and declared and for this purpose a Study Committee of Parliament should be appointed by Parliament to study the subjects in all its aspects and to make a report which may form the basis for appropriate legislation. The Committee should also examine and report whether a complete and comprehensive law should be enacted at the same time, or it should be made piecemeal under different headings from time to time and further how much of it should be embodied in the Constitution and what points should be in the form of ordinary law.

IMPACT OF FINANCIAL COMMITTEE'S RECOMMENDATIONS ON ADMINISTRATION

[A series of articles high lighting 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 two articles on the "Council of Scientific and Industrial Research" and the "Indian Drugs and Pharmaceuticals Ltd." based on the Reports of the Public Accounts Committee and the Committee on Public Undertakings respectively.—Editor]

.I. COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH

Introduction

The Council of Scientific and Industrial Research (CSIR) is essentially an application-oriented organisation. Its applied research projects are designed to find means for the substitution of scarce materials and eliminataion of imported products, thereby securing utilisation by industry of the processes developed by the Council's establishments. One of the main functions of the Council is to bring about closer collaboration between its laboratories and industry.

Certain aspects of the CSIR's working, viz. research programmes, foreign collaboration, commercial exploitation of processes, expenditure on establishment, etc., were commented upon by the Public Accounts Committee in their Hundred and Twenty-second Report (1969-70).

The action taken by Government on their recommendations were dealt with by the Public Accounts Committee (1971-72) in their Thirtieth Report (5th Lok Sabha).

Research Programme

The CSIR organised a "Get-together" of Research and Industry in December 1965 with a view to bringing research and industry closer. In the 'Get-together' a list of high priority national research

projects for various laboratories was drawn up. It was also decided to provide a standing machinery in the shape of a Technical Research Committee for giving technological support to various industries.

According to the information furnished by the Government to the Public Accounts Committee, out of 168 projects recommended by the 'Get-together' about 40 were already in progress at the various laboratories. Of the remaining 128, about 11 projects were not recommended by the Director General of Technical Development (DGTD) and the concerned user departments. The remaining 117 projects were referred to the laboratories/institutes concerned for giving them high priority.¹

No Rapport with Industry

A Committee set up to review the working of the pilot plants in the CSIR (the Kane Committee) had observed that the expectations that a close liaison would develop between large industries and the laboratories and that a considerable amount of research would be sponsored by industry in the adjacent laboratories had not been realised. Referring to these observations, the Public Accounts Committee expressed the view that the CSIR, which was conceived as the premier centre for applied industrial research in the country, had failed to establish adequate rapport with industry. This was evident from the fact that facilities created in the National Laboratories located near industrial centres had remained unused by industry in the area.²

The Government claimed that the Council had been endeavouring to establish links with the different sectors of industry since its inception. Some of the CSIR laboratories had set up industrial liaison and extension units to promote contacts with industry and stimulate interest in the processes and products developed through research. The industry also sponsored projects at the National Laboratories/Institutes and utilised the facilities available therein in solving some of their problems.

The Government also informed the Public Accounts Committee that the CSIR being associated with the work of the Industrial Licensing Committee and the Foreign Agreements Committee of the Ministry of Industrial Development and Company Affairs kept these Committees apprised of the progress achieved in research and development

¹PAC; 122nd Report (1969-70), Paras 2.1 to 2.6.

²*Ibid.*, Paras 2.10 and 2.11.

and the availability of indigenous know-how for various commercial processes.

The cooperation and advice of industry were also obtained in the formulation of research programmes and selection of research Projects. Representatives of Industry, manufacturers' organisations and user departments of the Government were included in the Scientific Sub-Committees and Executive Councils of the National Laboratories, the Board of Scientific and Industrial Research and the Governing Body of the CSIR. Expert panels with representatives of industries were also formed to advise individual laboratories on research programmes.

The Public Accounts Committee were further informed that the proposals of the CSIR for the Fourth Five Year Plan, which were largely application-oriented, had been prepared after consultations with the industry. In its efforts to bring the laboratories and the industry together, the CSIR had arranged discussions in 1968, 1969 and 1970 among representatives of the CSIR laboratories, Director General of Technical Development, Planning Commission, Defence industry and industrial associations. The discussions related to problems of specific instruments, electronics, chemicals, drugs and pharmaceuticals, non-ferrous metals, plastics, etc.³

The Government added in their reply that in developing countries with diverse problems it was not easy to assess, in monetary terms, the returns accruing from research and development investments. What was important in their view was that research laboratories should be related to the needs of the country and this was exactly the object which the CSIR was seeking to achieve.⁴

Again, referring to the Kane Committee's observations that facilities created in the National Laboratories located near industrial centres had remained unused by industries, the Public Accounts Committee observed that it was not the commercial sector alone which had remained aloof from the laboratories. Even the Government departments were reluctant to sponsor research at the National Laboratories. The Central Fuel Research Institute, for instance, was set up in close proximity to the Sindri Fertiliser Unit of the Fertiliser Corporation of India, but the latter preferred to establish its own planning and development departments.⁵

³PAC; 30th Report (1971-72), Pages 7 to 13.

⁴Ibid., Page 7.

⁵PAC; 122nd Report (1969-70), Paras 2.12 and 2.13.

The Government, however, were of the view that the maintenance of liaison should not be considered the responsibility of the laboratory and its scientists alone, but also of the users. In many cases, the Government stated, reliance was placed by the users more on foreign agencies than on indigenous organisations. Commenting on the "little liaison," the Director, Central Fuel Research Institute, was reported to have informed the CSIR that the lack of liaison was not only with the Fertilisers Corporation of India, but with other public undertakings as well.

The Public Accounts Committee, therefore, desired that Government should investigate the reasons for this state of affairs and take necessary steps so that indigenous processes may commend themselves to industries in future.

The Committee also pointed out that parallel facilities for research created in the industries disclosed lack of co-ordination. They desired that Government should ensure proper utilisation of facilities created under the CSIR avoiding duplication of research activities.⁶

Overlap in Research Effort amongst Laboratories

Reviewing the research programmes of the CSIR the Public Accounts Committee pointed out that these did not reflect an adequate appreciation of the country's developmental priorities. The programmes were diffused and ranged over a wide field, with substantial overlap in the research work of the various laboratories. The Committee in this connection drew attention to the fact that in as many as eight disciplines there were two or three and in one case eight laboratories whose work overlapped. The Committee also pointed out that the research efforts of this laboratories did not appear to centre round new techniques and had on this point alluded to a complaint often made that the laboratories were "either re-discovering or re-inventing known processes or products." The Committee asked the CSIR to revamp the research programmes of the laboratories in coordination with the organisations like the Planning Commission, DGTD, etc., so that these were brought in tune with the Plan priorities. They desired the Government to consider whether greater coordination would be facilitated by shifting the location of the CSIR to a Development Ministry⁷.

⁶P.A.C., 30th Report (1971-72), Paras 1.11 and 1.12.

⁷P.A.C., 122nd Report (1969-70), Paras 2.28 and 2.31.

The Committee were later informed by the Government that the Board of the Scientific and Industrial Research was seized of the question of overlapping of research and had stressed the need to "avoid duplication of effort especially where large investments were involved." According to the Government, the CSIR laboratories being of a specialised nature with established capabilities, some overlapping in inter-disciplinary research was more or less "inevitable". However, the working groups and sub-groups set up by the CSIR to prepare the Fourth Plan proposals and recommend priority projects had kept cases of duplication in mind and made specific recommendations for discontinuing or revising certain projects for reasons such as their obsolescence, irrelevance to country's requirements or duplication. The CSIR laboratories were also informed by the Government about the Committee's recommendations for avoiding duplication.⁸

Foreign Collaborations

A complaint was made before the Special Session of the Governing Body of the CSIR held to consider the Third Reviewing Committee's Report in January, 1965 that "after having developed the indigenous know-how and specialised techniques, the current licensing system of the Government of India is that the DGTD can have their own way without utilising the indigenous technical process developed by CSIR laboratories". It was also alleged that in some cases even if an indigenous process was available, and technical feasibility and economic acceptability thereof had been fully established and recognised by industry, the industrial processes were licensed on the basis of foreign collaboration.

The Public Accounts Committee had drawn attention⁹ to this aspect in their Fifty-ninth Report (Third Lok Sabha) where they referred to several schemes involving foreign collaboration which were approved against the advice of the CSIR. Again, in their Seventy-fifth Report (Fourth Lok Sabha) the Committee had pointed out¹⁰ that approval for foreign collaboration in fields where indigenous know-how had been established would be detrimental to the country's interests. The Committee were later informed that Government had streamlined the arrangements in that regard to ensure that if a know-how suitable for commercial exploitation was developed in the CSIR laboratories, foreign collaboration would not be permitted.

⁸P.A.C., 30th Report (1971-72), Pages 26-27 and 30-32.

⁹vide PAC, 59th Report (3rd L.S.), Para 1.113.

¹⁰vide PAC, 75th Report (1968-69), Paras 1.10 and 1.11.

⁸P.A.C., 30th Report (1971-72), Pages 26-27 and 30-32.

The Public Accounts Committee pointed out that the CSIR on its part had an obligation to established the commercial viability of processes developed in its laboratories, while urging its cause before the Foreign Investment Board. The Committee considered it essential that processes developed in the laboratories were adequately proved with the help of competent design and consultancy services available.¹² The Committee's recommendation was noted by the Government.¹³

Commercial Exploitation of Processes

Pointing out that CSIR laboratories had made very little dent on industrial production, the Public Accounts Committee drew attention to the fact that as on 1st April, 1967, 135 processes developed and released to industry were in production (some with token production), while 95 others had not gone into production, and 240 processes had found no takers. The position was no better in subsequent years, either. The Committee had in this connection mentioned two specific instances. In one case, ceramic capacitors developed by the National Physical Laboratory were taken up for production by the Bharat Electronics Ltd., who subsequently found the process "unworkable and uneconomical" and gave it up in favour of foreign collaboration. In another case, the production of Vitamin 'C', for which a process was worked out in the National Chemical Laboratory between 1959 and 1961, was yet to commence, though a private firm had successfully established its commercial production as early as 1962.

Reviewing the overall position, the Committee pointed out that the value of the products turned out by the processes released by the laboratories amounted to Rs. 453 lakhs in 1966-67, as against the national industrial output of about Rs. 5,000 crores and an expenditure of Rs. 146.76 crores incurred by the CSIR on its activities since the First Plan started.¹⁴

According to the Government, however, creation of new knowledge leading to new products and processes was a relatively complicated task. The Government claimed that the CSIR had done

¹²*Ibid.*, Para 3.10.

¹³PAC, 30th Report (1971-72), Pages 33-34.

¹⁴PAC; 122nd Report (1969-70), Paras 4.15 to 4.19.

their best to convert the results of researches into commercial production. There had of course, been some failures but, such failures, the Government maintained, were inevitable in any organisation. On the whole, the Government felt, this had provided valuable lessons to both the industry and the laboratories. The Government pleaded that it would not be correct to assume that all inventions necessarily led to innovation. According to international standards, it was pointed out, less than 1 per cent of the ideas were actually embodied in new processes or new production.¹⁵

The Public Accounts Committee attributed the unsatisfactory utilisation of processes developed in the CSIR laboratories to the inadequacy of the National Research Development Corporation (NRDC).¹⁶ The Committee also pointed out that the Corporation had since its inception sponsored 21 developmental projects of which only one was sponsored jointly with industry. The Committee desired the Corporation "to forge organic links with industry", without which, the Committee maintained, it was not likely to have any great degree of success even in its efforts to get entrepreneurs to take up processes developed in the laboratories.¹⁷

The Committee were informed by the Government that the newly-constituted Board of Directors of the National Research Development Corporation had examined the question of evolving a suitable machinery in the Corporation for evaluating the processes discovered by the laboratories. A proper evaluation was essential, they stated, for ensuring utilisation of a process on a commercial scale.¹⁸ It was further stated by the Government that the new Board of Directors had decided that the NRDC should afford facilities for further development of the processes developed in the laboratories. A circular letter to this effect was stated to have been issued to all the heads of research establishments seeking proposals for further development of the processes either in pilot projects, prototype or the like. Since the response had not been encouraging, it was proposed to pursue the matter further by having direct personal discussions between the Managing Director, NRDC, and the heads of laboratories.¹⁹

¹⁵PAC; 30th Report (1971-72), Pages 113-114.

¹⁶PAC; 122nd Report (1969-70), Para 4.39.

¹⁷*Ibid.*, Para 4.40.

¹⁸PAC; 30th Report (1971-72), Page 59.

¹⁹*Ibid.*, Page 133.

The Public Accounts Committee recommended evolution of some rational criteria for fixation of royalties on processes released to industry. In the case of television receivers, for instance, the recurring royalty had been just 2 per cent of ex-factory sales. This return, the Committee observed, appeared to be rather meagre, when compared to royalty of 5 to 10 per cent allowed to foreign parties from whom know-how was generally acquired in the country on collaboration basis. The Committee felt that this matter needed re-examination.²⁰

The Government's explanation in this regard was that in fixing the royalties on processes released to industries, the NRDC was guided by the advice of the laboratories and the best available offers. In view of the general reluctance on the part of Indian entrepreneurs to adopt indigenous technology and their pronounced preference for imported ones, the NRDC was unable to obtain advantageous terms. The Government, however, assured the Public Accounts Committee that no effort would be spared to persuade acceptance of indigenous technology by continuous after sale service of the processes. An important reason for higher royalties paid in the case of foreign collaboration was stated to be that the foreign collaboration agreement contained performance guarantees. "Neither our laboratories nor NRDC are now in a position to provide this guarantee which explains the lower royalties paid to NRDC than to foreign collaborators", the Government stated, adding that the NRDC would nevertheless address itself to the question of filling up the lacunae in consultation with the CSIR, D.G.T.D., etc.

The Committee expressed the hope that the National Research Development Corporation would expeditiously examine the question of filling up the lacunae in consultation with the CSIR and the DGTD.²¹

The Committee felt that if the gap between industrial research carried out in the CSIR laboratories and its utilisation was to be filled, it was essential that the laboratories should take the help of competent technical consultants in industry before embarking on development of processes beyond the laboratory stage.²² The Government informed the Committee that their observations were already

²⁰PAC; 122nd Report (1969-70), Para 4.41.

²¹PAC; 30th Report (1971-72), Paras 1.14 and 1.15.

²²PAC; 122nd Report (1969-70), Para 4.46.

being followed by the National Laboratories|Institutes and that commercial feasibility reports had been prepared by outside Consultancy Service Bureaus in respect of several projects.²³

Pilot Plants

By 1968 over 155 pilot plants had come into existence or were under construction in the CSIR laboratories and the investments on them amounted to Rs. 9.6 crores. Having reviewed the working of these pilot plants, the Public Accounts Committee characterised the results achieved as "most unimpressive". The data given to the Committee indicated that over 70 per cent of the expenditure on pilot plants was incurred by five laboratories. Two of these laboratories—the Regional Research Laboratory, Hyderabad and the National Metallurgical Laboratory, Jamshedpur alone had invested over Rs. 2 crores on two pilot plants—a coal gasification project and a low-shaft furnace plant. In the first case, the gas produced had not found any use, nor was its quality tested. In the other, not a single low-shaft furnace had been established in the country for production of pig iron with the know-how obtained from this plant. What was noteworthy in this regard was that these pilot plants had been in existence for eight to ten years. The Government noted the Committee's observations.²⁴

By far the greatest drawback, in the Committee's opinion, about the pilot projects in the laboratories was that they were initiated without enlisting the participation of the industry. Recalling the Kane Committee's observation that "the search for the sponsor begins after the investigations were completed", the Public Accounts Committee considered it extraordinary that an institution like the CSIR "whose job is to encourage application-oriented research" should have proceeded about its projects in this fashion. The Committee *inter alia* suggested that not only all projects for establishment of pilot plants should receive the most searching scrutiny, but also no proposal should ordinarily be approved without a sponsor from industry or Government. They also desired that a time-schedule should be fixed for the completion of such projects. The Kane Committee's suggestion for setting up competent appraisal team for reviewing the working of the existing plants was also endorsed by the Public Accounts Committee.²⁵

²³PAC; Report (1971-72), Page 62.

²⁴PAC; 30th Report (1970-71), Pages 64 and 65.

²⁵PAC; 122nd Report (1969-70), Para 5.10.

The Committee were informed in reply that the Kane Committee's Report had been discussed by the Technical Committee of the Council of Scientific and Industrial Research and the CSIR and it had been decided that the Executive Councils and Directors of the laboratories should carefully consider incorporating the recommendations of the Kane Committee into the programmes of the laboratories.²⁶

Coal Gasification Plant

Making specific mention of the Coal Gasification Plant at the Regional Research Laboratory, Hyderabad, referred to above, the Public Accounts Committee pointed out that the CSIR had approved its establishment in November, 1962. The original estimated cost (Rs. 21 lakhs) was revised in September, 1964 to Rs. 45.50 lakhs. Again, in October/November, 1966, the Laboratory proposed further revision of the cost to Rs. 107 lakhs (non-recurring) and Rs. 82.20 lakhs (recurring for six years), the additional expenditure being due to devaluation of the rupee, etc. Before getting the revised estimate approved by the Governing Body of the CSIR, the Laboratory had placed orders for the purchase of equipment on certain foreign firms. Upto February, 1969, the expenditure incurred on the purchase of equipment, machinery, land, etc. amounted to Rs. 72 lakhs.

The Expert Committee appointed by the CSIR in July, 1967 to examine the project *de novo* in the light of the revised estimates framed by the Laboratory, had expressed the opinion that no preliminary experimental work considered necessary for the establishment of the pilot plant—particularly the one involving considerable expenditure—appeared to have been done by the Laboratory before getting the scheme approved by the Council. It was also pointed out that an identical plant functioning in the Central Fuel Research Institute, Dhanbad, was also not kept in view while pursuing the proposal for another plant at Hyderabad.²⁷

Describing the coal gasification plant as a "glaring example of mismanagement culminating in waste of public funds given for scientific research", the Public Accounts Committee observed that objectives of the project had not been defined; hence it was not clear whether the Plant was to produce synthetic gas for the production of ammonia or industrial and town gas for distribution. According to the Committee, estimates were not drawn up with adequate care, with the result that

²⁶PAC; 30th Report (1971-72), Page 69.

²⁷PAC; 122nd Report (1969-70), Paras 5.18 to 5.20.

costs had escalated. The Committee came to the conclusion that equipment was ordered on a much larger scale than was necessary for the experiment. In fact, the Committee were of the view that it was not necessary to have ordered it at all, as almost identical equipment was available in another laboratory. What was more, the orders for the equipment were placed just before a large scale revision of estimates was made, thereby committing the CSIR irretrievably to the project. And lastly, the project was proceeded with without securing the association of prospective users of the process with the venture. The Committee, therefore, desired that a comprehensive investigation should be made to fix responsibility, and recommended that early steps be taken for the disposal of the equipment, if there was no further use for it.²⁸

The Committee were informed in reply by the Government that the matter was receiving consideration of the President of the CSIR and that "an investigation, if required, will be made to find out whether any responsibility is to be fixed". Reiterating their recommendation, the Committee desired that the matter should be investigated expeditiously with a view to fixing responsibility. They also desired to be informed of the utilisation|disposal of plant and equipment.²⁹

Expenditure on Establishment etc.

The expenditure on the pay and allowances of staff and contingencies of the CSIR's headquarters office and the various laboratories had been increasing over the years. While in the laboratories the expenditure had increased from Rs. 398.17 lakhs in 1963-64 to Rs. 741.46 lakhs in 1967-68, in the headquarters office it had risen from Rs. 28.71 lakhs in 1963-64 to Rs. 47.26 lakhs in 1967-68. To the Public Accounts Committee, these figures appeared to indicate that there had been a proliferation of non-research activities in the organisation. The Expert Committee appointed in July, 1967 to consider the Fourth Five Year Plan proposals of the CSIR had drawn pointed attention to this phenomenon when they observed that "the considerable growth in non-research activities of the CSIR" was "consuming a sizeable proportion of the available resources". The figures furnished to the Public Accounts Committee also showed that the non-research staff outnumbered the research staff in the organisation. Only 1 out of 4 employees in the CSIR was a scientist. Even this might not be so, as persons doing non-research work had been given scientific designations

²⁸*Ibid.*, Paras 5.43 to 5.48 and 5.51.

²⁹PAC; 30th Report (1971-72), Paras 1.16 to 1.18.

with a view to providing them with higher pay. The Committee of Enquiry (CSIR), popularly known as the Sarkar Committee had also pointed out that posts had been created in certain cases without due scrutiny.³⁰

The Government informed the Public Accounts Committee that in order to judge the precise extent of increase in the non-research staff, figures would have to be collected from the National Laboratories. The Committee's observation with regard to the reduction of expenditure on such staff had, however, been brought to the notice of the National Laboratories for their guidance. They had been advised to scrutinise more rigorously any proposals for creating new scientific and technical posts so that excess expenditure on salaries and allowances could be avoided.

The increase in expenditure at the headquarters office was attributed to the expansion of the three technical divisions namely, (i) the Scientific and Technical Personnel Division, (ii) the Research Survey and Planning Division, and (iii) the Research Coordination and Industrial Liaison Division. The Government added that this rise was not due to any increase in the house-keeping staff at the headquarters.

Referring to the Public Accounts Committee's observation with regard to giving scientific designations to persons doing non-research work, the Government stated that a broad-based Committee had been appointed to consider the reclassification of all the existing posts under the CSIR, as recommended by the Sarkar Committee.

Emphasising the need for economising the expenditure in non-research staff, the Public Accounts Committee urged the C.S.I.R. to examine whether the existing norm of 3 supporting technical and administrative staff for every research worker formulated by the Council could be tightened up further. "While reviewing the norm", the Committee suggested, "the Council should take into consideration the position obtaining in leading private research institutes in the country".³¹

³⁰PAC; 122nd Report (1969-70), Paras 1.9 to 1.13.

³¹PAC; 30th Report (1971-72), Paras 1.7 and 1.8.

II. INDIAN DRUGS AND PHARMACEUTICALS LTD.

In May, 1959, the Government of India entered into an agreement with the Government of the U.S.S.R. with a view to establishing, in the public sector, plants, for the manufacture of anti-biotics, synthetic drugs, surgical instruments phyto-chemicals and glandular products with Soviet collaboration. The Government of the U.S.S.R. undertook to provide a loan of Rs. 9.52 crores to cover technical services, including the training of Indian technicians at the Soviet plants, and the cost of machinery and equipment to be imported for the plants to be set up. The project for the production of glandular products was, however, deferred for want of facilities of a modern slaughter house in the country. The phyto-chemical project, which was established in Kerala, was later abandoned as an "unworkable proposition".

In June, 1960, four contracts were signed with M|s. Technoexport, Moscow for the preparation of detailed Project Reports in respect of these projects.

In April, 1961, the Indian Drugs and Pharmaceuticals Ltd. (IDPL) was set up as a Government Company and in November, 1961, the Government assigned to the Company all the rights and obligations, under the agreement with the Soviet Union in May, 1959, relating to the aforesaid loan of Rs. 9.52 crores and the four contracts entered into with M|s. Technoexport, Moscow.

At present, the IDPL is concerned with three project *viz.*, (i) the Antibiotics Project at Rishikesh; (ii) the Synthetics Drugs Project at Hyderabad, and (iii) the Surgical Instruments Project at Madras.¹

Collaboration Arrangement

Upto 1955-56, the country was mainly dependent on imported finished products in respect of its requirements of drugs. The indigenous manufacture was based on imported intermediates. The imports of drugs and dyestuffs was of the order of Rs. 15 crores per annum. The Committee on Public Undertakings, which examined the

¹CPU, 46th Report (1968-69), paras 1.1 to 1.4.

IDPL in 1968-69, enquired about the need for going in for foreign collaboration for drugs which were already being produced in the country. They were informed that nistatin and tetracycline were not being produced in the country at that time. The Hindustan Antibiotics Ltd., Pimpri was producing only 2 to 3 tonnes of Pencillin in 1956, though the production had risen to 40 tonnes in 1969. The Committee wanted to know why the Government had decided to go in for collaboration with the U.S.S.R. when the Kane Committee in 1956 had observed that the Soviet technology was up-to-date only with regard to one or two items and in respect of all the other drugs the technology of the Western countries was more advanced. The Committee were informed that as there did not appear to be any prospect of either technical or financial collaboration becoming available from other sources on appropriate terms, Soviet collaboration was considered as "most suitable", though it was admitted that the Soviet technology was only the "second best".²

The Committee on Public Undertakings were pained to note that in spite of the Kane Committee's specific recommendation that it was desirable to "explore other sources of collaboration in these fields before taking final decision", the Government did not make any efforts to locate elsewhere the availability of technology and collaborators. On the other hand, the Government went into an agreement with M/s. Technoexport, Moscow on the basis of the assumption that onerous royalty would have to be paid to the Western countries in case their collaboration was sought. From the facts placed before them, the Committee concluded that the decision to enter into collaboration arrangements with the U.S.S.R. was taken on "considerations other than technical" and "without conducting demand surveys or economic feasibility studies".³

Reiterating their earlier stand justifying the decision to have collaboration arrangements with the U.S.S.R. the Government informed the Committee that the above decision was taken after detailed discussions and examination at various levels, in which some of the members of the delegation which visited the U.S.S.R. had also participated.

In view of this reply from Government, the Committee did not pursue the matter any further.⁴

²*ibid.*, paras 2.3 and 2.4.

³*ibid.*, para 2.11.

⁴CPU, 4th Report (1971-72), Chapter III, page 20.

Detailed Project Reports

The Detailed Project Reports (D.P.Rs) prepared by the Collaborators did not indicate the time-schedule of construction, capital cost estimates, estimated cost of production, etc. While examining the representatives of the Government, the Committee on Public Undertakings enquired as to how, in the absence of such vital data, D.P.Rs were accepted. The Secretary of the Ministry of Petroleum and Chemicals stated that these were accepted "on the basis of faith". This reply appeared to be surprising to the Committee who were of the view that before committing the country to such a huge expenditure the Government should not only have carried out feasibility studies but also insisted upon inclusion of all essential data in the D.P.Rs in order to "thoroughly satisfy itself about the technical and economic soundness of such huge projects". The Committee expressed the hope that in future proper scrutiny would be carried out before the D.P.Rs were accepted so that these were complete in all respects.⁵ While noting these observations, the Government informed the Committee that in the light of experience gained, they had incorporated suitable instructions in the "Manual of Feasibility Studies for Public Sector Projects" for the guidance of all concerned.⁶

Construction and Commissioning

The Committee on Public Undertakings were not happy with the manner in which the construction of the projects was undertaken. The construction work was commenced in 1962 without fixing any schedules for completion. The completion schedules drawn up later in 1964 were revised twice and even the revised dates were not adhered to. While recognising the fact that modifications in equipment and machinery might sometimes become necessary to cope with the advances in technology, the Committee nonetheless observed that there were no such rapid improvements in pharmaceutical industry as could warrant frequent modifications in time schedules.⁷

Nothing the deficiencies pointed out by the Committee, Government stated that the contract between the Company and the collaborators included a provision reserving the right of the suppliers to introduce modifications in accordance with the developments in the production processes in the Soviet Union. However, these changes were

⁵CPU, 46th Report, (1968-69), paras 3.1, 3.3 and 3.6.

⁶CPU, 4th Report, (1971-72), page 3.

⁷CPU, 46th Report, (1968-69), para 4.14.

not to adversely affect either the Plant's total capacity to manufacture finished products or the quality of the products or the production schedules.⁸

The Committee had the feeling that the collaborators were themselves not sure of the technology to be offered by them, and therefore, kept on suggesting modifications from time to time. This resulted in considerable delay in construction and commissioning of the projects and affected the economics of the plants. The Committee pointed out that apart from no time-schedules having been laid down in agreements for the construction and commissioning of the projects, there was no penalty provision in the contracts for late delivery of equipment and machinery. "Government have not given any convincing explanation for entering into such deficient agreements with the Russian collaborators", the Committee observed. They expressed the hope that in future Government would avoid such *lacunae* in the agreements with foreign collaborators and ensure that the "interests of the country are safeguarded" in all respects.⁹

The Government noted the Committee's observations relating to, *lacunae* in the agreement, but denied any suggestion that the collaborators were themselves not sure of the technology. They maintained that at a time when technology in the pharmaceutical field was fast advancing, some modifications during the period of construction extending over years were more or less inevitable.¹⁰

Capital Cost

The cost estimates of three Plants of the IDPL were revised as many as five times in a period of eight years and every revision meant a rise in the earlier estimates. The latest estimates in the case of Antibiotics Project showed an increase of 10.57 crores as compared to the initial estimates, and in the case of Synthetics Drugs Project there was an increase of Rs. 8.68 crores. Thus, the estimates had gone up for the Antibiotics Plant and Synthetics Drugs Plant by 67 and 61 per cent, respectively. In regard to the Surgical Instruments Plant, the increase was of the order of Rs. 1 crore. The Committee noted that the original total estimates of Rs. 33.65 crores had thus risen to Rs. 53.90 crores. The Committee, therefore, expressed the opinion that

⁸CPU, 4th Report, (1971-72), page 4.

⁹CPU, 46th Report (1968-69), para 4.15.

¹⁰CPU, 4th Report, (1971-72), pages 4 and 5.

either "no serious attempts was made to draw realistic estimates" or "the persons capable of doing so were not available with the IDPL". The Committee felt that in the absence of comparative figures of capital cost of similar projects in the Western countries, accurate or realistic assessment of the "reasonableness of the cost estimates" could not possibly be made.¹¹

The Government appreciated the point made by the Committee in regard to preparing proper estimates, but pleaded that there were some genuine difficulties in obtaining the comparative figures of the capital cost on similar projects in the Western countries on account of their awareness of the fact that Government of India had collaboration arrangements with the U.S.S.R.¹²

The Committee considered it regrettable that the estimates first drawn up in 1961 were approved by the Government as late as 1966. In their opinion this amounted to incurring excess expenditure without Government's sanction. Even the final estimates submitted by the IDPL in August, 1968 had not been approved by Government till January, 1969. In this context, the Committee suggested that the procedure relating to approval of estimates by the Ministries should be clearly laid down so as to avoid delays.¹³

The Committee also pointed out that the increases in the capital cost of the IDPL projects were not brought to the notice of the Cabinet. Under the standing instructions, the Committee were informed, there was no need to seek Cabinet's approval, if the increase in the revised estimates was less than 20 per cent of the approved cost. "This case", the Committee observed, "brings out a serious *lacunae* in the existing standing instructions on the subject". The Committee thought that the postponement of sanctioning of estimates by a Ministry which was four years in this case—could conceal from the Cabinet the delay in sanctioning the estimates as well as increase of estimates over 20 per cent.¹⁴

The Committee felt that such huge increases in the estimates of of the projects—involving a rise of more than 60 per cent as compared to the original estimates of 1961—were a matter of serious concern and should be dealt with "at the highest level in Government".

¹¹CPU, 46th Report (1968-69), paras 5.9 and 5.10.

¹²CPU, 4th Report (1971-72), pages 5 and 6.

¹³CPU, 46th Report (1968-69), para 5.11.

¹⁴*ibid.*, paras 5.8 and 5.12.

The Committee, therefore, recommended that the Government should review the whole question afresh and evolve a procedure whereby the Government and the Cabinet could be kept informed of such increases in the financial outlay of a project.¹⁵

The Committee were informed that the Government had since drawn the IDPL's attention to various circulars and memoranda issued earlier in this behalf and impressed the need for expeditiously examining and approving the capital cost estimates so as to avoid undue delay. The Government had also issued fresh instructions that in case the revised estimates meant an increase to the extent of 20 per cent or more, the approval of the Cabinet should invariably be obtained. Instructions were also issued to the effect that at the time of scrutiny of the annual budget of the Undertaking it would be desirable to examine the total capital expenditure to be incurred *vis-a-vis* the sanctioned estimates, so that, wherever necessary sanction of the competent authority in respect of variations was obtained within a reasonable time.¹⁶

Production-mix and Production Capacity

The Committee on Public Undertakings expressed their concern over the fact that the capacity of the tetracycline group of antibiotics was fixed at 120 tonnes, when the actual consumption in India at that time was only 10 tonnes. Again, the Committee pointed out although the Government had demanded a capacity of only 50 tonnes for tetracycline, it was raised to 120 tonnes in the final discussions with the collaborators.

The Committee were distressed to learn that although chlorotetracycline had become obsolete and the doctors in the country were no longer prescribing this antibiotic, the equipment for manufacturing 70 tonnes of chlorotetracycline was obtained at a cost of Rs. 1.65 crores and the erection of the plant was continued till as late as 1967. The Committee felt that the subsequent efforts to encourage the use of tetracycline group of antibiotics as animal feed appeared to be no more than an after-thought and in no way in consonance with the conditions currently prevailing in the country. The Committee were far from convinced that there would be enough demand in the near future for chlorotetracycline as animal feed. They therefore felt that the huge expenditure involved in installing the plant for the manufacture

¹⁵*ibid.*, para 5.3.

¹⁶CPU, 4th Report (1971-72), pages 5 to 7 and 31-32.

of chlorotetracycline could well have been saved, if only Government had been able to convince the Russian collaborators that there was no demand for this antibiotic in India.

The Committee suggested that efforts should be made to persuade the medical profession for increased use of chlorotetracycline for human treatment. At the same time, the Committee added, a drive should be undertaken for popularising it as animal feed so as to improve the quality of cattle in the country. The IDPL should also make all possible efforts to export the surplus quantity of chlorotetracycline to other countries.¹⁷

The Government's explanation was that in view of the limited data available on the subject, they had no alternative but to rely on the experience of the collaborators. The various possibilities of utilising the surplus capacity were in any case being explored.

The Committee expressed the opinion that before setting up the plant, Government should have made a realistic estimate of the actual requirements of the country with regard to the products to be manufactured by the plant. They deprecated the fact that Government merely relied on the data supplied by the collaborators and did not make any proper study of their own which resulted in the creation of huge surplus capacity.

Reiterating their earlier recommendation the Committee recommended that urgent steps should be taken to utilise the surplus capacity.¹⁸

The Committee suggested that in order to increase the profitability of the IDPL's plants, not only the formulation capacity in the Antibiotics Plant should be raised but the excess formulation capacity of the Synthetic Drugs Plant should be utilised by importing inter-medicates from abroad for precessing and tableting.

Noting the above recommendation, the Government assured the Committee that action thereon would be taken after production in the two units was stabilised and proper assessment of the demand of the various formulations made.²⁰

¹⁷CPU, 46th Report, (1968-69), paras 6.19 to 6.21.

¹⁸CPU, 4th Report, (1971-72), paras 1.6 and 1.7.

¹⁹CPU, 46th Report (1968-69), para 6.39.

²⁰CPU, 4th Report (1971-72), pages 8-9.

Production

The Committee on Public Undertakings learnt with concern that the Surgical Instruments Plant would be incurring an annual loss of Rs. 80 to 90 lakhs at the existing level of production. The Committee desired the Government to give a serious thought to this matter and see whether the surplus machinery could be put to any other use to mitigate the losses. On the basis of information placed before them, the Committee did not see any future for the Surgical Instruments Plant, unless of course, the product-mix was changed after ascertaining the market demand, and overheads were "drastically reduced".²¹ The Government hoped that the three-year programme since drawn up to diversify production and step up the internal sales and exports would help reduce the losses and that it would be possible to reach break-even on cost expenditure at the end of this three-year period.²²

Cost of Production

The Committee on Public Undertakings observed that the cost of production of the various items to be manufactured in the three plants of the IDPL at full rated capacity was not assessed accurately. "Even when the Government came to know about the divergence between the views of the Russian experts and the IDPL about the estimates of the cost of production", the Committee added, "no concrete action was taken to ascertain the truth". In reply the Government stated that the estimates prepared by the IDPL required under detailed scrutiny.

The Committee, were unable to appreciate as to how the cost of production of streptomycin, estimated by the collaborators at Rs. 157 per kg. in 1958 and Rs. 67 per kg. in 1961, was accepted, when the Kane Committee had estimated the cost of production of this particular item according to Russian methods at Rs. 450 per kg.²³

While noting the above observations, the Government stated that with a view to bringing down cost of production the estimates prepared in 1967 and 1968 on the basis of technical regulations received from the Soviet collaborator and those developed by the plants during operation had been subsequently revised in 1969 and 1970 in the light of

²¹CPU, 46th Report (1968-69), para 7.33.

²²CPU, 4th Report (1971-72), pages 25-26.

²³CPU, 46th Report (1968-98), para 8.27.

the actual market demands, capacity limitations, consumption coefficients of raw materials and service actually obtained, etc.²⁴

An accurate estimate of the cost of production was the very basis of the economics of any project. To this aspect, the Committee felt, "no serious thought was given".²⁵ The Committee were informed by Government in reply that a period of two to three years was required for attaining "the efficiencies and consumption norms" and that the Company was endeavouring to attain them.²⁶

The Committee were unhappy to learn that it had not been possible for the IDPL to ascertain the cost of production of comparable items from the Hindustan Anti-biotics Ltd., Pimpri, even when they had one common Director. The Committee could only assume from this that no serious efforts were made to compare the cost of production of similar items produced by the "other public sector company under the same Ministry". It was also apparent to the Committee on Public Undertakings that the Coordination Committee consisting of the representatives of the IDPL, the Hindustan Antibiotics Ltd. and the Ministry of Petroleum and Chemicals had not been functioning effectively. The Committee wanted it to be the responsibility of the Ministry to ensure that there was no difficulty in exchanging useful information among the various Public Undertakings in the same field of production for their mutual benefit.²⁷

The Government assured the Committee that consistent with the autonomy of the Undertakings, they would ensure that the Coordination Committee served the purpose for which it was set up.²⁸

The Committee also commended the IDPL's suggestion to import certain items against part of its exports for formulation and sale at profit so as to make up some of its losses.²⁹ The recommendation was acceptable to Government in principle, though each case was to be considered on merits. In fact, the Company had since concluded a transaction for the import of oxytetracycline against export of penicillin.

²⁴CPU, 4th Report (1971-72), page 11.

²⁵CPU, 46th Report (1968-69), para 8.28.

²⁶CPU, 4th Report (1971-72), page 13.

²⁷CPU, 46th Report (1968-69), para 8.29.

²⁸CPU, 4th Report (1971-72), page 14.

²⁹CPU, 46th Report (1968-69), para 8.30.

³⁰CPU, 4th Report (1971-72), page 15.

Sales and Marketing

The Committee on Public Undertakings learnt on the basis of data made available to them that there were no immediate prospects of the IDPL going into full production owing to the high cost of production and the low off-take. The Committee felt that when the three Plants of the IDPL had been set up with Russian collaboration "for reasons other than technical", it was the duty of the Government to see that the products of these plants found a market in the country.⁸¹ The Committee were informed in reply that the Company had since made a few suggestions for improving the profitability. These were under Government's consideration.⁸²

As an immediate measure for stepping up the sales of the IDPL's products, the Committee suggested to the Government that they should issue orders to all the Central Government hospitals and dispensaries to the effect that they should purchase only IDPL products and should go to the market for only such items as were not being manufactured by the IDPL. The Committee were informed that the surgical instruments manufactured at the Surgical Instruments Plant had better acceptance outside than within the country. The Committee, therefore, expressed the hope that vigorous efforts would be made for the export of these instruments not only to the U.S.S.R. but to other countries as well.⁸³

While informing the Committee that their suggestion was being considered, the Government mentioned that the Company had not only been able to obtain orders for exporting surgical instruments worth Rs. 4.7 lakhs to the U.S.S.R. but was also exploring the possibilities of making further exports to the U.S.S.R. and other countries.⁸⁴

⁸¹CPU, 46th Report (1968-69), para 9.20.

⁸²CPU, 4th Report (1971-72), page 27.

⁸³CPU, 46th Report (1968-69), para 9.21.

⁸⁴CPU, 4th Report (1971-72), page 15.

I. PARLIAMENTARY EVENTS AND ACTIVITIES

A. SYMPOSIA AND CONFERENCES

Spring meetings of the Inter-Parliamentary Union

Spring Meetings of the Inter-Parliamentary Union were held in Abidjan (Ivory Coast) in April, 1973. The delegates from India were:—

- (i) Shri Godey Murahari, M.P.
Deputy Chairman, Rajya Sabha—Leader.
- (ii) Shri Jyotirmoy Bosu, M.P.
- (iii) Shri A. P. Sharma, M.P.
- (iv) Shri B. N. Banerjee,
Secretary, Rajya Sabha—Secretary to the Delegation.

The Indian delegates attended the meetings of the five Study Committees of the Inter-Parliamentary Union as well as the meetings of the Inter-Parliamentary Council held there.

Meetings of the Executive Committee of Commonwealth Parliamentary Association

Meetings of the Executive Committee of the Commonwealth Parliamentary Association were held in Grand Cayman from 30th April to 4th May, 1973. In place of Dr. G. S. Dhillon, Speaker, Lok Sabha, Shri G. G. Swell, Deputy Speaker, Lok Sabha attended the meetings in Grand Cayman.

B. VISITS ABROAD OF INDIAN PARLIAMENTARY DELEGATIONS

Visit of Speaker, Lok Sabha to the Arab Republic of Egypt

In pursuance of an invitation received from the Speaker of the People's Assembly of the Arab Republic of Egypt, Dr. G. S. Dhillon Speaker, Lok Sabha visited the Arab Republic of Egypt from the 8th to the 15th February, 1973.

C. Foreign Parliamentary Delegations in India

Visit of G.D.R. Parliamentary Delegation to India

In response to an invitation from India, a seven member German Democratic Republic Parliamentary Delegation led by H. E. Mr. Gerald Goetting, President of the People's Chamber of GDR visited India in March-April, 1973.

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

On March 29, 1973, the delegation called on the Speaker, Lok Sabha at Parliament House and watched the proceedings of Lok Sabha and Rajya Sabha. 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 March 29, 1973.

Transit visit of Czechoslovak Parliamentary delegation to India

A 14-member Czechoslovak Parliamentary Delegation to Hanoi led by H. E. Mr. Alois Indra, Chairman of the Federal Assembly of the Czechoslovak Socialist Republic visited India on their way to and from Hanoi in April, 1973.

En route to Hanoi, the delegation visited Calcutta on April 3, 1973. On the way back from Hanoi, they visited Delhi on April 11, 1973.

The Delegation called on the Speaker, Lok Sabha on April 11, 1973 at Speaker's House.

The Speaker, Lok Sabha hosted a dinner in their honour on April 11, 1973.

Transit halt of Yugoslav Parliamentary Delegation at Delhi

A 10-member Yugoslav Parliamentary Delegation to Indonesia led by H. E. Mr. Mijalko Todorovic, President of the Federal Assembly of Yugoslavia made a transit halt at Delhi Airport on April 24, 1973.

The Delegates were cordially received and seen off at the Delhi Airport by the Speaker, Lok Sabha and some Ministers and M.Ps.

II. PRIVILEGES ISSUES

RAJYA SABHA

(i) **Shouting of slogans and throwing of pamphlets from Visitors' Gallery on the Floor of the House**

On March 30, 1973, at about 4-10 p.m., during the discussion in the House regarding action taken by Government on the Memorandum submitted to the President against the Chief Minister of Haryana, some visitors from the Visitors' Gallery shouted slogans and threw pamphlets on the Floor of the House. They were immediately taken into custody by the Watch and Ward Staff. After some time, the Minister of State in the Ministry of Parliamentary Affairs, Shri Om Meh'ra, moved the following Motion which was adopted² by the House:—

"This House resolves that the persons calling themselves (1) Sheo-baksha Jhagru (2) Baldeo Singh, who raised slogans and threw some leaflets from the Visitors' Gallery on the Floor of the House at about 4-10 p.m. today and whom the Watch and Ward Officer took into custody, have committed a grave offence and are guilty of the contempt of this House.

This House resolves further that they be detained in custody of the Watch and Ward Officer till the rising of the House today."

(ii) **Alleged misrepresentation of a Member's speech in the House by a newspaper**

On March 27, 1973, Shri Gunanand Thakur, a member, sought to raise¹ a question of privilege against the Editor of the *Motherland* New Delhi, an English daily, for attributing to him certain remarks as having been made by him in the House, in its issue dated the 24th March, 1973, which Shri Thakur had not made. Shri Thakur stated that by publishing a false report of his speech in the House, the Editor had committed a breach of privilege and contempt of the House.

¹R.S. Deb., March 30, 1973.

²*Ibid.*

³R.S. Deb., March 27, 1973 (Original in Hindi).

The Deputy-Chairman, Shri G. Murahari, who was then in the Chair, observed that the matter had already been taken up with the Editor of the newspaper.

On March 31, 1973, the Chairman, Shri G. S. Pathak, informed¹ the House as follows:—

"I have to inform the members that on the 26th March, 1973, Shri Gunanand Thakur, gave a notice of breach of privilege against the Editor of *Motherland* and its parliamentary correspondent in Rajya Sabha for remarks attributed to Shri Thakur and published in the city edition of that paper of the 24th March, 1973, under the caption 'Safdarjung Bridge and Maruti Limited'. Shri Thakur contended that the above report was false and totally contrary to what he had stated on the subject in the House on the 23rd of March, and thereby it had lowered his dignity and that of the House. Shri Thakur also referred to the matter in the House on 27th March, and at that time the Deputy Chairman informed the House that, under my direction, the matter had been taken up with the Editor of '*Motherland*' who was asked to let us know what he would like to say in the matter. The Editor of *Motherland*, in his letter has informed me that he has on enquiry found that some other Member's remarks were by mistake attributed to Shri Thakur. He has expressed regret for the mix-up and has also published in this morning edition his regrets for the mistake. In view of this, I would treat the matter as closed."

MAHARASHTRA VIDHAN SABHA

Shouting of slogans and throwing of a bottle containing kerosene from the Visitors' Gallery on the Floor of the House

On June 12, 1972, some persons shouted slogans and threw from the Visitors' Gallery, a bottle containing kerosene oil into the House during its proceedings.

Subsequently, on the same day, the Minister for Industries, Shri N. M. Tidke, moved² the following motion which was adopted by the House:—

"This House do resolve that the persons who have given their names as below be committed to prison till the prorogation of the current session of the Maharashtra Legislative Assembly for

¹Ibid.

²Ibid., March 31, 1973.

³Maharashtra V S. Deb., June 12, 1972.

their grossly, disorderly behaviour by shouting slogans and throwing a glass bottle containing kerosene from the visitors' gallery and thereby committing breach of privilege and contempt of the House:—

- (1) Shri Narayan Bhimrao More
- (2) Shri Bhaskar Limbaji Gawale."

In pursuance of the above decision of the House, the Speaker, **Shri S. K. Wankhede**, issued a **Warrant of Commitment**, addressed to the Superintendent, Bombay District Prison, Bombay, to take into custody the said persons and to keep them safely in the Bombay District Prison, till the prorogation of the current session of the Maharashtra Legislative Assembly.

PUNJAB VIDHAN SABHA

Alleged misleading statement in the House by the Chief Minister

On December 14, 1972, Shri Satya Pal Dang, a member, sought to raise¹ a question of privilege against the Chief Minister Sardar Zail Singh, for making an allegedly misleading statement in the House regarding the withdrawal of pending cases against the students of the Medical College, Patiala. Shri Satya Pal Dang stated that according to the news report published in the *Tribune*, dated the 14th December, 1972, Shri Sat Pal Kapur, Member of Parliament, had welcomed the statement made by the Chief Minister in the House that all the arrested students of the Medical College, Patiala, had been released and had requested the Chief Minister to withdraw the cases pending against the students. But the Chief Minister had stated in the House that all cases pending against the students of the Medical College, Patiala, had been withdrawn by the Government. Shri Dang added that if the statement made by Shri Sat Pal Kapur, was correct, the Chief Minister had misled the House by making a wrong statement in the House.

The Speaker, Sardar Darbara Singh, disallowing the question of privilege ruled² as follows:—

"Your motion is based on a newspaper report and until it is confirmed, the motion cannot be taken into consideration".

¹*Punjab Vidhan Sabha Debates*, Dec 14, 1972 (Morning Session) (Original in Punjabi).

²*Ibid.*

UTTAR PRADESH VIDHAN SABHA

Alleged misreporting of the proceedings of the House by a newspaper

On July 31, 1972, the Speaker, Shri A. G. Kher, informed¹ the House that he had received notice of a question of privilege from Shri Madhav Prasad Tripathi a member, regarding alleged misreporting of the proceedings of the House by a newspaper. Shri Madhav Prasad Tripathi had stated in his notice that the *Navjivan*, a Hindi Daily, had published a statement attributed to the Chief Minister, Shri Kamlapathi Tripathi, that Jana Sangh was responsible for riots in Ferozabad and Varanasi, although the Chief Minister had not made any such statement.

The Chief Minister also denied having made any such statement and said that it was misleading report and suggested that the newspaper should be asked to publish a contradiction of the impugned news report.

The Speaker observed that it was the duty of the newspaper to publish a contradiction of the impugned news report and tender an apology.

The Speaker also observed that the Editor, *Navjivan*, might meet him in his Chamber.

On August 1, 1972, the Speaker informed² the House that the Editor, *Navjivan*, had met him in his Chamber and had tendered an apology for the publication of the impugned news report. He added that the *Navjivan* had also published the following correction³ in its issue dated the 1st August, 1972:—

“In the news report relating to the proceedings of the Legislative Assembly, it was inadvertently published that the Chief Minister had held the Jana Sangh responsible for the disturbances in Varanasi. This news report was received by us from the National Press News Agency and this Agency has since informed us that the Chief Minister had not made any such allegation against the Jana Sangh and had expressed regret for the said mistake.”

In view of the above correction published by the newspaper, the matter was closed by the House.

¹U.P. Vidhan Sabha Debates, July 31, 1972 (Original in Hindi).

²Ibid.

³Original in Hindi.

WEST BENGAL LEGISLATIVE ASSEMBLY

Arrest of a member

On July 21, 1972, the Speaker, Shri Apurba Lal Mazumdar, informed¹ the House that he had received notices of a question of privilege from Shri Triptimoy Aich and some other members regarding his arrest on July 19, 1972.

The Chief Minister, Shri Siddhartha Shankar Ray, then stated²:

"I would like to tell the Members of the House, through you, Sir, that the Government has taken a very serious view in this matter, and, in point of fact, I have, only 15 minutes ago, ordered an enquiry by the Special Inspector General of Police into the whole matter. While M.L.As. are certainly subject to ordinary laws of the land...there is a manner of doing things. Sir, Shri Triptimoy Aich, I regret, was arrested at 11.30 P.M. and he was kept in the *Hajat* for the whole night. That an M.L.A. and a young lawyer be treated in this fashion is absolutely shameful. I hope due notice will be taken by all concerned when the enquiry is held. The policemen have been given powers. It is necessary for them to have powers and I do not like to interfere with them. It is their duty to exercise that power to maintain law and order and I am also not going to interfere with it either. But the Government has a duty to see that the power is not misused, and in this case the police must have powers on the one hand and the Government on the other hand will have to see that these powers are utilised in a reasonable manner and not utilised in a dictatorial manner or utilised for the purpose of satisfying the personal grudge of any particular person. If the policemen start behaving in this manner, confidence in the administration will diminish and the Government, therefore, is absolutely firm in this matter and for this reason I want a full enquiry and have the full facts before any decision is taken. I am sure that after I receive the report of the enquiry if I find anything against any officer, that officer will be suitably dealt with".

The concerned members were satisfied and the matter was dropped.

¹W.B.L.A. Deb., July 21, 1972.

²*Ibid.*

III. PROCEDURAL MATTERS

LOK SABHA

- (i) **Adjournment of the House on the demise of a sitting Member and making of obituary references on the next day**

On April 12, 1973, at 15.05 hrs. the Deputy Speaker informed the House of the sudden passing away in Willingdon Hospital of Shri Teja Singh Swatantra, a sitting Member who had been taken ill in the Central Hall of Parliament House. The Deputy Speaker adjourned the House as a mark of respect to the deceased, observing that the obituary reference would be made on Monday, the 16th April, 1973.*

The obituary references to the passing away of the Member were made on the 16th April, 1973.

- (ii) **A matter which is sought to be raised through an adjournment motion cannot also be the subject matter of a privilege motion**

On April 2, 1973 the Speaker informed the House that he had received several notices of adjournment motions, privilege motion, notices under rule 377 and also of calling attention, about the Attorney General's remarks in the Supreme Court on March 30, 1973 regarding amendment of the Maintenance of Internal Security Act. He took the sense of the House as to on which of the motions the matter might be discussed. Members made submissions and pressed for discussion on the adjournment motion. A member, Shri Vikram Mahajan, referring to clause (iv) of rule 58, pointed out that no question of privilege could be raised on an adjournment motion and the Speaker agreed with him.

Leave was granted to the moving of adjournment motion by Shri Jyotirmoy Bosu and discussion thereon was held on that day. The motion was negatived.

On April 4, 1973, Shri Jyotirmoy Bosu submitted that the Law Minister, while intervening in the discussion on the adjournment

*There were no sittings of the House on 13th, 14th and 15th April, 1973.

motion on April 2, 1973, had denied a newspaper report that the Attorney General had stated in the Supreme Court that the Government would have the Maintenance of Internal Security Act amended in 10 days. He also referred to a letter addressed by two lawyers to the Speaker stating that what had appeared in the newspapers was correct. The Member contended that it was a fit case for being referred to the Committee of Privileges and he was supported by several Members. The Speaker, thereupon, observed that it was provided in the Rule that the adjournment motion shall not raise a question of privilege. Moreover, both the adjournment motion which was discussed and decided by the House as also the lawyers' letter were based on the newspaper reports. Identical matters could not be discussed in the House again during the same session.

(iii) Resignation by Ministers—Non acceptance thereof by the Prime Minister

On March 16, 1973, the Minister of Tourism and Civil Aviation, Dr. Karan Singh, while making a statement regarding crash of an H.S. 748 aircraft near Secunderabad on March 15, 1973, read out extracts from his letter addressed to the Prime Minister accepting his responsibility for the air crash and stating that in keeping with the highest parliamentary tradition, he had submitted his resignation from the Council of Ministers. Leaders of some Opposition Groups and some other Members made submissions appreciating the Minister's gesture and expressed the view that his resignation would not solve the problem and therefore he need not press his resignation. The Speaker also expressed the hope that the Minister would not press his resignation.

Subsequently, on March 20, 1973, a Member, Shri Piloo Mody made a submission that normally a resigning Minister made a statement after his resignation was accepted. He submitted that the House should be informed of the later developments. After sometime, Dr. Karan Singh made a statement informing the House that the Prime Minister had not accepted his resignation and that he would continue to serve in his present capacity.

(iv) Suspension of Members—Termination of suspension on the same day on the request of Leaders of Opposition Groups

On February 22, 1973, immediately after the proceedings on the calling attention notice, when some Members were pressing that their adjournment motions regarding price rise be allowed, a Member Shri

Jyotirmoy Bosu, cast aspersions on the Chair alleging partiality. The Speaker asked Shri Bosu to withdraw his remarks or withdraw from the House. As Shri Bosu persisted in disobeying the Chair and neither withdrew his aspersive remarks nor withdrew from the House, the Speaker named him. The Minister of Parliamentary Affairs, Shri K. Raghuramaiah moved a motion for his suspension from the service of the House for two days, and the motion was adopted.

Shri Bosu was then asked by the Speaker to leave the House. On his refusal, the Speaker ordered the Marshal to approach the Member for the purpose. Members belonging to Opposition, then, surrounded Shri Bosu in order to prevent his removal from the House. Some leaders of the Opposition Groups approached the Speaker and requested for permission to move a motion for the termination of suspension and for expunction of the objectionable remarks of Shri Jyotirmoy Bosu. The Speaker agreed to the request as a special case and permitted the leader of the D.M.K. Group, Shri Era Sezhiyan to move the following motion:—

“That the suspension of Mr. Jyotirmoy Bosu from the service of the House be terminated forthwith and that the words objected to by the Speaker be expunged”.

The motion was adopted.

- (v) **Where on the first day of the session, the House is to adjourn after obituary references, Proclamations are laid on the Table on the following day's sitting**

Normally, the Proclamations issued by the President under Article 356 of the Constitution are laid on the Table on the first sitting of the House held after the issue thereof. The Proclamation issued by the President on January 18, 1973 in relation to the State of Andhra Pradesh was not laid on the Table on the first day of the Session (February 19, 1973) as it was decided at the Meeting of the Speaker with Leaders of Groups that no business need be put down in the List of Business after the obituary references.

The Proclamation was laid on the Table at the next sitting, *i.e.* on February 20, 1973.

GUJARAT LEGISLATIVE ASSEMBLY

(i) Governor's Address: Responsibility to Conduct Business

On February 12, 1973 when the Governor was about to commence his Address to the Assembly under Article 176, the Opposition Group leader climbed the dias in order to present a copy of a written Address and urged the Governor to read the same instead of the usual Address prepared by Government.

When the House reassembled, a member on a point of order questioned the conduct of the Opposition Group leader and requested the Speaker to give his ruling. The Speaker ruled that there was no point of order since the responsibility to conduct the business of the House at the time of the Governor's Address did not rest with the Speaker.

(ii) Participation in discussion without advance intimation

On March 6, 1973 a member had, in violation of rule 238, participated in the discussion on the Appropriation Bill, without giving advance intimation to the Speaker of the specific points he intended to raise.

The Speaker observed that such participation was contrary to rules and the relevant portion would have to be expunged from the official Report of the proceedings.

(iii) Absence of Participants in debate at the time of Governments reply

On March 7, 1973, the Speaker noticing that a large number of members who had participated in the debate was not present in the House to hear the reply from Government, observed that participants of the debate must necessarily make it convenient to be present in the House while the reply to the debate was being made. The tendency to be absent at such time was not desirable and if in future that tendency persisted, he might have to consider not giving an opportunity of participation in debate to such absentees, even though they had been able to catch the Speaker's eye.

(iv) Delivery of Notices for Questions by Members in person

On March 13, 1973, the Speaker announced in the House that it was noticed that the notices relating to Questions received in the Secretariat were often either not signed by the members themselves or were delivered by persons other than members or when a question was admit-

ted an identical notice was received subsequently from the same member. The right to table Questions could be exercised exclusively by the members and it was not available to others by authority. This would amount to abuse of the right to ask Questions.

In view of the above, the Secretariat had been instructed to receive Question Notices only if the members themselves delivered the same in person.

TAMIL NADU LEGISLATIVE ASSEMBLY

(i) **Point of Order: Last minute announcement about certain concessions to Government servants**

On March 30, 1973 rising on a point of order, the Leader of the Congress (O) Party stated that the Chief Minister in the course of his reply to the discussion on the Appropriation Bill announced certain concessions to Government servants and such an announcement contravened Rule 158 of the Assembly Rules and Article 204 of the Constitution in as much as such concessions announced by the Chief Minister were beyond the administrative policy implied in the grants covered by the Bill and it amounted to an amendment of the Bill and hence against the financial norms.

After hearing some leaders of Opposition parties and also the Chief Minister, the Deputy Speaker ruled that in as much as no amendment to the Appropriation Bill had been proposed and no addition to or subtraction from the sums already allotted under any Demand had been proposed and as necessary adjustments could be made within the allotment made, and supplementary demands could be brought forward later, there was no point of order.

(ii) **Debate: Right of reply by Chairman of a Board**

On March 21, 1973, on objection being taken to the Chairman of a Board, who was a Member of the House, replying to the points raised by the Members in the course of the discussion of a subject connected with that Board on the ground that only a Minister could reply to the debate and not others, the Chair held that while a Chairman of the Board had no right to reply to the debate as such, he who was primarily a Member of the House, could enlighten the House with the information in his possession as he was connected with the subject matter raised. Such enlightenment would only help the discussion in the House and need not be taken as a reply to the debate. That would not affect the dignity of the House.

IV. EXHIBITION ON "FREEDOM STRUGGLE AND THE LEGISLATURE"

The significant role played by the Central Legislature in the freedom struggle was vividly brought out in a photographic exhibition organised by the Directorate of Advertising and Visual Publicity in the Parliament House from March 8 to 14, 1973. The exhibition was inaugurated on March 8, 1973 by Dr. G. S. Dhillon, Speaker of Lok Sabha. He was received by Shri K. Raghuramaiah, Minister of Parliamentary Affairs. A number of Ministers including S/Shri I. K. Gujral and Om Mehta and Members of Parliament were present on the occasion.

With the aid of nearly 250 photographs some of them rare—clippings from old newspapers and statements of the national leaders made inside and outside the House, the Exhibition sought to blend effectively the story of India's struggle for freedom.

As Jawaharlal Nehru put it, the old Central Legislature of pre-Independence days served as a training ground for Parliamentary democracy in India and familiarised Indian legislators with many elements of modern Parliamentary procedure. Many of the eminent national leaders, who entered the old Legislature either as nominated members or later as the people's elected representatives made full use of this forum—despite the severe limitations imposed on it by the British—to ventilate peoples grievances and to raise the banner of freedom. At times, various events that took place in the country found their echo in the Assembly, while at other times the statements made in the legislature triggered off a country-wide upsurge against colonial rule. In the course of time, the national leaders were able to turn the Legislature itself into one of the forums of the freedom struggle. They walked out of it, when the Legislature ceased to have importance for the nation and returned to it on the threshold of freedom converting it into the supreme body that gave the country her Constitution.

Excerpts from speeches displayed at the Exhibition in the case of certain luminaries were really noteworthy. There was Motilal Nehru's speech on Swaraj—"an honest and fair demand". Perhaps

the most memorable were the words of those of S. Satyamurthy, on September 7, 1937:

"I want to say from my place on the floor of this House that as long as an Indian child lives, this fight for freedom of this country will go on".

The photographs took the viewer step by step from 1857 to 1874, when the Kuka Movement began, to 1885, when the first Indian National Congress session was held and thence to 1947 and to the present Silver Jubilee year of Independence.

One of the exhibits, a three dimensional display, showed the Legislature behind the bars. It symbolized the situation which was obtaining in the year 1919 when functioning under the old Government of India Act of 1909, the Legislature passed the Rowlatt Bill. Stalwarts inside the Legislature like the late Srinivasa Sastri, Tej Bahadur Sapru, Vithalbhai J. Patel, K. V. Rangaswami Ayyanger, Madan Mohan Malaviya, Mazhrul Haque and Surendranath Banerjee raised their voice against this infamous measure.

Recording his impression, in his autobiography, about the proceedings of the Central Legislature on Rowlatt Bill, which he happened to attend, Mahatma Gandhi says "Shastriji* delivered an impassioned speech in which he uttered a solemn note of warning to the Government. The Viceroy seemed to be listening spellbound, his eyes rivetted on Shastriji as the latter poured forth the hot stream of his eloquence. For the moment it seemed to me as if the Viceroy could not but be deeply moved by it, it was so true and so full of feelings".

Displayed with news and pictures of the Civil Disobedience Movement and Salt Satyagraha were the 1929 pledge for complete independence and a picture showing Vithalbhai Patel with Sarojini Naidu, after he and other leaders had resigned from the Assembly. Group photographs of executions, public beatings and processions besides the grim pictures of the Jallianwala Bagh massacre were the other highlights of the exhibition. There was also an extract from the March 25, 1931 edition of the Tribune with the stark news of the execution of Bhagat Singh, Rajguru and Sukhdev.

Photographs of Mahatma Gandhi on hunger strike, Jawaharlal Nehru in Jail, Rabindranath Tagore's letter repudiating his knight-

*Shri Srinivasa Sastri.

hood, the first gathering of leaders and luminaries at the 1885 session of the Congress, the January 19, 1927 formal portrait of the Third Legislative Assembly—the first to meet in the present Parliament House—adorned the display stands. The exhibition also presented scenes of the midnight ceremony that ushered in Independence and the Twenty-fifth Anniversary function held in the Central Hall of Parliament House on August 14-15, 1972.

On this occasion, a brochure entitled "The Indian Parliament in the Freedom Struggle" was distributed freely to the visitors to the Exhibition.

Dealing with the development of Parliament system in the country and its achievements during the 25 years of Independence, it sums up thus:

"It is a matter of great satisfaction that in India democracy has not only struck deep roots but the democratic process has shown both resilience and ingenuity in tackling the manifold challenges of building up a new society and a great nation.

Surely, the fact that parliamentary government and democratic institutions continue to function in India cannot be a mere coincidence because, during the quarter of a century since Independence, the country has had to face several periods of stresses and strains.....

Considering the country's record of political stability and its achievements in the economic and social spheres since Independence, it can be confidently claimed that parliamentary democracy has worked well in India, and has come to stay. Not merely because the system derives its authority from the Constitution but, equally important, it continues to echo the aspirations of the people at large".

The exhibition was open to the public and several thousand visitors had occasion to see the rare exhibits.

V. Obituary References on the Death of Shri C. Rajagopalachari

Paying tributes on February 19, 1973 to Shri C. Rajagopalachari, former Governor-General of India, who died on December 25, 1972, the Prime Minister, Smt. Indira Gandhi said that the inter-session period had taken a heavy toll of former colleagues. The foremost amongst them in age, achievement and wisdom was Shri Chakravarti Rajagopalachari.

Referring to his qualities and the role he played, she observed:—

“He was the last Governor-General and the first and only Indian to hold that office, marking the triumph of our struggle for Independence. He had many other high offices, but his eminence was not the kind that was derived from the offices he held. It came from within him, from his extraordinary, sharp and powerful intellect and his dedication to the cause not merely of India but of mankind. He served the Congress for nearly 40 years, and he founded the Swatantra Party. But no party could really contain him. He immersed himself in the great books of Indian civilisation and was an eloquent exponent of our culture. Through his deep concern for the great issues of mankind, the problem of war and peace, the problem of guarding moral values from material pressures, he was in fact a guardian of human culture.

Many in this House will also remember him as one of the greatest parliamentarians that our country has produced. The sweep of his intellect, his polemical power, and his profound understanding and study of administrative and political problems, will remain a model for us and for those who come after us”.

Earlier, paying tributes to Shri C. Rajagopalachari, the Speaker, Dr. G. S. Dhillon said:—

“Rare are the moments in the history of a nation when its people, irrespective of caste, creed, political affiliation or notions mourn the death of a man who had earned distinction amongst them. Rajaji, as he was popularly known, was a man who by virtue of his sacrifices, simplicity and zeal of mission, became an institution by himself. He has been regarded as one of the outstanding statesmen not only in our country but in the world at large. Above all, he was first and last a great patriot.

In Rajaji's personality there was a unique combination of a politician, philosopher, intellectual literateur, journalist and a man of letters. He was indeed one of the greatest leaders this country had produced.”

After the Prime Minister, Sarvashri Samar Mukerjee, Sarjoo Pandey, Atal Bihari Vajpayee, G. Vishwanathan, Shyamnandan Mishra, P. K. Deo, Samar Guha, Jambuwant Dhote, Muhammed Sheriff, K. Hanumanthaiya and Banamali Patnaik and Smt. Marjorie Godfrey also paid tributes to the departed leader.

Thereafter the Members stood in silence for a short while.

Sessional Review

FIFTH LOK SABHA—SEVENTH SESSION

The seventh session of the Fifth Lok Sabha commenced on February 19, 1973. After holding 58 sittings, aggregating to 403 hours and 25 minutes, the House adjourned *sine die* on May 16, 1973. A brief review of some of the important discussions held during the session is given below.

Motion of Thanks on President's Address

Replying to a five-day debate on a Motion of Thanks on the President's Address, the Prime Minister, Smt. Indira Gandhi, on February 27, 1973 said:—

“The Bangla Desh-Pakistan crisis, which had overflowed on to our territory was an interruption in our own battle for national, economic and social construction. . . . Each measure we took then had financial and economic implications and it was obvious that the subsequent months would show the repercussions of what had happened then.”

Referring to drought conditions in the country, she said:—

“The biggest and the immediate concern before us is naturally the question of organising relief. We have, and we are mobilising all the resources in money and in material to overcome this crisis. 48 lakhs of people are engaged in relief works in Rajasthan, Gujarat, Maharashtra, Mysore, Andhra Pradesh and Tripura. These relief works are going on a scale never before envisaged, although the difficulties are indeed great. But this is the first time that the Government has come forward with such a vast programme of help. About 90,000 different kinds of relief works are under implementation.”

Dealing with the question of “Prisoners of War” of Pakistan, she said:

“The question of prisoners of war is not insoluble. Neither Bangladesh nor India has put any obstacles in the way of its solution. But to expect India to free the prisoners of war without the concurrence of Bangladesh is wholly illogical and unrealistic. . . . So far as we are concerned, we are not interested in keeping them. It is a burden to us and it is not something

that helps our policy or anything else, in any way. But certain international realities have to be understood and faced. You cannot ignore the existence of Bangladesh or the interest which Bangladesh has in this question. We are not stopping any meeting; we are not interfering in this matter. Bangladesh is an independent sovereign nation and must be treated as such."

Joint Declaration by the Government of India and the People's Republic of Bangladesh

The Minister of State in the Ministry of External Affairs, Shri Surendra Pal Singh, on April 17, 1973 laid on the Table of the House a copy of the Joint Declaration by the Government of India and the People's Republic of Bangladesh, extracts from which are given below:

"Reviewing the entire situation in the sub-continent the Government of India and the Government of the People's Republic of Bangladesh noted with regret and concern that progress in the establishment of friendly and harmonious relations has not yet been achieved owing to the failure of Pakistan to recognise the realities in the sub-continent. They felt that the policy hitherto pursued by the Government of Pakistan has stood in the way of negotiations among all the three countries on the basis of sovereign equality of each. They further noted with concern that Pakistan continued to persist in hostility towards Bangladesh and despite the clear provisions of the Simla Agreement, continued to maintain a hostile attitude against India. The Government of the People's Republic of Bangladesh reiterated their stand that they cannot participate in any discussion with Pakistan at any level except on the basis of sovereign equality.

Despite the difficulties created and hostility manifested by the Government of Pakistan, the Government of India and the Government of the People's Republic of Bangladesh are resolved to continue their efforts to reduce tension, promote friendly and harmonious relations in the sub-continent, and work together towards the establishment of a durable peace.

Without prejudice to the respective positions of the Government of India and the Government of the People's Republic of Bangladesh, the two Governments are ready to seek a solution to all humanitarian problems through simultaneous repatriation of the Pakistani prisoners of war and civilian internees, except those required by the Government of the People's Republic of Bangladesh for trial on criminal charges, the repatriation of Bengalees forcibly detained in Pakistan and the repatriation of Pakistanis in Bangladesh, i.e. all non-Bengalees who owe allegiance and have opted for repatriation to Pakistan.

The Government of India and the Government of the People's Republic of Bangladesh earnestly hope that Pakistan will respond to the constructive initiative taken by the two Governments to resolve the humanitarian problems...."

Reported Arrest of Bengalees in Islamabad by Pakistan Authorities

"The reported arrest of thousands of Bengalees in Islamabad by Pakistan authorities on the ground of preparation for repatriation" was raised in the House on May 9, 1973 by Shri Indrajit Gupta through a calling attention notice.

Replying, the Minister of External Affairs, Shri Swaran Singh said that press reports indicated that these Bengalees had been taken to internment camps in some obscure places. However, the official spokesman of the Government of Pakistan had tried to explain that the Bengalees had been shifted from their homes "because of congestion and pressure on official housing in the capital." It was also indicated that this was being done in preparation for their ultimate repatriation to Bangladesh.

India fully shared the anxiety of the Bangladesh Government at the fate of the innocent Bengalees affected by the arbitrary action of the Pakistan Government. Pakistan should bear in mind that action of this nature, instead of solving the humanitarian problems and ending the suffering of lakhs of people, could only cause further bitterness and retard the process of normalisation in the subcontinent.

Attack on the Indian High Commission in U.K. by Pakistani Gunmen

The matter regarding a reported "attack by Pakistani gunmen on the High Commission in U.K." was raised in the House on February 22, 1973 by Shri Samar Guha through a calling attention notice.

Replying, the Minister of External Affairs, Shri Swaran Singh said that at 9.30 A.M. (London time) on February 20, 1973, when the front doors of the Indian High Commission in Aldwych, London, were opened a few minutes before the office opening time, some intruders in possession of arms, came into the building and attempted to hold up some members of the staff who were coming in, or were already inside. The intruders put on masks, took out arms and started rounding up, and tying up, some members of the staff, threatening them by flourishing arms and assaulting them.

Two of the masked men tied up two employees of the High Commission and threatened them, while demanding the keys of the main door. One of the officials was, however, able to leave the building by a side door and alert the police. The police arrived on the scene within minutes and engaged the gunmen. In the encounter two of the intruders were killed, and one was injured and arrested.

Apart from the Security Guard, two other members of the High Commission staff received injuries and none of them was in danger. The London police acted with commendable promptness and brought a potentially ugly situation under swift control. So far not much was known about the motivation for the outrage, but the assailants were believed to be of Pakistani origin.

The Government of United Kingdom had expressed their regret and sympathy on the incident.

Two senior officials of the Government of India had left Delhi for London, to assist the U.K. authorities, if necessary, with further investigations and to ensure full and appropriate security measures for Indian buildings and staff in London.

Resumption of U.S. Arms Supplies to Pakistan

The matter regarding a 'reported statement by Mr. James Sisco of U.S. Department of State about proposed resumption of U.S. arms supplies to Pakistan' was raised in the House on March 15, 1973 by Shri Indrajit Gupta through a Calling Attention Notice.

Replying, the Minister of External Affairs, Shri Swaran Singh said that it was officially announced in Washington on March 15, 1973 by the State Department that the United States was lifting the embargo on the supply of arms to Pakistan with immediate effect. As a result, Pakistan would immediately receive 300 armoured personnel carriers reportedly valued at \$13 million and aircraft engines, military spare parts and parachutes valued at \$1.1 million as per U.S. statement. It was also clear from the announcement that the United States Government would permit Pakistan to acquire non-lethal military equipment as well as spare parts for lethal weapons given to Pakistan earlier by the United States.

The grave concern of the Government over the American supply of arms to Pakistan was reiterated and it was hoped that the United States Government would carefully consider the implications of such arms supplies and refrain from that action.

Reported Deal for Supply of Naval Boats by U.S.S.R. to Pakistan

"The reported deal for supply of naval boats fitted with 'Komar' missiles by the U.S.S.R. to Pakistan and the reported decision of the U.S.S.R. to waive the ban on arms supply to Pakistan" was raised in the House on March 29, 1973 by Shri Atal Bihari Vajpayee through a Calling Attention Notice.

Replying, the Minister of External Affairs, Shri Swaran Singh stated that when the news-item in question came to the notice of the Government, it was checked up with the U.S.S.R. Embassy. It was learnt therefrom that there was no basis, whatsoever, for such a report.

Repatriation of Persons of Indian Origin from Sri Lanka

"The question of repatriation of about 35,000 persons of Indian Origin from Sri Lanka to India this year" was raised in the House on February 26, 1973 by Shri Hari Singh through a Calling Attention Notice.

Replying, the Minister of External Affairs, Shri Swaran Singh said that the Indo-Ceylon Agreement of 1964 envisaged that India would accept for repatriation 525,000 stateless persons of Indian origin, while Sri Lanka would grant citizenship to 300,000 such persons, in an evenly phased manner over a period of 15 years; it would mean that India would accept repatriation of an average of 35,000 persons per annum and Sri Lanka would grant citizenship to 20,000 persons per annum from the date of the commencement of the Agreement.

Since various prior arrangements had to be made, implementation of the Agreement had been delayed. Till the 17th February, 1973, 84,801 persons had been repatriated to India, while Sri Lanka had granted citizenship to 48,249 persons upto the end of December, 1972.

A meeting of officials of the two countries led by their respective Foreign Secretaries was held in Colombo from February 14 to 17, 1973 to review progress in the implementation of the Agreement. The Agreement was considered in all its aspects and both sides agreed to take all possible measures to ensure its smooth and full implementation. During the last eight years, the stipulated rate of repatriation of 35,000 on Indian side and the grant of citizenship to 20,000 on Sri Lanka side could not be achieved. The Government of India had agreed in principle to accelerate the rate of repatriation in the coming years. The details were being worked out.

As regards the assets, there was a clause in the Agreement according to which upto a certain level, the entire assets were to be repatriated and the Government of Sri Lanka had agreed to pay the value of those assets in free foreign exchange. There was, however, an upper ceiling of Rs. 75,000. The rest would remain in the accounts of those persons in Sri Lanka. No revised proposals were put forward in the course of the talks.

Situation in Sikkim

Making a statement regarding the "situation in Sikkim" on April 9, 1973, the Minister of State in the Ministry of External Affairs, Shri Surendra Pal Singh, said that after the recent general elections in Sikkim, the tension had aggravated, as there were charges of malpractices, corruption and rigging up of elections on the part of the Sikkim Darbar.

As a result, polarization developed between the Maharaja of Sikkim on the one side and the popularly elected political leaders and the masses on the other. The Darbar took stern measures and arrested the President of the Sikkim Janta Congress, Shri K. C. Pradhan on March 27, 1973.

Thereafter there were large scale demonstrations all over Sikkim. Twenty thousand demonstrators collected in Gangtok demanding democratic rights and demonstrating against the Chogyal regime. Police stations of several important towns such as Rangpo, Rhenock, Melli, Namchi, Geyzing and Singtam were also taken over by the popular leaders.

With the complete break-down of law and order all over Sikkim, the Chogyal in his letter of April 8, 1973 requested the Government of India to take over the Administration of the whole of Sikkim. He had also sought the services of a senior officer of the Government of India to be appointed as Head of Sikkim's Administration. Simultaneously, there were repeated demands from the popular leaders and the large masses of Sikkim for the Government of India to take over the Administration of the State. In response, therefore, to the request of Chogyal and the demand of the people of Sikkim the Government of India had taken over the administration of the State and had also deputed a senior officer to function as Head of Sikkim's Administration.

The popular and elected leaders of all the parties in Sikkim had also asked the Government of India to ensure the stability, security and

integrity of Sikkim. They had welcomed India's acceptance of the responsibility of maintaining law and order and running the administration of Sikkim.

The Government would make every effort to ensure that the interests of the people of Sikkim were secured and safeguarded and that Sikkim marched on the road to political stability and economic prosperity.

Constitution (Thirty-first Amendment) Bill, 1973

Moving that the Bill be taken into consideration, the Minister of State in the Ministry of Law, Justice and Company Affairs, Shri Nitiraj Singh Chaudhary said on May 8, 1973 that in order to ensure that there was no reduction in the existing representation in the House of the People in respect of any of the States, clause (2) of the Bill sought to amend Article 81 so as to increase the upper limit for representation of the States from 500 to 525. The opportunity was taken to decrease the limit for the Union Territories from 25 to 20 as the existing representation for Union Territories was only 16. The Government also considered it necessary to make an amendment in clause (2) of Article 81 to provide that the provisions of Sub-clause (a) of clause (2) of Article 81 would not be applicable to any State so long as its population did not exceed six millions. This was to ensure that the existing representation in the Lok Sabha was maintained for the smaller States of Himachal Pradesh, Jammu and Kashmir, Manipur, Meghalaya, Nagaland and Tripura, each of which had a population of less than six millions.

The Bill as amended was passed by the required majority.

Proclamation in relation to Andhra Pradesh

On February 28, 1973, the Minister of State in the Ministry of Home Affairs, Shri K. C. Pant moving the Resolution relating to the Proclamation of President's Rule in Andhra Pradesh said that on January 17, 1973, the Governor of Andhra Pradesh reported to the President that the Chief Minister, Shri P. V. Narasimharao had tendered the resignation of himself and his colleagues. Keeping in view the relative strength of various political parties in the State Legislative Assembly, the Governor came to the conclusion that it would not be possible for the leader of any opposition party to form an alternative Government and therefore recommended that the State should be brought under

the President's rule. The Governor further recommended that during the period of President's rule the Legislative Assembly might not be dissolved but only kept suspended.

Following the Supreme Court ruling pronounced on October 3, 1972, proclaiming the validity of the Mulki Rules, some agitations sparked off in the Andhra Region of Andhra Pradesh. Following discussions by the Central leaders with the Andhra Pradesh leaders and representatives of different sections of the people, a five-point formula was announced in Parliament on November 27, 1972, and thereafter the Mulki Rules Act, 1972 was passed. It was in these circumstances that, in order to help resolve the mounting political and law and order crisis in the State, the Chief Minister tendered the resignation of his Ministry and the President's rule was subsequently imposed in the State. Sincere concerted efforts on the part of one and all were needed to ensure that the primary objectives of the President's rule, namely, the restoration of normalcy and order in the State was speedily achieved.

An important plank of the five-point formula was in relation to educational facilities, *i.e.* educational facilities would be expanded and made available to all the persons without any restriction as to residence. The additional educational facilities would have to be created by the time the next academic session started.

The problems of Andhra Pradesh were serious. Violence and lawlessness had dealt a serious blow to the economy of Andhra Pradesh. The State was facing a drought situation. Communications had been wilfully disrupted and movement of essential foodgrains had been impeded. It was high time that everyone came back to his normal vocation.

No durable solution would be possible without mature consideration. It was, therefore, necessary that all aspects of the matter should be considered in a cool, calm and rational manner. Nothing could be more counter-productive than an agitational approach on that issue.

Thereafter the Resolution was adopted.

Central Budget—General Discussion

The Minister of Finance, Shri Yeshwantrao Chavan presented a statement of the estimated receipts and expenditure of the Government of India for the year 1973-74 on February 28, 1973. Replying to a

three-day general discussion on the General Budget on March 14, 1973, the Minister said that it represented another major effort on the part of the Government to get the country moving towards the goal of an expanding self-reliant economy based on social justice.

The Budget should be judged by the five tests laid down in the budget itself. Those tests were control of inflation, promotion of savings and investment, greater viability, a rapid increase in employment opportunities, and greater social justice through the provision of certain basic amenities of life.

There was a situation in the country where there was some sort of inherent tendency for inflation. Inflation was inherent in a developing country. In a developing economy, if the price rise was between two and three per cent a year, it was a generally acceptable price rise. But unfortunately there was much more than that.

The deficit financing was the net deficit in the budgetary provisions of the States and the Centre and the net credit from the Reserve Bank of India. Some Members tried to include in the deficit financing those amounts which commercial banks invested in government securities. By definition it was not deficit financing. It was really speaking mopping up savings for the developmental activities of the people. It was a public debt. It was not creation of artificial money. Therefore, it was not deficit financing.

It had been said that the deficit in the Budget would not remain at Rs. 85 crores for 1973-74. The Government had also held the same view. It was their major effort to reduce it so as to meet certain contingencies that were to come such as the Pay Commission's Report. It was asked as to what was the safe limit of deficit financing, which the country could bear. If the normal forces of economic growth continued both on the agricultural and industrial fronts, the country could safely bear the burden of deficit financing upto Rs. 200 to Rs. 250 crores.

From 1970 onwards provision were being made continuously for employment opportunities. It was not only employment schemes, but the different types of investments, which the Government were making, that would ultimately help the employment situation. All the social-oriented and social welfare schemes for which a sum of Rs. 125 crores was provided last year, were being continued during the current year, with an added provision of nearly Rs. 100 crores for creation of employment potential.

An important step taken during the year was the take-over of the wholesale trade in wheat. It would be followed by the take-over of the wholesale trade in rice. It was said that many people, who were employed in the wholesale trade, would lose their jobs. What they would lose was the exploitation by the black-marketeers. When the Government took over the wholesale trade, it would ensure that the real scope and content of employment, which was there, not only remained, but increased and was properly made use of. Take-over of the wholesale trade was a much more progressive step not only from the point of view of proper distribution of the essential goods, but also in the interests of those people who were in the trade itself.

Efforts were being made to plug the loopholes of tax evasion, which was the cause of black money. Many steps had been taken to plug black money. For example, steps had been taken about Hindu undivided families, wealth tax and other taxes. Another step that had been taken in this direction was the partial aggregation of the agricultural income with non-agricultural income for tax purposes.

After the Finance Minister's speech the general discussion on the General Budget was concluded and the Demands for Grants on Account (General) for 1973-74 were voted in full.

Railway Budget—General Discussion

Replying to the debate on the Railway Budget* on March 12, 1973, the Minister of Railways, Shri L. N. Mishra said that because of the increase in the cost of inputs, the existing third class fares had to be increased by 3 per cent. The effect of the proposed increase would, however, be minimal. There was no increase in the existing fares for the first 15 kilometres for the third class passengers and there were 500 million such passengers who were travelling only a distance of 15 Kms. or less.

A loss of nearly Rs. 63 crores was being incurred on passenger and coaching traffic annually. The proposed increases amounting only to Rs. 12.45 crores would not bridge even a fraction of the wide gulf of that loss.

*The Budget (Railways) 1973-74 was presented to the House by the Minister of Railways on February 20, 1973.

Keeping the interests of the common man, no increase had been proposed in the rates for carriage of essentials like milk, fruits, vegetables, fish, books, newspapers etc. by parcels. The upper class passengers had been touched a little more the percentage increase in their case being on an average 7 per cent over the existing fares.

The earnings from traffic goods in the next year was estimated at Rs. 785.27 crores, but only Rs. 18.15 crores or 2.4 per cent was the result of the increase in freight rates. Here again, only the low-rated commodities, which were being transported by the railways at a considerable loss had been touched upon. Special care had been taken to exempt the essential necessities of life like foodgrains, salt, and kerosene oil from that increase.

As regards the question of the restoration of the lines dismantled due to the ravages of rivers and other causes, it had been decided that these restorations wherever the riverine conditions had since stabilized must be taken up in right earnest. That would open new areas and bring about economic recovery in the backward areas.

The Railway Board had been asked to revive the creation of coal dumps in different parts of the country to cater to the needs of smaller consumers.

Another scheme in regard to running of a super-fast parcel train between Delhi and Howrah was being developed by the Railway Board. If that experiment was found successful, similar arrangements would be made on other trunk routes like Delhi-Bombay, Delhi-Madras, Bombay-Howrah, etc.

The improved standards of punctuality, particularly of Mail and Express trains, achieved after a special drive from the latter part of 1971 had been maintained at a fairly high level since then.

Action had been taken to put into service additional coaches for 3rd class passengers. It was hoped that by the end of the Fourth Plan, another 1177 B.G. and 247 M.G. coaches would be made available to meet the additional traffic requirements.

As regards catering services on the Railways, quite a lot could be done and determined efforts were being made by the Railways in that direction.

It was intended to give special treatment to students and youths in Railway journeys in addition to what was already available to them. That would include the issue of liberal concessional tickets for long journeys as also arrangements for running of special trains for them alone.

Demands for Grants of Ministry of External Affairs

Initiating the discussion on Demands for Grants of the Ministry of External Affairs on April 23, 1973, Shri Saroj Mukherjee alleged that the Government were overlooking the danger of US policy to perpetuate tension and conflict in the Indian sub-continent.

If the Government wanted to pursue a progressive independent policy, it must, he said, immediately give recognition to the Provisional Revolutionary Government of South Vietnam, the Democratic People's Republic of Korea and the Government of the National Union of Cambodia. The Government should also quit the Commonwealth as the situation was very favourable.

Intervening in the discussion, the Minister of State in the Ministry of External Affairs, Shri Surendra Pal Singh said that the very basis of relationship between countries was changing from a basis of domination and leadership to that of friendship and equality. Such trends and developments were not only welcome, but they were also a clear vindication of the policy which India had been pursuing since Independence.

The Third Summit Conference of non-aligned countries which took place at Lusaka in 1970 was an event of far-reaching significance. For the first time in a Conference of non-aligned countries, the idea of economic and technical collaboration amongst the developing countries and the non-aligned countries was mooted there. It was done in order to safeguard and to see that the smaller countries did not come under the domination of big powers.

In view of the great stress being laid on economic cooperation, the Government had attached great importance to it. India's greatest activity in this field was in the continent of Africa. India was willing to share her experience with the African countries and to render all possible assistance in their own efforts to develop their economy as fast as possible.

India had also supported the struggle of African people against imperialism, racialism and colonialism. They had been given moral as well as material help.

Thousands of people were made to leave Uganda last year under conditions of humiliation, under tension for no fault of their own. The Government took up their cause with the Government of Uganda and made all possible arrangements to evacuate Indian nationals from Uganda, to provide them with all the facilities and concessions and to give them all possible assistance in settling down in the country. The question of the assets left behind in that country was still not being resolved. The matter had been taken up on a number of occasions with Uganda, but so far the Government had not succeeded. The Government of Uganda had, however, assured that it was not their intention to confiscate property without compensation. President Amin had also promised that he would look into the matter and expedite the question of evaluation and payment of compensation.

All the Independent African countries had now resorted to a policy of Africanisation or nationalisation of their commerce, industry and means of production. The Government would make efforts to ensure that when they carried out that policy, it did not hurt the interests of Indians settled there and that they should be given time to wind up their business properly and leave the country in an orderly and phased manner. Some of the African leaders had made public statements that the policy of Africanisation would be implemented gradually and in orderly manner.

As regards the Indian Ocean, India was in favour of keeping the area as an area of peace, free from big power rivalries and as a nuclear-free zone. It was felt that left to themselves, the countries of the region would be able to find a *modus vivendi* for the problem. The U.N. General Assembly, has, through its resolution of 1971, declared the Indian Ocean as an area of peace and a nuclear-free zone.

There was need for a great deal of cooperation between India and other countries. It was, therefore, felt that the Commonwealth was a useful organisation and was serving the national purpose. As such, it was not the appropriate time to leave that organisation.

Replying to the discussion lasting for more than 7 hours, the Minister of External Affairs, Shri Swaran Singh said that India's relations with Bangladesh were of closest of friendship and understanding.

The economic cooperation undertaken with that country was the biggest endeavour of its kind that had been taken up with any country.

India had a sizable economic exchange with Sri Lanka. During the past year, there was a meeting of the Indo-Sri Lanka Joint Commission which had revealed further scope for industrial and technical collaboration which had to be developed between the two countries. There was identity of views on many problems of peace and security in the sub-continent.

Another important neighbour was Bhutan. It was India's aim to strengthen her friendship and cooperation with that country in all fields. Bhutan initiated her Third Plan in April, 1972 with an outlay of Rs. 35 crores, of which India had agreed to provide Rs. 33 crores.

As regards Sikkim, the present position was that the law and order situation had returned to normal and the Sikkimese officials and people had resumed their responsibilities. It was hoped that as a result of the discussions between all the parties concerned and in a spirit of reconciliation, necessary constitutional and administrative reforms would be brought about which would ensure peace, communal harmony, good administration and democratic set-up in Sikkim.

One important provision of the Simla Agreement which had been completely implemented related to an agreement about the delineation of the line of control in Jammu and Kashmir. That cleared the way for troop withdrawals and the troops were withdrawn. The areas vacated thereby had now been occupied by the civilians who were displaced at the time of conflict.

Despite Pakistan's negative attitude, the Governments of Bangladesh and India, guided by their desire to find an immediate solution to the humanitarian problems resulting from the December 1971 conflict, issued a Joint Declaration on April 17, 1973. The said Declaration suggested a fair and practical solution of the humanitarian problems, by separating them from the political issues and the world at large had welcomed the constructive nature of the Joint Declaration.

However, it was a matter of regret and disappointment that the statement issued by Pakistan on April 20, 1973 had reintroduced political considerations.

Pakistan was making it a condition that even 195 persons against whom there was a clear-cut evidence of involvement in war crimes

should not be tried by the Bangladesh Government and, further, it had threatened that if the Bangladesh Government went ahead with the proposed trials, the Pakistan Government would have to bring to trial some Bengalees in Pakistan. It was a very strange case of judicial reprisals in violation of all cannons of international civilised conduct.

India's relations with Nepal were very close and friendly. India's contribution to their economic development amounting to Rs. 10 crores per annum was the largest as compared to any other country.

India's relations with the United States which had been at a very low ebb during the past two years showed signs of improvement towards the end of last year. There was expressions of desire from both sides to normalise and strengthen the relations. The principal obstacle in the Indo-US relations had been American supply of arms to Pakistan. The Government of India had hoped that the US policy of arming Pakistan would come to an end and the way would be paved for the establishment of a durable peace in the sub-continent. The United States Government's recent decision to lift the embargo on the supply of arms to Pakistan had caused much disappointment and concern. The strong feelings of the Government had been conveyed to US Government.

Of late, there had been a few stray but significant indications of improved Chinese attitude. Some lessening of the propaganda against India and a slightly more realistic attitude towards the situation on the Indian subcontinent had also been noticeable.

India had attached the greatest importance to her relations with the U.S.S.R., which were friendly, cordial and close and there had been meaningful and purposeful cooperation in the political and economic fields.

The West Asia crisis was an issue fraught with serious implications for world peace. India's stand on the issue was the vacation of aggression by Israel and the restoration of the rights of the Palestinian people.

There was great scope for economic cooperation between India and the Gulf States and a lively interest in such economic and technical cooperation was visible. The exchange of delegations of experts with all those States had already commenced and would further increase in the near future.

India had recently signed with Iraq important agreements on oil supplies both in the short and in the long term and there was considerable scope for participation in joint projects both in Iraq as well as in India. It was intended to intensify collaboration in other commercial, technical and cultural fields also.

India's friendship with Iran was long standing with deep cultural roots, common traditions and historic ties. There was a sizeable commercial exchange with them. Iran was already participating in the oil refinery in Madras. There were great possibilities in petro-chemicals as well as in other economic and technical fields. Some more agreements were being negotiated with them. These would strengthen further and give more content to India's relationship.

The progress made in the matter of disarmament was rather disappointing. But the international community had to continue its efforts and try to create a situation, where further progress should be made.

After the Minister's reply, all the Demands for Grants in respect of the Ministry of External Affairs were voted in full.

Finance Bill, 1973

Moving the motion on April 30, 1973 that "the Finance Bill, 1973 be taken into consideration" to give effect to the financial proposals of the Central Government for the financial year 1973-74, the Minister of Finance, Shri Yeshwantrao Chavan said that it was felt that in the interest of equity, it would be desirable to allow agricultural income-tax paid under a State law as deduction in computing the net agricultural income for purposes of the scheme of partial integration of agricultural and non-agricultural income. Accordingly, it was proposed to move a specific amendment to the Bill to secure the objective in question.

It was proposed to reduce the duty on glasswool manufactured by the Hager process to 20 paise per kilogram, so as to ensure an overall equitable incidence of duty on glasswool.

A number of representations had been received from the film industry associations and some renowned film producers against the proposal to enhance the import duty on raw cinematograph films from 15 paise to 50 paise per linear metre. To provide necessary relief to

the smaller producers of films, it was proposed to reduce the import duty on black and white raw film, both positive and negative, from 50 paise to 30 paise per linear meter.

The rates of duty on the GATT-bound items also been rationised in order to bring them at par with the general rate of duty on other plastic materials.

A very heavy investment had been made in the public sector, which was certainly making an improvement. But they had certain difficulties. A high-powered committee of experts had been going into the functioning of the public sector and was trying to identify their problems.

In the last couple of years, two commissions had gone into the problem of taxation. Very recently, the Wanchoo Committee went into the question of direct taxes and tax evasion. Another Committee—Raj Committee—went into the question of agricultural wealth. They had made their own recommendations, some of which had already been implemented and some others were proposed to be implemented. If necessary, the Government might even consider the appointment of a Taxation Enquiry Commission.

A question was raised about the black money. Some of the steps taken by the Government to curb black money were statutory and some of them were administrative. Two Bills had already been passed—one for power to acquire immovable property at a price which had been recorded in the transfer deed and another for curbing the widespread practice of "Benami" holding of property. The existence of such a measure was going to be deterrent.

Several modifications had been made in the scheme of tax exemptions of charitable and religious trusts in order to curb their acquiring control over business and industry. The Government had already done away with the tax exemption of casual and non-recurring income including winning of cross-word, puzzles, lotteries, etc.

Provision had been made for deduction of income tax at source from payments made to the contractors by the government, local authorities, statutory corporations and companies. The scope of that provision was being extended to cooperative societies as well. The provision of punishment for tax offences had been made more stringent.

While resorting to commodity taxation, care had been taken to see that it did not affect the wage commodities, wage goods which went into the consumption of the large masses.

One of the most important programmes that had been taken up despite difficulties last year, was the emergency *rabi* production programme. It had stood in good stead. During the current year, a provision for Rs. 150 crores had been made for advance action programme. That programme would lay emphasis on those schemes which would help in increasing the agricultural production in the shortest possible time.

The tax arrears for the year 1971-72 amounted to Rs. 430 crores or so. The Government were trying to see that an attempt was made on the problem as effectively as possible.

After the speech of the Minister of Finance, the motion was adopted and the Bill, as amended, was passed.

Impact of U.S. Government's decision to devalue Dollar

The question of the "U.S. Government's decision to devalue dollar and its impact on Indian Rupee and India's trade with U.S.A. and other countries" was raised in the House on February 23, 1973 by Shri Indrajit Gupta through a Calling Attention Notice.

Replying, the Minister of Finance, Shri Yeshwantrao Chavan said that on February 12, 1973, the U.S. Government announced its decision to devalue the dollar by 10 per cent. After the U.S. announcement, the Yen had also been floated and a new Central Rate had been fixed for German Deutsche Mark.

The situation arising from these changes was reviewed by Government and it was decided to maintain the Central Rate of Rs. 18.9677 per one pound sterling which had been designated in December 1971. The Reserve Bank would continue to avail of the margin of 2.25 per cent around the Central Rate.

Soon after the devaluation of the dollar, the pound sterling had appreciated by 3.7 per cent in terms of the new dollar.

It must be clarified that the Indian rupee had not been devalued by 10 per cent along with the U.S. dollar. Since the sterling-rupee rate had not changed, there would be no adverse effect on exports to U.K. markets and other exports which were invoiced in sterling. On the import side, the U.S. goods would be cheaper to India, but the

German and Japanese goods would be more expensive. The effects of international currency movements on the trade would be kept under close review and Government would take such action as was necessary to ensure that the basic objective of securing self-reliance was not impaired.

People's Participation in preparation and Implementation of Fifth Plan

Raising an Half-an-Hour discussion on May 11, 1973, regarding the "People's participation in the preparation and implementation of the Fifth Plan", Shri Samar Guha said that if the Government wanted the Plan to succeed, the Plan must come from the bottom upwards and the result must benefit the last man first. It must lead to encouragement of the building up of the initiative of the common man by giving more and more areas to be managed and run by him; it meant that production must be controlled and utilized by the actual workers and producers. The aim of the Plan, the first priority, should be for providing full employment and opportunities for work to every able-bodied person in the country.

Replying, the Minister of State in the Ministry of Planning, Shri Mohan Dharia said that people's involvement had not been considered possible in the earlier Plans. But it has been decided to have as much involvement of the people as possible while formulating the Fifth Plan as also in implementing it. The process of dialogue with the various political parties had already commenced. The dialogue would also be held with the Trade Union leaders and organisations of entrepreneurs and also with the economics.

It had been suggested to the State Governments that while submitting the Draft Fifth Plan, they should have an index where they should also indicate plans for every district in that State. This had been done to start the planning process from the lowest possible level, involving people, non-officials at the district and State levels.

The State Governments were also requested to have multi-level planning, planning boards at the State level and to involve non-officials, representatives of the people, workers and their representatives and also to ensure that they got their share in management and participated in management.

Moratorium on remittances of profits by Foreign-owned Cigarette Companies

Raising an Half-an-hour discussion on March 26, 1973 on the

“Moratorium on Remittances of Profits by Foreign-owned Cigarette Companies”, Shri Jyotirmoy Bosu pointed out that the expansion of foreign monopoly was taking place more and more in the country. Remittances were increasing by leaps and bounds both through the front-door and back-door. There was under-invoicing and over-invoicing. The worst example was the cigarette industry. More than 81 per cent was under the absolute control of foreigners and their subsidiaries. The Member demanded that foreign cigarette companies should be nationalised.

Replying, the Minister of Industrial Development, and Science and Technology, Shri C. Subramaniam, said that as far as the question of nationalisation was concerned, the following policy statement made by the Prime Minister in Rajya Sabha on March 3, 1970 still held good:—

“I am not afraid of nationalisation, nor do I believe that it is an answer to all our difficulties. Our approach must be realistic and practical. At any moment if any privately-owned industry is operating against the national interest or is impeding social progress, we should not hesitate to take it over. At the present moment, our priority is the acceleration of development so that the problems of unemployment and inequalities are solved, and this calls for not only the right policy but unremitting hard work, higher savings and greater investment, and the emphasis should, therefore, be on the flow of the scarce public capital into new areas of production. The economic battle which lies ahead requires many weapons in our armoury and nationalisation is only one of these weapons and it is one which should be used judiciously and with great care.”

The mere fact that there was a foreign-owned company, it could not be the ground for nationalisation. Due encouragement was being given to Indian industry in that particular sector. So far three licences and fifteen letters of intent had been issued to the Indian Industry for a total production of 75 thousand million cigarettes. The present capacity was 65 thousand million cigarettes.

Demand by Foreign Oil Companies for further increase in Crude Price

The question of a “reported demand by foreign oil companies for further increase of 17 cents per barrel of imported crude” was raised in the House on April 12, 1973 by Shri H. N. Mukerjee through a calling attention notice.

Replying the Minister of Petroleum and Chemicals, Shri D. K. Borooah said that crude oil prices had been going up all over the

world continually since November, 1970 and India had not remained unaffected with the happening elsewhere in that field. The increase in the price of crude imported by the oil Companies had increased by 97 cents per barrel within a period of the last 2½ years, including a rise of 17 cents during the period between January—April, 1973.

The Government had already taken certain measures to meet her short-term requirements of crude oil and were also considering an overall strategy to deal with that problem in the long-run. The principal feature of the strategy was intensification of efforts to maximise crude oil production within the country both on-shore and off-shore and a number of steps had been taken towards achieving that objective. Attention had also to be paid to the question of curbing consumption of oil products to the extent possible without slowing down the pace of economic development and also to the long-range question of development of alternative sources of energy.

Working of Reserve Bank of India

Raising an Half-an-Hour discussion on April 9, 1973 regarding the "demand for inquiry into the Reserve Bank of India". Shri Jyotirmoy Bosu said that the Reserve Bank of India was a key institution for growth in the economic affairs of the country. But it had utterly failed to stand by the common man and the working class of the country. It had completely ruined the economy of the country. A committee of enquiry comprising the parliamentarians and economists should be constituted to go into its working.

Replying, the Minister of Finance, Shri Yeshwantrao Chavan said that the aim of the Reserve Bank of India was first to secure the stability of currency and also to work in such a manner that it would subserve the national interest and the country's economy. Shri H. V.R. Iyenger in his speech had said that "the furtherance of planned economic objectives in the case of a developing country such as India could only mean a continuous inflation of prices, which means a continuous erosion of the stability of currency. This is inevitable in any developing process." So the question had not been as to what the Government could do, but the question was as to what was the degree of inflation that the country could tolerate. The Reserve Bank of India was not the sole deciding authority as to the degree to which the currency and credit could be extended at any particular point of

time. The final responsibility for taking decisions about the limit of deficit financing was that of the Government and the Government was responsible to the Parliament.

Crisis due to shortage of Power throughout the Country

The matter relating to the "crisis due to shortage of power throughout the country resulting in large-scale closure of industries and appreciable fall in agricultural production" was raised in the House on February 28, 1973 by Shri Shashi Bhushan through a calling attention notice.

Replying, the Deputy Minister in the Ministry of Irrigation and Power, Shri Balgovind Verma said that the main reasons for the shortage of power during the year were:

- (a) Reduced power generation from hydro-stations due to shortage of water in hydel reservoirs.
- (b) Shortfall in power from Atomic Power Stations.
- (c) Continued growth in demand for power and shortfall in the addition to generating capacity.

A review of the power supply position indicated that there was a small surplus power only in Delhi, Madhya Pradesh and Kerala and a little off-peak surplus energy in Bihar. There was power shortage in most of the other States, which aggregated to about 35 millions units per day.

The aggregate energy demand in the country at present was of the order of 201 million units per day against which the estimated availability of energy was about 166 million units per day. Normally, in most of the States in the country, the power requirements increased during the months of February and March compared to the demands in the earlier months, mainly due to increased requirements of agricultural pumping.

The shortage of power had necessitated power cuts and restrictions in most of the States although priority in power supply was being given to agricultural needs, so that agricultural production did not seriously suffer.

Effect of Shortage of Power on Industrial Production

Raising an Half-an-Hour discussion on March 7, 1973 on the "effect of shortage of power on Industrial Production" Shri Jyotirmoy

Bosu said that the States of Maharashtra, West Bengal, Tamil Nadu, which accounted for 60 per cent of the industrial output, were under varying degrees of power supply constraint—in excess of the 8 per cent safe limit. That crisis was the outcome of continuous and deliberate neglect in the sphere of power generation. Although the target at the end of the Fourth Plan was 23 million k.w., the extent of shortfall was around 3 million k.w.

Replying, the Minister of Industrial Development and Science and Technology, Shri C. Subramaniam said that priorities in the supply of power to industries had been fixed. These were agriculture, fertiliser units, steel washeries and coal mines and aluminium, zinc, copper etc. and were in addition to the top priority accorded to food production and railway traction.

As far as hydro-electric projects were concerned, during the last one year significant progress had been made in those projects and the utilisation also had considerably increased during the last six months.

The policy of the Government was to have generation of electricity in the public sector. However, small generators to supplement the supply of electricity were being allowed in the private sector.

Crisis in Handloom and Powerloom Industries

The matter regarding the “reported crisis in the handloom and powerloom industries due to unprecedented rise in prices and non-availability of yarn” was raised in the House on March 9, 1973 by Shri K. S. Chavda through a calling attention notice.

Replying the Minister of Commerce, Prof. D. P. Chattopadhyaya, conceded that the decentralised sector was facing severe yarn shortages. This situation was direct sequel to severe power-cuts afflicting all the yarn-producing States. The position had taken a turn for the worse, because 33 per cent of the free yarn production capacity was located in Tamil Nadu which was under 75 per cent power-cut. The exact decline in production could not be quantified.

The following decisions had been taken to ease the situation to the extent it was possible:

- (1) The producers of cotton yarn would be statutorily prohibited from selling yarn, except in small quantities in the form of beams (meant for powerloom) to the trade or to anyone else except to the nominees of the Textile Commissioner.

- (2) All manufacturers of yarn would, under a Statutory Order, have to sell yarn only to the nominees of the Textile Commissioner.
- (3) Mills producing and supplying hosiery yarns would have to continue to do so under a Statutory Order.
- (4) The prices would be statutorily notified for each unit.
- (5) Yarn exports would be conducted in a regulated manner. In respect of contracts under execution, deliveries shall be staggered beyond June 1973. Fresh contracts might be registered with TEXPROCIL for deliveries for 1st September 1973. A ceiling would be put on export of yarn.

The success of the scheme depended on the cooperation of various State Governments. The Chief Ministers of all States were, therefore, being requested to set up watch-dog committees consisting of different interests like industry, trade unions, representatives of handlooms, powerlooms, mill sector, Members of Parliament of the region and Members of the State Legislatures to study and supervise the harmonious functioning of the arrangements outlined above.

Crisis in Small-Scale Footwear Industry due to Non-availability of Leather

The matter regarding the "reported crisis in the small-scale footwear industry due to non-availability of upper leathers and lining leathers because of unrestricted export of raw hides and skins" was raised in the House on March 8, 1973 by Shri Atal Bihari Vajpayee through a calling attention notice.

Replying, the Deputy Minister in the Ministry of Commerce, Shri A. C. George said that this had happened on account of unprecedented rise in the price of leather in the international market and the consequent increase in exports of semi-processed hides and skins and other categories of leather from the country.

The Government were fully seized of the problem and had taken steps to meet the situation. It had been decided to regulate the export of semi-processed hides and skins and gradually to reduce them and to shift the emphasis to the export of finished leather and leather goods to realise more unit value and for increased employment.

With a view to having effective and disciplined implementation of the policy and providing an institutional frame-work for making the desired changes in the pattern of export trade in leather, the

export of semi-processed hides and skins had been canalised through the State Trading Corporation with effect from December 14, 1972.

It had further been decided to impose a quota system for export of the said commodity with effect from April 1, 1973. The objective was to reduce the exports of semi-processed hides and skins over the next five years to a level equal to 25 per cent of the level reached in 1971-72.

C.B.I. Inquiry into Rags Scandal

Raising an Half-an-Hour discussion on "the C.B.I. Inquiry in Rags Scandal" on March 21, 1973, Shri Jyotirmoy Bosu recalled that the former Minister of Foreign Trade, Shri L. N. Mishra had given an assurance on November 16, 1972 that the matter would be entrusted to C.B.I. By now a period of four and a half of months had elapsed, but nothing had been heard about the report of C.B.I.

The quantity of rags that was cleared by the Customs during the years 1970, 1971 and 1972 (upto October 31, 1972) was 62 lakh kg., 78 lakh kg. and 206 lakh kg. respectively. About 16,800 bales had been seized by the Customs authorities at various places as a result of raids conducted during August|September 1972.

As regards the effect on the local hosiery industry in Punjab, a lakh of workers there had been thrown out in the streets to starve. More than hundred small hosiery units were closed. In Bombay the local cheap hosiery-makers were in severe crisis. Lakhs of people had been thrown out of employment.

Replying, the Minister of Commerce, Prof. D. P. Chattopadhyaya said that the CBI had gone into the matter in depth and also into the details. Some four cases had already been instituted and 12 preliminary enquiries had also been conducted in the course of the last four months. Warrants had been obtained from the Additional Chief Presidency Magistrate of Bombay. On authority of those warrants, simultaneous searches were conducted on 26 firms at Ludhiana, 2 at Panipat and 1 at Amritsar and 41 residential premises were also searched. A number of documents in the shape of account books and other correspondence had been seized. Investigation of cases and complaints already passed on to the CBI was being pursued vigorously.

Thousands of people's livelihood depended upon the hosiery industry. 48,000 bales were lying at the Bombay port. The usual

procedure for releasing those bales was very time-consuming. The point was that if the government did not expeditiously release those bales before the onset of the monsoon season, the weavers for whom the rags were meant would be starved to death; the industry would be liquidated. So, the Government had to strike a strategy in terms of which the dishonest people on the one hand would be duly punished and at the same time those weavers who did not do any wrong should not be starved to death. In pursuance of that strategy it was being suggested that those people who would be found guilty or scrutiny by the Customs officials and the CBI would be duly punished. The bales were being released after a scrutiny according to the rules to the people for whom they were intended.

Death of 50 Workers in Jitpur Coal Mines as a result of Explosions

The matter regarding the "reported underground explosions in the Jitpur coal mines near Dhanbad resulting in the death of about 50 workers and injuries to several others" was raised in the House on March 21, 1973 by Shri Ranen Sen through a calling attention notice.

Replying, the Minister of Steel and Mines Shri Mohan Kumaramangalam stated that on March 18, 1973 a major accident had occurred at Noonudih-Jitpur Colliery of M/s. Indian Iron and Steel Col. Ltd., now under management of Government of India, resulting in the loss of life to 47 workers and injuries to about another 20. Rescue work was immediately arranged and continued round the clock and by 8.00 A.M. on March 20, 1973, 47 dead bodies were recovered, while 13 persons rescued were admitted in the various hospitals.

The accident appeared to have been caused by an explosion of inflammable gas but the actual cause of ignition was under investigation.

Production was likely to be partially resorted in two or three days in most seams, and in seam No. 14 as soon as the rescue and recovery operations were completed.

Management had made an initial *ex-gratia* payment of Rs. 500 per family of deceased workers, and full compensation under the law would be paid in due course. A grant of Rs. 1000 to each affected family was being made from the Prime Minister's Relief Fund.

Possibility of destruction of main Kosi Canal

The question of the "reported statement by the Minister of Irrigation and Power of Bihar regarding the possibility of destruction of main Kosi Canal any time" was raised in the House on the 6th April, 1973 by Shri Bhagwat Jha Azad through a Calling attention notice.

Replying, the Minister of Irrigation and Power, Dr. K. L. Rao said that the main Eastern Canal taking off from Hanumanagar Barrage across Kosi had a discharge in the head reach of 15,000 cusecs. The Kosi river carried a large quantity of silt which it brought down every year from its hilly catchment in Nepal. From 1964, when the canal was opened for partial irrigation, to 1971, it was estimated that nearly 21 crores of cft. of silt had been deposited in the canal. More than half of it had been removed involving an expenditure of Rs. 1 crore.

The following measures had been taken to check excessive silt in the canal:

- (1) Relatively silt-free water from the top portion was drawn into the canal to prevent entry of coarse silt as far as possible (i.e. 0.3 per cent silt).
- (2) The canal was closed when the silt charge exceeded 3 grams per litre.
- (3) A silt ejector had been commissioned in 1971 and that was reported to be working satisfactorily. The advisability of providing a second silt ejector was under examination.
- (4) During the canal closure, a part of the deposited silt was cleared and dredgers had been purchased for the purpose.

Improper functioning of Calcutta Telephones

Raising an Half-an-Hour discussion regarding "improper functioning of Calcutta Telephones" on April 18, 1973, Shri Samar Guha alleged that the Calcutta telephones had so far received unjust, unfair and even step motherly treatment at the hands of Government. In the proposed Fifth Plan also while an increase of 391 per cent and 338 per cent was envisaged for Bombay and Delhi respectively, there was no mention about Calcutta. In Calcutta as many as 56,000 new applications were outstanding and some of them were even 10 years old. A number of cities had STD facilities, but unfortunately Calcutta did not have even these facilities.

Replying the Minister of Communications, Shri H. N. Bahuguna said he would ensure that in the matter of exchange capacity and in the matter of providing Calcutta with an efficient and satisfactory system, the telephone service there was improved, both qualitatively and quantitatively during the Fifth Plan.

So far as joining Calcutta on Subscriber Trunk Dial with Delhi, Bombay and the rest of the country was concerned, it would not be possible to do anything before 1975. By November, 1971, twenty-two no delay trunk services were introduced to and from Calcutta and Calcutta-Delhi was among those links. An equipment had been ordered for connecting Calcutta with Delhi on broad band micro-wave transmission system.

Drought situation in the country

Making a statement on the "drought situation in the country" on February 20, 1973, the Minister of Agriculture, Shri Fakhruddin Ali Ahmed said that with a view to relieving the distress caused by the drought, necessary relief measures had been continued and augmented according to requirements. All-out efforts were being made for providing employment to the affected population on relief works, providing gratuitous relief and making arrangements for the supply of drinking water, fodder and for preventing the out-break of epidemics in the affected areas. In organising relief works, emphasis had been laid on taking up works, which were by and large, productive. Besides full advantage had been taken of the approved plan and non-plan schemes for creating employment opportunities in the affected areas.

The Emergency Agricultural Production Programme launched during the year was being vigorously implemented. Special allocations of financial assistance of over Rs. 152 crores had been made to State Governments to enable them to take up those schemes. An amount of Rs. 92.9 crores had already been released to the State Governments for special minor irrigation schemes. Besides, another amount of Rs. 92 crores had also been made available as short-term loan for agricultural inputs.

In the States of Maharashtra, Gujarat, Rajasthan, Mysore and Andhra Pradesh where difficulties about fodder supply appeared in a big way, special measures had been taken to meet the situation.

Similarly special steps for overcoming the difficulties in drinking water facilities which had posed a serious problem in the States of Maharashtra, Gujarat, Rajasthan, Mysore and Andhra Pradesh had been taken.

All foodgrains available with the Government agencies were being channelised through the fair-price shops and necessary movement programme had been undertaken to meet the reasonable requirements of foodgrains of the drought-affected and the deficit areas.

Supply of Foodgrains to various States

Making a statement on May 3, 1973 regarding "supply of foodgrains to various States" the Minister of State in the Ministry of Agriculture, Shri Annasaheb P. Shinde said that in view of the difficult food supply position in the country resulting from last year's inadequate and erratic rains and consequent widespread drought conditions in the country, it had not been possible to meet the entire demand made by the State Governments. Every effort was made to meet substantially the requirements of the State Governments. The allotment of wheat during the first 4 months of the year had been to the extent of 4.9 to 5.2 lakh tonnes per month during that period.

The procurement of wheat had started in an encouraging way, As against last year's procurement of 3.1 lakh tonnes, the current year's procurement so far had been a little over 6.05 lakh tonnes. At the present rate, it was hoped that procurement during the year might exceed 8 million tonnes. Taking into account the very encouraging wheat procurement and the steady arrival of imported foodgrains from abroad, the allotments of foodgrains for the month of May had been increased considerably to all the State Governments in general and to the drought-affected States in particular. The increased allocation would enable all the State Governments to maintain supplies at reasonable level, through the public distribution system, thereby mitigating the hardship of the people to a considerable extent.

The most difficult phase of the food situation was practically over and from now onwards it would be possible to meet in full the reasonable requirements of all the State Governments, particularly the drought-affected and chronic deficit States.

Agitation in Maharashtra over non-availability of Food Supplies and firing by Police

The matter regarding the "reported agitation in many parts of

Maharashtra over the non-availability of food supplies and firing by police on agitated crowds resulting in the death of several persons' was raised in the House on April 24, 1973 by Shri Madhu Dandavate through a calling attention notice.

Replying, the Minister of State in the Ministry of Agriculture, Shri Annasaheb P. Shinde said that in view of the severe drought conditions prevailing in the State of Maharashtra and to relieve the acute distress condition, the supply of foodgrains from the Central stocks had been considerably stepped up. During the year 1972, a little over 13 lakh tonnes of foodgrains were supplied to Maharashtra as against 8.4 lakh tonnes during 1971. Again, during the first three months of 1973, the State Government was supplied nearly 5 lakh tonnes of foodgrains. In view of the difficult food supply position in the country resulting from last year's inadequate and erratic rains and consequent wide-spread drought conditions in the country, it had not been possible to meet the entire demand made by the Government of Maharashtra as well as several other States. Every effort had, however, been made to meet substantially the requirements of all such State Governments.

Abnormal rise in prices of essential commodities

The matter regarding "the abnormal rise in prices of essential commodities" was raised in the House on February 21, 1973 by Shri S. M. Banerjee through a calling attention notice.

Replying, the Minister of Agriculture, Shri Fakhruddin Ali Ahmed said that the main reasons for the rise in prices of foodgrains were:

- (i) decline in production of kharif cereals in 1971-72 and the anticipated shortfall in the production of 1972-73 kharif crops on account of prevalent drought in many States;
- (ii) increase in money supply with the public;
- (iii) speculative hoarding by traders and others; and
- (iv) psychology of shortage created by conditions of scarcity in some parts of the country.

With the beginning of the new sugar season, the prices had been ruling steady to easy. During the last few months, the wholesale

price index for sugar and allied products had shown some decline. Increase in the minimum price of sugarcane and the rebate granted by Government had helped in the increased production of sugar.

Due to continuous drought in the principal oil-seed producing States, raw oil prices had shown a rising trend and as a result it was becoming increasingly difficult to keep the vanaspati prices unchanged; the vanaspati prices had to be increased by 40 paise per kg. with effect from January 2, 1973. To meet the situation special efforts were being made to augment the production of oil seeds, as also to exploit other sources of oil, particularly from cotton seed and rice bran. Additionally arrangements had been made to import about 100,000 tonnes of edible oil besides obtaining 80,000 tonnes of rapeseed from Canada under an aid programme.

A massive emergency agricultural production programme was being launched for effectively retrieving the losses in kharif production by increasing the output of rabi and summer crops during the year. At the same time, to meet the increasing demand of foodgrains from the State Governments the release of foodgrains through fair-price shops had also been considerably stepped up. In addition to importing a limited quantity of foodgrains, several steps had been taken to intensify the procurement within the country so as to replenish and build up stock with the public agencies. As a long-term measure, a decision had also been taken to take over the wholesale trade in wheat and rice which was expected to curb considerably the speculative hoarding and trading by interested parties.

Increase in Prices of Food-stuffs and other Essential Commodities

Initiating a discussion on March 5, 1973, on the increase in the prices of food-stuffs and other essential commodities through a motion under Rule 184, Shri Jyotirmoy Bosu said that India recorded the highest price rise in the world. The world price level rose by about 40 per cent in the last 9 years while in India it went up by over 90 per cent.

A survey conducted in 25 big cities showed a tremendous rise, without any exception, and there had been no sign of any effort on the part of the Government to arrest the deterioration.

Replying to the discussion on March 6, 1973, the Minister of Finance, Shri Yeshwantrao Chavan said that the country had faced a severe drought last year. Then there was a certain measure of

deficit financing in 1971-72 and also in 1972-73. They had their own accumulative effects resulting in a price rise. Efforts had been made to keep the deficit financing at its lowest during the financial year 1973-74.

To meet the socio-economic problem of price rise in the country, some sort of basic strategy had to be sorted out. The components of basic strategy were threefold. First, it was going to be the effective management of the total demand in the country. Secondly, it was to be ensured that the production both in agriculture and industrial sectors looked up sufficiently. The third was the question of management of the distributive system.

It had been decided to take over the entire wheat wholesale trade and follow it up by taking over the rice distribution wholesale trade.

The Government had completely taken over the distribution of levy sugar to distribute it through the fair-price shops. There was quite a substantial rise in the number of fair-price shops.

After Shri Jyotirmoy Bosu had replied to the debate, the motion was negated by the House, by 196 votes to 32.

Non-availability of Vanaspati and Sugar and Abnormal rise in Prices

The question of "abnormal rise in prices and non-availability of Vanaspati and Sugar in Punjab, Delhi and several other parts of the country" was raised in the House on May 10, 1973 by Shri Nawal Kishore Sinha through a Calling Attention Notice.

Replying, the Minister of State in the Ministry of Agriculture, Prof. Sher Singh said that in March, 1973 the wholesale prices of sugar in the free market in Delhi, Kanpur, Calcutta, Bombay and Madras ranged from Rs. 327 to Rs. 354 per quintal. With the onset of summer, the prices started rising and had firmed up to Rs. 352 to Rs. 383 per quintal in various markets early in May, 1973. The additional quantities of 20,000 tonnes of levy sugar allotted by Government for two months were just reaching the consumers and were expected to counter the rising trend of free market prices, to some extent. Government was, however, watching the situation and would take appropriate measures as and when it became necessary.

As the sugar production in 1972-73 session had been quite good and as the prospects of sugar production for the next year were very

promising, the prices in the free market should in any case begin to fall by the beginning of the monsoon.

Since November 1972, the production of vanaspati had suffered a significant set-back and currently the industry was functioning at 70-75 per cent of its normal rate of production, of about 50,000 tonnes per month. The set-back in production was attributable to the interaction of a number of factors.

Government was deeply conscious of the difficulties experienced by the consumers of Vanaspati, particularly in the North Zone, and were actively exploring measures that might be necessary for restoring normalcy at the earliest possible moment. Some 15,000 tonnes of imported oil just received were being rushed to the factories, and orders had also been placed for the import of another 50,000 tonnes for use by the vanaspati industry.

Acute shortage and abnormal rise in prices of essential commodities.

A discussion under Rule 193 on a matter of urgent public importance regarding the "acute shortage and abnormal rise in prices of essential commodities" was raised in the House on May 15, 1973, by Shri B. S. Barua.

Initiating the discussion, Shri Bhaura said that the Government had totally failed to control the prices and the sharp rise in them. The peasant in Punjab was neither getting power nor diesel nor fertilisers.

The Government should state as to when they were going to take over other industries like sugar, vanaspati, pulses etc. A public distribution system should be enforced.

Replying to the discussion, the Minister of Finance, Shri Yeshwantrao Chavan said that the basic problem of the price rise was the question of production. It was a fact that in the last two years, on the agricultural front, there was some sort of slide-back. In 1972, it was not only in the drought-affected areas that the kharif crop was lost but practically this important crop for the country was lost throughout India. That had given fillip to rise in prices.

The Government was not thinking in terms of having rationing system as such. But, certainly, it was necessary to establish a distribution system through which the Government were able to supply essential goods to the people.

The present difficulty was a passing phase. Efforts should, therefore, be made to create confidence in the minds of the people. Unfortunately, some persons were trying to demoralise people. This would be the greatest disservice to the nation at the present moment.

State take-over of wholesale Trade in Wheat

Making a statement on February 26, 1973 regarding "State take-over of wholesale trade in wheat", the Minister of Agriculture, Shri Fakhruddin Ali Ahmed said that a Conference of the Chief Ministers and Food Ministers was held on February 24, 1973 to discuss and finalise the steps for the take-over of wholesale trade in wheat from the Rabi season 1973-74. The Conference unanimously approved of the steps and agreed to implement the Government's decision. The following basic objectives underlying the take-over of wholesale trade were fully endorsed:—

- (i) Effective public control over the marketed surplus so as to eliminate speculation and the distortions in price and availability resulting from it;
- (ii) Remunerative prices to growers so as to provide them with incentive to expand production and market it to the public agencies;
- (iii) Assured availability to consumers, particularly to the vulnerable sections of the population, at reasonable prices; and
- (iv) Economy in the costs of wholesale trading by elimination of unnecessary intermediaries.

Keeping in view the basic objectives, it had been decided that the system should operate by and large on the marketed surplus as distinct from the marketable surplus.

The salient features of the final scheme as emerged after discussion in the Chief Ministers' Conference, were as follows:—

- (1) Imposition of ban on private wholesale dealers in wheat all over the country.
- (2) Institution of single State Wheat Zones; inter-State movement.

of wheat and wheat products to be allowed only by the FCI and/or other public agencies in accordance with the orders of the Central Government.

- (3) Retailers should be permitted to operate under appropriate conditions to be specified in the licence. Such licensed retailers and the consumers would be permitted to buy directly from the growers.
- (4) Purchases for the Government would be undertaken by the FCI, the State Co-operative Marketing Federations and the State Departments of Food and Civil Supplies and any other public agencies designated by the State Governments.
- (5) The consumer co-operatives in the urban areas and the marketing and service cooperatives in the rural areas would be utilised for retail distribution to the maximum extent.
- (6) The procurement and issue prices for wheat to be issued from the Central Pool would be uniform throughout the country.
- (7) Roller flour mills would be allowed to do only custom milling.

Purchase of Milo from Abroad

Making a statement on April 2, 1973 regarding "purchase of milo from abroad", the Minister of Agriculture, Shri Fakhruddin Ali Ahmed recalled Government's decision to import on commercial basis about 2 million tonnes of wheat|milo from abroad during the current year. As for milo, 6.5 lakh tonnes had already been contracted for purchase and necessary arrangements for shipping had been finalised. Having regard to the presence of *dhatara* seeds noticed in some consignments of milo, Government had since decided to stop any further purchase of milo. Out of 6.5 lakh tonnes of milo already contracted for purchase, 1.8 lakh tonnes had been received in Indian ports upto March 26, 1973, while the balance quantity of milo was under despatch. By and large, shipping arrangements had been finalised and necessary contracts entered into with the shippers etc. for the shipment of the rest of milo. Government had been advised that the arrangements finalised and contracted would have to be allowed to stand as otherwise there might be serious financial and legal implications. However, instructions had been issued that stricter inspection should be carried out before despatch of milo. Arrangements had also been made to clean milo received from abroad before distribution.

Implementation of Land Reforms

Replying, the Minister of State in the Ministry of Planning, Shri 'implementation of land reforms', Shri Samar Guha said that the Government had failed to keep up its promise of completing the implementation of land reforms and distribution of surplus land among the landless labour. He demanded that the Government should implement the recommendations of the Raj Committee and the Task Force Report.

Replying, the Minister of State in the Ministry of Planning, Shri Mohan Dharia said that the guidelines for implementation of land reforms including land ceilings had been accepted and all the State Governments were requested to have their ceilings laws amended. It was also stressed upon them to ensure that the surplus land was distributed amongst landless labour by December, 1973.

By this time, eleven States had already enacted fresh legislation and other States had formulated proposals. Benefits had accrued to 20 million tenants in the country. Over three million tenants would get their tenancy protection and also direct ownership of the land to the tune of three million acres.

The recommendations contained in the Raj Committee Report had to be implemented by the State Governments and it had been urged upon them to expedite the implementation process as early as possible.

The State Governments had also been requested to have programmes of land consolidation and see to it that the holdings could be economic holdings. Whenever surplus land was available, priority should be given to landless labourers, particularly belonging to Scheduled Castes and Scheduled Tribes.

Recent Appointment of Chief Justice of India and resignations by three Judges of the Supreme Court

A discussion under Rule 193 on a matter of urgent public importance relating to the "recent appointment of Chief Justice of India and resignation by three Judges of the Supreme Court" was raised on May 2, 1973 by Shri Madhu Limaye.

Initiating the discussion, Shri Limaye pointed out that the resignation of three senior judges of the Supreme Court on their claims

for appointment as Chief Justice of India being ignored was unprecedented in the history of Independent India.

The Law Minister in his statement had tried to justify the appointment of the new Chief Justice by quoting a part of the Law Commission's recommendation out of context. No impartial person would agree to such a justification.

Reference had been made to administrative experience in the appointment of the Chief Justice. The fact was that of the three Judges superseded, Justice Shelat and Justice Hegde had the necessary administrative experience as they had acted as Chief Justice of the High Court of Gujarat and Delhi respectively.

The Law Minister had contended that the power of the President was absolute in the matter of appointment of Judges. Dr. Ambedkar, while speaking in the Constituent Assembly had expressed the opinion that it would be dangerous to leave the appointment by the President without any kind of restriction or limitation merely on the advice of the Executive of the day.

It had to be considered whether the Constitution had given no importance to seniority. In Article 60 dealing with oath or affirmation by the President, there was reference to the seniormost Judge. Thus the Constitution also gave due importance to seniority.

In order to resolve the present crisis the President should advise the new Chief Justice to resign and ask the three Judges who had resigned to take back their resignations thus re-establishing the convention of appointment of the Chief Justice by seniority.

Intervening in the discussion, the Minister of Steel and Mines, Shri S. Mohan Kumaramangalam said that Article 124 of the Constitution vested in the President the power to appoint Judges of the Supreme Court, including the Chief Justice on the advice of the Council of Ministers. There was nothing about seniority, nothing about particular consideration which should guide the Government in making the recommendation to the President. There was no duty laid upon the Government or the President to consult the Chief Justice on that particular appointment, namely, the appointment of his successor.

The period of last six years could be described as a period of confrontation between Parliament and the Government on the one

hand and the Supreme Court on the other. There had been an atmosphere in which the Court looked at things in one way and the Government looked in another way. The difficult period for the Government started with the delivery of the Supreme Court Judgment in the *Golaknath* case. It was for the first time that Article 368, interpreted as it had been on two previous occasions, was turned into uncertainty.

Then came the Bank Nationalisation Act. So far as the politics and economics of that decision with which the Government was concerned, it was historic and was welcomed throughout the length and breadth of the country. In framing the enactment, the Government and later on Parliament in approving the enactment, proceeded on the basis of the decision of the Supreme Court itself in *Shantilal Mangaldas* case. In essence the Supreme Court reversed the decision in *Shantilal Mangaldas* case and struck down the Bank Nationalisation Act.

Then came the order of the Government cancelling the recognition of the Princes. There again the Government proceeded entirely on the basis of an existing decision of the Court in *Usman Ali's* case where the Court had held that recognition and grant of privy purses was a political act and was not subject to judicial review. Once more, the Court departed from that decision and struck down the government order. Therefore, the experience in the last six years had been an unfortunate one in which there were two aspects which had to be borne in mind. One was the uncertainty which was introduced into the very interpretation of the Constitution, with the result that the Government did not know whether tomorrow something else they did would not be set aside even when it was proceeded on the very basis of the judgments of the Court itself; and secondly, major decisions of the Government and of Parliament in relation to major economic matters were set aside by the Court one after the other. There was, therefore, a need to have as Chief Justice of India a man who would be able to put an end to the period of confrontation and would be able to ensure stability and certainty about the state of the law and would be able to give a certain continuity to the approach made by the Court to the important problems that came before it.

The Government had to take into consideration not merely the judicial integrity, legal knowledge and skill but also the philosophy and outlook of the Judge. It was the duty of the Government

honestly and fairly to come to the conclusion whether a particular person was fit to be appointed as the Chief Justice of the Court because of his outlook and philosophy as expressed in his opinions. The Government did not want any committed judges. But it certainly wanted Judges who were able to understand the happenings in the country, the wind of change that was going across the country, who were able to recognise that Parliament was sovereign and that Parliament's powers in relation to the future were sovereign powers.

It was not an essential pre-condition to the proper working of the democratic system that the Chief Justice must be appointed on the basis of seniority. But on the contrary such a practice could only lead to harmful consequences, as the wrong man might well be appointed by accident of seniority, and seniority often meant that no Judge would serve for a long enough period to give continuity and leadership to the Court.

It was entirely within the discretion of the Government of the day to appoint the persons considered in its eyes as the most suitable, as having the most suitable philosophy or outlook to occupy the highest judicial office in the country.

The most important feature of the functioning of a court was its certainty and stability in relation to the major and vital questions of law. That was very important so far as the highest court of the country was concerned.

Replying to the discussion on May 4, 1973, the Minister of Law, Justice and Company Affairs, Shri H. R. Gokhale said that the order of the President was fully in conformity with the Constitutional Provisions.

The Government was not interested in having committed Judges in the sense in which that word had now come to be used and understood. More than any one else the Government was very keen and would see to it that India would have a strong and independent judiciary and that Judges would function according to their oath without fear, ill-will, affection or favour.

The Government had not taken into account any political considerations, as were taken into account in many other countries for the purpose of appointment of Chief Justice.

The Government did not want the Supreme Court's independence to be fettered at all. In fact, it wanted a strong and independent

Supreme Court, but a Supreme Court which would decide *under* the Constitution (whose philosophy was expressed in a nutshell in its Directive Principles) and not *over* it.

Statement made by the Attorney-General before the Supreme Court

Initiating a discussion on April 2, 1973 on an Adjournment Motion regarding “the reported statement on behalf of the Government made by the Attorney General before the Supreme Court on the 30 March, 1973, about amending the Maintenance of Internal Security Act”, Shri Jyotirmoy Bosu said that the Attorney General had given an assurance to have an amendment of the Maintenance of Internal Security Act within a period of 10 days as a counter-measure against the situation arising out of the Supreme Court’s judgment striking down the detention beyond a certain period, thereby undermining the role of Parliament. The Supreme Court judges on their part had assured the Attorney-General that the delivery of the judgment in the said case could be withheld for 15 days to enable the Government to bring an amendment to the Act in order to prevent the release of detainees as required by law.

He demanded a categorical assurance from the Government that no Ordinance would be issued to that effect. The emergency must be ended and all detainees should be released and compensation should be given to all those persons who had been held without trial.

Intervening in the discussion, the Minister of Law and Justice and Company Affairs, Shri H. R. Gokhale, said that the case had been gone into for four days by the Supreme Court at the instance of a detainee, who amongst other grounds had also challenged that the constitutional validity of the Maintenance of Internal Security Act.

After two or three days time, the Attorney General reported to him that looking at the reactions of the Hon’ble Judges, it was likely that if not the whole Act, at least Section 17-A might be struck down as unconstitutional and *ultra-vires*.

The Supreme Court after concluding the hearing of the case had recorded that the judgment had been reserved. It did not indicate any time limit.

After discussing the matter with the Attorney-General it was felt necessary to point out to the court that all the actions taken by the Government were in good faith and were taken under the law which was valid according to the earlier pronouncement of the

Supreme Court in *A. K. Gopalan's* case in 1950. Therefore, the Government had to take into consideration the consequences if Section 17A of the Act, particularly, was struck down. The Minister was assured by the Attorney General authentically that he had not given any assurance to the Court as to when the law would be amended. He had also not told the court that the Government was considering the amendment of the law. He had only pointed out to the court the serious consequences resulting from an adverse view taken by the Supreme Court. It was legitimate for the law officer or for the Government to take such a view. The consequences could be serious since all the detainees were not of the same type. Some detainees might have been detained on grounds which were very serious and the Government was undoubtedly entitled to consider the situation and decide whether any step could be taken to meet the situation which would arise on account of the Supreme Court's judgment.

It was a matter of surprise that the judgment in *Gopalan's* case was sought to be reversed after 20 years. Under the circumstances, it was legitimate on the part of the Attorney-General to have said that the Government would like to consider the position.

An apprehension was sought to be created in the minds of the people that the Government was going to use the power of promulgating an Ordinance in order to amend the Act. The Government did not do it. The Government had not even given thought to the question of amending the Act.

After Shri Jyotirmoy Bosu had replied to the debate, the motion was put to vote and negatived (Ayes 42; Noes 186).

Reported Black Marketing of Fertilisers by Fertilizer Corporation of India

A discussion on the "reported black marketing of fertilizers by the Fertilizer Corporation of India and recovery of Rs. 8,000 black money per wagon of fertilizers from dealers of Andhra Pradesh" was raised in the House on March 14, 1973 by Shri Achal Singh through a calling attention notice.

Replying, the Minister of Petroleum and Chemicals, Shri D. K. Borooah said that the Fertilizer Corporation of India Limited had informed that a large number of dealers in Andhra Pradesh and

Mysore and defaulted in making payments to the Corporation for the fertilisers supplied to them. Since the amounts were outstanding for a long time, Director (Production and Marketing) of the Corporation had asked the officers concerned to explore possible ways of recovering such outstanding amounts. In this connection, it seemed that a procedure was evolved according to which the Corporation could issue ammonium sulphate or ammonium sulphate nitrate from the Sindri Fertilizer Factory to a defaulting dealer, provided he liquidated simultaneously his outstandings or a part thereof at the rate of Rs. 4,000 per wagon for ammonium sulphate and Rs. 1,500 or 1,200 per wagon for ammonium sulphate nitrate supplied to Andhra Pradesh and Mysore respectively. However, in cases where a defaulting dealer was no longer in the fertilizer business, or was not in a position to liquidate the outstandings, an alternative procedure seemed to have been also evolved. According to that alternative, supplies could be made to any other dealer who offered to liquidate such outstandings of a defaulting dealer. In such cases, both the defaulting dealer and the dealer receiving supplies under the said arrangement had to convey their consent in writing.

Even while that procedure was being examined from legal and financial angles, realisations of the outstandings seemed to have been begun and a sum of about Rs. 13 lakhs was thus realised. The said amount was being held in the suspense account. The nature of such transactions came to the notice of the management in December, 1972 and enquiries were initiated on the basis of which directions were also issued to the officers concerned to stop such transactions forthwith. The management referred the matter to the Central Bureau of Investigation for full investigation on February 24, 1973 and the matter was under investigation by the Bureau. Pending enquiry by C.B.I., Director (Production and Marketing) and General Manager, Trombay had been sent on leave initially for a period of two months. Similarly, the Marketing Manager, Trombay had also proceeded on leave.

Further action in the matter would be taken on receipt of the report of the Central Bureau of Investigation. The C.B.I. was being asked to expedite the investigations as much as possible.

As regards shortcomings in the Corporation, the Government were considering the question of reorganising the Corporation.

Request by Confederation of Central Government Officers' Association to the Prime Minister for Fair Scrutiny of Pay Commission's Report

Raising an Half-an-Hour discussion on May 14, 1973 regarding "request by the Confederation of Central Government Officers' Association to the Prime Minister for fair scrutiny of Pay Commission's Report", Shri Bhogendra Jha said that the Commission's report had caused frustration and disappointment among them. The report had completely ignored the technocrats and done great injustice to them.

The Government should enter into negotiations with the Confederation of Central Government Employees and arrive at certain agreement in regard to the recommendations of the Pay Commission.

Replying, the Minister of Finance, Shri Yeshwantrao Chavan, said that the Government would consider all the aspects and would certainly keep in mind the well-being and satisfaction of the Government employees as their cooperation and active support was needed in executing the policies.

The decision on the recommendations of the Commission's Report would ultimately be taken by the Cabinet itself under the leadership of the Prime Minister. When the Cabinet went into the question, it would naturally go into all the wider aspects of the question.

There were certainly some broader issues raised in the Pay Commission's Report, like minimum wage etc. It would be necessary to take an early decision on those broader issues first.

Closure of Aligarh Muslim University

A discussion on the "reported closure of the Aligarh Muslim University" was raised in the House on April 16, 1973 by Shri B. R. Shukla through a calling attention notice.

Replying, the Minister of Education, Social Welfare and Culture, Prof. Nurul Hasan said that the Executive Council of the University had expressed its full support for the action taken by the Vice-Chancellor in closing the University. The Council further decided that: (a) the students and members of the staff who created trouble in the Campus be identified and disciplinary action be taken against

them; and (b) steps be taken to re-open the University and bring normalcy in the working of the University as early as possible, after ensuring that there was no likelihood of any recurrence of trouble in the Campus.

The University had already decided to open the high schools maintained by it with effect from April 17, 1973. It was hoped that every effort would be made by the University authorities to open the other institutions, faculties and departments of the University also as soon as possible. The Government had given and would continue to give full support to the Vice-Chancellor in whatever decision he took to maintain discipline in the Campus and also to ensure that coercive action by any section of the University community did not disrupt the working of the University.

Crash of HS-748 Aircraft near Secunderabad

Making a statement regarding "the crash of an HS-748 Aircraft near Secunderabad", the Minister of Tourism and Civil Aviation Dr. Karan Singh said that the aircraft under the command of Capt. J. E. Issac took off from Begumpet at 16.36 hours with two pilots, Captains Srikanth and R. P. Singh, on a training flight. The aircraft reported that it was stimulating a bad weather low-level circuit on one engine. The last communication from the aircraft was at 16.48 hours when it reported on the down wing leg of the circuit in preparation for landing on runway 27. Thereafter contact was lost. A telephone call was received a few minutes later at the control tower to the effect that the aircraft had crashed. Immediate action was taken to rescue the crew, but unfortunately when it was finally possible to reach them they were found dead.

The Minister added that he had addressed a letter to the Prime Minister stating "As you know, the Avros have been the subject of a prolonged controversy going back to even before I assumed charge of this Ministry. Doubts have been expressed from time to time regarding their safety, but the advice I have received from the manufacturers, Hindustan Aeronautics Ltd., the operator, Indian Airlines and the Director-General of Civil Aviation, who is the authority statutorily charged with ensuring the air-worthiness of civil aircraft, has consistently been that the planes are entirely safe.

The fact remains, however, that the country and Parliament are exercised over this issue. After careful deliberation, I have come to the conclusion that my moral duty lies in accepting responsibility, and

this will also be in keeping with the highest parliamentary traditions. I have decided, therefore, to submit my resignation from the Council of Ministers."*

High Level Examination of Avros

Making a statement on March 27, 1973, regarding high level examination of the Avros, the Minister of Tourism and Civil Aviation, Dr. Karan Singh, informed the House that Dr. Satish Dhawan, Director, Indian Institute of Science Bangalore, would be conducting the evaluation. He would be assisted by technical advisers drawn from the Indian Air Force, Air-India, Indian Airlines, Department of Defence Production and the National Aeronautical Laboratory.

The evaluation would cover all aspects of the Avro with special reference to its safety under various operating conditions. The report would be submitted within 60 days from the date the Evaluation Team started its work.

Theft in Air India's Import Cargo Warehouse at Kennedy Airport

Making a statement on May 3, 1973 regarding "theft in Air-India import cargo warehouse at Kennedy Airport" the Minister of Tourism and Civil Aviation, Dr. Karan Singh stated that on April 30, 1973 at about 21.45 hours three men entered Air India's import cargo warehouse at Kennedy Airport, New York, and demanded that the store room be opened as a new consignment of diamond packages had been received on that day and was in the vault. The three gunmen handcuffed five members of Air-India staff on duty and gagged them. They also tied up a truck driver from Freight Forwarding Agency and his armed escort, who had come to pick up freight from the warehouse. The supervisor was hit on the head with a pistol and compelled to open the vault. After about an hour the security guard of the Freight Agency managed to free himself and telephoned the police. Investigations were being conducted by the Police. Federal Bureau of Investigation and Customs Security officials.

Of the 31 packages stolen, 30 were from Bombay and one from Frankfurt. Since the documents were also taken away by the gunmen, it had only been possible so far to ascertain that 16 packages of which

*On March 20, 1973, Dr. Karan Singh made a Statement in Lok Sabha that in deference to the wishes of the Prime Minister, he would continue to serve the country in his present capacity.

15 were from Bombay and one from Frankfurt, were valued 2,74,763. It was understood that the remaining 15 packages from Bombay were valued at approximately Rs. 20.80 lakhs.

Air-India's Chief Security Manager from Bombay was proceeding to New York to liaise with the local authorities. In so far as Air-India was concerned the loss of the consignment of precious stones was covered by insurance. The Ministry of External Affairs was in touch with the Indian Consul-General in New York who had been asked to pursue the matter with the local authorities.

Reported Stationery Scandal in State Bank of India

A discussion on the "reported Rs. forty lakhs stationery scandal in the local branch of the State Bank of India, New Delhi" was raised in the House on May 14, 1973 by Shri Madhu Limaye through a calling attention notice.

Replying, the Minister of Finance, Shri Yashwantrao Chavan said that the State Bank of India had reported that on receipt of certain complaints towards the end of 1971, regarding over-stocking and unsatisfactory handling of stationery at the Regional Stationery Department, New Delhi, it had asked its Chief Vigilance Officer at the New, Delhi Local Head Office, to make a thorough probe into the matter. The investigation by the Chief Vigilance Officer revealed the following irregularities:—

- (i) pacing of orders for stationery in several cases in excess of actual requirements and in some cases of items which had become obsolete;
- (ii) effecting payments in some cases for stationery received which had not been ordered for and in some other cases paying bills at rates higher than the approved rates;
- (iii) accepting in some cases inferior paper for printing and for registers and envelopes, instead of good quality paper of approved weight; and
- (iv) furnishing of incorrect information in several cases to the Rates Committee for sanction of rates.

On the basis of the report of the Chief Vigilance Officer, the bank had initiated departmental proceedings against three officers of the Stationery Department. Of the three, two had been placed under suspension by the Bank.

The Question Hour

Total Number of Questions

During the Seventh Session of Fifth Lok Sabha, 33,144 notices of questions (28,289 Starred, 4,358 Unstarred and 497 Short Notice) were received. Out of these 1,080 were admitted as Starred, 10,189 as Unstarred and 9 as Short Notice Questions. After the Lists of Questions were printed, 2 Starred and 298 Unstarred Questions were deleted from the Lists of Starred and Unstarred Questions respectively on account of their being withdrawn by the Members concerned or transferred from one Ministry to another.

Daily average of Questions 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 182 as against the maximum limit of 200 questions prescribed for the purpose. On an average 8 questions were orally answered on the floor of the House on each day when there was Question Hour—the minimum number orally answered being 6 on the 20th and 23rd February, 1st, 23rd and 30th March, 2nd and 9th April, 1973 and the maximum being 11 on the 5th March, 1973.

Half-an-Hour Discussions

Out of the 991 notices of Half-an-Hour Discussion received during the Session, 18 were put down on the Order Paper, but only 16 Half-an-Hour Discussion were actually held during the Session. A Half-an-Hour Discussion regarding licences for direct import by consumers put down for 23rd April, 1973 could not be taken up as the Member concerned was absent on that day. Another Half-an-Hour Discussion regarding C.O.B. Licences to Drug Manufacturing Firms with foreign equity exceeding 26 per cent fixed for 16th May, 1973 was postponed to next Session at the request of the Member concerned.

One Half-an-Hour Discussion regarding AITUC disagreement to a clause in Bonus formula postponed from the Sixth Session was put down for being held on 23rd February, 1973 during this session. But it could not be held on the prescribed date as the Member concerned again requested for its postponement. The Half-an-Hour Discussion lapsed as the Member did not give any fresh notice for its revival.

Obituary References

On April 12, 1973, at about 3 P.M., the Deputy Speaker informed the House about the sudden death of a sitting Member, Shri Teja Singh Swatantra, at New Delhi and as a mark of respect to the memory of the deceased, adjourned the House for the day. Obituary references were made on the next sitting, *i.e.* on April 16, 1973.

During the session, obituary references were also made in regard to the following persons:

Major-General Himatsinhji,—	Member, Central Legislative Assembly, Constituent Assembly, Provisional Parliament and First Lok Sabha.
Dr. Shaukatullah Shah Ansari, Shri B. Ramachandra Reddi, and Shri Wasudeo Shridhar Kirlolikar.	Members of the First Lok Sabha.
Shri G. D. Somani.	Member, First and Second Lok Sabha.
Shri Mahadevappa Rampura and Shri Jiyalal Mandal.	Members of the Second and Third Lok Sabha.
Shri Bakar Ali Mizra.	Member, Provisional Parliament, Third and Fourth Lok Sabha.
Shri Krishna Kumar Chatterji.	Member, Fourth Lok Sabha.

The Members then stood in silence for a short while.

RAJYA SABHA
EIGHTY-THIRD SESSION

The Eighty-third Session of the Rajya Sabha commenced on February 19, 1973 and adjourned on March 31, 1973. Some of the important discussions held on the other business transacted by the House during the session are briefly mentioned below.

Serious crisis due to power shortage in the Country

On February 20, 1973 Dr. K. Mathew Kurian called the attention of the Minister of Irrigation and Power to the serious crisis due to power shortage in the country resulting in the closure of many industries in almost all the States, increasing unemployment, fall in agricultural and industrial production and the steps taken by Government to meet the situation.

Shri Balgovind Verma, Deputy Minister in the Ministry of Irrigation and Power, said that the main reasons for the shortage of power all over the country this year were: reduced power generation from hydro-stations due to shortage of water in the reservoirs; shortfall in power production from the atomic power stations; continued growth in demand for power; and shortfall in the additions to generating capacity.

There was a shortage of power all over the country except in Delhi, Madhya Pradesh, Kerala, Himachal Pradesh and Assam. It was for the first time after the construction of the reservoirs that a widespread shortage of power had occurred simultaneously all over the country.

Dr. K. L. Rao, Minister of Irrigation and Power, replying to the points raised by the Members, said that while the Government had been planning increase in power generation at the rate of 6 per cent a year, the demand for power had increased by 12 per cent, and in some places even by 20 per cent.

He said that the major projects like Idikki, Sharawati and Koyna had been delayed due to some reason or the other. Every effort was being made to push these projects so that the power shortage may be overcome.

Devaluation of the U.S. Dollar and its impact on the Indian Rupee

On February 21, 1973 Shri Dahyabhai V. Patel called the attention of the Minister of Finance to the devaluation of the U.S. Dollar and its impact on the Indian Rupee and the economy of the country.

Shri Y. B. Chavan, Minister of Finance said that in December 1971, there was a realignment of currencies as a result of the agreement among the Group of Ten at a meeting which took place at the Smithsonian Institution in Washington. The International Monetary Fund gave approval to the realignment of currencies and invited other countries to declare exchange rates for their currencies which would be described as Central Rates. The Fund also permitted variations around such Central Rates within a margin of 2.25 per cent. The Government of India took the decision at that time to designate the Central Rate of the Indian rupee at Rs. 18.9677 per pound sterling.

The Minister stated that following the devaluation of the dollar, the pound sterling had appreciated by approximately 3.5 per cent in terms of the new dollar. Since the rupee-sterling ratio had not been changed, the rupee also had correspondingly appreciated by the same percentage *vis-a-vis* the U.S. Dollar.

The Minister stated that the Government were not thinking in terms of placing any moratorium on the repayment of loans received from Western Countries nor of devaluation of the rupee.

Motion of Thanks on the President's Address*

On February 21, 1973, Shri Vithal Gadgil moved that an Address be presented to the President in the following terms:

"That the Members of the Rajya Sabha assembled in this Session are deeply grateful to the President for the address which he has been pleased to deliver to both Houses of Parliament assembled together on the 19th February, 1973."

Speaking on the Motion, the Member said that in 1970-71 production of foodgrains in this country had increased by about 8 per cent recording the highest yield ever, *viz.*, 108 million tons. Unfortunately, this year, rains had failed in some parts of the country. Cyclone and floods had affected crops in other areas, reducing production of food.

*A copy of the Address was laid on the Table on February 19, 1973.

Yet the situation was under control because the Government had built up large buffer stocks. Therefore, the policy of the Government in procurement levies, monopoly purchase and buffer stock building stood vindicated. The rising prices and the food situation would naturally cause a great concern. But the situation was being handled with courage and determination by the Government.

As regards the Andhra problem, it was appropriate to appeal to all sections of people in Andhra Pradesh that the supreme necessity of the hour was restoration of peace and normalcy. Peace should precede any dialogue or discussion, and only then a solution could be found to the Andhra Problem.

On February 28, 1973 the Prime Minister, Shrimati Indira Gandhi, replying to the debate said that she had never stated that there was no food shortage. All that she had said was that the shortage had been greatly exaggerated. The shortage was in pockets in the country and wherever it was there, the situation was extremely serious. The Government had prepared a special food plan for 1973-74 which would increase the rabi production and give inputs for higher kharif output and the Government had received news from the States that it had had an impact already.

The Prime Minister said that so far as the proposed take-over of the wholesale trade was concerned, every step was being taken to see that the work was done efficiently and that the best possible arrangements were made for working the scheme.

The question of unemployment was a major one. It was sometimes felt that the special programmes, which the Government took in hand, had not worked. But that was not true. She had personally taken up this matter with the Chief Ministers and others concerned and it was found that now these programmes were having effect.

As regards Andhra Pradesh, she said that there was violence in words and deeds, which was combined with well-organised sabotage. Public property worth crores of rupees had been destroyed. It was the common man who had suffered. She added that no Government could function if decisions were to be taken on the streets, if decisions were to be taken merely because people got emotionally surcharged. Whatever decision was to be taken, it must be taken in a calm and cool manner, after rational discussion and after considering what all the problems were that were going to arise.

She alleged that some political parties had thought of taking advantage, because they had no political foot-hold there. They had demanded a new States Reorganisation Commission, but she felt that this was hardly the opportune time for that.

The Government believed that the people's participation was of the utmost importance in a democracy. What was important was whether the entire people felt involved in the direction which the country was taking in order to achieve the extent of progress the country envisaged.

The Budget (General) 1973-74—General Discussion*

On March 12, 1973 Shri Nawal Kishore initiating the discussion said that there were no institutional changes and no mechanism had been contemplated in the Budget which could achieve the professed social and economic objectives of the Government. The receipts in 1972-73 had, no doubt, exceeded the estimates but expenditure had increased to a greater extent. The deficit financing in 1972-73 had increased to the tune of Rs. 550 crores. But if the amount of Rs. 421 crores advanced to the State Governments, through overdrafts, were taken into account, the deficit finance during the year would amount to nearly Rs. 1000 crores.

He said that agriculture contributed 50 per cent to our National Income. There had been much talk about the green revolution in the country, but a single drought had swept away the benefits of that green revolution. During the last 27 years, 30 to 32 per cent of the cultivable land had been brought under irrigation. The objective of the Government was to increase the production of foodgrains to 125 to 129 million tonnes by the end of the Fourth Five Year Plan, but actually it had hardly exceeded 100 million tonnes. There had also been short-falls in the production of oilseeds, sugarcane and pulses.

The value of rupee had come down to just 39 paisa, and in the international market, also, there had been a fall in the value of the rupee. Inflation was increasing and the economic situation of the country as a whole was far from satisfactory.

The present Budget would not lead to socialism; rather it would increase disparities and economic stagnation in the country.

*Laid on the Table of the Rajya Sabha on February 28, 1973.

Replying to the debate, the Minister of Finance, Shri Y. B. Chavan, said that the Budget had to be judged by the pattern of raising resources and by the pattern of expenditure that was undertaken. It could be observed that in the pattern of expenditure a new direction had been taken. With all the difficulties an effort had been made to feed the major vital economic sectors like the social programmes, the major growth sectors like industry, public sector industries, investment in the irrigation schemes, investment in schemes like nutrition, family planning and other things which were more important. The pattern of the expenditure of the year would show that the targets of the Fourth Plan were completely fulfilled in terms of physical targets.

The Minister added that the most important step that the Government took for curbing inflation was to regulate the money supply. The most important factor that could curb the inflation or reduce it was the greater production of essential commodities. The Minister said that he never claimed it to be a socialistic budget. It was a major effort in a certain direction which might lead to a self-reliant expanding economy based on social justice. Socialism was a goal towards which the country wanted to proceed step by step. The budget was one more step in that direction.

The Budget (Railways) 1973-74—General Discussion*

On March 5, 1973, Shri T. V. Anandan, initiating the discussion said that the proposals for 1973-74 placed the estimated Gross Traffic Receipts at about Rs. 1220 crores or Rs. 46 crores more than what was in 1972-73. Yet, the working expenditure was increased and this had made fresh taxes necessary.

The Member suggested that there should be only two kinds of trains—Passenger Train and Goods Train. The different categories of trains which are existing now, viz. Passenger Train, Mail Train, Express Train and Super Fast Train should be done away with.

There should be advance planning for increasing railway wagons and they should be built in the railway workshops. The Member also suggested that the sum of Rs. 10 crores which was being spent on importing wheels and axles would not be necessary, if these could be produced in the country. He also requested that the dining car in the GT Express should be re-introduced.

*Laid on the Table of the Rajya Sabha on February 20, 1973.

Shri L. N. Mishra, Minister of Railways, replying to the debate, said that the earnings from goods traffic during 1973-74 had been estimated at Rs. 785.27 crores out of which the increase in the freight rates would contribute only Rs. 18.15 crores. In other words, the average percentage increase over the current year for goods traffic as a whole was only about 2.4 per cent, which was very small when compared with the increase in staff costs and the cost of iron and steel, etc., the major items of consumption by the Railways. The Government were, therefore, left with no alternative except to make a slight increase in the fares and freight rates, but for which the widening gap between the revenues and expenses would have caused a severe strain on the General Finances.

The high incidence of murder, dacoity and robbery in passenger trains had been causing the Government considerable concern. Protection of life and property of the passengers travelling by the Railways was the responsibility of the State Police in general and the Railway Police in particular. A conference of the Home Ministers and the senior Police Officers of the five States of West Bengal, Bihar, U.P. Assam and Orissa was going to be held shortly to discuss measures to reduce the incidence of crimes on the Railways.

The Minister informed that usually, the requirements of wagons had been met by the private sector. To supplement their output, wagon production had been undertaken in some of the Railway workshops. Action to boost production at the three Railway workshops at Amritsar, at Samastipur in Bihar and at Golden Rock in Tamil Nadu was already under way.

Take-Over of the Whole-sale Trade in Foodgrains

On March 8, 1973 Shri Krishna Kant, initiating the discussion on the subject said that the Government decision to take over foodgrains trade from the Rabi season was a belated one.

The Member said that it was interesting to note that while the shortfall in the availability of foodgrains had been only 5 per cent, the food prices had risen by 20 per cent, and in the case of coarse grains, the prices had risen by 50 per cent.

He suggested that four objectives should now be kept in view. First, there should be price stability for the farmer and for the consumer; secondly buffer stocks should be built up; thirdly, the vulnerable

sections of the society should be protected; and lastly, the intermediaries should be eliminated.

The Member suggested that the take-over of foodgrains trade should be the starting point for the building up of a national distribution system for essential commodities—foodgrains, cloth, edible oils, kerosene, etc.

The Minister of State in the Ministry of Agriculture, Shri Annasaheb Shinde, replying to the debate, said that the Government was determined to take over the wholesale trade in foodgrains because it was convinced that this was in the interest of the country's economy and was also in the interests of the producers and the consumers.

Whenever there was drought or a natural calamity in the country, a few very big producers and traders seized the opportunity, and the common man was fleeced. While the Government talked of giving protection to the common man, the common man found that he was just left open to the naked forces of the free market economy and was exploited.

The Government's intention was to mop up effectively the surplus and to acquire a commanding position on the marketed surplus. If the Government were in a position to reach 18 to 20 million tonnes of procurement, it should be possible to cover the vulnerable sections of the population and the urban population by and large, and it should not be difficult to achieve that target of procurement within a period of three years.

Discussion on Memorandum to the President alleging Corruption against the Chief Minister of Haryana

On March 30, 1973, the Rajya Sabha had a full discussion under Rule 176, regarding the action taken by the Government on the Memorandum submitted to the President against the Chief Minister of Haryana.

Initiating the discussion, Shri Bhagwat Dayal said that the Members of the Haryana Legislative Assembly had levelled allegations against the Chief Minister of Haryana for misusing the Government machinery and for indulging in corruption etc.

The Member alleged that the land to Maruti Limited had been given at a very cheap rate. The farmers, whose lands had been acquired, had gone in appeal to the court, but even after a number of hearings the issues had not been framed.

He also said that the Chairman of the Public Service Commission had levelled the charge that the Chief Minister of the State had become keen in exercising influence in the selections for fresh appointments in the State and to have his say in other service matters relating to the existing officers' promotions.

Shri Ram Niwas Mirdha, Minister of State in the Ministry of Home Affairs, replying to the discussion, said that Members have given three or four types of cases which, he thought, were obviously of a very grave nature. The question of Maruti was before the court, before the District and Sessions Judge, so far as compensation was concerned. The matter whether the notification was properly issued or not, would be looked into. Another point mentioned was that the Haryana Government had established a Subordinate Selection Board and entrusted to them the selection of Class III posts and transferred the Class IV posts' selection to the respective Heads of Departments. This system obtained in many other States also, and there was nothing unusual in it.

As regards allegations about purchases by the Electricity Board, its Chairman had clearly stated that he had taken full responsibility for all its actions. The accounts of the Board were audited every year. The State Government had now remitted them for a special audit by the Comptroller and Auditor General of India.

Legislative Business

Some of the laws passed by the Rajya Sabha during this Session are as follows:

*The Coal Mines (Taking Over of Management) Bill, 1973**

On March 22, 1973, Shri S. Mohan Kumaramangalam, Minister of Steel and Mines, moving the motion for consideration of the Bill, said that it was not just one mine only, one small owner only, who was responsible for the defaults that had taken place; but it was the general practice in the coal-mining industry, not to invest money in order to

*Laid on the Table, as passed by Lok Sabha, on March 29, 1973.

develop the mines. They tried to make quick profits through fair and foul ways. These included cheating the workers of their Provident Fund and under-rating the coal output. A larger number of the mine owners had not conformed to law or to the standards the society expected of them. In ending this type of exploitation in terms of workers and in terms of the most valuable natural resources of the country, the Government was at the stage of completing an historic task. In view of all these, there was more than adequate justification for the decision to take over these mines.

The motion for the consideration of the Bill was adopted and the Bill passed on March 26, 1973.

The Refugee Relief Taxes (Abolition) Bill, 1973*

On March 29, 1973, Shrimati Sushila Rohatgi, Deputy Minister in the Ministry of Finance, moving the motion for consideration of the Bill, said that Parliament had enacted in 1971 certain laws with a view to raising resources for the relief of Bangladesh refugees.

While presenting the Budget for 1973-74, the Finance Minister had informed that all the Refugee Relief levies imposed in 1971 by Parliament would be withdrawn with effect from the 1st April, 1973. The present Bill sought to fulfil that assurance.

While withdrawing the relief levies by amending or repealing the concerned Acts, provisions had also been made in the Bill to enable refunds being allowed in respect of—(a) “refugee relief” stamps issued for collection of (i) additional excise duty and (ii) tax on postal articles and (b) taxes paid for any rail journey or inland air journey commencing on or after 1st April, 1973.

The motion for the consideration of the Bill was adopted and the Bill was returned on March 29, 1973.

The Delhi School Education Bill, 1973*

On March 30, 1973, Shri D. P. Yadav, Deputy Minister in the Ministry of Education and Social Welfare and in the Ministry of Culture, moving the motion for consideration of the Bill, said that the Bill aimed at improving the condition of the Higher Secondary Schools in

*Laid on the Table, as passed by Lok Sabha, on March 26, 1973.

Delhi. The Joint Committee, he said, had already gone into the various clauses of the Bill very thoroughly and the various amendments made by the Joint Committee to the Bill were acceptable to the Government. On further consideration of the various clauses of the Bill, it was felt that in order to ensure greater protection to the minorities as required by Article 30(1) of the Constitution, clause 15(3) (b) should be further amended to provide that unaided minority schools should give pension and gratuity or, contributory provident fund and retirement benefits to their employees. The original clause 16(3) had, therefore, been amended by the Lok Sabha.

The motion for consideration of the Bill was adopted and the Bill was passed on March 30, 1973.

Obituary References

The Chairman made a reference to the passing away of Shri Chakravarti Rajagopalachari, Shri V. R. Mohan (Sitting Member), Choudhary A. Mohammad (Sitting Member), Shri Adduru Balarami Reddy (Ex-Member), Shri Abdul Quaiyum Ansari (Ex-Member), Shri Lila Dhar Barooh (Ex-Member) and Shri C. L. Varma (Ex-Member). The House observed one minute's silence as a mark of respect to the memory of the deceased.

RAJYA SABHA
EIGHTY-FOURTH SESSION

The Eighty-Fourth Session of the Rajya Sabha commenced on April 30, 1973 and ended on May 19, 1973. Some of the important discussions held and the other business transacted by the House during this Session are briefly mentioned below.

Arrest of thousands of Bengalis in Pakistan and their detention in concentration camps

On May 9, 1973, Shri Krishna Kant called the attention of the Minister of External Affairs to the situation arising out of the arrest of thousands of Bengalis in Pakistan and their detention in concentration camps and the Government of India's reaction thereto.

Shri Surendra Pal Singh, Minister of State in the Ministry of External Affairs, stated that the Government had heard with deep concern reports emanating from Islamabad that several thousand Bengalis had been rounded up suddenly from their homes in Islamabad in the early hours of the morning of the 6th May, 1973, and transported in police trucks and buses to unknown destinations. The press reports indicated that these Bengalis had been taken to internment camps in some obscure places.

The Minister observed that Pakistan should bear in mind that action of this nature, instead of solving the humanitarian problems and ending the suffering of lakhs of people, would only cause further bitterness and retard the process of normalisation in the sub-continent.

It was true that this unfortunate development in Pakistan had introduced a new and a negative element in the situation and it was very difficult for the Government to say at the moment about the motives of the Pakistan Government.

All possible steps had been taken by the Government of India to inform the world community of India's stand and Pakistan's response thereto.

The response of Pakistan to the recent joint proposal had been very disappointing. From India's point of view the joint proposal made by Bangladesh and India was the proper basis on which one could proceed further and if Pakistan agreed with that and accepted the principle underlying the proposal, then there could be no objection to discuss the matter with Pakistan as desired by them, at whatever level they wanted. There was no proposal whatsoever to bypass Bangladesh.

Effect of abnormal price rise on the formulation of the Fifth Five-Year Plan

On May 18, 1973, Shri Krishna Kant, initiating the discussion, said that ever since India became independent, there had been price rise, but in the last financial year the price rise had been the highest during the last twenty-five years.

The 1967-Election manifesto of the Congress Party spoke of the need for price stabilisation. The 1971-Election manifesto had sought a clear mandate to control prices and ensure to the people the supplies of essential commodities at reasonable prices.

The basic assumption of the Fifth Plan that prices would stabilise at the 1971-72 level had been knocked out. Before launching on the Fifth Plan, and even during its formulation, the country was facing the spectacle of price rise in a very acute form. Such a situation had never been faced before in the three earlier Plans.

Another result of the price-rise had been that national income had not grown. But the money supply had grown. With hardly 2 per cent increase in national income and 14 per cent increase in money supply, the prices were bound to rise.

Even when the Government were talking of the Green Revolution, the prices of foodgrains had risen. That showed that the Government had no control over the price mechanism, the monetary mechanism.

There was no use of planning if a democratic State could not provide the essential needs to the people. If there was no planning there was no use of thinking of democratic economy. The blackmarketeers and hoarders, who were not coming forward with their hoarded stocks and were playing with the lives of the people, had thrown a challenge to the Government. It was to be hoped that the Government would face the challenge and would come out successful.

Shri D. P. Dhar, Minister of Planning, replying to discussion, said that a common realisation should emerge as a result of the discussion that the country was facing a situation which, by no means, was desperate, or incurable but which could, by the common will of the people, and by their common faith in the basic values of change and progress, be tackled and dealt with successfully. This was not the first challenge which the country had faced. The country's whole history had been full of problems and the people, therefore, had to learn from their past experience.

In the Plan period from 1950 to 1962, the rise in prices was hardly 2 per cent; in certain cases it was less than 2 per cent in a year. But since 1962, there had been hardly a year when the choice of the country's path was not impeded by extraneous and external circumstances and conditions.

One aspect of the basic cause, which had ultimately led to the process of rise in the prices, was the choice that had been made of having an independent economy in the country. This had brought international opposition.

If production of commodities, whether of mass consumption or of luxury consumption, was left to the unconscionable class of the black marketeers and the hoarders as the only vehicle for reaching the poor consumer and if one were not able to control the distribution system in this country, one could neither modernise the economy nor even control the prices. This was not an economic question mainly, but also a political question. The Government had got to face this as a political reality.

The apprehension that the rise in prices was likely to erode not only the basic postulates but also some of the essential contents of the Plan, was not well-founded. It was not that the rise in prices was not going to have some effect on the planning process, but when accounting calculations of the Plan are made, the Government had got to take a base year for the purpose of determining the price level and, therefore, determining the value and the total financial size of the Plan, and, in this case, though unfortunately the prices of foodgrains had risen by 16 per cent or a little more, the prices of industrial goods had not risen by a margin of more than 4 to 5 per cent.

The Plan, in order to be real, had a human content. It had a political content. It had a strategy to reach certain objectives. The objective was to reduce inequality and to promote self-reliance.

The aim of the Plan was to raise the consumption standards, and to that extent it would lead to a redistribution of consumption, to a redistribution of incomes of the thirty per cent of the population which was below the poverty-line.

So far as the question of achieving self-reliance was concerned, one of the basic objectives of the Plan was to be self-reliant, particularly, in the core sector. It was a misnomer that heavy industry was developing at the cost of the small scale industry. As a matter of fact, the core industries, that the Government were thinking of, were necessary for the development of the small-scale industry. Unless and until the Government developed the non-metallurgical industry, the steel industry and power, it could not sustain the small-scale industry. Therefore, there was no clash of interests between the two.

It was true that at the present moment there was difficulty and there was an element of dissatisfaction and anguish; it was, however, a temporary phase and this was the time when the Government had got to renew its faith in the planning process.

Acute scarcity of Vanaspati in Delhi and abnormal rise in its price

On May 8, 1973, Shri Dahyabhai V. Patel called the attention of the Minister of Agriculture to the acute scarcity of Vanaspati in the Delhi Market and abnormal rise in its price.

Prof. Sher Singh, Minister of State in the Ministry of Agriculture stated that since November 1972, the production of vanaspati had suffered a significant set-back, and currently the industry was functioning at 70—75 per cent of its normal rate of production of about 50,000 tonnes per month. The set-back in production was attributable to the interaction of a number of factors including, *inter alia*, (i) non-availability of indigenous raw oils except at exorbitantly high prices due mainly to the steep fall in groundnut production, (ii) virtual exhaustion of imported oil stocks and delay in the receipt of fresh supplies due to the tight supply position in the international market and (iii) the steep power-cut presently obtaining in a number of States.

The Government was taking all steps, and it was anxious to see that the price should come down and vanaspati should be sold at the controlled price. The Government wanted to distribute vanaspati through fair price shops also. The State Governments had indicated their demands and the Central Government was trying to make necessary quantities available to the State Governments.

Working of the Ministry of Irrigation and Power

On April 30, 1973, initiating the discussion on the working of the Ministry of Irrigation and Power, Shri V. B. Raju said that the Constitution should be amended making all river-waters a national asset, and making medium and major irrigation a Central subject.

He suggested that irrigation could not be planned on year-to-year basis or even for a period of 5 years. The Government should have the year 2000 A.D. as its target and all its programmes should be worked out keeping that date in view.

The idea of a national water-grid had to be taken seriously and Ganga-Cauvery canal would not only help in carrying water to the needy areas but it would also be useful for navigation.

Dr. K. L. Rao, Minister of Irrigation and Power, replying to the discussion, said that since Independence, the country had doubled the area under irrigation and, as a result, the country's food production had been more than doubled. The aim was to irrigate two acres out of every four by 2,000 A.D. so that enough food was produced in the country by that time, to cater to the needs of the increased population of the country. In pursuance of that objective, the Government was going to double the pace of irrigation in the Fifth Plan.

The Government were considering a proposal to declare the rivers as national asset and were already in touch with the Chief Ministers on that point.

So far as the power shortage was concerned, this year had been a very peculiar year because this kind of simultaneous occurrence of heavy shortage throughout the country had never happened before. This situation would continue for a month, and it was hoped that the position would improve in June, 1973.

Working of the Ministry of Shipping and Transport

On May 14, 1973, Shri Krishna Kant, initiating a discussion on the working of the Ministry of Shipping and Transport said that just 20 per cent of Indian overseas trade was being carried by Indian shipping. The long-term target was to carry at least 50 per cent of our cargo in Indian ships. But with the present pace of development of shipping, it appeared difficult to achieve that target.

Till recently, the Soviet Union was allowing Indian ships only to certain ports in the Black Sea; on the other hand, the Russian ships could go to any Indian port. This was an invidious discrepancy.

As regards the Delhi Transport Corporation, the Government had taken a very good and healthy step in taking it over. The Government should do something to put more buses on the road and to make the roads in Delhi better for the buses.

Shri Raj Bahadur, Minister of Shipping and Transport, replying to the debate, said that shipping constituted the life-line of the overseas trade. The Government target was 4 million tonnes and it was hoped that by the end of this year, it would be possible to have an operative tonnage of 3.2 million or a little more, and with the orders for additional ships that had already been placed, the country was already in the vicinity of about 4.4 million tonnes.

The Minister informed the House that the equity capital of the Shipping Corporation was Rs. 27.95 crores. The cumulative net profits earned by it during the years from 1961-62 to 1971-72 amounted to Rs. 42.80 crores, and the cumulative earnings since its inception, upto 1971-72, reckoned at 50 per cent of the gross foreign exchange earnings, totalled up to Rs. 177.6 crores. As on March 31, 1972, it had got a reserve and surplus of Rs. 37.61 crores.

The aim of the Government's present policy was to ensure the maximum use of shipping to reduce heavy investment in foreign exchange. The licensing policy was meant to avoid unhealthy competition between the country's own lines.

Even in the matter of Delhi Transport Corporation, the Government had never claimed that it would solve all the problems in a day. But the Government would try to do the maximum. The Working Group of the Planning Commission had recommended an addition of 1127 buses during the Fourth Plan period—679 for replacement and 448 for expansion. However, due to shortage, non-utilization or misutilization of funds, only 304 buses were purchased during the first three years of the Plan upto 1971-72 and the Government had placed order for another 297 buses and they had all been acquired. With another 425 buses, orders for which had been placed, it was hoped that the target would be achieved.

Out of the 36 recommendations made by the Bhagwati Committee, as many as 21 were under execution or implementation and the Government would try to expedite them as best as it could.

Working of the Ministry of Petroleum and Chemicals

On May 16, 1973, Shri Sasankasekhar Sanyal, initiating a discussion on the working of the Ministry of Petroleum and Chemicals, said that the cost of production of one cylinder of cooking gas was only Rs. 2 and it was being sold at a price which was 11 times its cost of production. The Minister should see whether cooking gas ought to sell at such a high price.

The exploration for crude oil in the Sundarbans was long overdue. In the Sundarbans one could explore not only offshore but also onshore for oil. A part of the Sundarbans was in Bangladesh and another part in West Bengal. That being so, it was worthwhile considering whether a joint Indo-Bangladesh sector could be thought of and a plan concretised for going ahead.

It was good that the U.S.S.R. had extended its helping hand in the matter of exploration of crude oil. But the emphasis had been on the monopoly of doing every thing at their instance without using any man or material from India; that seemed to be intriguing and disheartening.

Shri D. K. Borooah, Minister of Petroleum and Chemicals, replying to the discussion, said that except for a small sector in drugs and chemicals, the main work of the Ministry was concerned with processed crude. The Ministry could function only on the basis of availability of the required amount of crude oil.

It was decided by the Government that there would be a 25 per cent cut on the production of kerosene oil. Production of diesel would have to be increased for various activities in the field of agriculture. This was done by cutting down the production of kerosene.

The Government had decided to have a committee to go into the entire problem of the drug industry, particularly with a view to reducing their profits, by making them give the formulations to non-attached companies which were mostly Indian and also by developing the public sector industry in a big way.

Working of the Maintenance of Internal Security Act, 1971

On May 10, 1973, Shri Bhupesh Gupta moving a motion regarding the working of the Maintenance of Internal Security Act, 1971 said that after the Mid-term elections of 1971 by the middle of the year, the preventive detention law was revived with the changed name of

the Maintenance of Internal Security Act, 1971—an Act much worse than even the original Preventive Detention Act.

There were over 8,000 detenus under MISA, of whom 2,600 were in West Bengal alone. Today there were 32,000 under-trial prisoners in the country who were mostly Naxalites. There had been cases in Andhra Pradesh and West Bengal where the under-trials had remained so far months and years. Thus the use of ordinary law to persecute people and also the use of MISA, were going together.

The Member said that MISA should be withdrawn; it had no place in the country. The Supreme Court had struck down section 17(1)(a) of the Act but had not given its verdict on the other sections; they had been left open. Emergency should be withdrawn at once. All political detenus in West Bengal and elsewhere should be straight-way released.

Shri K. C. Pant, Minister of State in the Ministry of Home Affairs, intervening in the debate, said that the Government would bring forward a suitable motion every two years to enable Parliament to undertake a review of the working of the legislation. The allegation that the MISA was being used for political purposes was absolutely baseless and incorrect.

After Section 17(1)(a) of the MISA was struck down by the Supreme Court, all the detenus were released by the concerned Governments, including West Bengal. Even in cases where the matter had been *sub-judice* action had been taken to release the persons after bringing the fact to the notice of the court.

It was a matter of fact that there was no in road on the personal freedom of the citizens on account of the emergency. Notwithstanding the emergency, it had been possible for some of the citizens to go to the Supreme Court to have Section 17(1)(a) of MISA struck down. The continuance of the proclamation of emergency did enable the imposition of restriction on foreigners. Taking the overall picture both within the country and outside, the House would agree that this was hardly the time to lift the emergency.

Shri Bhupesh Gupta, replying to the debate, stated that there should be a Parliamentary Committee to go into the allegations which had been made against the police for killing illegally political suspects.

The Prime Minister had talked about humane treatment and a political approach. Instructions should be issued to the Government of West Bengal and other States to expedite trials of all the under-trial prisoners and release them. The political prisoners should not be treated badly. They should have the status of political prisoners. Those who were students should be allowed to sit for their examinations. The Prime Minister should be advised to call a meeting on this subject to find out ways and means of implementing her own directions to the Chief Ministers.

Supersession of three Judges of the Supreme Court

On May, 1973, Shri Bhupesh Gupta, initiating a discussion on the situation arising out of the supersession of three senior Judges of the Supreme Court said that this had given rise to a big noise in the country. But the noise was artificial and if anything was politically motivated, it was this noise against the supersession of the three Judges.

Parliamentary democracy if it was to be supreme, must be supreme also in the sphere of appointment and promotion of Judges, and this should be a matter of supervision and review by Parliament.

Shri H. R. Gokhale, Minister of Law, Justice and Company Affairs, replying to the discussion, said that it was quite clear that it was within the powers of the President on the advice of the Council of Ministers to make the appointment of the Chief Justice of India. It was a blatant lie to say that either the Law Minister or someone else went and saw the Chief Justice of India a day before and asked for an assurance from the Chief Justice that he would decide cases in favour of the Government.

Eminent jurists and lawyers who constituted the Law Commission had given an unanimous report so far as this aspect of the matter was concerned and had recommended that the convention of appointing Chief Justices on the basis of seniority should be given a go-by. There were innumerable instances where, not recently but for the last several years in the High Courts, appointments to the office of the Chief Justice had not been made on the basis of seniority.

Legislative Business

Some of the laws passed by the Rajya Sabha during this Session are as follows:

The Finance Bill, 1973*

On May 7, 1973, Shri Y. B. Chavan, Minister of Finance moving the motion for consideration of the Bill, said that under the provisions of the Bill, as originally introduced, agricultural income-tax paid by a person was not admissible as a deduction in the computation of the net agricultural income. Now the Bill had been amended to specifically provide that agricultural income-tax payable under a State law would be deducted in computing the net agricultural income. This would place tax-payers in the States levying agricultural income-tax at par with tax-payers in the States which did not levy such tax. The Bill had been amended to secure that in cases where the aggregate of the agricultural and non-agricultural incomes exceeded Rs. 15,000 the surcharge on income-tax on the net agricultural income as increased by Rs. 5,000 would be calculated at the same rate as was applicable to the aggregate income.

The modifications on the Central Excise side were mainly with a view to providing relief to smaller manufacturers or to remove certain disparities. The exemption and ceiling limits applicable to smaller manufacturers of compounded or blended lubricated oils and greases had been enhanced.

Suitable relief had been provided to smaller paper mills having no bamboo pulp plants in respect of the specified varieties of paper containing unconventional raw material. Electric meters designed to operate at a pressure not exceeding 5 volts had also been totally exempted, since these meters were used mostly in battery operated toys and education kits.

The net effect of all these reliefs would involve a revenue loss of about Rs. 2 crores in a full year.

The Motion was adopted and the Bill was returned to Lok Sabha on May 8, 1973.

*The Bill, as passed by the Lok Sabha was laid on the Table of Rajya Sabha on May 4, 1973.

*The Constitution (Thirty-First Amendment) Bill, 1973**

On May 15, 1973, Shri Niti Raj Singh Chaudhury, Minister of State in the Ministry of Law, Justice and Company Affairs, moving the motion for consideration of the Bill, said that Article 82 of the Constitution provided that on the completion of each census, the allocation of seats in the House of the People to the States and the division of each State into territorial Constituencies would be readjusted by such authority and in such manner as Parliament might by law determine.

It was necessary that the amendment to Article 81 was passed and the process of ratification concluded early to enable the Delimitation Commission to undertake its task, having regard to the increased size of the Lok Sabha, namely 545 (525 for the States and 20 for the Union territories) as against the present 525 (500 for the States and 25 for Union territories).

The Motion was adopted and the Bill was passed on May 15, 1973 in accordance with the provisions of Article 368 of the Constitution.

*The North Eastern Hill University Bill, 1973***

On May 15, 1973, Prof. S. Nurul Hasan, Minister of Education, Social Welfare and Culture, moving the motion for consideration of the Bill, said that before the bifurcation of Meghalaya and the establishment of the other States, the State of Assam had passed a resolution under Article 252 of the Constitution authorising Parliament to enact legislation to establish a Central University with headquarters at Shillong. The proposed University had the support of the people to whom it was going to extend its jurisdiction namely, Meghalaya, Nagaland and Mizoram. The people of Mizoram and Arunachal Pradesh were also in favour of the Bill.

Other provisions of the Bill were more or less on the lines of the Aligarh Muslim University Bill. The teachers, students and non-teaching employees would have the right to appeal to a tribunal for the purpose of arbitration, so that they did not have to go to a court of law. There was a right of appeal to the Executive Council of the University.

*The Bill, as passed by the Lok Sabha was laid on the Table of the House on May 10, 1973.

**The Bill as passed by the Lok Sabha was laid on the Table of the House on May, 11, 1973.

The Motion was adopted and the Bill was passed on May 15, 1973.

*The Coal Mines (Nationalisation) Bill, 1973**

On May 18, 1973, Shri Subodh Chandra Hansda, Deputy Minister in the Ministry of Steel and Mines, moving the motion for consideration of the Bill, said that coal was one of the most important industries in the country and one of the oldest industries. 214 coking coal mines had already been nationalised. The present Bill sought to vest in the Central Government the ownership of 711 non-coking coal mines with effect from the 1st May, 1973.

After the take-over of the coking coal mines, it was observed that the private coal mine-owners had been indulging in unhealthy mining practices with the object of maximising the short-term gains. The working conditions in private collieries had been characterised by large-scale exploitation of labour, non-implementation of Wage Board Awards and unwillingness to act upon the labour laws.

Consistent with the need for optimising the use of indigenous resources and reducing the dependence on oil products, coal was to play a vital role in the development of energy required to sustain the projected rate of growth in various sectors of the economy. Since the investment cost of additional production capacity was very high, and it was considered that it was far beyond the task of the private coal mining industry, as it was organised, to make such investments, the nationalisation of the non-coking coal industry had become inevitable.

As a first step towards the goal of nationalisation, the management of the non-coking coal mines had been taken over. That process was now sought to be completed by having the present Bill enacted into law.

The motion was adopted and the Bill was passed on May 18, 1973.

*The Bill, as passed by the Lok Sabha, was laid on the Table on May 16, 1973.

STATE LEGISLATURES

Assam

The Assam Legislative Assembly commenced its session from March 16, 1973 and was prorogued on April 3, 1973. The Assembly in all held 12 sittings.

Legislative Business

During the session, the Assembly passed 10 Government Bills.* The notices received for Starred, Unstarred and Short Notice Questions numbered 792, 26 and 25 respectively; those admitted numbered 776, 22 and 6 respectively.

Gujarat

The Gujarat Legislative Assembly held its session from February 12, to April 12, 1973. Altogether 42 sittings were held.

*The Bills passed were as follows:—

1. The Assam Agricultural Farming Corporation Bill, 1973.
2. The Assam Appropriation (No. 1) Bill, 1973.
3. The Assam Appropriation (Vote-on-Account) Bill, 1973.
4. The Indian Electricity (Assam Amendment) Bill, 1973.
5. The Tinsukai & Dibrugarh Electric Supply Undertaking (Acquisition) Bill, 1973.
6. The Assam Legislative Assembly Members' Salaries and Allowances (Amendment) Bill, 1973.
7. The Assam Finance Bill, 1973.
8. The Assam Excise (Amendment) Bill, 1973.
9. The Assam Housing Board Bill, 1972.
10. The Assam Repealing Bill, 1973.

Legislative Business

During the Session, the Assembly passed 12 Government Bills.* The notices received for Starred, Unstarred and Short Notice Questions numbered 3755, 168 and 127 respectively and those admitted numbered 1931, 105 and 30 respectively.

Narmada Project

On April 12, 1973 the following Motion under Rule 104 of the Gujarat Legislative Assembly Rules was moved by Shri Lalsinh Ratevar, M.L.A.:—

“Although it is accepted by one and all that Narmada Project is essential for the overall development of Gujarat, such a national problem is entangled in politics for the last many years and the nation is being put not only to an incalculable loss but lacs of cusecs of waters of Narmada have gone into the sea and become saline.

The former Government of Gujarat had referred the question of Narmada dispute to the Inter-State Water Dispute Tribunal for decision. More than a year has elapsed since the present Government entrusted the question to the arbitration of the Prime Minister. The people of Gujarat are very eagerly awaiting an award on the question. There has, however, been inordinate delay in the award and the patience of the people of Gujarat has now come to an end. This House is, therefore, of the opinion that this question be withdrawn from the Prime Minister's arbitration and referred to the Inter-State Water Dispute Tribunal.”

*The Bills passed were as follows:—

1. The Gujarat Secondary Education Bill, 1972.
2. The Gujarat Private Forests (Acquisition) Bill, 1972.
3. The Gujarat Public Premises (Eviction of Unauthorised Occupants) Bill, 1973.
4. The Gujarat University (Amendment) Bill, 1972.
6. The Bombay Tenancy and Agricultural Lands (Vidarbha Region and Gujarat Amendment) Bill, 1972.
6. The Bombay Tenancy and Agricultural Lands (Vidarbha Region and Kutch Areas) (Gujarat Amendment) Bill, 1972.
7. The Gujarat Slum Areas (Improvement, Clearance and Redevelopment) Bill, 1973.
8. The Gujarat (Supplementary) Appropriation Bill, 1973.
9. The Gujarat Ownership Flats Bill, 1973.
10. The Gujarat Appropriation Bill, 1973.
11. The Gujarat Panchayats (Amendment) Bill, 1973.
12. The Gujarat Municipalities (Amendment and Validating Provisions) Bill, 1973.

The Motion was discussed on the same day. Under the rules it was not required to be put to vote.

Shortage of Power

On February 16, 1973, the following Private Member's Resolution was moved by Shri Motibhai R. Chandhari, M.L.A., discussed and passed by the Assembly without any dissenting voice:—

“There has been power shortage in the State of Gujarat ever since its coming into existence. If the State wants to take a big stride in the industrial sector, first of all it will have to arrange for adequate supply of power and water. The quantum and the high cost at which our power houses are supplying power at present as also the breakdown of Dhuvaran and Tarapur Power Stations causes a heavy loss to industry and agriculture of the State. One does not know when the Narmada Project will materialise, but even after the hydro-electric power stations have been installed the power shortage of Gujarat is not going to be reduced but on the contrary, it is likely to be more acute in the Fifth Five Year Plan. It is uneconomic for Gujarat to run the Power Houses with the help of coal brought from Bihar and the supply of coal is also irregular. While on the other hand, neither the mineral oil, nor the residual fuel oil or the gas which are the products of the soil of Gujarat is supplied to Gujarat in adequate quantity and whatever is supplied, is supplied at very high rates. In this context Gujarat has no other alternative except an atomic power station for its requirement of power. This House, therefore, emphatically recommends to the State Government to earnestly request the Central Government to take an immediate decision to install an atomic power station at a suitable site in Gujarat itself.”

Haryana

The Haryana Vidhan Sabha held its session from March 5, to April 6, 1973. Altogether 24 sittings were held.

Legislative Business

During the session, 28 Government Bills* were passed by the Vidhan Sabha. The notices of Starred and Unstarred Questions received were 487 and 125 respectively, while those admitted numbered 247 and 77 respectively.

*The Bills passed were as follows:—

1. The Haryana Appropriation Bill, 1973.
2. The Haryana Appropriation (No. 2) Bill, 1973.
3. The Punjab Motor Vehicles Taxation (Haryana Amendment) Bill, 1973.
4. The Haryana Official Language (Amendment) Bill, 1973.
5. The Punjab Passengers and Goods Taxation (Haryana Amendment) Bill, 1973.

Hazards of Smoking Cigarettes

On March 30, 1973 the Vidhan Sabha discussed and passed the following Resolution:—

“WHEREAS, it is expedient to provide by law for the advertisement of the hazards involved in smoking cigarettes, with a view to warn the smokers of cigarettes that the smoking thereof is dangerous to health and may cause death from cancer, coronary

-
6. The Patiala State Ijlas-I-Khas Order of 1919 (Haryana Repeal) Bill, 1973.
 7. The Haryana Ceiling on Land Holdings (Amendment) Bill, 1973.
 8. The Haryana Housing Board, (Amendment) Bill, 1973.
 9. The Punjab Town Improvement (Haryana Amendment) Bill, 1973.
 10. The Haryana Urban (Control of Rent and Eviction) Bill, 1973.
 11. The Indian Forest (Haryana Amendment) Bill, 1973.
 12. The Punjab New Mandi Township (Development and Regulation) Haryana Amendment Bill, 1973.
 13. The Punjab Urban Estates (Development and Regulation) Haryana Amendment Bill, 1973.
 14. The Haryana Municipal Bill, 1973.
 15. The Punjab State Legislature (Prevention of Disqualification) Haryana Amendment Bill, 1973.
 16. The East Punjab War Award (Haryana Amendment) Bill, 1973.
 17. The Punjab Resumption of Jagirs (Haryana Amendment) Bill, 1973.
 18. The Haryana Restrictions on (Development and Regulation of) Colonies Amendment Bill, 1973.
 19. The Haryana Land Holdings Tax Bill, 1973.
 20. The Punjab Gram Panchayat (Haryana Amendment) Bill, 1973.
 21. The Punjab Agricultural Produce Markets (Haryana Amendment) Bill, 1973.
 22. The Haryana Agricultural Credit operations and Miscellaneous Provisions (Banks) Bill, 1973.
 23. The Punjab Motor Vehicles Taxation (Haryana Second Amendment) Bill, 1973.
 24. The Punjab Panchayat Samitis and Zila Parishads (Haryana Amendment) Bill, 1973.
 25. The Punjab Co-operative Land Mortgage Banks (Haryana Amendment) Bill, 1973.
 26. The Punjab Co-operative Societies (Haryana Amendment) Bill, 1973.
 27. The Haryana General Sales Tax Bill, 1973.
 28. The Punjab Village Common Lands (Regulation) Haryana Amendment Bill, 1973.

heart disease, chronic bronchitis, pulmonary emphysema and other diseases, and for matters connected therewith or incidental thereto;

AND WHEREAS, legislation for the purpose mentioned above is relatable to matters enumerated in entry 6 of List I, in the Seventh Schedule to the Constitution of India, with respect to which Parliament has no power to make a law for the State except as provided in Articles 249 and 250 thereof;

AND WHEREAS, this is a matter of the utmost importance and the problem is common to all the States, it would be desirable and necessary that there should be uniformity in the administration of any measure in this respect in all the States. It thus appears to this Assembly to be expedient that such a law should be enacted by Parliament;

NOW THEREFORE, in pursuance of clause (1) of Article 252 of the Constitution of India, this Assembly hereby resolves that Parliament should enact a law providing for the advertisement of the hazards involved in smoking cigarettes and for matters connected therewith or incidental thereto."

Sub-standard Medical Colleges

On April 4, 1973, the Vidhan Sabha discussed and passed the following Resolution:—

"WHEREAS this Assembly considers that there should be uniform legislation in the country to ban the setting up of sub-standard medical colleges by private organisations where the criterion for admission is not merit but the ability to pay huge sums of advance tuition fees and capitation donations and that there is need to regulate the existing private medical colleges in such manner as is feasible and desirable;

AND WHEREAS, legislation for the purpose mentioned above is relatable to matters enumerated in entry 11 of List II in the Seventh Schedule to the Constitution of India, with respect to which Parliament has no power to make a law for States except as provided for in articles 249 and 250 thereof;

AND WHEREAS, it appears to this Assembly to be desirable that the aforesaid matters should be regulated in the State of Haryana, by Parliament by law;

NOW, THEREFORE, in pursuance of clause (1) of Article 252 of the Constitution of India this Assembly hereby resolves that the imposition of a ban on the setting up of private medical colleges and the regulation of such existing colleges and all matters connected therewith or ancillary and incidental thereto should be regulated in the State of Haryana by Parliament by law."

Himachal Pradesh

The Himachal Pradesh Vidhan Sabha held its session from March 21 to April 23, 1973. Altogether 22 sittings were held by the House.

Legislative Business

During the Session, the Vidhan Sabha passed 11 Government Bills*. The notices received for Starred, Unstarred and Short Notice Questions numbered 1291, 244 and 7 respectively while those admitted numbered 771, 351 and 1 respectively. The notices admitted for Unstarred Questions included 107 notices received for Starred Questions.

Defections by Members

On April 2 and 13, 1973 the following Private Members Resolution moved by Shri R. C. Verma and others was discussed by the Vidhan Sabha and adopted on the latter date:—

“Whereas, of late, the problem of floor-crossing has taken a serious turn and has polluted the political atmosphere in the country throwing to the winds all the norms of proper democratic functioning in the States, this House urges upon the Central Government to enact a suitable law banning defection.”

*The Bills passed were as follows:—

1. The Himachal Pradesh Appropriation Bill, 1973.
2. The Himachal Pradesh Appropriation (Vote on Account) Bill, 1973.
3. The Himachal Pradesh Appropriation Bill, 1973.
4. The Himachal Pradesh Tractor Cultivation (Recovery of Charges) Bill, 1972.
5. The Himachal Pradesh New Mandi Townships (Development and Regulation) Bill, 1972.
6. The Himachal Pradesh Utilization of Lands Bill, 1972.
7. The Himachal Pradesh General Sales Tax (Amendment) Bill, 1972.
8. The Himachal Pradesh (Extension of Laws) Bill, 1973.
9. The Himachal Pradesh Repealing Bill, 1973.
10. The Himachal Pradesh Land Development Bill, 1973.
11. The Himachal Pradesh Fruit Nurseries Registration Bill, 1973.

Sub-standard Medical Colleges

On April 18, 1973 the Vidhan Sabha discussed and adopted the following Government Resolution moved by the Agriculture Minister:—

“WHEREAS, this Assembly considers that there should be uniform legislation in the country to ban the setting up of sub-standard medical colleges by private organisations where the criterion for admission is not merit but the ability to pay huge sums of advance tuition fees and capitation donations and that there is need to regulate the existing private medical colleges in such manner as is feasible and desirable;

AND WHEREAS, the imposition of such a ban on medical colleges for undergraduate education is a matter with respect to which Parliament has no power to make laws for States except as provided for in Articles 249 and 250 thereof;

AND WHEREAS, it appears to this Assembly to be desirable that the aforesaid matters should be regulated in the State of Himachal Pradesh by Parliament by law;

NOW, THEREFORE, in pursuance of clause 1 of Articles 252 of the Constitution, this Assembly hereby resolves that the imposition of a ban on the setting up of private medical colleges and regulations of such colleges already set up and of matters connected therewith and ancillary and incidental thereto should be regulated in the State of Himachal Pradesh by Parliament by law.”

Kerala

The Kerala Legislative Assembly held its session consisting of 12 sittings from September 22, 1972 to November 17, 1972. The Assembly passed 22 Bills* during this period.

-
- *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.
 5. The Kerala Contingency Fund (Amendment) Bill, 1972.
 6. The Kerala Plant Diseases and Pests Bill, 1971.

Constitution (Thirtieth Amendment) Bill, 1972

On October 18, 1972 the Assembly adopted a resolution seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972 as passed by both Houses of Parliament.

Wild Life (Protection) Act, 1972

On November 3, 1972 the Assembly adopted a Resolution for adoption of the Wild Life (Protection) Act, 1972 in the Kerala State.

The Kerala Legislative Assembly held its subsequent session consisting of 16 sittings from March 9, 1973 to March 30, 1973.

-
7. The Kerala Land Reforms (Amendment) Bill, 1972.
 8. The Kerala Appropriation (No. 3) Bill, 1972.
 9. The Kerala Municipalities (Amendment) Bill, 1971.
 10. The Kerala Electricity Duty (Amendment) Bill, 1971.
 11. The Kerala Stamp (Amendment) Bill, 1971.
 12. The Kerala Children Bill, 1971.
 13. The Pattzhi Devaswom Lands (Vesting and Enfranchisement) Amendment Bill, 1971.
 14. The Guruvayoor Devaswom (Amendment) Bill, 1972.
 15. The Kerala Essential Articles Control (Temporary Powers) Continuance Bill, 1972.
 16. The Kerala Motor Vehicles (Taxation of Passengers and Goods) Amendment Bill, 1972.
 17. The Kerala University (Amendment) Bill, 1972.
 18. The Kerala Buildings (Lease and Rent Control) Amendment Bill, 1971.
 19. The Kerala Municipal Corporations Amendment Bill, 1971.
 20. The Kerala Survey and Boundaries (Amendment) Bill, 1971.
 21. The Kerala Payment of Subsistence Allowance Bill, 1971.
 22. The Payment of Salaries and Allowances (Amendment) Bill, 1972.

Legislative Business

During the session, the Assembly passed 11 Government Bills*. The notices received for Starred and Unstarred Questions numbered 2057 and 480 respectively while those admitted numbered 524 and 980 respectively. The latter figure included a large number of notices received for Starred Questions but admitted as Unstarred Questions.

Manipur

The Manipur Legislative Assembly held two sessions—one from January 15 to 23, 1973 for 6 days and the second from February 21, 1973 to March 26, 1973 consisting of 20 sittings.

Legislative Business

During the two sessions, the Assembly passed 6 Government Bills.† The notices received for Starred and Unstarred Questions numbered 281 and 18 respectively and those admitted numbered 246 and 18 respectively.

*The Bills passed were as follows:—

1. The Kerala Land Reforms (Amendment) Bill, 1973.
2. The Kerala Appropriation Bill, 1973.
3. The Kerala Land Reforms (Amendment) Amending Bill, 1973.
4. The Kerala Agriculturists' Debt Relief (Amendment) Bill, 1973.
5. The Kerala Preservation of Private Forests (Amendment) Bill, 1973.
6. The Kerala Appropriation (Vote on Account) Bill, 1973.
7. The Kerala Municipalities (Amendment) Bill, 1973.
8. The Kerala Stamp (Amendment) Bill, 1973.
9. The Kerala Additional Tax on Entertainments and Surcharge on Show Tax (Amendment) Bill, 1973.
10. The Kerala Official Language (Legislation) Amendment Bill, 1973.
11. The Abkari (Amendment) Bill, 1973.

†The Bills passed were as follows:—

1. The Manipur Water Supply Bill, 1973.
2. The Manipur Weights & Measures Bill, 1973.
3. The Manipur Secondary Education (Amendment) Bill, 1973.
4. The Manipur Shops and Establishments Bill, 1972.
5. The Assam Sales Tax (Manipur Amendment) Bill, 1973.
6. The Manipur Appropriation Bill, 1973.

Nationalisation of Cinema Houses

On February 23, 1973 the Assembly discussed and adopted a resolution moved by Shri O. Tomba Singh:—

"This House resolves that the privately owned Cinema houses in Manipur be nationalised in the interest of the people of Manipur and in the interest of Cinema business, earning of more income for the State and creation of more employment opportunities for the unemployed.

This House further resolves that the management of these cinema houses be entrusted with an autonomous corporation duly constituted by the Government of Manipur."

No-Confidence Motion against Ministry

The Assembly discussed a No-confidence Motion against the Council of Ministers headed by Shri Md. Alimuddin on March 22, and 26, 1973. The discussion was not completed consequent on the resignation of the Council of Ministers in the afternoon of March 26, 1973.

Meghalaya

The session of the Meghalaya Legislative Assembly which commenced on November 27, 1972 was prorogued on December 6, 1972. The Assembly held 8 sittings and passed six Bills.*

Constitution (Thirtieth Amendment) Bill, 1972

On December 1, 1972, the Assembly unanimously adopted a resolution moved by Shri B. B. Lyngdoh, Minister of Law, seeking to ratify the Constitution (Thirtieth Amendment) Bill, 1972, as passed by both Houses of Parliament.

*1. Maghalaya Appropriation (No. 11) Bill, 1972.

2. The Meghalaya Taxation Laws (Modification) Bill, 1972.

3. The Court Fees (Meghalaya First Amendment) Bill, 1972.

4. The Indian Stamp (Meghalaya Second Amendment) Bill, 1972.

5. The Meghalaya Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants Taxation (Second Amendment) Bill, 1972.

6. The Court Fees (Meghalaya Second Amendment) Bill, 1972. j

The Meghalaya Legislative Assembly held its subsequent session consisting of 18 sittings from March 15 to April 7, 1973.

Legislative Business

During the session the Assembly passed 16 Government Bills*. The notices of Starred, Unstarred and Short Notice Questions received numbered 86, 170 and 7 respectively while those admitted numbered 82, 167 and 7 respectively.

*The Bills passed were as follows:—

1. The Meghalaya Appropriation (No. I) Bill, 1973.
2. The Meghalaya Appropriation (No. II) Bill, 1973.
3. The Meghalaya Forest Regulation (Application and Amendment) Bill, 1973.
4. The Meghalaya Board of School Education Bill, 1973.
5. The Meghalaya Repealing Bill, 1973.
6. The Meghalaya Sales Tax (Amendment) Bill, 1973.
7. The Meghalaya Purchase Tax (Amendment) Bill, 1973.
8. The Meghalaya Finance (Sales Tax Amendment) Bill, 1973.
9. The Meghalaya Amusement & Betting Tax (First Amendment) Bill, 1973.
10. The Meghalaya (Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants) Taxation (Amendment) Bill, 1973.
11. The Meghalaya Amusement & Betting Tax (Second Amendment) Bill, 1973.
12. The Meghalaya Passengers and Goods Taxation (Amendment) Bill, 1973.
13. The Indian Stamp (Meghalaya Amendment) Bill, 1973.
14. The Meghalaya Motor Vehicles (Amendment) Bill, 1973.
15. The Meghalaya Municipal (Amendment) Bill, 1973.
16. The Meghalaya Finance Bill, 1973.

Mizoram

The Mizoram Legislative Assembly, during its ten days' session, commencing from March 15, 1973, passed six Government Bills* and the following two resolutions :—

- (i) This Assembly recommends that Government of Mizoram constitute a Commission to consider and recommend to Government how and where new villages may be located.
- (ii) This Assembly is of the opinion that the Government of Mizoram do take steps to establish a Hydel Project in Mizoram.

Punjab

The Punjab Vidhan Sabha held its session from February 27, 1973 to April 19, 1973. Altogether 28 sittings, excluding the one addressed by the Governor, were held by the House.

Legislative Business

The Vidhan Sabha passed 23 Government Bills† during the session. The notices of Starred, Unstarred and Short Notice Questions received numbered 1591, 348 and 13 and those admitted numbered 784, 160 and 4 respectively.

*Bills passed were as follows:—

1. Appropriation (No. 1) Bill, 1973.
2. Appropriation (No. 2) Bill, 1973.
3. The Contingency Fund of the Union Territory of Mizoram (Determination of Amount) Bill, 1973.
4. Appropriation (No. 3) Bill, 1973.
5. The Indian Stamp (Mizoram Amendment) Bill, 1973.
6. The Taxation Laws (Mizoram Amendment) and Validation of Surcharges Bill, 1973.

†Bills passed were as follows:—

1. The Punjab Appropriation Bill, 1973.
2. The Punjab Appropriation (No. 2) Bill, 1973.
3. The Punjab Pre-emption (Repeal) Bill, 1973.
4. The Punjab Custom (Power to Contest) Amendment Bill, 1973.
5. The Punjab General Sales Tax (Amendment) Bill, 1973.
6. The East Punjab Agricultural Pests, Diseases and Noxious Weeds (Amendment) Bill, 1973.
7. The East Punjab Molasses (Control) Amendment Bill, 1973.

Defections

On March 8, 1973, the Vidhan Sabha adopted the following resolution:—

“This House recommends to the State Government to approach the Government of India to enact necessary legislation at the earliest to make it obligatory for every legislator to resign his seat if he leaves the party on whose ticket he was elected to join another party.”

Arms supply to Pakistan

On March 15, 1973, the Vidhan Sabha passed the following Resolution:—

“This House expresses great concern over the recent decision of the US Government to resume the supply of arms to the Government of Pakistan. This is obviously a part of imperialist

8. The Punjab Public Premises and Land (Eviction and Rent Recovery) Bill, 1973.
9. The Punjab Betterment Charges and Acreage Rates (Amendment) Bill, 1973.
10. The Punjab Registration (Validating) Bill, 1973.
11. The Punjab Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1973.
12. The Punjab Entertainments Duty (Amendment) Bill, 1973.
13. The Pepsu Townships Development Board (Amendment) Bill, 1973.
14. The Punjab Municipal (Amendment) Bill, 1973.
15. The Punjab Town Improvement (Amendment) Bill, 1973.
16. The Punjab Urban Immovable Property Tax (Repeal) Bill, 1973.
17. The Indian Stamp (Punjab Amendment) Bill, 1973.
18. The Punjab General Sales Tax (Second Amendment) Bill, 1973.
19. The Punjab Passengers and Goods Taxation (Second Amendment) Bill, 1973.
20. The Punjab Housing Development Board (Amendment) Bill, 1973.
21. The Punjab Agricultural Produce Markets (Amendment) Bill, 1973.
22. The Salaries and Allowances of Deputy Minister, Punjab, (Amendment) Bill, 1973.
23. The Punjab Urban Property (Ceiling) Bill, 1972.

conspiracy to intensify the aggravation of tension in this sub-continent and to prevent the establishment of good neighbourly relations between India, Bangladesh and Pakistan. This House is confident that the Government of India will take timely measures to defeat this conspiracy and thus ensure the maintenance of peace as well as the national interest of the Indian people."

Committee on the Welfare of Scheduled Castes and Scheduled Tribes

On March 21, 1973, the Vidhan Sabha adopted the following Resolution :—

- "1. That a Committee of the House to be called the 'Committee on the Welfare of Scheduled Castes' be constituted, consisting of 9 members to be elected by the Assembly from amongst its members according to the principle of proportional representation by means of the single transferable vote.
2. That the functions of the Committee shall be:—
 - (i) to consider the reports submitted by the Commissioner for Scheduled Castes and Scheduled Tribes under Article 338(2) of the Constitution and to report to the House as to the measures that should be taken by the State Government in respect of matters falling within the purview of the State Government;
 - (ii) to report to the House on the action taken by the State Government on the measures proposed by the Committee;
 - (iii) to examine the measures taken by the State Government to secure due representation of the Scheduled Castes in services and posts under its control (including appointments in the public sector undertakings, statutory and semi-Government Bodies) having regard to the provisions of Article 335;
 - (iv) to report to the House on the working of the Welfare programmes for the Scheduled Castes; and
 - (v) to examine such other matters as are specifically referred to it by the House or the Speaker.
3. That the members of the Committee so elected shall hold office upto 31st March, 1974.
4. That in all other respects the Rules of Procedure and Conduct of Business in the Punjab Legislative Assembly shall apply with such variations and modifications as the Speaker may make."

Report of the Commissioner for Scheduled Castes and Scheduled Tribes

On April 17, 1973, the Vidhan Sabha discussed the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1969-70 which was laid on the Table of the House on March 27, 1973.

Fifth Five Year Plan

On April 19, 1973 the Vidhan Sabha held discussion on a Motion regarding the Approach to the Fifth Five Year Plan for Punjab State, which was laid on the Table of the House on March 28, 1973.

Substantive Motion

On April 18, 1973, while referring to an Adjournment Motion which had been converted into a Call-Attention Notice by the Speaker, a Member quoted a newspaper report in which allegations had been levelled against some M.L.A's. This reference was resented by some Members of the Treasury Benches and Ministers who insisted that all the remarks containing these allegations and the debate thereon be expunged from the record of the proceedings. The Speaker observed that the Rules did not empower him to order the expunction of the whole debate. However, if the House so desired it could do so, as it was the master of its own procedure. After some further discussion the Education and Revenue Minister tabled the following Substantive Motion, which, when put to the vote of the House, was declared carried:

"That this House disapprove the baseless allegations levelled by Sardar Ajaib Singh Sandhu against Shri Gurmej Singh. These allegations have been made without obtaining the prior permission of the Speaker. So this House expunges all the remarks made by Mr. Sandhu."

Rajasthan

A session of the Rajasthan Legislative Assembly consisting of 35 sittings was held from February 16, 1973 to April 6, 1973.

Legislative Business

During the session, the Assembly passed 16 Government Bills*. 2941 and 274 notices respectively were received for Starred and Unstarred Questions. The number of those admitted as Starred Questions was 1025 and of Unstarred Questions 877. The latter figure included some notices received for Starred Questions. 41 notices were received for Short Notice Questions but none was admitted as such.

Tamil Nadu

The Tamil Nadu Legislative Assembly held its seventh session in two meetings—the first for 9 days from February 2 to 13, 1973, and the second for 32 days from February 26, 1973 to April 5, 1973.

*The Bills passed were as follows:—

1. The Rajasthan Panchayat Laws (Amendment) Bill, 1973
2. The Rajasthan Motor Vehicles Taxation (Amendment) Bill, 1973.
3. The Motor Vehicles (Rajasthan Amendment) Bill, 1973.
4. The Rajasthan Urban Improvement (Amendment and Validation) Bill, 1973.
5. The Rajasthan Urban Property (Restriction of Transfer) Bill, 1973.
6. The Rajasthan Imposition of Ceiling on Agricultural Holdings Bill, 1973.
7. The Rajasthan Lokayukta and Up-Lokayuktas Bill, 1973.
8. The Rajasthan Appropriation (No. 1) Bill, 1973.
9. The Rajasthan Appropriation (No. 2) Bill, 1973.
10. The Rajasthan Appropriation (No. 3) Bill, 1973.
11. The Rajasthan Contingency Fund (Amendment) Bill, 1973.
12. The Rajasthan Appropriation (No. 4) Bill, 1973.
13. The Rajasthan Urban Land Tax (Amendment) Bill, 1973.
14. The Rajasthan Passengers and Goods Taxation (Amendment) Bill, 1973.
15. The Rajasthan Taxation Laws (Amendment) Bill, 1973.
16. The Rajasthan Appropriation (No. 5) Bill, 1973.

Legislative Business

During the session, the Assembly passed 14 Government Bills.* The number of notices received for Starred and Unstarred Questions totalled 3241 and those admitted were 1976 and 71 respectively. Out of 47 notices received for Short Notice Questions, 9 were admitted.

Motion for Removal of Deputy Speaker

On February 5, 1973, Shri K. T. K. Thangamani moved the following Resolution:—

"This House resolves to remove the Deputy Speaker of the Assembly from his Office for his undemocratic and unconstitutional acts on the 2nd December 1972."

The Resolution was discussed, put to vote and declared lost on the same day.

*The Bills passed were as follows:—

1. The Tamil Nadu Stage Carriages and Contract Carriages (Acquisition) Bill, 1973.
2. The Tamil Nadu Co-operative Societies (Amendment) Bill, 1973.
3. The Presidency Small Cause Courts (Tamil Nadu Amendment) Bill, 1973.
4. The Tamil Nadu Water Supply and Drainage Board (Amendment) Bill, 1973.
5. The Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Bill, 1973.
6. The Tamil Nadu District Municipalities (Amendment) Bill, 1973.
7. The Public Wakfs (Extension of Limitation) Tamil Nadu Amendment Bill, 1973.
8. The Tamil Nadu Appropriation (No. 2) Bill, 1973.
9. The Tamil Nadu Appropriation (No. 3) Bill, 1973.
10. The Tamil Nadu Cultivating Tenants (Right to Purchase Land Owners' Rights) Bill, 1973.
11. The Tamil Nadu General Sales Tax (Amendment) Bill, 1973.
12. The Madras City Tenants Protection (Amendment) Bill, 1973.
13. The Tamil Nadu Buildings (Lease and Rent Control) Second Amendment Bill, 1973.
14. The Tamil Nadu Public Men (Criminal Misconduct) Bill, 1973.

Tripura

The Tripura Legislative Assembly held its session consisting of 26 sittings from March 12, 1973 to April 19, 1973.

Legislative Business

During the session, the Assembly passed 7 Government Bills*. The notices received for Starred, Unstarred and Short Notice Questions numbered 1184, 231 and 58 respectively and those admitted numbered 675, 199 and 6 respectively.

Wild Life (Protection) Act, 1972

On March 22, 1973 the Assembly adopted a Government Resolution seeking adoption by the State of Tripura the Wild Life (Protection) Act, 1972 passed by Parliament.

Uttar Pradesh

The session of the U.P. Legislative Assembly which commenced on December 12, 1972 continued beyond March 31, 1973.** During the period January 1, to March 31, 1973, the Assembly held 22 sittings.

Legislative Business

During the above mentioned period, the Assembly passed 15 Government Bills.† Of the 1285 notices of Starred Questions, 476

*The Bills passed were as follows:—

1. The Tripura Educational Institutions (Taking over of Management) Bill, 1973.
2. The Indian Stamps (Tripura Amendment) Bill, 1973.
3. The Tripura Amusements Tax Bill 1973.
4. The Motor Vehicles (Tripura Amendment) Bill, 1973.
5. The Tripura Appropriation (Vote on Account) Bill, 1973.
6. The Tripura Appropriation (No. 2) Bill, 1973.
7. The Tripura Appropriation Bill, 1973.

**See J.P.I., Vol. XIX, No. 2 (April 1973), p: 466:

†The Bills passed were as follows:—

1. The U.P. Sales of Motor Spirit and Diesel Oil Taxation (Amendment) Bill, 1973.
2. U.P. Contingency Fund (Second Amendment) Bill, 1973.

were admitted, and out of 2198 notices of Short Notice Questions, 156 were admitted. There were no Unstarred Questions.

Constitution (Thirtieth Amendment) Bill, 1972.

On January 19, 1973, the Assembly adopted a resolution seeking to ratify the Constitution Thirtieth Amendment) Bill, 1972 as passed by both Houses of Parliament.

U.P. Legislative Council

The second session of the Uttar Pradesh Legislative Council was held in three spells—from December 12, to 23, 1973 from January 7, 1973 to January 25, 1973 and the third which commenced on March 7, 1973 continued to sit beyond March 31, 1973.

3. The U.P. Municipalities (Second Amendment) Bill, 1972.
4. The U.P. Sales Tax (Amendment) Bill, 1973.
5. The U.P. Unauthorised Medical Educational Institutions (Prevention) Bill, 1972.
6. The U.P. Rural Local Self-Government Laws (Amendment) Bill, 1972. sp'
7. U.P. Tendu Patta (Vyapar Viniyaman) (Sanshodhan) Vidheyak 1972.
8. The U.P. Ceiling on Property (Temporary) Restriction on Transfer (Amendment) Bill, 1973.
9. The U.P. Hindu Public Religious Institutions Prevention of Dissipation of Properties (Temporary Powers) (Continuance) Bill, 1972.
10. The U.P. Kshetra Samitis and Zila Parishads (Alpkalik Vyavastha) (Sanshodhan) Vidheyak, 1973.
11. The Indian Forest (U.P. Amendment) Bill, 1973.
12. The U.P. Appropriation (Supplementary 1972-73) Bill, 1973.
13. The U.P. Zamindari Abolition and Land Reforms (Amendment) Bill, 1973.
14. The U.P. Excise (Amendment) Bill, 1973.
15. U.P. Appropriation (Vote on Account) Bill, 1973.

Legislative Business

During this period, the House passed 14 Government Bills*. The notices received for Starred, Unstarred and Short Notice Questions numbered 774, 31 and 25 respectively while those admitted numbered 614, 31 and 2 respectively.

West Bengal

The West Bengal Legislative Assembly commenced its session from February 9, 1973 and till March 31, 1973 it held 34 sittings.

Legislative Business

During this period, the Assembly passed 22 Government Bills.† The notices received for Starred, Unstarred and Short Notice Questions numbered 1570, 621 and 170 respectively while those admitted numbered 1140, 515 and 25 respectively.

*The Bills passed were as follows:—

1. Uttar Pradesh Viniyog (1966-67 ki Barthi Vyayak Viniyaman) Vidheyak, 1972.
2. Uttar Pradesh Viniyog (1967-68 ki Barthi Vyayaka Viniyaman) Vidheyak, 1972.
3. Uttar Pradesh Viniyog (1972-73 ka Anupurak) Vidheyak, 1972.
4. Uttar Pradesh Vidhan Mandal Sadsyon ki Uplabdhiyan ka Sansodhan Vidheyak, 1972.
5. Uttar Pradesh Rajya Vidhan Mandal (Adhikariyon ke Betan Tatha Bhatte) (Sansodhan) Vidheyak, 1972.
6. Uttar Pradesh Adhiktam Sampati Seema (Antaran Par Asthal Nirbandhan) (Sansodhan) Vidheyak, 1972.
7. U.P. Municipalities (Second Amendment) Bill, 1972.
8. U.P. Gramya Swayatta Sashan Vidhi Sansodhan Vidheyak, 1972.
9. U.P. Avasmukta Nidhi (Amendment) Bill, 1972.
10. U.P. Vikri Kar (Amendment) Bill, 1972.
11. U.P. Viniyog (1972-73 ka Anupurak) Bill, 1973.
12. U.P. Khettra Samiti Tatha Zila Parishad (Alpkalik Vyavastha) (Amendment) Bill, 1972.
13. U.P. Viniyog (Lekhanudan) Vidheyak, 1973.
14. U.P. Motor Spirit & Diesel Oil Vikri Karadhan (Amendment) Bill, 1973.

†The Bills passed were as follows:—

1. The West Bengal Restoration of Alienated Land Bill, 1973.
2. The West Bengal Cess (Amendment) Bill, 1972.

Take-over of Whole-sale Trade in Rice and Wheat

On February 23, 1973 the Assembly discussed and adopted the following Private Member's Resolution moved by Shri Satya Ghosal, as amended:—

"This Assembly is of opinion that in order to check spiral rise in prices of daily necessities and essential commodities, the wholesale trade in wheat and rice be taken over by the Government and distribution of these commodities be made through public distribution system by providing for adequate number of fair-price shops in rural and urban areas."

3. The West Bengal Estates Acquisition (Amendment) Bill, 1972.
4. The West Bengal Settled Estates (Repealing) Bill, 1973.
5. The West Bengal Land (Requisition and Acquisition) (Amendment) Bill, 1973.
6. The Shri Aurbindo Memorial (Amendment) Bill, 1973
7. The West Bengal Gambling and Prize Competitions (Amendment) Bill, 1972.
8. The Bengal Motor Vehicles Tax (Amendment) Bill, 1973.
9. The Bengal Excise (Amendment) Bill, 1973.
10. The West Bengal Duty on Inter-State River Valley Authority Electricity Bill, 1973.
11. The West Bengal Taxation Laws (Amendment) Bill, 1973.
12. The West Bengal Mining Settlements (Health and Welfare) (Amendment) Bill, 1973.
13. The Police (West Bengal Amendment) Bill, 1973.
14. The Bengal Co-operative Societies (Amendment) Bill, 1973.
15. The Bengal Wakf (Amendment) Bill, 1973.
16. The Motor Vehicles (West Bengal Amendment) Bill, 1973.
17. The Murshidabad Estate (Trust) (Amendment) Bill 1973.
18. The Calcutta Metropolitan Water and Sanitation Authority (Amendment) Bill, 1973.
19. The Sri Ramkrishna Sarada Vidya Mahapitha Bill, 1973.
20. The West Bengal Appropriation Bill, 1973.
21. The West Bengal Appropriation (No. 2) Bill, 1973.
22. The West Bengal Molasses Control Bill, 1973.

(a) General

The Pondicherry Legislative Assembly held two sessions: one from February 8 to 10, 1973 with 3 sittings, and the second, the Budget session from March 26, to April 28, 1973.

Legislative Business

During the first session, the Assembly passed one Bill*. The notices received for Starred, Unstarred and Short Notice Questions numbered 47, 8 and 1 and those admitted numbered 45, 8 and 1 respectively.

During the Budget Session, the Assembly passed 10 Bills.**

The Budget

The Budget for the year 1973-74 was presented to the Assembly on March 26, 1973 and the General Discussion thereon took place on March 30, April 2 and 3, 1973. The Demands for Grants for the year 1973-74 were voted upon by the House from April 4, to 27, 1973.

*The Pondicherry Municipal Decree (Levy and Validation of Taxes, Duties, Cesses and Fees) Bill, 1973.

**The Bills passed were as follows:—

1. The Pondicherry Pawn Brokers (Amendment) Bill, 1973.
2. The Pondicherry Revenue Recovery Bill, 1973.
3. The Appropriation (No. I) Bill, 1973.
4. The Appropriation (Vote on Account) Bill, 1973.
5. The Appropriation (No. II) Bill, 1973.
6. The Appropriation (No. III) Bill, 1973.
7. The Pondicherry Municipalities Bill, 1973.
8. The Pondicherry Village and Commune Panchayats Bill, 1973.
9. The Pondicherry Hindu Religious Institutions (Amendment) Bill, 1973.
10. The Pondicherry Cultivating Tenants (Payment of Fair Rent) (Amendment) Bill, 1973.

POLITICAL AND CONSTITUTIONAL DEVELOPMENTS IN THE STATES*

[March 1, 1973 to May 15, 1973]

(a) General

By-election to Lok Sabha

Shri Madhu Limaye (SP) was declared elected to the Lok Sabha on April 19, 1973 from Banka Parliamentary Constituency in a by-election, defeating his nearest rival, Shri Vasudev Yadav (CPI). The by-election was necessitated by the death of Shri Shiv Chandika (Congress).¹

(b) States

ANDHRA PRADESH

Parliament Approves President's Rule in the State

Both Houses of Parliament, on March 1, 1973 passed Resolutions approving the Proclamation imposing President's Rule in Andhra Pradesh.²

Andhra separatists Quit Congress to Join New Party

Separatist Andhra MPs and legislators on March 18, 1973, decided to quit the party with immediate effect and form a regional party. A meeting of the separate Andhra Action Committee held in Chittoor on March 18, also unanimously resolved that all the 85 MLAs, 29 MLCs, 15 MPs and DCC presidents and others who had submitted

*This feature prepared by the Library, Research and Information Service (Lok Sabha Secretariat) is based on newspaper reports and no responsibility is accepted by the Lok Sabha Secretariat for the accuracy of the information or views contained therein.

¹*Hindustan Times*, April 20, 1973.

²*Times of India* (New Delhi), March 2, 1973.

their resignations to the Congress President on January 27, 1973 ceased to be members with immediate effect. The meeting appointed a five-member committee under the chairmanship of a former Minister. Shri D. Munuswamy, to decide the name of the party and draft its constitution taking into account the economic programme envisaged in the Congress manifesto of 1973.³

Andhra Government Employees End Strike

The 108-day old strike of Andhra Government employees was called off on March 25, 1973. The calling-off of the strike, according to the Convener of the Joint Council of Andhra Employees' Unions and Associations, did not mean that they had given up the demand for a separate Andhra State. The Andhra Government employees, including the NGOs, first started a 10-day time bound strike on December 7, 1972 demanding repeal of Mulki Rules, abolition of the Telengana Regional Committee and abolition of separate budgets. This was immediately followed by another 10-day strike. At the end of the two phases of time-bound strikes of ten days each, the Joint Council of Andhra Employees Unions and Associations launched an indefinite strike demanding a separate Andhra State.⁴

P.M. has open mind on the Andhra Problem

The Prime Minister was reported to have told the separatist and integrationist leaders from Andhra Pradesh on April 5, 1973 that any solution of the political crisis in the state should be satisfactory to the people of both regions. The separatist leaders Dr. Chenna Reddy and Shri K. Suryanarayana, and the integrationist leader, Shri P. Venkata-subbaiah were among those who met her in New Delhi on April 5. The Prime Minister assured the State leaders that she had an open mind and that she would consider all aspects of the problem, including bifurcation.⁵

Samithi Group Leader Quits Assembly

The leader of the Swatantra-Telengana Praja Samithi group in the suspended Andhra Pradesh Assembly Shri B. Ratnasabhapathy, resign-

³*Statesman* (Delhi), March 25, 1973.

⁵*Hindustan Times*, New Delhi, April 6, 1973.

ed from the Assembly on April 11, 1973 to express "the resentment of the people against the manner in which the Prime Minister is treating the popular movement in Andhra". The other Swatantra member Shri Venkat Rao resigned from the party to become an independent member.⁶

Integrationists' Call to preserve State's Unity

The former Chief Minister, Shri P. V. Narasimha Rao, the Assembly Speaker, Shri P. Ranga Reddy and 35 other integrationist Congress legislators from the Andhra and Telengana regions in a statement issued at Hyderabad on April 21, 1973, said that they would create an "atmosphere of trust" between the people of the two regions, so that the method and timing for removing the restrictions in one region "may be objectively determined for immediate implementation". They assured the people of Andhra Pradesh that "we have already addressed ourselves to this task and hope to evolve a satisfactory solution shortly."⁷

New Andhra Pradesh Bifurcation Body Formed

A common platform to work unitedly for bifurcation of Andhra Pradesh was created on April 23, 1973 with the formation of a committee by the separatists belonging to non-Congress, non-Communist opposition parties. The new body, which would be known as "Jai Andhra-Jai Telengana Karyacharana Samithi" would coordinate all programme for expeditious achievement of bifurcation.⁸

Integrationist want Mulki Rules to go

A batch of 16 integrationists including seven MLAs and eight former Ministers of Andhra Pradesh met the Prime Minister in New Delhi on April 25, 1973 and discussed with her the situation in the State. They told her that she should have no hesitation in scrapping the Mulki Rules if that was necessary to preserve the integrity of the State. They also suggested abolition of the Telengana Regional Committee and appointment of a development board for all the backward regions in the State. Shri P. Ranga Reddy, Speaker of the State Assembly also met the Prime Minister separately. They all pointed out

⁶*Ibid.*, April 12, 1973.

⁷*Hindu*, April 22, 1973.

⁸*Times of India*, April 24, 1973.

that the situation in the State was fast returning to normal and wanted the Centre to take a number of steps to make it possible to restore popular Government in the State. The Prime Minister was understood to have agreed with them that popular government should be restored only after all the outstanding issues had been settled and there was no danger of peace being threatened again.⁹

Andhra Pradesh Separatists not to form New Party

The general body of the Andhra Congress Action Committee which met at Hyderabad on May 5 and 6, 1973 under the presidency of Shri B. V. Subba Reddy warned the Centre that if it failed to take "any positive steps to meet the demand of the people of Andhra region for a separate state", then it would "accentuate the frustration of the people and further embitter their feelings and imperil normalcy" in the region.

While holding out this threat in a resolution adopted unanimously, the general body reversed its own earlier resolution adopted at Chittoor in March, when it said in the present resolutions that "this conference trusts that the Centre will concede the demand for the formation of a separate Andhra State without any further delay and that we will not be forced to form a new party as per the Chittoor resolution."¹⁰

In another resolution, the Conference repudiated Shri P. V. Narasimha Rao's claim for leadership of the Congress Legislature Party and appealed to the Congress High Command not to recognise his leadership. It accused Shri Rao of being responsible for "the present sorry state of affairs" including the imposition of President's rule particularly when the party enjoyed overwhelming majority in the legislature.¹¹

The Andhra State Congress Action Committee constituted two sub-committees one to coordinate the activities of the separatist Congress legislators and MPs from the Andhra and Telengana regions and the other, with Shri D. Munuswami as convener, to chalk out a programme of action to "launch a struggle" to achieve a separate State.¹²

⁹*Hindustan Times*, April 26, 1973.

¹⁰*Ibid.*, May 7, 1973.

¹¹*Ibid.*

¹²*Ibid.*

Telengana Leaders' Bid to Break Deadlock

The Chairman of the Telengana Regional Committee, Shri K. Rajamallu and seven former Ministers in a Joint statement issued at Hyderabad on May 19, 1973 said that the time had come to grapple with the political and economic problems facing the State. Calling for an early restoration of the democratic and parliamentary institutions in the State, the signatories wanted, among other things, a statutory development board to look after the development of all backward areas of the State and parity in job opportunities through decentralisation of recruitment. The question of leadership of the Congress legislature party should be left to the national leadership and the party, they said. The former Ministers who had signed the statement were: Sarvashri J. Vengal Rao, T. Anjaiah, P. Narsa Reddy, Thayagriva Chary, K. Prabhakar Reddy, M. R. Shyam Rao and K. Bhim Rao.¹³

Centre not to impose solution on Andhra

The former State Chief Minister Shri Narasimha Rao held talks with the Prime Minister and other Central leaders in New Delhi on May 21, 1973 on the Andhra problem. The Prime Minister was reported to have told Shri Rao that the leaders of the two regions should find a mutually acceptable solution and should not expect any initiative from the Centre. In any case, the Centre was against any hurried solution. The discussions also revealed that there was no proposal to revoke President's rule in Andhra at present in spite of the improvement in the law and order situation there.

The former Chief Minister denied that he had brought with him any formula to resolve the tangle. He said that he had acquainted the Prime Minister and other leaders with the latest situation in Andhra. He had informed them that the Congress MLAs of the two regions "are now moving in a direction which may help in evolving an acceptable solution". He had not discussed any particular proposal with the Prime Minister and other leaders.¹⁴

ASSAM

Decision on Language Issue Rescinded

The Assam Legislative Assembly on March 23, 1973 unanimously

¹³*Times of India*, May 21, 1973.

¹⁴*Ibid.*, May, 22, 1973.

adopted three Private Members' resolutions rescinding its earlier resolution of September 23, 1972 on the medium of instruction in universities in Assam.

The earlier resolution had provided for a separate university for Cachar and for Assamese being the main and English the alternative medium of instruction in Gauhati and Dibrugarh universities. It would be recalled that widespread language disturbances took place in the State in the wake of the September 23

Supply Minister's Portfolio Withdrawn

The portfolios of Shri Mohitosh Purkayastha, Supply Minister were on March 27, 1973 withdrawn by the Governor on the advice of the Chief Minister, Shri Sarat Sinha and reallocated to the Chief Minister to facilitate disposal of Assembly work. Shri Purkayastha had not been attending the Assembly Session in accordance with the directive issued by the Cachar Language Implementation Committee to all the 14 MLAs, including two Ministers, from the district to boycott the Dispur Session of the Assembly till a solution to the medium of instruction was found.¹⁶

By-election to State Assembly

Shri Samsul Haque (Congress) was on April 3, 1973 declared elected from the Goalpara Assembly constituency in a by-election defeating his nearest rival, Shri Afzalur Rahman, an Independent by over 9,000 votes.¹⁷

MLA's Election Held Void

The Gauhati High Court on April 30, 1973 held void the election of Shri Abdul Hussain Mir (Congress) to the Assam Assembly from the Dhing constituency in 1972. The judgment was on an election petition filed by the defeated candidate Shri Shamsul Huda (Independent). The Court held the returned candidate guilty of corrupt practices and bribery.¹⁸

¹⁶*The Statements* (Delhi) and *Times of India* (N. Delhi), March 24, 1973.

¹⁶*Times of India* March 28, 1973 and *Statesman Weekly*.

¹⁷*Statesman* (Delhi) April 4, 1973.

¹⁸*Times of India*, May 2, 1973.

GUJARAT

New Governor Sworn in

Shri K. K. Vishwanathan was on April 4, 1973 sworn in as Governor of Gujarat.¹⁹

HARYANA

Independent MLA Unseated

The Punjab and Haryana High Court on May 1, 1973 declared void the election of Shri Umed Singh (Independent) from Meham constituency to the Haryana Assembly. Allowing the election petition of Shri Raj Singh Dalal, the defeated Congress candidate, the Court held the returned candidate guilty of corrupt practices and bribery.²⁰

HIMACHAL PRADESH

Shri Mela Ram Saver, an Independent member of Himachal Assembly, on March 30, 1973 joined the Progressive Front in the House. The party position in the 68-member House now is: Congress-54 (including the Speaker), Progressive front-8, Jan Sangh-5 and CPM-1.²¹

KERALA

New Governor Sworn in

Shri N. N. Wanchoo was on April 1, 1973 sworn in as Governor of Kerala.²²

NN

MADHYA PRADESH

No-Confidence Motion Defeated

A no-confidence motion against the Sethi Ministry, moved by Shri K. C. Joshi (J.S.), leader of the Opposition, was defeated in the Madhya Pradesh Vidhan Sabha on March 7, 1973, by 219 votes to 37.²³

¹⁹Statesman, April 5, 1973.

²⁰Ibid., May 2, 1973.

²¹Hindustan Times, March 13, 1973.

²²Times of India, April 2, 1973.

²³Statesman (Delhi), March, 7, 1973.

MAHARASHTRA

No-confidence Motion Against Naik Ministry Defeated

The Maharashtra Assembly, on March 31, 1973, rejected by voice vote a no-confidence motion against the Naik Ministry sponsored by the Opposition parties—the Peasants and Workers Party, Jana Sangh, Muslim League, Socialist Party and the rebel Congress group.²⁴

MANIPUR

Ten MLAs Quit Ruling Party

Ten members of the Manipur Legislative Assembly on March 15, 1973, left the ruling United Legislature Party and withdrew their support to the one-year-old Mohammad Alimuddin ministry. The ten members, including two Ministers and the Deputy Speaker, who formed themselves into the "Progressive Independent Group" joined hands with the Congress and the CPI to emerge as the single largest group with a strength of 32 in the 60-member Assembly. The three-party front known as the Progressive Democratic Alliance asserted its majority in the Assembly and telegraphically urged the Governor to "dismiss the minority ministry headed by Mr. Mohammed Alimuddin."

In the wake of the resignations, Speaker L. Chandramani Singh adjourned *sine die* the Budget Session of the Assembly due to what he described as "the law and order situation near the Assembly building". With these resignations from the ULP, the party-wise break-up in the House stood as follows: Congress-17, CPI-5, Progressive Independent Group-10, United Legislature Party-27, one seat was vacant due to the death of a member.²⁵

Governor advises Chief Minister to face Assembly

The Governor, Shri B. K. Nehru on March 16, 1973, advised the Chief Minister to face the Assembly on March 22, 1973 for a trial of strength. The Chief Minister communicated the Governor's advice to the Speaker.²⁶ After consulting the Governor, the Speaker summoned the Assembly to meet on March 22, 1973.²⁷

²⁴*Ibid.*, April 1, 1973.

²⁵*Hindustan Times*, March 16, 1973 and *Indian Express*, March 23, 1973.

²⁶*Hindustan Times*, March 17, 1973.

²⁷*Ibid.*, March 19, 1973.

Governor accepts Resignations of Two Ministers

On March 16, 1973, the Governor accepted the resignations of Shri Ngrurdienglien, Development Minister and Shri Hol Khomang, Minister of State for Industries, who had on March 15, submitted their resignations to the Chief Minister.²⁸

No-confidence Motion-against Speaker

On March 17, 1973, the Opposition Progressive Democratic Alliance in the Manipur Assembly gave notice of a no-confidence motion against the Speaker, Dr. Chandramani Singh for the "abrupt adjournment of the House on March 15, during the budget session and arbitrary exercise of power and lack of impartiality in giving ruling by the Speaker."²⁹

Congress MLA Joins ULP

On March 20, 1973 Shri Hao Kholal Thangjom MLA resigned from the Congress and joined the United Legislature Party. With this, the latest party position in the Assembly was: combined Opposition comprising the Congress, CPI and Independents—31 and ULP—28. One seat was vacant.

Ministry Resigns: House Adjourned

A no-confidence motion supported by 31 members of the Progressive Democratic Alliance was moved in the Assembly on March 22, 1973. The Opposition charged the Ministry mainly with corruption.³¹ The debate on the motion continued for three days. On March 26, while the motion was under discussion for the third day, the Chief Minister and his Cabinet colleagues submitted their resignations to the Governor. The Chief Minister advised the Governor to dissolve the Assembly and hold a fresh poll in the State as early as possible. The Governor accepted the resignations and asked the Chief Minister to continue in office till alternative arrangements were made.³²

The Speaker, Dr. Chandramani Singh later adjourned the House without further discussion on the motion after announcing in the House

²⁸*Statesman* (Calcutta), March 17, 1973.

²⁹*Hindustan Times*, March 19, 1973.

³⁰*Statesman*, (Calcutta), March 21, 1973.

³¹*Statesman* (Delhi), March 23, 1973.

³²*Ibid.*, March 27, 1973.

that the Chief Minister, Shri Alimuddin had submitted his resignation to the Governor and he was, therefore, adjourning the House *sine die* "since there is no popular Ministry in Manipur."⁸³

President's Rule imposed in the State; Assembly Dissolved

The Governor, Shri B. K. Nehru on March 27, 1973, in his Report to the President recommended that the President's Rule be introduced in the State and the Assembly be kept in a state of suspended animation to make it possible to form an alternative stable Government. However, on the advice of the Union Cabinet, the President on March 28, 1973 issued a Proclamation under Art. 356 of the Constitution taking over the administration of the State and also simultaneously dissolving the State Assembly.⁸⁴

Proclamation on Manipur Approved by Parliament

The Proclamation imposing President's Rule in Manipur was approved by Rajya Sabha on March 31, 1973,⁸⁵ and Lok Sabha on May 14, 1973.⁸⁶

ORISSA

Satpathy Ministry Resigns

The Orissa Chief Minister, Shrimati Nandini Satpathy, submitted the resignation of her Council of Ministers to the Governor on the morning of March 1, 1973, shortly before the Assembly was due to meet, and advised him to dissolve the Legislative Assembly. The Governor accepted the resignation, prorogued the Assembly and requested Shrimati Satpathy to continue in office until alternative arrangements were made.⁸⁷

Explaining the reasons for the resignation of the 8-1/2 month-old Ministry, Shrimati Satpathy said in a statement that the Deputy Chief Minister, Shri Nilamani Routray, and the Minister for Tribal and Rural Welfare, Shri Gangadhar Pradhan, were engaged in "intrigues" against the Government and it was becoming "impossible for us to give undivided attention to the problems of the State."⁸⁸

⁸³*Times of India*, March 27, 1973.

⁸⁴*Ibid.*, March 29, 1973.

⁸⁵*Hindustan Times*, April 1, 1973.

⁸⁶*Times of India*, May 15, 1973.

⁸⁷*Hindustan Times* March 2, 1973.

⁸⁸*Times of India*, (New Delhi), March 2, 1973.

Later in the day, Shrimati Satpathy forwarded to the Governor the resignations of Shri Nilamani Routray, and Shri Gangadhar Pradhan, and asked for reallocating their portfolios to her, which he did.³⁹

Patnaik Stakes Claim to form Alternative Ministry

Within hours of Shrimati Satpathy's resignation, Shri Biju Patnaik, leader of the Pragati Legislature Party, met the Governor and put forth his claim to be invited to form an alternative Ministry. In a letter handed over to the Governor, Shri Patnaik enclosed a letter from the Secretary of the State Legislature, "indicating" the strength of the Orissa Pragati Party as 72 in the 140-member Assembly. Besides, Shri Patnaik claimed, the party had the support of the CPM (two Members), Jharkhand (two Members), and two independents, which the Governor might verify.⁴⁰

Later, in the afternoon, the Opposition Pragati Legislature Party led by Shri Patnaik "paraded" seventy five MLAs before the Governor at the Raj Bhavan "to demonstrate its strength in the 140-member State Assembly." The Governor told Opposition leaders and MLAs that he would take a decision on the future political set up in the State "at an appropriate time and after reviewing the entire situation".⁴¹

Speaking to newsmen at Bhubaneswar on March 2, 1973, Shri Patnaik challenged the claim of the Chief Minister that she enjoyed the support of a majority of legislators when she rendered her resignation to the Governor at 6.30 A.M. on March 1, 1973. Shri Patnaik insisted that 21 members of the Congress legislature party had sent in their resignations from the party to the Speaker at 6 A.M. His claim could be verified from the time noted by the Speaker himself on the copy of the letter. Shri Patnaik said that even before the Cabinet met to take a decision to resign, the Government had lost its majority. Shrimati Satpathy had, therefore, forfeited the right to advise the Governor on the course of action to be taken by him. The Governor ought to have rejected any advice as being invalid.⁴²

The Chief Minister, however, reiterated that she had every reason to claim that she had majority support as neither Shri Nilamani Routray,

³⁹*Ibid.*, March 6, 1973.

⁴⁰*Ibid.*

⁴¹*Hindu*, March 2, 1973.

⁴²*Times of India* (New Delhi), March 3, 1973.

former Deputy Chief Minister, nor Shri Gangadhar Pradhan had sent in his resignation from the Cabinet. None of the party members had also intimated to her that they had decided to quit the party.⁴³

President's Rule Imposed

On March 2, 1973, the Governor sent a report to the President recommending the immediate imposition of the President's Rule in Orissa and dissolution of the State Assembly. In his report, the Governor said that he had come to the conclusion after exploring various possibilities that an alternative Government could not be formed by the Pragati Party led by Shri Biju Patnaik. In view of the shifting loyalties, any such government, which might be formed, would not be stable. The Governor rejected the Opposition contention that Shrimati Satpathy had lost her majority in the legislature when she advised him to dissolve the Assembly. The Governor observed that till Shrimati Satpathy recommended to him prorogation as well as dissolution of the Assembly, "I had no indication from any of the legislators of the ruling party that they would withdraw support to the Ministry."⁴⁴ The Governor also referred to the redefection of two MLAs to the Congress after the Pragati Party's supporters had been paraded before him, and said that this had further weakened Shri Patnaik's claim to form a Ministry.⁴⁵

On the basis of the Governor's report and the Union Cabinet's advice, the President, on March 3, 1973, issued a Proclamation under Article 356 of the Constitution taking over the administration of the State and dissolving the State Assembly to pave the way for fresh elections.⁴⁶

Pragati Party Formed

With the dissolution of the Orissa Assembly and the imposition of President's Rule in the State on March 3, 1973 the Opposition Legislature Pragati Party converted itself into Orissa Pragati Party. The decision was taken at a meeting of the former legislators and leaders of the constituents of the legislature party—Swatantra, Utkal Congress and the Independent Congress Group. The Jharkhand Party also joined the new party. A 13-member action Committee was set up with Shri Biju Patnaik as its Convener.⁴⁷

⁴³*Ibid.*,

⁴⁴*Ibid.*, March 6, 1973.

⁴⁵*Ibid.*, March 4, 1973.

⁴⁶*Ibid.*,

⁴⁷*Times of India*, (Bombay), March 4, 1973.

Proclamation on Orissa Approved by Parliament

The Proclamation imposing President's Rule in Orissa was approved by Rajya Sabha and Lok Sabha on March 21, 1973 and March 26, 1973 respectively.⁴⁸

TAMIL NADU

Mathialagan Joins Anna DMK

The former Speaker of the Tamil Nadu Assembly, Shri K. A. Mathialagan on March 10, 1973, joined Anna DMK.⁴⁹

Election of DMK MLA Set Aside

Shri P. Malaichami, a successful candidate who had secured a majority of 127 votes in the first count made by the returning officer, and a reduced majority of 75 votes on a precise recomputation lost his seat in the Tamil Nadu Assembly under a judgment delivered by the Supreme Court on April 18, 1973. Shri Malaichami had been declared elected from the Melur constituency in Madurai district. On the basis of the issues framed in the election petition, the court investigated and calculated the quantity of invalid votes counted in favour of Shri Malaichami and found that this made his total valid votes lesser than the total votes polled by Shri Ambalam by 96. Shri Malaichami's election was, therefore, declared invalid and Shri Ambalam declared duly elected.⁵⁰

UTTAR PRADESH

Congress MLA Joins BKD

Shri Banarsi Ram, member of the Uttar Pradesh Vidhan Sabha on March 14, 1973 resigned from the Congress and rejoined the BKD. The strength of the BKD in the 436-member House has now risen to 44.⁵¹

WEST BENGAL

By-election to State Assembly

Shri Supriya Bose (Congress) was on April 9, 1973 declared

⁴⁸*Times of India*, (New Delhi), March, 22 and 27, 1973.

⁴⁹*Statesman* (Delhi), March 11, 1973.

⁵⁰*Hindustan Times*, April 19, 1973.

⁵¹*Times of India* (New Delhi), March 16, 1973.

elected to the State Assembly from the Howrah (North) constituency defeating his only rival, Shri Bhupati Nath Bhanja (Congress-O), by 29,283 votes.⁵²

(c) Union Territories

PONDICHERRY

Deputy Speaker Joins DMK

Shri Kami Chetty (Independent) Deputy Speaker of the Union Territory's Legislative Assembly had joined the DMK, the Chief Minister said on March 2, 1973. With this, the party position in the 30-member Assembly was: DMK-16, Congress 7, CPI 30, Congress (O)-3, and Independent one.⁵³

CPI Minister Resigns

The CPI on March 26, 1973 quit the ruling coalition in Pondicherry. Shri V. Subbiah, the only CPI Minister in the Cabinet handed over his resignation letter a short while before the Budget Session of the Assembly began on March 26, ending the four-year association between his party and the DMK. The strength of the CPI in the Assembly was three. Speaking to newsmen in Pondicherry, on March 26, Shri Subbiah alleged "police repression" on Anna DMK volunteers and labourers and also complained that the Chief Minister had failed to take any action on land ceilings despite his assurance during the previous budget.⁵⁴

The resignation of Shri Subbiah was accepted by the President.⁵⁵

⁵²*Statesman*, April 10, 1973.

⁵³*Ibid.*, March 24, 1973.

⁵⁴*Times of India*, March 27, 1973.

⁵⁵*Statesman*, March 29, 1973.

Book Reviews

ADMINISTRATORS IN A CHANGING SOCIETY by
C. P. Bhambhri, National, Delhi, 1972, 160 p., Rs. 35.

Mr. Bhambhri's book '*Administrators in a Changing Society*' is a collection of articles written by him at different times between the years 1968 and 1972. It is understandable, therefore, that the result is somewhat disappointing. Its major value is that it has brought together a great quantum of material relevant to a fuller understanding of the problems that face the country in respect of its administrative structure and composition. Nevertheless, the book at no stage gets to grips with its main theme which provided the title of the book. Nowhere has the author attempted a definition of 'changing society' in the Indian context. Obviously when a country becomes independent, and throws overboard the colonial concept of the functions of government, a radical change in attitudes must ensue. The Government is anxious to push forward with its plans and projects for increasing the prosperity of the country and raising the standard of living of the people. Its policies embrace inevitably a vast variety of subjects, and it is anxious to see that these policies are implemented efficiently and expeditiously. In practice, however, the process of implementation tends to fall far short of what is sought to be achieved, and for this the scapegoat is found in the civil servant and his so-called ineptitude. In reality, of course, the fault lies elsewhere.

It has become the fashion since Independence to say that the administrative organisation, set up by the British, was primarily to maintain law and order and therefore neither that administrative structure nor the civil servants working under it could serve the purposes of the Government of an independent country, interested primarily in development programmes, designed to achieve social justice and a self-reliant economy. In reality, there is no reason to think that a 'law and order' administration requires a different kind of administrative machinery from that necessary for a development-oriented administration. Law and Order is vital for achieving

development at a satisfactory rate. A development-oriented administration needs an administration capable of maintaining law and order, so that development can proceed unhampered. Those who manned the civil service in the British days stemmed from the same strata of society from which were drawn the 'freedom fighters' and it is no exaggeration but a mere statement of fact that the civil servants in the administration when independence was ushered in were no less jubilant than the rest of the population, and gave both tacit and explicit evidence of their readiness to work for the country's consolidation, stability and development. Civil servants are as loyal and patriotic as any other Indians: they possess the same virtues and have the same shortcomings.

The author has indeed no basis for his claim that the 'Indian bureaucracy', both in terms of area of activity and numbers, is able to exercise crucial influence in the corridors of power. Mere numbers and area of activity may provide the opportunity for exercising crucial influence but does not necessarily do so. Bureaucracy indeed has tended to exercise steadily decreasing influence on policy since Independence. The politicians' influence has tended, on the other hand, to increase both in so far as formulation of policy is concerned as also in its implementation. The sphere of governmental activity has been steadily increasing since Independence and that in turn inevitably increases the strength of the civil servant in terms of numbers. The civil servant's power and influence over the general public has also tended to increase but only in the sense that the number of laws and regulations having increased enormously the civil servant is brought more and more frequently in touch with the general public. This contact instead of resulting in greater understandings between the civil servant and the ordinary people has been the case of moral degeneration of both.

Serious delays in the disposal of work occur, and this fact alone has led to enormous increase in corruption, for whomsoever it be, right or wrong, favouring this group or that group or this individual or that individual. Because of the greater area of governmental control, a regime of permits and licences has come into being, and this places enormous power in the hands of civil servants. Unfortunately, the power is abused and the evil of corruption has spread very widely. There has indeed developed an unholy alliance between the politicians and the civil servants and because of the growing influence of the politician whether in office or outside, the

opportunities for converting this influence into some positive and private material gain abound. The average citizen is so demoralized that he now accepts acts of most blatant dishonesty without batting an eyelid: there prevails a general atmosphere of helplessness. Several competent commissions and experts have examined the problem and submitted their respective recommendations but they have remained largely unimplemented and the situation continues to worsen.

The greater part of the book is concerned with a close analysis of the higher echelons of the various civil services, the background of those who compose them, social economic, educational; their training after selection; and generally their ability "to meet the requirements of social and economic changes along socialist lines". The conclusions that emerge from this detailed analysis are interesting, but do not help in proving any of the various views that exist regarding the composition of these higher services and the attitudes of their members. Thus, while a fairly high percentage of those who enter the IAS, IFS, etc. come from families, which may be described broadly as upper middle classes, quite a few belong to lower middle classes, parents who are school teachers, subordinate civil servants and small farmers. And the number of these latter is increasing.

The attitudes of the members of these services do not remain static: they change under the influence of the surrounding political, economic and social atmosphere. It would be a mistake, however, to attach too much importance to these facts. One who stems from a lower middle class home does not have greater sympathy with the lot of the less well-off and *vice versa*. Integrity, intellectual or financial, also is the monopoly of no one class or category of persons. And although civil servants are expected to keep off politics, the politicians, including Ministers, are anxious that they, the civil servants, should not remain neutral, but support the policies and programme of their particular party. In fact, the one major casualty, as a result of this type of approach to the role of the civil service, is integrity. As time goes on, we shall wake up to the fact that this is likely to prove disastrous. There can neither be efficiency nor justice in an administration which does not practice a higher standard of moral and material integrity. The whole concept of a neutral civil service derives its justification from this. The concept of committed civil service can be acceptable only if the commitment desired is commitment to one's duty, commitment to the Constitution and the goals set up in it. There need not be any contradiction between this interpretation and the desirability

of civil servants being committed to national objectives and social needs as interpreted and defined by the party in power, for it, too, must be presumed to be acting constitutionally.

—H. M. Patel, M.P.

SECULARISM: PRINCIPLES AND APPLICATION by
J. M. Shelat, published by N. M. Tripathi, Bombay, 1972, Rs. 20.

This monograph is based on the three lectures delivered by Mr. Justice J. M. Shelat, Judge of the Supreme Court of India in memory of late Lala Lajpat Rai, at Lajpat Bhavan, New Delhi. It is a valuable addition to the already rich and voluminous literature on the subject.

The author ranges over the whole expanse, right from the origin, growth and the operation of the concepts of secularism and secular state and the conflicts between the church and the state in western countries to a comprehensive analysis and critical examination of the establishment of a secular state under the Indian Constitution and the scope of freedom of religion as guaranteed by it and determined by judicial decisions.

Although the concept of separation of state from the church can be traced to St. Mark's Gospel which says, "Render unto Caesar the things that are Caesar's and to God the things that are God's", secularism, as a philosophy is relatively modern and was a product of the religious and political thought of the seventeenth and eighteenth Centuries. As a movement it was the result of developments in the middle of nineteenth century. "In its content and character it was ethical, negatively religious with political and philosophical antecedents."

Secularism was a great deal to the life and labours of George Jacob Holyoake, who coined the word in 1851 to differentiate his position from that of Bradlaugh, who regarded religion as a superstition. Holyoake insisted from the very start "that the relations of secularism to religion were to be mutually exclusive rather than hostile. In so far as religion was moral, secularism could have a common ground with it".

The author traces the development of the doctrine and the movement in western countries and explains the significance of the First and the Fourteenth Amendments to the American Constitution. The third chapter of the book is devoted to an examination of the functioning of the secular state in England, Canada, United States and Australia.

The last three chapters deal with the historical developments in India, the working of the secular state under the Constitution and the present position.

The author explains how the acceptance of secularism in India was as much due to the various developments in her history as her exposure to western thought and rule for nearly three centuries. The ideal of a democratic set-up for which the nationalist movement fought implied freedom of religion and faith; indeed "it formed an integral part of the structure of liberty, so that, without the one, the other would be robbed of all its content."

The Preamble to the Constitution of India promises to its citizens justice, liberty including that of belief, faith and religion and equality. Nowhere however, does the Constitution expressly mention secularism as one of its ideals. The Constituent Assembly even declined to insert the expression in the instrument, in spite of attempts to do so by Prof. K. T. Shah. Nevertheless the Constitution brings into existence a secular state as citizenship is conferred without reference to race, religion, caste, creed or sex. The State maintains its impartiality towards all religions by securing to all persons equality before the law and equal protection of the law. No disqualification attaches to any person for appointment to any public post by reason of his caste, religion or sex. Religious freedom is guaranteed under Article 25, only subject to the requirements of public order, morality and health. Religious and linguistic minorities have also been given the right to establish and administer educational institutions of their choice.

In his summing up the learned judge gives an objective appraisal of the post-constitution period. He rightly points out our failure "to resolve the socio-religious contradictions between the various sections of society and to achieve unity and fraternity based on equality proclaimed in the Preamble to the Constitution". Referring to recent events in Bangladesh, he concludes. "Those events have exploded the ill-conceived theory that religious sentiments alone is enough to bring about political unity and cohesion and have proved, if any proof was necessary that theocracy and democracy can never co-exist". We cannot but agree with his epitaph on the two-nation theory.

—Y. S. MAHAJAN, M.P.

Summaries of Books

THE BACKBENCHERS by Peter G. Richards [Published by Faber and Faber, London; 1972; 248 p.]

In this book, the author produces a study of the role and influence of Members, particularly back-bench members; of the British Parliament. It is the author's view that though Parliament is still dominated by political parties, Members now claim more freedom of action than in the post-war years, they have better facilities, higher pay and they are more likely to ignore the whips. Other changes noted by the author as regards the role and influence of Members are: back-benchers acting in unison exercise more influence over public policy; they have become much more active; executive action is now subject to much fuller scrutiny by select committees; procedural changes permit more efficient use of parliamentary time; private members' legislation has become more important; Members display more independence in the division lobbies.

Political Activities of Members

The political activities of Members are multiplex. They may be public or discreet; they may be individual or collective; they may stem from personal enthusiasms or be prompted by persuasions from extra-parliamentary sources. The more important an issue, the greater the probability that the reactions of Members will be public, collective and dictated by party opinion. The channels for their activities are also diverse. Members may write letters to *The Times* or to their own political leaders: when the prospect of a British withdrawal from Port Said was first mooted nearly 80 Conservative Members were reported to have written letters urging the Cabinet to 'stand firm'. Groups of Members pressing a particular policy may assume a semi-permanent form e.g. the left-wing "Tribune" group of Labour Members and the right-wing 'Suez Group' of Conservatives in the nineteen-fifties. Should a group stray too far from official party policy it will attract the displeasure of the Whips and, especially in the Labour Party, issues of party discipline will emerge. Members may also take a leading role in public associations with avowedly political objects—witness the support given by Members to the various associations formed to

support or oppose Britain's entry into the European Common Market. Members also ventilate their view by tabling motions on the Common's Order Paper, not in the expectation of securing a debate, but for propaganda purposes and in order to test the feeling of the House. Other Members who agree with the resolution may add their names.

Signatures to motions do provide a useful guide to the opinions of individual Members on issues that cause dissension within parties. An allied technique is to table an amendment to an official motion that is due for debate; in November 1970, 100 Labour Members supported an amendment to their own Party's motion on defence policy.

The Ministers and the Back-benchers

Meeting between Members and Ministers are frequent and may be held in an atmosphere of intimacy and cordiality, for the Ministers of today are the backbenchers of yesterday and are on good personal terms with most Members, other than new-comers. Under the present Conservative Government a weekly gathering of Junior Ministers is addressed by a Member of the Cabinet. This arrangement has a double purpose. Not only does it ensure that junior Ministers themselves are more fully appraised of the development of official policy, but it helps them to discuss current issues with backbenchers far more effectively. Many chances for casual conversation occur within the precincts of the House, although with the growing pressure of Departmental business, Ministers—especially senior Ministers—tend to spend more time in their offices. A back-bencher may see a Minister by private appointment, probably arranged through the latter's parliamentary private secretary, or he may press a viewpoint on a Minister as part of a formal deputation. In the debating chamber itself many hours are devoted to the examination of Government policy and the ventilation of grievances; in the committee rooms further attention is given to matters of details.

From time to time Ministers give way and bow to a storm or accept suggestions made by Members; the sum total of such occasions does not represent the extent of the influence of Members. In framing policy, Ministers consult interested parties, inside and outside the precincts of Westminster. Unless political principles or expenditure are involved Ministers will usually try to accommodate the representations they receive, and it may be possible to conciliate potential opponents before a word is said in the House. And Members, if they are wise, will try the tactic of private negotiation; it is much easier for a Minister to change his mind before he has publicly committed himself to a particular course of action.

Committees of Parliament

An assembly of over 600 Members is limited in the tasks it can perform. The House of Commons is well suited to the discussion of broad principles of policy which can be transformed into legislation; it can ventilate particular grievances; it can both echo and stimulate the voice of public opinion. But it cannot exercise intense scrutiny of matters of detail and items of administration. A body of this size cannot usefully study complex memoranda dealing with a particular problem, nor can it engage in the cross-examination of witnesses. So the House has developed a tradition of nominating committees to deal with specific issues. These Select Committees have commonly been given power 'to send for persons, papers and records.' Reports are submitted to the House and may or may not get much further attention. As ministerial control over the civil service improved, the number of such *ad hoc* investigations declined. However, another type of Select Committee emerged, sometimes known as sessional committees because they are appointed regularly each session. These bodies engage in detailed review of some aspect of national administration. In recent years there has been much argument inside and outside Parliament about the appropriate extent and value of these regular investigations. They give Members an opportunity to study government at close quarters and to air views arising out of this experience. The discussion on the role of the Select Committees is very largely a discussion on the proper role of backbenchers in Parliament.

There are two groups of these committees. One is essentially concerned with considering reports from permanent expert staff; this category covers the Public Accounts Committee and the Select Committees on Statutory Instruments and on the Parliamentary Commissioner for Administration. None of these have been controversial. The other group conducts enquiries themselves and includes the Expenditure Committee which replaced the Estimates Committee and the various 'specialised' Select Committees.

Reports of Specialised Committees

The reports of specialised committees appear to have had little influence on government departments. Sometimes a formal official response has been made to their recommendations and sometimes not. The reports should have had some effect in educating public and parliamentary opinion—notably on carbon fibres. Information has been brought together and published which was otherwise not easily available, e.g. on defence research. Only a minority of reports have

been debated in the Chamber. Divisions in committee on party lines have been avoided with the perhaps surprising exception of the Committee on Science and Technology where the recommendations on the nuclear reactor programme caused a Labour—Conservative split. The Government also rejected the recommendations of the same committee on coastal pollution.

A major criticism of the specialised committees is that they tended to move away from the role originally envisaged for them, the scrutiny of government administration. Instead they have occasionally studied topics where the responsibility of government departments is but marginal, *e.g.*, student unrest, or they have tended to become a pressure group favouring a particular policy—perhaps in support of Ministry. The Select Committees on Overseas Aid and Scottish Affairs consisted not of an average cross-section of Members but rather of groups of Members who were especially keen on helping underdeveloped areas or of helping the Scottish economy. Two other factors dull the impact of these specialised committees. Their enquiries tend to be a little academic: they are, indeed, attempts to discover truth. In consequence, they are removed from the immediate anxieties of making decisions; they are also set apart from the clash of party conflict. Results of these labours may be worthy but they are politically unexciting. The other feature is the present multiplicity of public enquiries by royal commissions, departmental committees and a host of other bodies. Another committee of investigation has no novelty value for the news media. So their activities are overlooked. Their reports may go unread even by other Members faced with mass of material awaiting their attention.

The Backbenchers and the Specialised Committees

In spite of doubts and criticisms, most Members who have served on these bodies seem enthusiastic. Certainly, the Agriculture Committee protested bitterly when it was disbanded. Backbenchers who belong to specialised committees are not a typical cross-section of the House because they tend to be 'full-time' Members who devote almost all their energy to parliamentary affairs. They feel that this unusual committee assignment brings them closer to the heart of government, to Ministers, to civil servants and the evolution and operation of policy decisions. Here is a fresh interest, a new role, perhaps a little more status and travel. The unimportant backbencher may make his presence felt just a little. He may help to frame sections of a committee report.

The incoming Conservative Government decided not to turn its back on the new specialised committees. Instead, the experiment has been adopted and continued in those areas where it is most likely to make a positive contribution or satisfy the aspirations of Members.

Members and his Constituents

Constituency business occupies a significant proportion of Members' time. Although many of the tasks must become tedious, they are carried out, in general, with a marked degree of goodwill and enthusiasm. There is political benefit to be gained from building a reputation for being a 'good constituency man', but it is quite wrong to suggest that Members bestir themselves to deal with the problems of electors out of a shrewd calculation of advantage; willingness to give service to others is a traditional feature of the public life of this country. It is now an established social custom that those who have a grievance against a public authority may carry the plea to their Member, and parliamentary candidates know that a penalty of success is that they are expected to become a sort of Citizens Advice Bureau—preliminary court of appeal. A Member is thought to have done his duty if he takes a sympathetic interest in the troubles brought to him and communicates with the appropriate authority.

A Member can offer a constituent various forms of practical help as well as sympathy. He can explain which public authority is responsible for a service and provide its address. He can help to draft a letter to the body concerned. If already there has been correspondence that failed to produce satisfaction, the Members can write personally to the local authority, the public board or the responsible Minister as the case requires. He may try to relieve distress through a voluntary organisation. Some Members from urban areas have a local councillor to assist them with local government problems. If a matter relates to Government Department there are other possibilities. Instead of writing a letter, a Member can put down a parliamentary question or refer the issue to the Parliamentary Commissioner for Administration. In the first instance most Members normally write a letter; should this fail to produce a convincing response they then try one of the other alternatives.

Members are approached by people with a grievance presumably because it is hoped that more favourable treatment can be secured through their intervention. Where it true that a Member could exert influence to secure abnormal generosity by public authorities—the practice would be an abuse and a denial of fair and equal application

of the law. In fact, a Member can guarantee nothing more than that a case will be re-examined in the light of established procedures. Just occasionally when a Member takes up a complaint he may discover that a plain mistake has been made. Where an element of administrative discretion is involved, a Member may argue that his constituent should be given more favourable consideration in the light of special circumstances: this need involve no change in existing practice or regulations. Alternatively, if the decision on a case is inevitable within existing rules, a Member may wish to urge that the rules are unduly harsh and should be changed. By taking a complaint to the responsible Minister, a Member can ensure that he does understand the details of a particular type of situation. The Member can then exert pressure to secure a change in policy. But it is far more difficult to obtain an alternation of policy than it is to have a mistake rectified.

Quality of Members

No precise evaluation can be made about the quality of Members, for there is no agreement on how quality should be measured. The formal educational qualifications of Members are higher than ever before. The amount of attention paid by Members to public policy and constituency problems grows steadily.

But in spite of the fact that Members' lives become more exacting, there are more parliamentary aspirants than ever before. Each vacancy in a safe seat produces a flood of would-be Members' Selection committees may not always make wise choices but any selection process should give better results if a wider range of candidate is available. On this kind of objective evidence it appears that the calibre of Members and their sense of duty is rising, not falling.

Performance of Members

The performance of backbenchers is largely influenced by the way in which they approach their duties. For this purpose they can be divided into four fairly definite categories—the useful party Members, the good constituency Members, the individualists and the part-timers. The first group cover those who make some impact on the House through specialising on particular topics; they will probably hold office on the appropriate party backbench committee; in opposition, they will be prominent on any Standing Committee considering a Bill that comes within their range of expertise; on the government benches, many will become parliamentary private secretaries. They will rarely join in party revolts. They are the obvious candidates for

promotion to ministerial office. The good constituency Members devote more time to local causes and personal cases. Their questions and speeches in the House will have something of a constituency flavour. The individualists are concerned to press items of policy that fall outside the lines of the main party battle. Here are the most colourful personalities who attract above-average publicity.

The part-timers are those Members who combine other activities with their parliamentary duties, perhaps as company directors, at the Bar or in journalism.

These four categories are not mutually exclusive. It is possible that a Member may fit into more than one. An individualist may well be a good constituency Member. A part-timer may be a useful party Member if he has sufficient energy. And the extent to which a Member is drawn into constituency affairs depends partly on his own inclinations and partly on the nature of the constituency. Those who sit for marginal seats may feel a need to spend more time on local problems than those who represent a safe seat. And a slice of contented suburbia, a peaceful or prosperous rural area will demand less attention than depressed areas or those with special problems, e.g., Ulster. Finally, it is possible if unusual, for a Member to move clearly out of one group into another.

Backbenchers and high office

There is a growing tendency for Members to think of Parliament as a full-time or largely fulltime career occupation. The proportion of useful party Members and good constituency Members is growing. Eccentricity withers in this climate. The career politician is more interested in the facilities of the Palace of Westminster and how to improve them. He is also more concerned to attain ministerial office since as a backbencher he feels frustrated because he is but on the margins of government; he wants to get into the heart of the system and help to make decisions instead of being a critic. Development of specialist committees has been largely an attempt to relieve this form of tension. So the changing attitude of Members of their role has produced conflicting behaviour patterns. On the one hand, Government supporters especially when Conservatives are in office—may try to comfort themselves as behoves future junior Ministers. At the same time there is a restless fount of energy and ability among backbenchers that demands opportunity to demonstrate their talents.

If it is agreed that the quality of backbenchers is wholly adequate to provide a good supply of future junior Ministers, it is still possible to claim that there are few Members who are obviously destined for high office. Certainly, it is almost unknown for a man of outstanding achievements in industry, trade unionism, science or the arts to come forward for selection. Even should someone of this stature seek a parliamentary seat, it is by no means certain that a constituency caucus would choose him because of the desire to have a Member prepared to spend time on local affairs. Traditionally, the House is replete with legal talent; many of the most able lawyers, and therefore the most highly paid, are now reluctant for financial reasons to enter the political arena. A few trade union Members have left the House voluntarily to pursue their careers in the trade union movement or elsewhere. Other Members drop out of public life because they find it impossible to combine business with their parliamentary duties. So men of talent are deflected away Westminster by pressure from the constituencies and the Whips who demand, respectively, attention and attendance.

Political leadership demands an apprenticeship. Men who go straight to the Cabinet without a period on the backbenchers may well be insensitive to public and parliamentary opinion. The House of Commons is the place where the art of leadership and political understanding can be developed. If today senior Ministers and ex-Ministers appear less impressive than formerly—it may be because they are subjected to more critical scrutiny by the mass media. If the gap in quality between senior Ministers and backbenchers seems to have narrowed in my view the explanation is that backbenchers are of higher standard.

Attractions of Parliament

Monetary reward is certainly not the inducement and even the chance of obtaining a ministerial salary is not very exciting. The level of pay for junior Ministers has been a positive disincentive for some Conservatives. The motive force that supplies an abundance for potential candidates must be a combination of political enthusiasm and a genuine willingness for public service.

The charm of Parliament cannot be equated to love of power since most Members do not, and never will, exercise great personal power. The ability to make major decisions about public policy

belongs to senior Ministers. What Members may have is influence, the strength of which varies with the political situation. For some, influence is more attractive than power, since it does not carry the same onus of responsibility.

Members have an exacting and unusual task. Their calling provides great variety, opportunity and excitement. Their representatives status still enjoins an element of esteem. Responsible opinion recognises that Members perform functions vital to the operation of a democratic system of government. However, contemporary society is decreasingly deferential: overtly ambitious people may provoke mild cynicism or even distaste. Nevertheless, a good constituency Member enjoys respect for what he does, or tries to do, for his locality. This is a gratifying experience and a further attraction of parliamentary life. It would be unwise to begrudge Members this pleasure. The general attitude towards politicians must have an effect on their quality the higher the Members stand in public estimation, the better will the public be served.

THE THEORY AND PRACTICE OF DISSOLUTION OF PARLIAMENT by B. S. Markesinis [Published by Cambridge University Press, 1972, 283 p].

This book focuses its attention on the theory and practice of dissolution of Parliament in two European monarchies—the British and the Greek. It has been divided into three Parts. In Part I, the author formulates certain general conclusions on the institution of dissolution, based on comparative material obtained from a large number of European constitutions, old and new. Part II and III deal with the theory and practice of dissolution in the U. K. and Greece.

Theory of Dissolution

Dissolution in its broadest sense means decomposition, disintegration, undoing a pond. In a broad sense—the constitutional—it implies the dismissal of an Assembly. In its narrow sense, in which it will be used in this book, it indicates the lawful act of the Executive to put an abrupt end to the life of Parliament.

Thus dissolution is an act of the Executive which dismisses the legislative body, and refers a disputed case to the electorate, the supreme arbitrator of the State; it is lawful, in the sense that it is exercised according to the Constitution, the laws and the conventions of the country, and is not a product of power (*e.g.* revolution, etc.); and it prematurely ends the life of Parliament.

Dissolution, in its broad sense, can fall under any of the following categories:—

- (i) *Natural*: This occurs when the life of Parliament expires, usually four or five years from the time of the previous election.
- (ii) *Automatic or constitutional*: Under rather special and usually rare circumstances, certain constitutions require an immediate—or automatic—dissolution. Elections follow and, of course, a new Parliament is summoned within a fixed period of time. The two most common causes for such an automatic dissolution are:—vacancy of the throne, and revision of the constitution. In Belgium alone the second reason has resulted in five dissolutions (1892, 1919, 1954, 1958, 1965). The essential characteristic in both cases is that dissolution occurs without the intervention of the Executive.
- (iii) *Revocation of the mandate by the people*: Dissolution in this case results from the doctrine of popular sovereignty.
- (iv) *Voluntary or self-dissolution*: This originates from Parliament itself, and is common with constitutions which recognise the complete preponderance of the legislative body. A Constituent Assembly, being a sovereign body, decides on its own when to end its existence.
- (v) *Dissolution by the Executive*: The lawful act of the Executive that prematurely ends the life of the Legislature.

The above types of dissolution, if exercised according to the constitution, the laws and the conventions of the country, are legal, or, in a broader sense, constitutional. The dissolution of a legislative body by means of force, e.g. 'revolution' cannot be discussed since it is outside the field of the various positive legal systems. Consequently, it is more a problem of political science. It may be noted nevertheless, that from a strictly legal point of view, the question of whether a revolution creates law largely depends on the success of the revolution.

Essential Features of Dissolution

The exercise of the right to dissolve Parliament presupposes certain conditions. These are: the existence of a representative body, which is the object of dissolution; an act of the Executive, which implies a separate and distinct state organ, vested with the right to dissolve; and the summoning of a new Parliament. The general elections that follow a dissolution of Parliament represent an important safeguard against an abuse of the right. But though an appeal

to the electorate is always regarded as 'proper, excessive use will undoubtedly tend to defeat its purpose.

Effects of Dissolution

The premature interruption of the life of Parliament has numerous results which affect the Assembly as a body, as well as its individual members; likewise its work is also abruptly ended by dissolution. And it is only natural that greater disruption may occur and problems can be more complex, wherever the two-House system prevails. Furthermore, the political nature of the institution is bound to exercise a profound influence on the political events in the country concerned, and as times has a certain impact on international affairs as well.

The primary consequence of dissolution is that Parliament legally ceases to exist and cannot perform its legislative functions. This occurs immediately after the Royal Decree dissolving Parliament is published in the Government Gazette or is orally announced in Parliament by the Speaker, depending on the specific provision of the various constitutions. If dissolution is pronounced while the House is in session, the Speaker is obliged to adjourn immediately and, if he refuses to do so, it occurs automatically. Any further meeting of the ex-members of Parliament is considered an ordinary meeting of citizens and not an official session of Parliament in its legislative capacity. Most of the constitutions provide little guidance, if any, on this subject. It is generally acknowledged, however, that the main effect of dissolution is the termination of the life of Parliament.

The second affect of dissolution is to deprive members of Parliament of their title and parliamentary privileges and rights. With the title, other more substantial assets are lost. The salary, the special privileges and members' inviolability. They can no longer claim parliamentary immunity from arrest or imprisonment, but they can be held politically responsible only for the actions they took and the statements they made in their official capacity.

In addition to the above, dissolution terminates all legislation pending in Parliament. This is justifiable both logically and politically. Logically, because the new Parliament cannot inherit and cannot be held responsible for the activities of its predecessor to which it has not contributed at all. Politically, because it is believed

815 LS—14.

that the unfinished work of the previous House may run counter to the national feeling expressed in the new Parliament. It is only fair that the new House be given the opportunity to decide on what subject it will legislate.

If the government that conducted elections is a caretaker government, then it must hand over its office to the party with an absolute majority. If no party has obtained an absolute majority—whether it is workable or not is immaterial—it must usually wait until the election of the Speaker. The party that elects the Speaker is assumed to possess a majority of votes in the House.

If, on the other hand, it is a political government, it may remain in office only if it has won the elections. If it is defeated the best course seems to be resign without waiting to appear in Parliament.

The Head of State may constitutionally refuse dissolution to a Prime Minister who has been defeated at a general election and then requests another immediate dissolution; but the Crown's refusal will usually depend on the possibility of an alternative government.

Reasons for Dissolution

For the last one hundred years or so various reasons for dissolution have been invoked. Some of them are more characteristic of nineteenth-century conditions, others were firmly established during the twentieth century. Dissolution in the United Kingdom, Belgium and Greece—and indeed in all other European countries—falls under one of the following headings:—

- (a) Automatic dissolution
- (b) Conflict between the two Houses
- (c) End of life of Parliament approaching
- (d) Conflict between Government and Parliament
- (e) Conflict between the Head of State and his Government supported by Parliament
- (f) Parliament does not represent the electorate
- (g) Party politics
- (h) Major political issue at stake
- (i) Dissolution by force or threat of force
- (j) Other reasons

Rules of Dissolution

The following rules clearly emerge from the United Kingdom practice and accordingly form the rules of dissolution. It should also be noted that though they do not altogether eliminate the rare possibility of a Crown initiative, they clearly show that the right has shifted to other hands.

- (i) The Crown cannot force a dissolution upon a Government; this would also imply its dismissal.
- (ii) The Crown, in the vast majority of cases, must act on the advice of the Prime Minister of the time.
- (iii) The Crown cannot refuse a dissolution to a majority Prime Minister. The size of his party's majority is irrelevant.
- (iv) The timing of and reason for the dissolution is left to the Prime Minister's discretion.
- (v) The Crown may, under certain circumstances, refuse a dissolution to a minority Government (whether defeated or undefeated) provided an alternative Government is possible and able to carry on with the existing House. If the Government is censured it is advisable that the Crown recall its predecessor and grant its request to dissolve.
- (vi) Though an appeal to the electorate is always proper, a series of dissolutions, particularly, if they are based on the same reason, might represent a triumph over and not a triumph of the electorate.
- (vii) A Government which has been granted a dissolution may not proceed to a second dissolution until the new Parliament proves unworkable and no other Government is likely and willing to carry on with the existing House.
- (viii) The question as to which party was granted the previous dissolution and the timing of dissolution (first or last session of Parliament) are matters which may be taken into account but are not decisive in themselves.

The letter of the Greek Constitutions has always acknowledged the Crown's right to dissolve Parliament. With the exception, however, of the 1927 Republican Constitution which laid down two serious limitations, the other texts subjected the exercise of the right to a very limited number of basic rules. The restrictions emanating, directly or indirectly, from the texts can be summarised as follows:—

- (a) The Crown has the right to dissolve. The right also belongs to the Regent but not to the Cabinet acting in the absence of the

King, according to article 50 of the 1952 Constitution. This contingency, however, never arose in practice.

- (b) The Crown's right does not constitute a prerogative, in the sense that dissolution is only valid if another State organ countersigns the relevant Decree. The Royal Decree is nevertheless valid even if only one Minister—usually the Prime Minister—countersigns it, as a result of the doctrine of ministerial responsibility. A Minister who wishes to avoid responsibility can do so only by resigning his post.
- (c) Dissolution takes the form of a Royal Decree and must be published in the Government Gazette.
- (d) Elections must follow and the new Parliament must meet within a given (short) period of time.
- (e) No reason for dissolution need be given. Hence the Government can exercise wide discretion on deciding dissolution.
- (f) The Crown and the Government cannot give dissolution a retrospective effect.
- (g) The King may dissolve only after being sworn in and after formally undertaking his duties. Similarly, the King cannot dissolve after having abdicated or if, for any reason, he is not performing his functions and a Regent replaces him.
- (h) Ministers can only participate in the act of dissolution while in office.

Apart from the above principles, the constitutions gave no clues to a number of vital questions. Interpretation and practice filled the gap. It must be added, nevertheless, that Greek constitutional lawyers unlike their British counterparts—do not place such emphasis on precedents and rarely consider them as binding. Hence the following rules are of relevant value:—

- (a) The Crown must act on the advice of the Prime Minister of the time. The Prime Minister is the only official adviser of the King. Important as this rule is, it is not legally enforceable. Greek kings ignored it as a rule, or underestimated its significance and were thus dragged into frequent political crisis of the highest order.
- (b) If the Government resigns, the Crown has the right to appoint its successor and grant dissolution. In this case, however, the new Ministry must undertake responsibility for the above.
- (c) The Crown may appoint a minority Government, but in this event the newly sworn-in administration is obliged to seek a vote of confidence and must, if defeated, resign or dissolve.

This, however, cannot happen *ad infinitum*, and if it does, as for example in the summer of 1965, it is clearly an abuse of the royal rights and therefore contradicts the spirits of the Constitution and is furthermore politically unwise.

- (d) It is widely maintained that a series of dissolutions, especially if they are based on the same reasons, are particularly to be condemned. The only time this happened was in 1915.
- (e) It is generally, though not unanimously, accepted that in extreme cases the Crown has the right to refuse a dissolution to a majority Prime Minister.
- (f) Parliament can be dissolved only after having been properly constituted. In Greece, this happens after the election of a Speaker.

NEW STATES AND INTERNATIONAL LAW by R. P. Anand
[Published by Vikas Publishing House, Delhi; 1972; 119 p]

This book examines the role of the new states in the development of international law. It probes into the foundations of international law—how the present international structure was built, who did the construction, what material was used, and whose interest it served. The author looks at the stresses and strains on the present system of international law, the need for its stability, and the demands for change. The study focuses attention on the extent of poverty and misery in the world society, their possible consequences, and the role of international law to ameliorate the situation.

'New' States

By "new" states is meant newly independent states. Several of these states are quite ancient and existed long before the so-called "older" states of Europe or America were ever founded. Thus, most of the Asian states had an advanced level of state organisation and well recognised state system. So also, several African countries had enjoyed a distinguished record of existence and independence during the pre-colonial period. Most of these once independent states of Asia and Africa were, however, subjugated and colonized by the European Powers. They have just acquired or reacquired attributes of national sovereignty enabling them to enjoy the full privileges of membership in the family of nations. These, "new" states of Asia and Africa represent different civilizations, cultures, traditions, current political regimes and national interests.

It is important to remember that due to geographical, political, social, cultural, and other factors, these countries exhibit great differences, not only in their way of life, but even in their thinking and practice. Having widely different interests in different areas, their attitudes can hardly be similar on all the points. In any attempt to understand the attitudes of these countries towards international law, this diversity must not be over looked.

Evolution of International Law

Although many of the so-called "new" states, especially in Asia, were independent and played an active role in international affairs during the sixteenth, seventeenth and eighteenth centuries, and were undoubtedly considered members of the universal family of nations, they were later subjugated and colonized and lost their identity. Therefore, while the international law applied to the East-West relations during the classical period, non-European States later came to be considered, under the influence of positivism, as outcaste and no more than objects of international law. Under the dominating influence of European Powers, universal law of nations became Eurocentric and parochial, applicable only to the European countries or their offshoots in North America. It was only after Europe weakened itself enough by two world wars which were essentially European civil wars and lost its hold over colonies that Asian-African countries reemerged as independent nations and international law came out of the clutches of European influence. There is little doubt, however, that during the most formative period of its history in the nineteenth and early twentieth centuries—Europe continued to play the main role on the international stage. The present body of international law is, therefore, naturally affected by the power interests of the last and the early part of the present century and is to a great extent a legacy of the age of colonialism and imperialism. This law was meant to serve the interests of a limited number of powerful states and was supposed to be applicable between themselves in their relations with each other. The vast majority of peoples had neither any voice nor any right and were meant to be exploited and, if necessary, colonized to serve the interests of their masters.

The "new" states have tried to mould the traditional international law according to their own views and interests. Today, with the reappearance of the new Asian-African states, the international society has become universal. The traditional international law, the parochial

law of the European Powers, is bound to be affected by the new sociological structure of the society. While a large part of this law is fairly reasonable, useful and adjustable to the new inter-national social structure, and cannot and should not be discarded, it requires complete overhaul and adaptation to the new circumstances. Like the present international society and the classical international law, it must become universal to serve the interests of all the states, and help in the establishment of peace and security in the International society. In order to command respect of all the states, it must extend from a European national law to a common law of mankind.

The new states, which comprise the largest majority of the new society, have come to acquire a new influence in the present day divided world society. Even if weak and underdeveloped, they can no longer be ignored or by-passed. They can make their voices heard in the world forum and hardly lose an opportunity to air their views. Despite all the differences in their political, social, cultural, religious and ethical backgrounds, they have enough in common to form a group, if not a bloc, and take concerted action in pursuance of their interests. It is only natural that the new majority should try to mould the law according to their own views and interests.

Influencing the International Law

These young new entrants into international society are extremely hostile to racialism and colonialism and all the rules which kept them in subservience. There is little doubt that one way to solicit the confidence of the new states is to accept and emphasize the ability of international law to contribute its help in the fight that remains against colonialism. It is better to recognize the changing demand of the present age rather than attempt to uphold colonial rights on the basis of strict legalistic arguments divorced from all reality.

Apart from this struggle against colonialism, international law requires new orientation to help the poor and the underdeveloped states of the third world in their development. It is indeed a pity that at a time when affluence is beginning to be the condition, or at least the potential condition, of whole countries and regions rather than of a few favoured individuals, more people are suffering from hunger and want than ever before. The most obvious truth about the world food situation today is the stem of glut in the midst of want. A world still half-hungry is an appealing fact, an intolerable truth, a shocking commentary on the human condition, and a political

danger of the first order. The attitude of the underdeveloped countries suggests the tension between intense aspirations and law capabilities to attain their objectives on their own. Impatient for progress, frustrated by obstacles, they are getting extremely restive and vocal. Several statesmen and scholars warn us that unless the international legal order is modernized by voluntary and evolutionary procedures into a welfare system it will be "thrown aside by bloody revolution".

The Emerging International Law

All these demands for modification and change in traditional international law do not amount to its total rejection, but merely emphasize and bring into sharp focus the need for its adaptation to the changed and the fast changing life of our small planet. The protests of the new states are not the reflection of their different ideologies and cultures, but are due to their clashing interests. It is no use decrying the emergence of new states, nor does it help now to be bitter about the past deeds of the old ones. Our concern should be not with judgment of the future upon the past, but with the urgent problems of the present, with securing peace, order and stability, personal and political freedom, equality and dignity of man, economic, social and cultural advancement of all peoples the diffusion of science and technology, and the establishment of a rule of law. In the achievement of these objectives we must act together and let not the past divide us.

International law must develop beyond the old concept of coexistence to a new law of cooperation. We should not let the world hover between endemic chaos, and the prospect of annihilation precariously restrained by a balance of terror. It is not easy to discard our inhibitions and intellectual habits and predilections which are no longer valid in the present-day world. But only by discarding the old prejudices can we survive the challenge of the present and enjoy the boundless promise of the future. A vast majority of the people in the developing countries have nothing to live on and a large majority of men in the developed countries have nothing to live for. Only by mutual cooperation can they develop a happy and healthy international society. It must develop from anarchy, which has characterized international relations throughout history towards an organized world community. It must become, as has been stressed time and again, the common law of mankind.

RECENT LITERATURE OF PARLIAMENTARY INTERESTS.

1.. BOOKS

General

- Bhargava, G.S.: *Success or Surrender? The Simla Summit*. New Delhi, Sterling Publishers, 1972.
- Bradshaw, Kenneth and Pring, David: *Parliament and Congress*, London, Canstable, 1972.
- Chaudhury, Sukhbir: *Indo-Pak. war and Big Powers*, Delhi, Tri-murti Publications, 1972.
- Eakin, Terry Clay: *Students and Politics—A comparative study with a prospective set from past Survey Research on Political Behaviour* Bombay, Popular, 1972.
- Friedrich, Carl J. : *Tradition and Authority*, London, Pall Mall, 1972.
- Imam, Zafar: *World Powers in South and South-East Asia—The Politics of Super-Nationalism*, New Delhi, Sterling Publishers, 1972.
- Kapur, Harish: *The Embattled Triangle—Moscow—Peking—New Delhi*, New Delhi, Abhinav Publications, 1973.
- Leonard, Dick and Herman, Valentine: *The Backbencher and Parliament—A Reader*, London, Macmillan, 1972.
- Madhok, Balraj: *Murder of Democracy*, New Delhi, S. Chand, 1973.
- O'Balance, Edgar: *The Third Arab—Israeli War*, London, Faber and Faber, 1972.
- Rao, Sudha V. : *The Arab-Israeli Conflict—the Indian View*, New Delhi, Orient Longman, 1972.
- Richards, Peter G. : *The Backbencher*, London, Faber and Faber, 1972.
- Schapiro, Leonard (Ed.): *Political Opposition in One-Party States*, London, The Macmillan Press, 1972.

- Schapiro, Leonard: *Totalitarianism*, London, Pall Mall, 1972.
- Scott, James C.: *Comparative Political Corruption*, New Jersey, Prentice Hall, Englewood Cliffs, 1972.
- Shelat, J. M.: *Secularism—Principles and Application*, Bombay, N. M. Tripathi, 1972.
- Singhvi, L. M. (Ed.): *Youth Unrest, 2nd Ed.*, New Delhi, National, 1972.
- Thavaraj, M. J. K. and Handa, K. L.: *Financial Control and Delegation*, New Delhi, Indian Institute of Public Administration, 1973.
- Vatikiotis, P. J. (Ed.): *Revolution in the Middle East and other Case Studies*, London, George Allen and Unwin, 1972.

Afghanistan

- Bilgrami, Asghar H.: *Afghanistan and British India 1793—1907—A study in foreign relations*, New Delhi, Sterling Publishers, 1972.

Bangla Desh

- Seth, K. L.: *Economic Prospects of Bangla Desh*, New Delhi, Trimurti, 1972.
- Varma, S. P.: *Bangla Desh and the Emerging International Political System*, Ahmedabad, Harold Laski Institute of Political Science, 1972.

Canada

- Rules: The Senate of Canada—December 1969 amended to January 1973*, Ottawa, Queen's Printer for Canada, 1973.

China

- Whitson, William W. (Ed.): *The Military and Political Power in China in the 1970s*, New York, Praeger, 1972.

East Germany

- Germany, Bundestag: *Legislation in the Federal Republic of Germany*, Bonn, Publishing House of E. Beinhauer, 1972.

France

- Pickles, Dorothy: *The Government and Politics of France*, London, Methuen, 1972.

Tint, Herbert: *French Foreign Policy since the Second World War*, London, Weidenfeld and Nicolson, 1972.

India

Chaudhury, Dipak B. R.: *Aspects of Parliament and Government in India*, New Delhi, Rachna Prakashan, 1972.

Das, Durga (Ed.): *Sardar Patel's Correspondence 1945—50*, Ahmedabad, Navajivan Publishing House, 1972.

Dikshit, G. N.: *Gandhi's Challenge to Communism*, New Delhi, S. Chand, 1972.

Hanson, A. H. and Douglas, Janet: *India's Democracy*, Delhi, Vikas, 1972.

Ismail, M. M.: *The President and the Governors in the Indian Constitution*, Madras, Orient Longman, 1972.

Iyengar, T. S. Rajagopala: *Indian Parliament—A Critical Study (Special lectures)*, Prasaranga, University of Mysore, 1972.

Laxminarain: *Efficiency Audit of Public Enterprises in India*, New Delhi, Orient Longman, 1972.

Mahendru, K. C.: *The Politics of Privy Purses*, Ludhiana, Kal-yani Publishers, 1971.

Mullik, B. N.: *My years with Nehru, 1948—1964*, Bombay, Allied Publishers, 1972.

Neelakant, K.: *Partners in Peace—A Study in Indo-Soviet Relations*, Delhi, Vikas Publishing House, 1972.

Pillai, P. S. Atchuthen: *The Law of the Indian Constitution*, Trivandrum, Rajan Brothers, 1972.

Raju, V. B.: *Commentaries on the Constitution of India*, Lucknow, Eastern Book Co. 1973.

Shakdher, S. L.: *Parliamentary Practice in India*, Delhi, Research, 1972.

Singh, Sangat: *Freedom Movement in Delhi (1858—1919)*, New Delhi, Associated, 1972.

Tameri, Suresh K.: *The Wonder Elections 1971—Indira Versus the Right*, Delhi, Vivek Publishing House, 1971.

Tarachand: History of the Freedom Movement in India, New Delhi, Publications Division, Ministry of Information and Broadcasting, 1972.

Tyabji, Badr-ud-Din: *Indian Policies and Practice*, Delhi, Oriental Publishers, 1972.

Vaid, K. N.: *Gheraos and Labour Unrest in West Bengal*, New Delhi, Sri Ram Centre for Industrial Relations and Human Resources, 1972.

Varma, S. P. & others: *Voting behaviour in a Changing Society (A case study of the Fourth General Election in Rajasthan)*, Delhi, National Publishing House, 1973.

Vibhakar, Jagdish: *A Model Relationship—25 years of Indo-Soviet diplomatic ties*, New Delhi, Punjabi, 1972.

Ireland

Smyth, John Mc G.: *The Theory and Practice of the Irish Senate*, Dublin, Institute of Public Administration, 1972.

Japan

McNelly, Theodore: *Politics and Government in Japan*, 2nd Ed., Boston, Houghton Mifflin Co., 1972.

Korea

Kim, Se-Jin: *The Politics of Military Revolution in Korea*, Chapel Hill, The University of North Carolina Press, 1971.

Nepal

Sinha, U.N.: *Panchayat Democracy of Nepal in Theory and Practice*, Nepal, Deptt. of Information, Ministry of Communications, His Majesty's Govt., 1972.

Pakistan

Chaudhury, G. W.: *Pakistan's Relations with India*, Meerut Meenakshi Prakashan, 1971.

Feldman, Herbert: *From Crisis to Crisis, Pakistan 1962—1969*, London, Oxford University Press, 1972.

Mody, Piloo: *Zulfi My Friend*, Delhi, Thomas Press, 1973.

United Kingdom

- Griffith, J. A. G.: *The Legislative Process in the House of Commons*, New Delhi, the Institute of Constitutional and Parliamentary Studies, 1972.
- Leifer, Michael (Ed.): *Constraints and Adjustments in British Foreign Policy*, London, George Allen & Unwin, 1972.
- Markesinis, B. S.: *The Theory and Practice of Dissolution of Parliament—A comparative study with special reference to the United Kingdom and Greek experience*, London, Cambridge, 1972.
- Mc Kie, David and Cook, Chris (Ed.): *The Decade of Disillusion—British Politics in the Sixties*, London, Macmillan, 1972.
- Nunnerley, David: *President Kennedy and Britain*, London, The Bodley Head, 1972.
- Williams, Marcia: *Inside Number 10*, London, Weidenfeld & Nicolson, 1972.

United States of America

- Brown, Stuart Gerry: *The Presidency on Trial—Robert Kennedy's 1968 campaign and afterwards*, Honolulu, The University Press of Hawaii, 1972.
- Schlesinger, Arthur M. (Ed.) *The Coming to Power—Critical Presidential Elections in American History* New York, Chelsea House Publishers in association with Mc Graw Hill, 1972.

West Germany

- Roberts, Geoffrey K.: *West Germany Politics*, London, Macmillan, 1972.

II. REPORTS

A. GENERAL

- Election Commission: *Report on the Fifth General Election in India 1971-72—narrative and reflective part*, 1973.

B. PARLIAMENT

Lok Sabha

Committee on Petitions : *Minutes (Twelfth to Twenty-first) sittings, 1972.*

——: *Seventh Report, 1972.*

—— : *Eighth Report*—Representation regarding claims against the Railways on account of shortages in consignments of pig iron booked from Steel Plants, 1972.

—— : *Tenth Report, 1972.*

Committee on Public Undertakings 1972-73: *Twenty-fourth Report*—Action taken by Government on the recommendations contained in the Sixty-fifth Report of the Committee on Public Undertakings (fourth Lok Sabha) Mining and Allied Machinery Corporation Ltd., Ministry of Steel and Mines (Department of Steel), 1972.

Committee on Subordinate Legislation : *Fifth Report, 1972.*

Estimates Committee 1972-73 : *Twenty Fifth Report—Ministry of Agriculture (Department of Agriculture)*—Action taken by the Government on the recommendations contained in the Fifth Report of the Estimates Committee, 1972.

——: *Twenty-sixth Report—Ministry of Agriculture (Department of Food)*—Action taken by Government on the recommendations contained in the Fifteenth Report of the Estimates Committee, 1972.

—— : *Twenty-seventh Report—Ministry of Industrial Development (Department of Industrial Development)*—Action taken by Government on the recommendations contained in the Fifth Report of the Estimates Committee, 1973.

——: *Twenty-eighth Report—Ministry of Commerce (Department of Foreign Trade)*—Action taken by Government on the recommendations contained in the Eighteenth Report of the Estimates Committee (Fifth Lok Sabha) on Tea Board, 1973.

——: *Twenty ninth Report, Department of Atomic Energy*—Action taken by Government on the recommendations

contained in the hundred and twenty-ninth Report of the Estimates Committee, 1973.

—: *Thirtieth Report Ministry of Industrial Development*—Action taken by Government on the recommendations contained in the Seventeenth Report of the Estimates Committee, 1973.

—: *Thirty-first Report—Ministry of Labour and rehabilitation (Department of Labour and Employment)*, 1973.

—: *Thirty-third Report—Ministry of Health and Family Planning*, 1973.

Public Accounts Committee 1972-73: *Sixtieth Report*—Action taken by Government on the recommendations of the Public Accounts Committee contained in their 28th Report on Audit Report (Civil), 1970 relating to the Ministry of Foreign Trade and Department of Agriculture, 1972.

—: *Sixty-first Report*—Action taken by Government on the recommendations of the Public Accounts Committee contained in their 2nd Report on Appropriation Accounts (P & T) 1968-69 and Audit Report (P. & T.), 1970, 1972.

—: *Sixty-second Report*—Action taken on the recommendations of the Public Accounts Committee contained in their 4th Report (Fifth Lok Sabha) on Indian Council of Agricultural Research, 1972.

—: *Sixty-third Report*—Action taken on the recommendations of the Public Accounts Committee contained in their third Report (Fifth Lok Sabha) on exploratory Tubewells organisation (Now Central Ground Water Board), 1973.

—: *Sixty-fourth Report*—Action taken by the Government on the recommendations of the Public Accounts Committee contained in their 41st Report (Fifth Lok Sabha) relating to Ministry of Works and Housing, 1973.

—: *Sixty-fifth Report*—Action taken by Government on the recommendations of the Public Accounts Committee contained in their 37th Report (Fifth Lok Sabha) on the Report of the Comptroller and Auditor General for the year 1969-70—Central Government (Civil) relating to the Ministry of Irrigation and Power and Government of Punjab

Audit Report 1968 relating to Bhakra Dam Administration and Beas Project only, 1973.

- : *Sixty-sixth Report*—Action taken by Government on the recommendations of the Public Accounts Committee contained in their 39th Report (Fifth Lok Sabha) relating to All India Radio, 1973.
- : *Sixty-seventh Report*—Action taken by Government on the recommendations of the Public Accounts Committee contained in their 42nd Report (Fifth Lok Sabha) on Appropriation Account (Civil) 1969-70 and Report of the Comptroller and Auditor General of India for the Year 1969-70 —Central Government (Civil) relating to the Ministries of Health and Family Planning (Department of Health) and Labour and Rehabilitation (Department of Rehabilitation) and Planning Commission, 1973.
- : *Sixty-eighth Report*—Action taken by Government on the recommendations of the Public Accounts Committee contained in their 46th Report (Fifth Lok Sabha) on the Report of the Comptroller and Auditor General for the year 1969-70—Central Government (P. & T.) 1973.
- : *Sixty-ninth Report*—Action taken by Government on the recommendations of the Public Accounts Committee contained in their 36th Report (Fifth Lok Sabha) relating to Ministry of Shipping and Transport, 1973.
- : *Seventieth Report*—Action taken by Government on the recommendations of the Public Accounts Committee contained in their 39th Report (Fifth Lok Sabha) relating to Ministry of Supply, 1973.
- : *Seventy-first Report*—Action taken on the recommendations of the Public Accounts Committee contained in their 43rd Report (Fifth Lok Sabha) on Chapter 11 of the Report of the Comptroller and Auditor General of India for 1969-70 (Civil) Revenue receipts relating to customs, 1973.
- : *Seventysecond Report*—Action taken by Government on the recommendations, 1973.
- : *Seventy-second Report*—Action taken by Government on the recommendations of the Public Accounts Committee

contained in their 45th Report. (Fifth Lok Sabha) on Appropriation Accounts (Railways) 1969-70 and Report of the Comptroller and Auditor General of India for 1969-70 on Railways, 1973.

— : *Seventy-fourth Report*—Chapter VI of the Report of the Comptroller and Auditor General of India for 1970-71—Union Government (Civil)—revenue receipts—sales Tax receipts of the Union Territory of Delhi, 1972.

— : *Seventy-seventh Report*—(paragraphs relating to financial results and earnings of the Railway included in the Report of controller and Auditor General of India for 1970-71, Union Government (Railways), 1973.

Railway Convention Committee 1971: *Second Report—Suburban Services*, 1973.

— : *Third Report*—Commercial and Allied Matters, 1973.

Rajya Sabha

Rajya Sabha Secretariat: *Administrative Report on the working of Rajya Sabha Secretariat*, 1972.

C. STATE LEGISLATURES

Andhra Pradesh

Legislature: Select Documents on Telengana, 1972.

Bihar

Vidhan Sabha Public Accounts Committee: *Thirty-fifth and Thirty sixth Reports*, 1972.

Goa, Daman and Diu

Vidhan Sabha, Committee on Government Assurances, 1971-72: *Eighth and Ninth Reports*, 1972.

Haryana

Vidhan Sabha Secretariat Committees 1971-72: *A Review*, 1972.

Himachal Pradesh

Vidhan Sabha, Committee on Estimates: *Fourteenth Report, on the Agriculture Department 1969-70, 1971.*

Vidhan Sabha, Committee on Government Assurances, 1971-72: *Fifth Report, 1972.*

Kerala

Home Department: *Report of the Commission of Inquiry consisting of Shri A. N. Mulla, in re: Shri M. N. Govindan Nair, Shri T. V. Thomas, 1971.*

—————: *Report of the Commission of Inquiry consisting of Shri S. Velu Pillai, in re: Shri P. K. Kunju, 1971.*

—————: *Report of the Commission of Inquiry, consisting of Shri S. Velu Pillai; in re: Shri P. R. Kurup, 1972.*

—————: *Report of the Commission of Inquiry, consisting of Shri S. Velu Pillai, in re: Smt. K. R. Gouri, Shri E. K. Imbochi Bava and Shri M. K. Krishnan, 1971.*

Vidhan Sabha, Committee on Estimates, 1972-73: *Seventh Report, 1972.*

Madhya Pradesh

Vidhan Sabha, Committee on Petitions: *First Report, 1972.*

Vidhan Sabha, Rules Committee: *First Report, 1972.*

Maharashtra

Vidhan Parishad, Committee on Government Assurances 1972-73: *Fourtieth Report, 1972.*

Vidhan Sabha, Committee on Government Assurances 1972-73: *Third and Fourth Reports, 1972.*

Vidhan Sabha, Committee on Public Undertakings 1972-73: *Second Report, 1972.*

Orissa

Vidhan Sabha, Committee on Estimates, 1972-73: *Seventeenth Report (Forests), 1972.*

Rajasthan

Vidhan Sabha, Committee on Public Undertakings 1972-73: *First and Second Reports*, 1972.

Vidhan Sabha, Committee on Subordinate Legislation: *Twelfth Report*, 1971.

Vidhan Sabha, Public Accounts Committee, 1971-72: *Eighteenth Report*, 1972.

—————: 1972-73: *First Report*, 1972.

Tamil Nadu

Vidhan Sabha, Committee on Public Accounts 1972-73: *Fifth Report—Report on the Audit Report on the accounts of the Tamil Nadu State Electricity Board for 1966-67, 1967-78 and 1968-69*, 1973.

Uttar Pradesh

Vidhan Parishad, Committee on Assurances: *Ninth Report*, 1972.

Vidhan Sabha, Committee of Privileges: *Eleventh and Twelfth Reports*, 1972.

Vidhan Sabha, Estimates Committee 1971-72: *Eighth, Ninth, Twelfth and Thirteenth Reports*, 1972.

Vidhan Sabha, Rules Committee: *Report, presented on 24th July*, 1972.

D. FOREIGN

Australia

Parliament House of Representatives, Standing Orders Committee: *Report together with Recommendations* 1972.

Parliament, Joint Select Committee on Defence Forces Retirement Benefits Legislation: *Report*, 1972.

Great Britain

Parliament, House of Commons, Expenditure Committee 1971-72:

Eighth Report, together with the minutes of evidence taken before the Public Expenditure (General) Sub-Committee, Appendices and Index, relationship of expenditure to needs, 1972.

—————: *Ninth Report together with part of the minutes of the evidence taken before the Defence and External Affairs Sub-Committee from 25th January to 1st August, 1972, Appendices and Index, 1972.*

—————: *Minutes of the Proceedings, 1972.*

Parliament, House of Commons, Expenditure Committee 1972-73: *First Special Report—Appointment of Sub-Committees, 1972.*

—————: *Second Special Report—Broadcasting of Proceedings 1972.*

—————: *Report together with the minutes of the evidence taken before the Education and Arts Sub-Committee in Session 1971-72 Appendices and Index—further and higher education, 1972.*

Parliament, House of Commons, Expenditure Committee, Defence and External Affairs Sub-Committee 1971-72: *Minutes of evidence taken from 17th May to 1st August, 1972.*

Parliament, House of Commons, Select Committee on Nationalised Industries, 1971-72: *Second Report, 1972.*

Parliament, House of Commons, Select Committee on Nationalised Industries 1972-73: *First special Report together with the minutes of proceedings of the Committee on 12th and 19th December—Subjects of Inquiry, 1972.*

Parliament, House of Commons, Select Committee on Race Relations and Immigration 1972-73: *First special Report—subjects of Inquiry, 1972.*

Parliament, House of Commons, Select Committee on Science and Technology, 1971-72: *Research and Development—Minutes of evidence and Appendices, 1972.*

Parliament, House of Commons, Select Committee on Science and Technology 1972-73: *First Special Report, 1972.*

Parliament, House of Lords, Select Committee on the House of Lords on Procedure of the House: *Eighth Report, 1972.*

Parliament, House of Lords, Select Committee on the House of Lords' offices: *First Report 1972.*

Parliament, House of Lords, Special Orders Committee of the House of Lords, 1972-73: *First and Second Reports, 1972.*

Parliamentary Commissioner of Administration, 1971-72: *Fourth Report*, 1972.

New Zealand

Parliament, House of Representatives, Public Expenditure Committee: *Report* 1972.

United Nations

General Assembly: *Declaration of the Indian Ocean as a zone of Peace—Report of the Secretary General*, 1972.

General Assembly: *Elimination of all Forms of Racial Discrimination—Report of the Secretary General under General Assembly Resolutions*, 1972.

General Assembly: *Human Rights in Armed Conflicts—Protection of Journalists engaged in dangerous missions in areas of armed conflict—Report of the Secretary General*, 1972.

General Assembly: *Human Rights in Armed Conflicts—Respect for human rights in armed conflicts—Report of the Secretary General*, 1972.

General Assembly: *Report of the Special Committee on Apartheid*, 1972.

United Nations Secretariat: *Capital Punishment—Information from Governments compiled by the United Nations Secretariat*, 1972.

III. ARTICLES

General

Governmentalisation of Grain Trade—A leap in the dark by S. K. Patil (*Motherland*, March 27, 1973).

India's Position in World to-day by Diethelm Weidemann (*Mainstream*, February 17, 1973, pp. 28—32).

Indira Gandhi: Appearance and Reality by A. D. Gorwala (*Imprint* February, 1973, pp. 11—13).

Land Reforms in reverse gear in Rajasthan by Ramanand Aggrawal (*Patriot*, January 2, 1973).

National Security: Can India be a Major Power by Major Gen D. K. Palit (*The Hindustan Times*, January, 23, 1973).

Sub-Continent's year of Transition by Dr. Mohammed Ayooob (*The Tribune*, January 3, 1973).

.Centre-State Relations

Centre-State ties Call for a new Look by S. Swaminathan (*Free Press Journal*, March 14, 1973).

The Union and the States by V. K. Narasihman (*The Indian Express*, January 2, 1973).

Constitution

The Constitution of India—What it is by S. P. Sen Varma (*National Herald*, March 29, 1973).

Pak Constitution in the melting pot: the frantic search for Democracy by Syed Yusuf Razq (*Searchlight*, February 17, 1973).

Democracy

How genuine is our Democracy by V. K. Kulkarni (*The Sunday Standard*, January 14, 1973).

Elections

Bangla Desh Poll—the outlook after the Elections by Amabender Das Gupta (*Statesman*, March 25, 1973).

Election time in Bangla Desh—A season of discontent by Dilip Mukerjee (*The Times of India*, January 6, 1973).

Elections and Government by A. G. Noorani (*Indian Express*, March 24, 1973).

Fair and Free Elections in India by E. P. W. Da Costa (*Sainik Samachar*, January 28, 1973, pp. 7-8).

Fundamental Rights

Fundamental Rights in Kashmir by A. G. Noorani (*Indian Express*, February 6, 1973).

Significance of Fundamental Rights and the Amending Power by Dalip Singh (*The Indian Political Science Review*, March, 1973).

Parliamentary Affairs

Lok Sabha Committee on Subordinate Legislation 1953—1971 by Brahma Bhardwaj (*Indian Political Science Review*, March, 1973, pp. 564—566).

Political Affairs

Andhra Separatists in Disarray by D. Sita Ram (*Mainstream*, March 10, 1973, pp. 9 & 41).

The Egyptian Scene—Sadat's year of Troubles by K. K. Sastry (*The Times of India*, January 4, 1973).

Foreign Policy objectives by Kuldip Nayar (*The Statesman*, January 30, 1973).

Foreign Policy prospect in 1973 by Rajeshwar Dayal (*The Motherland*, February 1, 1973).

Fresh look at India ties with Japan by Col. R. Rama Rao (*The Tribune*, January 22, 1973).

Growth and Inequalities—Need for major Political Transformation by Arun Shourie (*The Statesman*, January 4, 1973).

Next phase in Indo-Pak Relations by J. D. Sethi (*Amrita Bazar Patrika*, February 4, 1973).

Nixon's Confrontation with Congress by Ernest Cuneo (*The Motherland*, January 24, 1973).

Orissa's "Gaya Ram" Politics by M. J. Akbur (*Illustrated Weekly of India*, March 25, 1973, pp. 32—35).

Pakistani POWs in India—How much longer can they be held? by Ajit Bhattacharjea (*The Times of India*, January 19, 1973).

Plea for Neo-Nehruvian Policy by Dinesh Singh (*Weekly Round Table*, February 4, 1973).

Politics in Pakistan—An Outmanoeuvred Opposition by Dilip Mukerjee (*Times of India*, March 31, 1973).

Politics of Power by Satish Kumar (*Hindustan Times*, February 22, 1973).

Political Parties

Bhutto out to split Opposition Parties by K. Subrahmanyam (*Tribune*, February 26, 1973).

Congress—the way forward—the Role of the Party by Shankar Dayal Sharma (*Socialist India*, March 10, 1973, pp. 4 & 31).

Failures of the DMK Leadership by V. S. Maniam (*The Statesman*, January 3, 1973).

How to involve the Party and the People in the Process of Planning by Mohan Dharia (*Women on the March*, 1973, pp. 13, 14 & 18).

Indian National Congress by Mrs. Indira Gandhi, Bimal Prasad, Chandrajeet Yadav, Chandra Shekhar, J. B. Kripalani, P. Ramamurthy, Ranjit Roy, Sadiq Ali and G. L. Nanda (*Weekly Round Table*, February 18, 1973, pp. 2—34).

Jan Sangh Comes of Age by Atal Behari Vajpayee (*The Motherland*, February, 9, 1973).

Opposition Groping in the Dark—No Practical way yet to present: United Front by K. Rangaswami (*Mail*, March 13, 1973).

Opposition Party: Pros and Cons: Democrats should help to preserve Freedom of Speech by V. B. Karnik (*Mail*, February 26, 1973).

Oppositionism and opportunism by V. K. Narasimhan (*The Indian Express*, February 17, 1973).

Political Parties—the Congress by Dilip Patwardhan (*Caravan*, March 11, 1973).

Re-structuring the Congress Party by Mohan Dharia (*Socialist India*, January 27, 1973, pp. 44-45).

Role of young Congressmen—consequences of group rivalries in West Bengal by Manojit Mitra (*The Statesman*, January 7, 1973).

A Scheme for Proportional Representation of Parties by R. A. Topalawami (*Hindu*, March 1, 1973).

Public Administration

Administrative Reforms: Need for Political Perspective by Rajni Kothari (*Hindustan Times*, February 20, 1973).

APPENDICES

- I. Statement showing the work transacted during the Seventh Session of Fifth Lok Sabha.
- II. A Statement showing the work transacted during the Eighty-Third Session of Rajya Sabha.
 - B. Statement showing the Work transacted during the Eighty-fourth Session of Rajya Sabha.
- III. Statement showing the activities of the State Legislatures during the period 1st January, 1973 to 31st March, 1973.
- IV. List of Bills passed by Houses of Parliament and assented to by the President during the period 1st February, 1973 to 30th April, 1973.
- V. List of Bills passed by the State Legislatures during the period 1st January, 1973 to 31st March, 1973.
- VI. Ordinances issued by the Central and State Governments during the period 1st January, 1973 to 31st March, 1973.
- 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 Seventh Session of Fifth Lok Sabha

1. Period of the Session	19th February to 16 May, 1973.
2. Number of meetings held	58
3. Total number of sitting hours	403 hours and minutes
4. Number of divisions held	18
5. <i>Government Bills</i>	
(i) Pending at the commencement of the Session	23
(ii) Introduced	26
(iii) Laid on the Table as passed by Rajya Sabha	5
(iv) Returned by Rajya Sabha with any amendment/recommendation and laid on the Table	1
(v) Referred to Select Committee	1
(vi) Referred to Joint Committee	NIL
(vii) Reported by Select Committee	NIL
(viii) Reported by Joint Committee	1
(ix) Discussed	32
(x) Passed	28
(xi) Withdrawn	1
(xii) Negatived	NIL
(xiii) Part-discussed	1
(xiv) Discussion postponed	Nil
(xv) Returned by Rajya Sabha without any recommendation	14
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	1
(xvii) Pending at the end of the Session	25
6. <i>Private Members' Bills:</i>	
(i) Pending at the commencement of the Session	109
(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
Reported by Select Committee	Nil

(vi) Discussed	7
(vii) Passed	Nil
(viii) Withdrawn	5
(ix) Negatived	1
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motiod 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	114

7. Number of Discussions Held Under Rule 193

(Matters of Urgent Public Importance)

(i) Notices received	154
(ii) Admitted	7
(iii) Discussion held	7

8. Number of Statements made Under Rule 197

(Calling attention to matters of urgent public importance)

Statements made by Ministers	48
--	----

9. Half-an-hour discussions held 10

10. Statutory Resolutions:

(i) Notices received	11
(ii) Admitted	4
(iii) Moved	4
(iv) Adopted	3
(v) Negatived	1
(vi) Withdrawn	NIL

15. *Motions re: modification of Statutory Rule:*

(i) Received	} NIL
(ii) Admitted	
(iii) Moved	
(iv) Adopted	
(v) Negatived	
(vi) Withdrawn	
(vii) Part-discussed	

16. Number of Parliamentary Committees created, if any, during the session NIL

17. Total number of Visitors' Passes issued during the session . 40,848

18. Maximum number of Visitors' Passes issued on any single day, and date on which issued 1,713 on 28-3-73

19. *Number of Adjournment Motions :*

(i) Brought before the House	} 108
(ii) Admitted and discussed	
(iii) Barred in view of adjournment Motion admitted on the subjects. I	
(iv) Consent withheld by speaker outside the House.	
(v) Consent given by speaker but leave not granted by House I	

20. *Total Number of Questions Admitted :*

(i) Starred	} 80
(ii) Unstarred (including Starred Questions converted as Unstarred Questions)	
(iii) Short Notice Questions	} 10,189

21. *Parliamentary Committees*

Name of the Committee	No. of sittings held during the period 1-2-73 to 30-4-73	No. of reports presented during the Session
(i) Estimates Committee	12	20
(ii) Public Accounts Committee	63	47
(iii) Committee on Public Undertakings	25	15
(iv) Business Advisory Committee	6	7

APPENDICES

Name of the Committee	No. of sittings held during the period 1-2-73 to 30-4-73	No. of reports presented during the Session	
(v) Committee on absence of Members from the sittings of the House	1	2	
(vi) Committee on Subordinate Legislation	3	1	
(vii) Committee on Petitions	2	3	
(viii) Committee of Privileges	5	1	
(ix) Committee on Private Members Bills and Resolutions	5	6	
(x) Committee on Government Assurances	1	1	
(xi) Committee on the welfare of Scheduled Castes and Scheduled Tribes.	3	6	
(xii) Joint Committee on Office of Profit	1	1	
(xiii) Rules Committee	1	1	
(xiv) Railway Convention Committee	4	5	
(xv) Joint Committee on Salaries and allowances of Members of Parliament	3	—	
(xvi) Joint Committee on the Mines (Amendment) Bill, 1972.	5	—	
(xvii) Joint Committee on the untouchability (offences) Amendment and Miscellaneous Provision Bill, 1972.	2	..	
(xviii) Joint Committee on the Foreign Exchange regulation Bill, 1972.	8	1	
(xix) Joint Committee on the Companies (Amendment) Bill, 1972	1	..	
(xx) Joint Committee on the Presidential and Vice-Presidential Elections (Amendment) Bill, 1972	2	..	
(xxi) Joint Committee on the National Library Bill, 1972.	1	..	
22. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		9	
23. PETITIONS PRESENTED . . . . .	..	2
24. NAME OF NEW MEMBERS SWORN WITH DATES AND CONSTITUENCIES :			
<i>S. No.</i>	<i>Name of Members Sworn</i>	<i>Dates on Which Sworn</i>	<i>Constituency</i>
1.	Shri C. H. Mohamed Koya	5-3-1973	Manjeri-Kerala
2.	Shri Madhu Limaye	23-4-1973	Banks-Bihar
3.	Shri Yogesh Chandra Murmu	23-4-1973	Rajmahal-Bihar.

APPENDIX II

A. Statement Showing the Work Transacted during the Eighty-Third Session of Rajya Sabha.

1. Period of the Session	February 19, 1973 to March 31, 1973.
2. Number of meetings held	30
3. Total number of sitting hours	159.47 hrs. (excluding lunch break)
4. Number of divisions held	2
5. <i>Government Bills :</i>	
(i) Pending at the commencement of the Session	6
(ii) Introduced	4
(iii) Laid on the Table as passed by Lok Sabha	14
(iv) Returned by Lok Sabha with any amendment	3
(v) Referred to Select Committee by Rajya Sabha	Nil
(vi) Referred to Joint Committee by Rajya Sabha	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	1
(ix) Discussed	20
(x) Passed	20
(xi) Withdrawn	Nil
(xii) Negatived	Nil
(xiii) Part-discussed	Nil
(xiv) Returned by Rajya Sabha without any recommendation	11
(xv) Discussion postponed	Nil
(xvi) Pending at the end of the Session	6
6. <i>Private Members Bills :</i>	
(i) Pending at the commencement of the Session	51
(ii) Introduced	6
(iii) Laid on the Table as passed by Lok Sabha	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table	Nil

(v) Reported by Joint Committee	Nil
(vi) Discussed	3
(vii) Withdrawn	9
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Pending at the end of the Session	48

7. *Number of discussions held Under Rule 176 :
(Matters of urgent Public Importance)*

(i) Notices received	12
(ii) Admitted	2
(iii) Discussion held	2

8. *Number of Statements Made Under Rule 180 :
(Calling-attention to matter of urgent public importance)*

Statements made by Ministers 25

9. Half-an-hour discussion held 1

10. *Statutory Resolutions :*

(i) Notices received	1
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	1
(v) Negatived	1
(vi) Withdrawn	Nil

11. *Government Resolutions :*

(i) Notices received	} 3
(ii) Admitted	
(iii) Moved	
(iv) Adopted	

12. *Private Members' Resolutions :*

(i) Received 17

(ii) Admitted	11
(iii) Discussed	3
(iv) Withdrawn	1
(v) Negatived	1
(vi) Adopted	Nil
(vii) Part-discussed	1
(viii) Discussion postponed	Nil
13. Government Motions :	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	Nil
(iv) Adopted	Do.
(v) Part-discussed	Do.
14. Private Members' Motions :	
(i) Received	43
(ii) Admitted	32
(iii) Moved	2
(iv) Adopted	Nil
(v) Part-discussed	Nil
(vi) Negatived	2
(vii) Withdrawn	Nil
15. Motions Regarding modification of Statutory Rule :	
(i) Received	Nil
(ii) Admitted	Do.
(iii) Moved	Do.
(iv) Adopted	Do.
(v) Negatived	Do.
(vi) Withdrawn	Do.
(vii) Part-discussed	Do.
16. Number of Parliamentary Committees created, if any, during the Session	
	Nil
17. Total number of Visitors' Passes	
	3680

18. Maximum number of Visitor's Passes issued on any single day, and date on which issued 171 Passes (on 14-3-1973)
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 :
- (i) Starred 746 (including 1096 clubbed)
- (ii) Unstarred (including Starred Questions) 1962 (including 1005 clubbed)
- (iii) Short-notice Questions Admitted as unstarred 3
21. Number of Reports of Various Parliamentary Committees Presented to Laid on the Table on the Rajya Sabha :
- (i) Public Accounts Committee 17
- (ii) Committee on Public Undertakings 1
- (iii) Business Advisory Committee Nil
- (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 1
- (viii) Joint Committee on Offices of Profit Nil
- (ix) Rules Committee Nil
- (x) Committee on Government Assurances Nil
22. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE 1
- PETITIONS PRESENTED 1
24. Number of New Members Sworn with Dates.

Sl. No	Name of Members Sworn	Date on which Sworn
1.	Shri Y. M. Makwana	6-3-73
2.	Shri Debananda Amat	8-6-73
3.	Smt. Aziza Imam	21-3-73
4.	Shri Kamalnath Jha.	23-3-73

Statement Showing the Work Transacted During the Eighty-fourth Session of Rajya Sabha

1. Period of the Session . . . April 30 to May 19, 1973.
2. Number of meetings held . . . 14 sittings
3. Total number of sitting hours . . . 83 Hrs and 29 Minutes (Excluding Lunch Break).
4. Number of divisions held . . . 6 (six)
5. *Government Bills :*
 - (i) Pending at the commencement of the Session . . . 6
 - (ii) Introduced 2
 - (iii) Laid on the Table as passed by Lok Sabha . . . 8
 - (iv) Returned by Lok Sabha with any amendment . . . 2
 - (v) Referred to Select Committee by Rajya Sabha
 - (vi) Referred to Joint Committee by Rajya Sabha . . . 1
 - (vii) Reported by Select Committee
 - (viii) Reported by Joint Committee
 - (ix) Discussed 10
 - (x) Passed 10
 - (xi) Withdrawn
 - (xii) Negatived
 - (xiii) Part-discussed
 - (xiv) Returned by Rajya Sabha without any recommendation 3
 - (xv) Discussion postponed
 - (xvi) Pending at the end of the Session 7
6. *Private Members Bills :*
 - (i) Pending at the commencement of the Session . . . 48
 - (ii) Introduced 3
 - (iii) Laid on the Table as passed by Lok Sabha
 - (iv) Returned by Lok Sabha with any amendment and laid on the Table.
 - (v) Reported by Joint Committee
 - (vi) Discussed
 - (vii) Withdrawn
 - (viii) Passed

(ia)	Negatived . . . . .	..
(x)	Circulated for eliciting opinion . . . . .	..
(xi)	Part-discussed . . . . .	..
(xii)	Discussion postponed . . . . .	..
(xiii)	Motion for circulation of Bill negatived . . . . .	..
(xiv)	Referred to Select Committee . . . . .	..
(xv)	Pending at the end of the Session	51
7.	<u>Numbers of Discussions held Under Rule 170 :</u>	
	(Matters of Urgent Public Importance)	
(i)	Notices received	4
(ii)	Admitted	2
(iii)	Discussion held	2
8.	Discussion on the working of the Ministries	3 (Vis. (i) I & P (ii) Shipping and Transport (iii) Petroleum and Chemicals)
9.	<u>Number of Statements made Under Rule 180 :</u>	
	(Calling-attention to matter of Urgent Public Importance)	
(i)	Statements made by Ministers	11
10.	Half-an-hour discussion held	Nil
11.	(Statutory Resolutions).	
(i)	Notices received	} Nil
(ii)	Admitted	
(iii)	Moved	
(iv)	Adopted	
(v)	Negatived	
(vi)	Withdrawn	
12.	<u>Government Resolutions :</u>	
(i)	Notices received	3
(ii)	Admitted	3
(iii)	Moved	3
(iv)	Adopted	3
13.	<u>Private Members' Resolutions :</u>	
(i)	Received	3

(ii) Admitted	3
(iii) Discussed	1 (Discussion not concluded)
(iv) Withdrawn	Nil
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	
(viii) Discussion postponed	Nil

14. *Government Motions :*

(i) Notices received	1
(ii) Admitted	1
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil

15. *Private Members' Motions :*

(i) Received	9
(ii) Admitted	9
(iii) Moved	1
(iv) Adopted	Nil
(v) Part-discussed	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil

16. *Motions Regarding Modification of Statutory Rule :*

(i) Received	
(ii) Admitted	
(iii) Moved	
(iv) Adopted	
(v) Negatived	
(vi) Withdrawn	
(vii) Part-discussed	

17. Number of Parliamentary Committees created, if any, during the session 1 (Joint Committee)

18. Total number of Visitors Passes 2540

19. Maximum number of Visitors Passes issued on any single day, and date on which issued. 274 on 19-5-1973

20. Number of Motion for Papers Under Rule 175

(i) Brought before the House Nil

(ii) Admitted and discussed Nil

21. Total Number of Questions Admitted :

(i) Starred 351

(ii) Unstarred (including Starred Questions) 1133

(iii) Short-Notice Questions Nil

22. Working of Parliamentary Committees :

Name of Committee	No of meetings held during the period 1-2-73 to 30-4-73	No. of Reports presented during the Session
(i) Public Accounts Committee	—	18
(ii) Committee on Public Undertakings	—	14
(iii) Business Advisory Committee	1	—
(iv) Committee on Subordinate Legislation	2	1
(v) Committee on Petitions	—	5
(vi) Committee on the Welfare of Scheduled Castes & Scheduled Tribes	—	5
(vii) Railway Convention Committee (1971)	—	3
(viii) Joint Committee on Offices of Profit	—	1
(ix) Committee on Government Assurances	3	1
(x) Joint Committee on Homeopathy Central Council Bill, 1971	1	—
(xi) Joint Committee on the Adoption of Children Bill, 1972	3	—
23. Number of Members granted leave of absence;	—	2
24. Petitions presented	—	1

25. Number of New Members sworn with dates

S. N.	Name of Members Sworn	Date on which sworn
1.	Shri P. K. Kuniachen	30-4-73
2.	Shri Hamid Ali Schamnad	30-4-73
3.	Dr. V. A. Seyid Muhammad	30-4-73

APPENDIX III

Statement showing the activities of the State Legislatures during the period 1st January, 1973 to 31st March, 1973.

Sessions held	Bills passed		No. of Questions				Committee at Work				
	Govt.	Private	Starred		Unstarred		Short Notice		Name of the Committee	Sittings held	No. of Reports presented
			Recd.	Admtd.	Recd.	Admtd.	Recd.	Admtd.			
1	2	3	4	5	6	7	8	9	10	11	12
..	..	..	13	..	..	..	..	..	Committee on Public Undertakings	1	
..	..	..	..	..	..	..	..	..	Committee on Sub-ordinate Legislation	3	
<i>Andhra Pradesh Legislative Assembly</i>											
<i>Assam Legislative Assembly</i>											
One (16-3-73 to 3-4-73) — 12 sittings	10	..	792	776	26	22	25	6	Business Advisory Committee	3	..
									Committee on Sub-ordinate Legislation	2	1
									Employment Review Committee	3	..
									House Committee	3	..

House Committee	1	..
Library Committee	9	..
Public Accounts Committee	16	1
Rules Committee	1	1

Himachal Pradesh Vidhan Sabha.

One
(21-3-73 to
23-4-73
—22 Sittings

Business Advisory Committee	1	7	351	244	7712	1291	11	3
Committee on Government Assurances	8							1
Committee on Petitions	6							1
Committee on Sub-ordinate Legislation	23							1
Estimates Committee	19							5
House Committee/ Members' Accommodation Committee	2							..
Library Committee	5							..
Public Accounts Committee	11							1
Rules Committee	12							2

*107 notices of Starred Questions admitted as Unstarred.

(i) Select Committee on the Kerala Medical Practitioners Bill, 1972	1	..
(ii) Calicut University Bill, 1972	1	..
(iii) Kerala University Bill, 1972	1	..
(iv) Kerala Chitties Bill, 1972	3	..
Committee on Government Assurances	1	..
Committee on Petitions	4	1
Committee on Private Members' Bills and Resolutions	4	2
Committee on Privileges	1	1
Committee on Public Undertakings	16	1
Committee on Subordinate Legislation	7	2
Estimates Committee	8	2

Kerala Legislative Assembly

One	11	2057 ^a	524	480 ^a	980	5
(9-3-73 to 30-3-73)						
—16 Sittings						

^aRelates to the period 1-10-72 to 31-12-72.

^bIncludes Unstarred Questions received.

^cA large number of notices received for Starred Questions were admitted as Unstarred Questions.

1 2 3 4 5 6 7 8 9 10 11 12

Committee on Privileges 2 1
 Estimates Committee 1 ..
 Rules Committee 1 ..

Meghalaya Legislative Assembly

One (15-3-73 to 7-4-73) — 18 Sittings	16	86	82	170	167	7	7	7	Business Advisory Committee	2	..
									Committee on Petitions	1	..
									Committee on Privileges	3	1
									Estimates Committee	1	..
									House Committee/Member's Accommodation Committee		
									Public Accounts Committee	1	..
									Rules Committee	1	..

Mizoram Legislative Assembly

One (Commented on 15-3-73) — 10 Sittings	6	..	94	81	13	13	Business Advisory Committee	4	4
--	---	----	----	----	----	----	----	----	-----------------------------	---	---

Estimates Committee	2
House Committee/ Member's Accommodation Committee	2 .. I
Library Committee	2 ..
Rules Committee	8 I

Mysore Legislative Assembly

One
(16-2-73
to 31-3-73)
—36
sittings.

Business Advisory Committee	24	46	76	93	787	945	6
Committee on Government Assurances	2						
Committee on Petitions	3						1
Committee on Private Members Bills and Resolutions	5						5
Committee on Public Undertakings	20						..
Committee on Subordinate Legislation	1						1
Committee on the welfare of SC/ST	6						..

	1	2	3	4	5	6	7	8	9	10	11	12
Estimates Committee											5	..
House Committee/ Members' Accom- modation Com- mittee											1	..
Public Accounts Committee											7	1
<i>Joint/Select Committees:</i>												
Joint/Select Com- mittee on Mysore Land Reforms (Amendment) Bill, 1972.											30	..
<i>Mysore Legislative Council</i>												
One (16-2-73 to 31-3-73) — 36 sittings	10			395	319	19	16	37	20	Business Advisory Committee	6	1
										Committee on Go- vernment Assuran- ces	1	..
										Committee on Public Undertakings	20	..
										Committee on Sub- ordinate Legisla- tion	1	1

Committee on the welfare of SC/ST	6	..
House Committee/ Members' Accommodation Committee	1	..
Public Accounts Committee	7	1
<i>Joint/Select Committee</i>		
Joint/Select Committee on the Mysore Land Reforms (Amendment) Bill, 1972	30	..

Nagaland Legislative Assembly

One
(17-3-73
to 2-4-73)
—11 sittings

1 Business Advisory Committee	1	1
Committee on Government Assurances	1	2
Committee on Subordinate Legislation	1	..
Estimates Committee	2	..
Public Accounts Committee	2	1

	1	2	3	4	5	6	7	8	9	10	11	12
<i>Orissa Legislative Assembly</i>												
One (9-2-73 to 1-3-73) —13 sittings				1554	1228	419	117	168	14	Committee on Government Assurances	3	..
										Committee on Petitions	1	
										Committee on Public Undertakings	11	..
										Committee on Sub-ordinate Legislation	3	..
										Estimates Committee	6	..
										House Committee	1	..
										Public Accounts Committee	7	..
<i>Pondicherry Legislative Assembly</i>												
Two (1)8-2-73 to 10-2-73 3-Sittings		1		47	45	8	8	1	1	Business Advisory Committee	2	1
										Committee on Government Assurances	6	1

(11)26-3-73
to 28-4-73
—21 Sittings

10	..	209	104	32	16	..	Committee on Petitions	1	..
							Committee on Subordinate Legislation	1	1
							Estimates Committee	23	7
							Public Accounts Committee	14	2
							Rules Committee	3	1

Punjab Vidhan Sabha*

One
(27-2-73 to
19-4-73)
—28 Sittings

23	..	1591	784	348	160	13	4	5	4
							Business Advisory Committee	5	4
							Committee on Government Assurances	8	1
							Committee on Public Undertakings	5	2
							Committee on Subordinate Legislation	12	1
							Estimates Committee	2	2
							House Committee Member's Accommodation Committee	2	..

*Relates to the period 1-1-73 to 30-4-73.
*Relates to the period 1-1-73 to 19-4-73.

Estimates Committee	3	3	3
House Committee/ Members' Accommodation Committee	11	..	..
Public Accounts Committee	27	2	2
Rules Committee	2	2	2
Select Committees			
The Rajasthan Tenancy Bill, 1972	6	..	..

Tamil Nadu Legislative Assembly

Two (i) 2-2-73 to 13-2-73 — 9 Sittings (ii) 26-2-73 to 5-4-73 — 32 Sittings	14	324110	1976	..	71	47	9	Business Advisory Committee	5	..
								Committee on Government Assurances	3	1
								Committee on Subordinate Legislation	3	1
								Estimates Committee	22	3
								House Committee/ Members' Accommodation Committee	1	..
									1	..

¹¹Also includes notices received for Unstarred Questions.

	1	2	3	4	5	6	7	8	9	10	11	12
										Public Accounts Committee	20	3
										Joint/Select Committees.		
										(i) Joint/Select Committee on the Tamil Nadu Buildings lease and rent control Second Amendment Bill	7	1
										(ii) The Tamil Nadu Public Men (Criminal Misconduct) Bill, 1976	3	1
										<i>Tripura Legislative Assembly</i> ¹¹		
										6 Business Advisory Committee	4	4
										Committee on Government Expenses	2	1
										Committee on Petitions	1	1
One (12-3-73 to 19-4-73) 26 Sittings		7		1184	675	231	199 ^{1a}	58 ^{1a}				

Committee on Delegated Legislation	2	...
Estimates Committee	2	2
Library Committee	1	...
Public Accounts Committee	2	1
Rules Committee	2	2
<i>Select Committee</i>		
Select Committee on the Tripura Board of Secondary Education Bill, 1973	1	

Uttar Pradesh Legislative Assembly

One (1-1-73 to 31-3-73)	1285	466	..	2198	156	Business Advisory Committee	6	4
—22 Sittings	..	..	..	..	..	Committee on Government Assurances	16	
						Committee on Petitions	1	
						Committee on Public Undertakings	10 ¹⁴	1
						Committee on Subordinate Legislation	5	4

¹¹. Rates to the Period 1. 1. 1973 to 19. 4. 73.

¹². Includes 101 notices received for Starred Questions admitted as Unstarred.

¹³. 36 notices were admitted as Unstarred.

¹⁴. Besides 10 sittings of the full Committee, 4 sittings of the Financial Corporation Sub-Committee and 1 sitting of the Agro-Industrial Corporation Sub-Committee were also held.

1	2	3	4	5	6	7	8	9	10	11	12
---	---	---	---	---	---	---	---	---	----	----	----

Committee on Government Assurances	16	1
Committee on Petitions	2	
Committee on Public Undertaking	8	..
Committee on the Rulings of Appeal to Outsiders	1	
Compilation of Rulings Committee	6	
House Committee/ Members' Accommodation Committee	5	
Rules Committee	5	

West Bengal Legislative Assembly

One's
(9-2-73
to 31-3-73
—34 sittings

22	1570	117	621	515	170	25
						Business Advisory Committee
						28
						2
						Committee on Government Assurances
						1
						Committee on Petitions
						1
						1

Estimates Committee	8	2
Public Accounts Committee . . .	14	2

¹⁸The Session commenced on 9-2-73 and continued beyond 31-3-73. The figures given here relate to the period upto 31-3-73.

APPENDIX IV

List of Bills passed by the Houses of Parliament and assented to by the President during the period 1st February, 1973 to 30th April, 1973

Sl. No.	Title of Bill	Date of Assent by the President
1.	The Constitution (Thirtieth Amendment) Bill, 1973	22-2-73
2.	The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1973	9-3-73
3.	The Diplomatic and Consular Officers (Oaths and Fees) (Extension to Jammu and Kashmir) Bill, 1973	13-3-73
4.	The Seaward Artillery Practice (Amendment) Bill, 1973	13-3-73
5.	The Appropriation (Vote on Account) Bill, 1973	23-3-73
6.	The Appropriation Bill, 1973	28-3-73
7.	The Appropriation (Railways) Bill, 1973	29-3-73
8.	The Appropriation (Railways) No. 2 Bill, 1973	29-3-73
9.	The Andhra Pradesh State Legislature (Delegation of Powers) Bill, 1973	29-3-73
10.	The Andhra Pradesh Appropriation (Vote on Account) Bill, 1973	30-3-73
11.	The Andhra Pradesh Appropriation Bill, 1973	30-3-73
12.	The Orissa Appropriation (Vote on Account) Bill, 1973	30-3-73
13.	The Orissa Appropriation Bill, 1973	30-3-73
14.	The Refugee Relief Taxes (Abolition) Bill, 1973	31-3-73
15.	The Union Territories Taxation Laws (Amendment) Bill, 1973	31-3-73
16.	The Coal Mines (Taking Over of Management) Bill, 1973]	31-3-73
17.	The Manipur Appropriation (Vote on Account) Bill, 1973	1-4-73
18.	The Capital of Punjab (Development and Regulation) (Chandigarh Amendment) Bill, 1973	9-4-73
19.	The Delhi School Education Bill, 1973	9-4-73

APPENDIX V

List of Bills passed by the State Legislatures during the period 1st January, 1973 to 31st March, 1973

Assam Legislative Assembly

- *1. The Assam Agricultural Farming Corpn. Bill, 1973.
2. The Assam Appropriation (No.1) Bill, 1973.
3. The Assam Appropriation (Vote-on-Account) Bill, 1973.
- *4. The Indian Electricity (Assam Amendment) Bill, 1973.
- *5. The Tinsukia & Dibrugarh Electricity Supply Undertaking (Acquisition) Bill, 1973.
- *6. The Assam Legislative Assembly Members' Salaries and Allowances (Amendment) Bill, 1973.
7. The Assam Finance Bill, 1973.
- *8. The Assam Excise (Amendment) Bill, 1973.
- *9. The Assam Housing Board Bill, 1972.
- *10. The Assam Repealing Bill, 1973.

Gujarat Legislative Assembly

1. The Gujarat Secondary Education Bill, 1972.
2. The Gujarat Private Forests (Acquisition) Bill, 1972.
3. The Gujarat Public Premises (Eviction of Unauthorised Occupants) Bill, 1972.
4. The Gujarat University, (Amendment) Bill, 1972.
5. The Saurashtra Gharkhed Tenancy Settlement and Agricultural Lands (Gujarat Amendment) Bill, 1972.
6. The Bombay Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) (Gujarat Amendment) Bill, 1972.
7. The Gujarat Slum Areas (Improvement, Clearance and Redevelopment) Bill, 1973.
8. The Gujarat (Supplementary) Appropriation Bill, 1973.
9. The Gujarat Ownership Flats Bill, 1973.
10. The Gujarat Appropriation Bill, 1973.

*Bills awaiting assent.

11. The Gujarat Panchayats (Amendment) Bill, 1973.
12. The Gujarat Municipalities (Amendment and Validating Provisions) Bill, 1973.

Haryana Vidhan Sabha

1. The Haryana Appropriation Bill, 1973.
2. The Haryana Appropriation (No. 2) Bill, 1973.
3. The Punjab Motor Vehicles Taxation (Haryana Amendment) Bill, 1973.
4. The Haryana Official Language (Amendment) Bill, 1973.
5. The Punjab Passengers and Goods Taxation (Haryana Amendment) Bill, 1973.
6. The Patiala State Ijias-I-Khas Order of 1919 (Haryana Repeal) Bill, 1973.
7. The Haryana Ceiling on Land Holdings (Amendment) Bill, 1973.
8. The Haryana Housing Board, (Amendment) Bill, 1973.
9. The Punjab Town Improvement (Haryana Amendment) Bill, 1973.
10. The Haryana Urban (Control of Rent and Eviction) Bill, 1973.
11. The Indian Forest (Haryana Amendment) Bill, 1973.
12. The Punjab New Mandi Township (Development and Regulation) Haryana Amendment Bill, 1973.
13. The Punjab Urban Estates (Development and Regulation) Haryana Amendment Bill, 1973.
14. The Haryana Municipal Bill, 1973.
15. The Punjab State Legislature (Prevention of Disqualification) Haryana Amendment Bill, 1973.
16. The East Punjab War Award (Haryana Amendment) Bill, 1973.
17. The Punjab Resumption of Jagirs (Haryana Amendment) Bill, 1973.
18. The Haryana Restrictions on (Development and Regulation of) Colonies Amendment Bill, 1973.
19. The Haryana Land Holdings Tax Bill, 1973.
20. The Punjab Gram Panchayat (Haryana Amendment) Bill, 1973.
21. The Punjab Agricultural Produce Markets (Haryana Amendment) Bill, 1973.

22. The Haryana Agricultural Credit operations and Miscellaneous Provisions (Banks) Bill, 1973.
23. The Punjab Motor Vehicles Taxation (Haryana Second Amendment) Bill, 1973.
24. The Punjab Panchayat Samitis and Zila Parishads (Haryana Amendment) Bill, 1973.
25. The Punjab Co-operative Land Mortgage Banks (Haryana Amendment) Bill, 1973.
26. The Punjab Co-operative Societies (Haryana Amendment) Bill, 1973.
27. The Haryana General Sales Tax Bill, 1973.
28. The Punjab Village Common Lands (Regulation) Haryana Amendment Bill, 1973.

Himachal Pradesh Vidhan Sabha†

- *1. The Himachal Pradesh Appropriation Bill, 1973.
- *2. The Himachal Pradesh Appropriation (Vote on Account) Bill, 1973.
3. The Himachal Pradesh Appropriation Bill, 1973.
4. The Himachal Pradesh Tractor Cultivation (Recovery of Charges) Bill, 1972.
5. The Himachal Pradesh New Mandi Townships (Development and Regulation) Bill, 1972.
6. The Himachal Pradesh Utilization of Lands Bill, 1973.
7. The Himachal Pradesh (Extension of Laws) Bill, 1972.
8. The Himachal Pradesh (Extension of Laws) Bill, 1973.
9. The Himachal Pradesh Repealing Bill, 1973.
10. The Himachal Pradesh Land Development Bill, 1973.
11. The Himachal Pradesh Fruit Neries Registration Bill, 1973.

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.
5. The Kerala Contingency Fund (Amendment) Bill, 1972.
6. The Kerala Plant Diseases and Pests Bill, 1971.
7. The Kerala Land Reforms (Amendment) Bill, 1972.
8. The Kerala Appropriation (No. 3) Bill, 1972.

*Shows the bills which have been assented to by the Governor.

††Relates to the period 1-10-72 to 31-12-72.

9. The Kerala Municipalities (Amendment) Bill, 1971.
10. The Kerala Electricity Duty (Amendment) Bill, 1971.
11. The Kerala Stamp (Amendment) Bill, 1971.
12. The Kerala Children Bill, 1971.
13. The Pattzhi Devaswom Lands (Vesting and Enfranchisement) Amendment Bill, 1971.
14. The Guruvayoor Devaswom (Amendment) Bill, 1972.
15. The Kerala Essential Articles Control (Temporary Powers) Continuance Bill, 1972.
16. The Kerala Motor Vehicles (Taxation of Passengers and Goods) Amendment Bill, 1972.
17. The Kerala University (Amendment) Bill, 1972.
18. The Kerala Buildings (Lease and Rent Control) Amendment Bill, 1971.
19. The Kerala Municipal Corporations Amendment Bill, 1971.
20. The Kerala Survey and Boundaries (Amendment) Bill, 1971.
21. The Kerala Payment of Subsistence Allowance Bill, 1971.
22. The Payment of Salaries and Allowances (Amendment) Bill, 1972.

Kerala Legislative Assembly

- *1. The Kerala Land Reforms (Amendment) Bill, 1973.
2. The Kerala Appropriation Bill, 1973.
- *3. The Kerala Land Reforms (Amendment) Amending Bill, 1973.
- *4. The Kerala Agriculturists' Debt Relief (Amendment) Bill, 1973.
- *5. The Kerala Preservation of Private Forests (Amendment) Bill, 1973.
6. The Kerala Appropriation (Vote on Account) Bill, 1973.
7. The Kerala Municipalities (Amendment) Bill, 1973.
8. The Kerala Stamp (Amendment) Bill, 1973.
9. The Kerala Additional Tax on Entertainments and surcharge on Show Tax (Amendment) Bill, 1973.
- *10. The Kerala Official Language (Legislation) Amendment Bill, 1973.
- *11. The Abkari (Amendment) Bill, 1973.

*Bills awaiting assent.

Manipur Legislative Assembly

1. The Manipur Water Supply Bill, 1973.
2. The Manipur Weights & Measures Bill, 1973.
3. The Manipur Secondary Education (Amendment) Bill, 1973.
4. The Manipur Shops and Establishment Bill, 1972.
5. The Assam Sales Tax (Manipur Amendment) Bill, 1973.
6. The Manipur Appropriation Bill, 1973.

Meghalaya Legislative Assembly†

1. The Meghalaya Appropriation (No. 11) Bill, 1972.
2. The Meghalaya Taxation Laws (Modification) Bill, 1972.
3. The Court Fees (Meghalaya First Amendment) Bill, 1972.
4. The Indian Stamp (Meghalaya Second Amendment) Bill, 1972.
5. The Meghalaya Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants Taxation (Second Amendment) Bill, 1972.
6. The Court Fees (Meghalaya Second Amendment) Bill, 1972.

Meghalaya Legislative Assembly

1. The Meghalaya Appropriation (No. I) Bill, 1973.
2. The Meghalaya Appropriation (No. II) Bill, 1973.
3. The Meghalaya Forest Regulation (Application and Amendment) Bill, 1973.
4. The Meghalaya Board of School Education Bill, 1973.
- *5. The Meghalaya Repealing Bill, 1973.
- *6. The Meghalaya Sales Tax (Amendment) Bill, 1973.
- *7. The Meghalaya Purchase Tax (Amendment) Bill, 1973.
- *8. The Meghalaya Finance (Sales Tax) (Amendment) Bill, 1973.
- *9. The Meghalaya Amusement & Betting Tax (First Amendment) Bill, 1973.
- *10. The Meghalaya Amusement & Betting Tax (Second Amendment) Bill, 1973.
- *11. The Meghalaya Passengers & Goods Taxation (Amendment) Bill, 1973.
12. The Meghalaya (Sales of Petroleum and Petroleum Products, including Motor Spirit & Lubricants) Taxation (Amendment) Bill, 1973.

†Relates to the period 1-10-72 to 31-12-72.

*Bills awaiting assent.

- *13. The Indian Stamp (Meghalaya Amendment) Bill, 1973.
- *14. The Meghalaya Motor Vehicles (Amendment) Bill, 1973.
- *15. The Meghalaya Municipal (Amendment) Bill, 1973.
- *16. The Meghalaya Finance Bill, 1973.

Mizoram Legislative Assembly

- 1. Appropriation (No. 1) Bill, 1973.
- 2. Appropriation (No. 2) Bill, 1973.
- 3. The Contingency Fund of the Union Territory of Mizoram (Determination of Amount) Bill, 1973.
- 4. Appropriation (No. 3) Bill, 1973.
- 5. The Indian Stamp (Mizoram Amendment) Bill, 1973.
- 6. The Taxation Laws (Mizoram Amendment) and Validation of Surcharges Bill, 1973.

Mysore Legislative Assembly

- *1. The Public Wakfs (Extension of Limitation) Mysore Amendment Bill, 1973.
- 2. The Mysore Re-Enacting Bill, 1973.
- 3. The Mysore Appropriation Bill, 1973.
- 4. The Mysore Appropriation (Vote on Account) Bill, 1973.
- 5. The Mysore Re-Enacting (No. 2) Bill, 1973.
- 6. The Mysore Sales Tax (Amendment) Bill, 1973.

Mysore Legislative Council

- *1. The Mysore Khadi and Village Industries (Amendment) Bill, 1972.
- *2. The Mysore Acquisition of Land (for Grant of House Sites) Bill, 1972.
- *3. The Mysore Apartment Ownership Bill, 1972.
- *4. The Mysore Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Bill, 1972.
- *5. The Public Wakfs (Extension of Limitation) Mysore Amendment Bill, 1972.
- 6. The Mysore Re-Enacting Bill, 1973.
- 7. The Mysore Appropriation Bill, 1973.
- 8. The Mysore Appropriation (Vote on Account) Bill, 1973.

*Bills awaiting assent.

9. The Mysore Re-Enacting (No. 2) Bill, 1973.
10. The Mysore Sales Tax (Amendment) Bill, 1973.

Nagaland Legislative Assembly

1. Appropriation (No. 1) Bill, 1973.
2. Appropriation (No. 2) Bill, 1973.
3. The Nagaland Eviction of Persons in Unauthorised Occupation of Public Land (2nd Amendment) Bill, 1973.

Pondicherry Legislative Assembly†

- *1. The Pondicherry Pawn Brokers (Amendment) Bill, 1973.
- *2. The Pondicherry Revenue Recovery Bill, 1973.
3. The Appropriation (No. I) Bill, 1973.
4. The Appropriation (Vote on Account) Bill, 1973.
- *5. The Appropriation (No. II) Bill, 1973.
- *6. The Appropriation (No. III) Bill, 1973.
- *7. The Pondicherry Municipalities Bill, 1973.
- *8. The Pondicherry Village and Commune Panchayats Bill, 1973.
- *9. The Pondicherry Hindu Religious Institutions (Amendment) Bill, 1973.
- *10. The Pondicherry Cultivating Tenants (Payment of Fair Rent) (Amendment) Bill, 1973.
11. The Pondicherry Municipal Degree (Levy and Validation of Taxes Duties, Cesses and Fees) Bill, 1973.

Punjab Vidhan Sabha

1. The Punjab Appropriation Bill, 1973.
2. The Punjab Appropriation (No. 2) Bill, 1973.
3. The Punjab Pre-emption (Repeal) Bill, 1973.
4. The Punjab Custom (Power to Contest) Amendment Bill, 1973.
5. The Punjab General Sales Tax (Amendment) Bill, 1973.
- *6. The East Punjab Agricultural Pests, Diseases and Noxious Weeds (Amendment) Bill, 1973.
7. The East Punjab Molasses (Control) Amendment Bill, 1973.

†Relates to the period 1-1-73 to 30-4-73 covering the two sessions.

*Bills awaiting assent.

- *8. The Punjab Public Premises and Land (Eviction and Rent Recovery) Bill, 1973.
9. The Punjab Betterment Charges and Acreage Rates (Amendment) Bill, 1973.
10. The Punjab Registration (Validating) Bill, 1973.
- *11. The Punjab Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1973.
12. The Punjab Entertainments Duty (Amendment) Bill, 1973.
13. The Pepsu Townships Development Board (Amendment) Bill, 1973.
14. The Punjab Municipal (Amendment) Bill, 1973.
15. The Punjab Town Improvement (Amendment) Bill, 1973.
16. The Punjab Urban Immovable Property Tax (Repeal) Bill, 1973.
- *17. The Indian Stamp (Punjab Amendment) Bill, 1973.
- *18. The Punjab Central Sales Tax (Second Amendment) Bill, 1973.
- *19. The Punjab Passengers and Goods Taxation (Amendment) Bill, 1973.
- *20. The Punjab Housing Development Board (Amendment) Bill, 1973.
- *21. The Punjab Agricultural Produce Markets (Amendment) Bill, 1973.
22. The Salaries and Allowances of Deputy Minister, Punjab (Amendment) Bill, 1973.
23. The Punjab Urban Property (Ceiling) Bill, 1972.

Rajasthan Legislative Assembly

1. The Rajasthan Panchayat Laws (Amendment) Bill, 1973.
2. The Rajasthan Motor Vehicles Taxation (Amendment) Bill, 1973.
3. The Motor Vehicles (Rajasthan Amendment) Bill, 1973.
4. The Rajasthan Urban Improvement (Amendment and Validation) Bill, 1973.
5. The Rajasthan Urban Property (Restriction of Transfer) Bill, 1973.
6. The Rajasthan Imposition of Ceiling on Agricultural Holdings Bill, 1973.
7. The Rajasthan Lokayukta and Up-Lokayuktas Bill, 1973.
8. The Rajasthan Appropriation (No. 1) Bill, 1973.
9. The Rajasthan Appropriation (No. 2) Bill, 1973.

*Bills awaiting assent.

10. The Rajasthan Appropriation (No. 3) Bill, 1973.
11. The Rajasthan Contingency Fund (Amendment) Bill, 1973.
12. The Rajasthan Appropriation (No. 4) Bill, 1973.
13. The Rajasthan Urban Land Tax (Amendment) Bill, 1973.
14. The Rajasthan Passengers and Goods Taxation (Amendment) Bill, 1973.
15. The Rajasthan Taxation Laws (Amendment) Bill, 1973.
16. The Rajasthan Appropriation (No. 5) Bill, 1973.

Tamil Nadu Legislative Assembly

1. Tamil Nadu Stage Carriages and Contract Carriages (Acquisition) Bill, 1973.
2. The Tamil Nadu Co-operative Societies (Amendment) Bill, 1973.
3. The Presidency Small Cause Courts (Tamil Nadu Amendment) Bill, 1973.
4. The Tamil Nadu Water Supply and Drainage Board (Amendment) Bill, 1973.
5. The Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Bill, 1973.
6. The Tamil Nadu District Municipalities (Amendment) Bill, 1973.
7. The Public Wakfs (Extension of Limitation) Tamil Nadu Amendment Bill, 1973.
8. The Tamil Nadu Appropriation (No. 2) Bill, 1973.
9. The Tamil Nadu Appropriation (No. 3) Bill, 1973
10. The Tamil Nadu Cultivating Tenants Right to Purchase Land (Owners' Rights) Bill, 1973.
11. The Tamil Nadu General Sales Tax (Amendment) Bill, 1973.
12. The Madras City Tenants Protection (Amendment) Bill, 1973.
13. The Tamil Nadu Buildings (Lease and Reht Control) Second Amendment Bill, 1973.
14. The Tamil Nadu Public Men (Criminal Misconduct) Bill, 1973.

Tripura Legislative Assembly†

- *1. The Tripura Educational Institutions (Taking over of Management) Bill, 1973.
- *2. The Indian Stamps (Tripura Amendment) Bill, 1973.

†Relates to the period 1-1-73 to 19-4-73.

* Bills awaiting assent.

- *3. The Tripura Amusements Tax Bill, 1973.
- *4. The Motor Vehicles (Tripura Amendment) Bill, 1973.
- *5. The Tripura Appropriation (Vote on Account) Bill, 1973.
- *6. The Tripura Appropriation (No. 2) Bill, 1973.
- *7. The Tripura Appropriation Bill, 1973.

Uttar Pradesh Legislative Assembly

1. The U. P. Sales of Motor Spirit and Diesel Oil Taxation (Amendment) Bill, 1973.
2. 2. U.P. Contingency Fund (Second Amendment) Bill, 1972.
3. U.P. Municipalities (Second Amendment) Bill, 1972.
4. The U. P. Sales Tax (Amendment) Bill, 1973.
5. The U. P. Unauthorised Medical Educational Institutions (Prevention) Bill, 1972.
6. The U. P. Rural Local Self Government Laws (Amendment) Bill, 1972.
7. U.P. Tendu Patta (Vyapar Viniyaman) (Sanshodhan) Vidheyak, 1972.
8. The U. P. Ceiling on Property (Temporary) Restriction on Transfer (Amendment) Bill, 1973.
- *9. The U. P. Hindu Public Religious Institutions (Prevention of Dissipation of properties) (Temporary Powers) (Continuance) Bill, 1972.
10. The U.P. Kshetra Samitis and Zila Parishads (Alpkalik Vyavastha) (Sanshodhan) Vidheyak, 1973.
11. The Indian Forest (U. P. Amendment) Bill, 1973.
12. The U.P. Appropriation (Supplementary 1972-73) Bill, 1973.
- *13. The U. P. Zamindari Abolition and Land Reforms (Amendment) Bill, 1973.
- *14. The U.P. Excise (Amendment) Bill, 1973.
15. U. P. Appropriation (Vote on Account) Bill, 1973.

Uttar Pradesh Legislative Council

- (1) Uttar Pradesh Viniyog (1966-67 ki barthi Vyayak Viniyaman) Vidheyak 1972.
- (2) Uttar Pradesh Viniyog (1967-68 ki Barthi Vyaya ka Viniyaman) Vidheyak 1972.
- (3) Uttar Pradesh Viniyog (1972-73 ka AnupuraR) Vidheyak 1972.

*Bills awaiting assent.

†Relates to the period 1-10-72 to 31-12-72.

- (4) Uttar Pradesh Vidhan Mandal Sadsyon ki Uplabdhiyan wa San-odhan Vidheyak 1972.
- (5) Uttar Pradesh Rajya Vidhan Mandal (Adhikariyon ke Betan Tatha Bhatta) (Sanshodhan) Vidheyak 1972.
- (6) Uttar Pradesh Adhiktam Sampati Seema (Antaran Par Asthai Nirbandhan) (Sanshodhan) Vidheyak 1972.

Uttar Pradesh Legislative Council

1. U.P. Municipalities (Second Amendment) Bill, 1972.
2. U.P. Gramya Swayatta Shasan Vidhi Sanshodhan Videyak 1972.
3. U.P. Avasmukta Nidhi (Amendment) Bill, 1972.
4. U.P. Vikri Kar (Amendment) Bill, 1972.
5. U.P. Viniyog (1972-73 ka Anupurak) Bill, 1973.
6. U.P. Khettra Samiti Tatha Zila Parishad (Alpkalik Vyayastha) (Amendment) Bill, 1972.
7. U.P. Viniyog (Lekhanudan) Vidheyak 1973.
8. U. P. Motor Spirit & Diesel Oil Vikri Karadhan (Amendment) Bill, 1973.

West Bengal Legislative Assembly

- *1. The West Bengal Restoration of Alienated Land Bill, 1973.
- *2. The West Bengal Cess (Amendment) Bill, 1972.
3. The West Bengal Estates Acquisition (Amendment) Bill, 1972.
4. The West Bengal Settled Estates (Repealing) Bill, 1972.
- *5. The West Bengal Land (Requisition and Acquisition) (Amendment) Bill, 1973.
6. The Sri Aurobindo Memorial (Amendment) Bill, 1973.
7. The West Bengal Gambling and Prize Competitions (Amendment) Bill, 1972.
8. The Bengal Motor Vehicles Tax (Amendment) Bill, 1973.
9. The Bengal Excise (Amendment) Bill, 1973.
10. The West Bengal Duty on Inter-State River Valley Authority Electricity Bill, 1973.
11. The West Bengal Taxation Laws (Amendment) Bill, 1973.
12. The West Bengal Mining Settlements (Health and Welfare) (Amendment) Bill, 1973.

*Bills awaiting assent.

13. The Police West Bengal (Amendment) Bill, 1973.
14. The Bengal Co-operative Societies (Amendment) Bill, 1973.
15. The Bengal Wakf (Amendment) Bill, 1973.
16. The Motor Vehicles (West Bengal Amendment) Bill, 1973.
17. The Murshidabad Estate (Trust) (Amendment) Bill, 1973.
18. The Calcutta Metropolitan Water and Sanitation Authority (Amendment) Bill, 1973.
19. The Sri Ramkrishna Sarada Vidya Mahapitha Bill, 1973.
20. The West Bengal Appropriation Bill, 1973.
21. The West Bengal Appropriation (No. 2) Bill, 1973.
22. The West Bengal Molasses Control Bill, 1973.

APPENDIX VI

Ordinances issued by the Central and State Governments during the period 1st January, 1973 to 31st March, 1973

		Date of- Promul- gation	Date of which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
	—NIL—	Central* + States			
		<i>Assam</i>			
1.	The Assam Agricultural Farming Corporations Ordinance 1973	24-1-73	16-3-73	—	Replaced by legislation.
2.	The Assam Excise (Amendment) Ordinance, 1973	23-1-73	Do.	—	Do.
3.	The Assam Contingency Fund (Augmentation of Corpus) Ordinance, 1973	24-1-73	—	—	No
4.	The Assam Appropriation Ordinance, 1973	24-1-73	—	—	No
		<i>Haryana †</i>			
1.	The Punjab Motor Vehicles Taxation (Haryana Amendment) Ordinance, 1973	22-1-73	5-3-73	—	Replaced by legislation
2.	The Haryana Official Language (Amendment) Ordinance, 1973	14-2-73	5-3-73	—	Do.
		<i>Kerala**</i>			
1.	The Kerala General Sales Tax (Second Amendment) Ordinance, 1972	13-4-72	25-9-72	—	Replaced by legislation.

*Relating to the period 1-2-73 to 30-4-73.

†Relates to the period 1-1-73 to 6-4-73.

**Relates to the period 1-10-72 to 31-12-72.

1	2	3	4	5	6
2.	The Kerala Contingency Fund (Amendment) Ordinance, 1972	26-8-72	Do.	—	Do.
3.	The Kerala Preservation of Private Forests Ordinance, 1972	29-8-72	Do.	—	Do.
4.	The Kerala Cultivators and Tenants (Temporary Protection) Amendment Ordinance, 1972	15-4-72	Do.	—	Do.
5.	The Kerala Land Reforms (Amendment) Ordinance, 1972	1-6-72	Do.	—	Do.
6.	The Wakf (Kerala Amendment) Ordinance, 1972	21-6-72	Do.	—	Do.
7.	The Calicut University (Amendment) Ordinance, 1972	8-9-72	Do.	—	Do.
<i>Kerala</i>					
1.	The Kerala Agriculturists' Debt Relief Ordinance.				
2.	The Kerala Essential Services Maintenance Ordinance, 1973.				
3.	The Kerala Preservation of Private Forests (Amendment) Ordinance, 1973.				
<i>Orissa</i>					
1.	The Orissa Contingency Fund (Second Amendment) Ordinance, 1972	20-12-72	12-2-73	—	—
2.	The Orissa Contingency Fund (Amendment) Ordinance, 1973	11-1-73	2-2-73	—	—
<i>Pondicherry*</i>					
1.	The Pondicherry Municipal Decree (Levy and Validation of Taxes, Duties, Cesses and Fees) Ordinance, 1973	18-1-73	—	20-2-73	Replaced by Legislation.
<i>Punjab†</i>					
1.	The Punjab Pre-emption (Repeal) Ordinance, 1973	23-2-73	28-2-73	—	Replaced by Legislation
2.	The Punjab Custom (Power to Contest) Amendment Ordinance, 1973.	23-2-73	Do.	—	Do.

*Relates to the period 1-1-73 to 30-4-73.

†Relates to the period 1-1-73 to 19-4-73.

1	2	3	4	5	6
<i>Rajasthan</i>					
1.	The Rajasthan Imposition of Ceiling on Agricultural Holdings Ordinance, 1973.	1-1-73	16-2-73	28-3-73	Replaced by Legislation.
2.	The Rajasthan Panchayat Laws (Amendment) Ordinance, 1973.	17-1-73	16-2-73	14-3-73	Do.
3.	The Rajasthan Lokayukta and Up-Lokayuktas Ordinance, 1973.	24-1-73	16-2-73	26-3-73	Do.
4.	The Motor Vehicles (Rajasthan Amendment) Ordinance, 1973.	4-2-73	16-2-73	26-3-73	Do.
5.	The Rajasthan Urban Property (Restriction of Transfer) Ordinance, 1973.	13-2-73	16-2-73	25-3-73	Do.
<i>Tamil Nadu</i>					
1.	The Tamil Nadu Stage Carriages and Contract Carriages (Acquisition) Ordinance, 1973.	14-1-73	22-1-73	14-3-73	Replaced by Legislation.
<i>Tripura*</i>					
1.	The Tripura Educational Institutions (Taking over of Management)	10-2-73	—	24-4-73	Replaced by Legislation.
<i>Uttar Pradesh</i>					
1.	U.P. Adhikam Sampatti Seema. Hastantarani Par Asthai Nirbandhan . . . (Sanshodhan) Adhyadesh	11-7-72	12-12-72	—	Replaced by Legislation.
2.	U.P. Vikri Kar (Sanshodhan) Adhyadesh.	10-10-72	-do-	—	-do-
3.	U.P. Tendu Patta Vijapur Viniyaman (Sanshodhan) Adhyadesh	13-11-72	-do-	—	-do-
4.	U.P. Apradhi Kitchikita Shikha Sanstha (Nivaran) .	24-11-72	-do-	—	-do-
5.	U.P. Gramin Swayatta Sehan Vishan (Sanshodhan) . .	-do-	-do-	—	-do-
6.	U.P. Akasmikta Nidhi Sanshodhan Adhyadesh .	-do-	-do-	—	-do-
7.	U.P. Municipalities (Second Amdt.) Ordinance	-do-	-do-	—	-do-

*Relates to the period 1-1-73 to 19-4-73.

†Relates to the period 1-10-72 to 31-12-73.

A. PARTY POSITION IN LOK SABHA

(i) State-wise

(As on June 1, 1973)

Name of the State	Seats	Cong.	CPI(M)	CPI	J.S.	DMK	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	38	..	5	2	..	6(b)	1	52
Gujarat	24	12	..	..	..	..	9(c)	2	(1 vacant) 23
Haryana	9	7	..	..	1	..	..	1	(1 vacant) 9
Himachal Pradesh	4	4	..	..	..	..	..	..	4
Jammu and Kashmir	6	5	..	..	..	..	..	1	6
Kerala	19	6	2	3	..	..	7(d)	1	19
Madhya Pradesh	37	21	..	..	10	..	5(e)	..	36 (1 vacant)
Maharashtra	45	40	..	..	..	..	2(f)	1	43 (2 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	..	1	..	..	..	1	11* (1 vacant)
Rajasthan	23	15	..	..	3	..	4(i)	1	23
Tamil Nadu	39	9	..	3	..	19	7(l)	..	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
Union Territories									
Andaman & Nicobar Islands	1	1	..	..	..	..	..	..	1
Arunachal Pradesh	1	1	..	..	..	..	..	..	1(l)
Chandigarh	1	1	..	..	..	..	..	..	1
Dadra and Nagar Haveli	1	1	..	..	..	..	..	..	1
Delhi	7	7	..	..	..	..	..	..	7
Goa, Daman and Diu	2	1	..	..	..	..	1(m)	..	2
Laccadive, Minicoy and Amindivi Islands	1	1	..	..	..	..	..	..	1
Mizoram	1	..	..	..	..	..	..	1	(1 vacant)
Pondicherry	1	..	..	..	..	..	..	..	1
Anglo-Indian	2	..	..	..	..	..	2(n)	..	2
TOTAL	524	361	25	22	20	19	53	14	514*

(excluding Speaker and 9 vacancies)

*Excludes the Speaker, who is not a member of any Party.

(a) Telengana Praja Samiti	2	(h) Swatantra UIPG	3 2
(b) Socialist Party	2	(i) Swatantra UIPG	2 2
Congress (O)	3	(j) Muslim League Forward Bloc Congress (O) Ann. D.M.K.	1 1 1 4
UIPG	1	(k) Socialist Party	1
(c) Swatantra	2	Revolutionary Socialist Party	1
Congress (O)	7	(l) Nominated by the President	1
(d) Muslim League	2	(m) UPIG	1
Revolutionary Socialist Party	2	(n) UIPG	2
Kerala Congress	3		
(e) Socialist Party	1		
UIPG	4		
(f) Socialist Party	1		
Forward Bloc	1		
(g) UIPG	1		

A. PARTY POSITION IN LOK SABHA

(ii) Party-wise

(As on June 1, 1973)

<i>Name of the Party</i>	<i>Strength</i>
Congress Party	361
C.P.I. (M)	25
C.P.I.	22
Jan Sangh	20
D.M.K.	19
<i>Other Parties :</i>	
U.I.P.G.	13
Congress (O)	11
Swatantra	7
Socialist Party	5
Anna D.M.K.	4
Muslim League	3
Revolutionary Socialist Party	3
Kerala Congress	2
Forward Bloc	2
Telengana Praja Samiti	14
Unattached	9
Vacancies	523
TOTAL	(excluding Speaker)

B. PARTY POSITION IN RAJYA SABHA

(i) State-wise

(As on June 1, 1973)

States	No. of Seats	CONG.	CONG(O)	JS	DMK	CPI	SWA	CPI(M)	M	S.F.N.(L)	BKD	SP	AKALIDAL	AFHLC	FB(M)	MPP	PSP	Rep.	SMS	RSP	MUP	ADMK	IND	nominated	Vacancies	
A.P.	18	14						1																3		
Assam	7	5									1														1	
Bihar	22	13	1	1	3					2							1							1		
Gujarat	11	8	1	1			1																			
Haryana	5	4	1																							
Himachal Pradesh	3	3																								
J. & K.	4	4																								
Kerala	9	1			2		3	1			1										1					
Madhya Pradesh	16	11	1	3																				1		
Maharashtra	19	13			1						1	1						1	1					1		
Manipur	1																									
Meghalaya	1													1												
Mysore	12	6	2																					4		
Nagaland	1	1																								
Orissa	10	4					6																			
Punjab	7	4		1									2													
Rajasthan	10	6		1			1																	2		
Tamil Nadu	18	1	1	10			1	1	3													1				
Tripura	1	1																								
U.P.	34	14	7	5		1				1	3													2	1	
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	123	14	14	11	10	10	8	4	4	3	3	2	1	1	1	1	1	1	1	1	1	1	15	11	2

B. PARTY POSITION IN RAJYA SABHA

(ii) Party-wise

(As on June 1, 1973)

Name of Party	Strength
Congress	123
Congress (O)	14
Jan Sangh	14
D.M.K.	11
C.P.I.	10
Swatantra	10
C.P.I. (M)	8
<i>Other Parties :</i>	
Muslim League	4
B.K.D.	4
S.P. (L)	3
Akali Dal	2
S.P.	3
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
A.D.M.K.	1
Independents	15
Others	12
Vacancies	2
TOTAL	243

C. PARTY POSITION IN STATE LEGISLATIVE ASSEMBLIES

States	Seats	Cong.	Cong(o)	Swat.	JS	CPI	CPI (M)	SP	PSP	Other Parties	In.J.	Nom.	DMK	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Andhra Pradesh (as on 31-3-73)	288	216			..	8	1			39(a)	18	1	..	288(b)
Assam (as on 31-3-73)	114	94			..	..		4		15(c)			..	114(d)
Bihar (as on 22-1-73)	319	172	27	1	24	35		34		9(e)	14	1		319(f)
Gujarat (as on 31-3-73)	168	139	16		3	1				..	8			168(g)
Haryana (as on 17-4-73)	81	52	5		2					5(h)	15			81(i)
Himachal Pradesh (as on 27-4-73)	68	54			5	..	1	..		..	8			68
Kerala (as on 30-3-73)	134	33	3		..	16	32	8	2	35(j)	3	..		134(k)
Madhya Pradesh (as on 1-5-73)	297	225			43	5		7		..	11	1		297(l)
Manipur (as on 21-4-73)	60	17			..	5		3		14(m)	20			60(n)
Meghalaya (as on 30-4-73)	60	10			..			..		44(o)	5			60(p)
Mysore (as on 31-3-73)	217	165	24			3		2		1(q)	21			217(r)
Nagaland (as on 16-4-73)	52	..			..	..				51(a)	1			52
Orissa (as on 3-3-73)	139	54				4	2	..		76(t)	3			139(u)
Punjab (as on 3-5-73)	104	68	..	..	..	10	1	..		25(v)	..	..		104
Rajasthan (as on 26-5-73)	184	144	1	11	7	4		4		..	11	..	..	184(w)
Tamil Nadu (as on 18-5-73)	235	6	12	6		8	..			25(x)	1	1	175	235(y)
Tripura (as on 8-5-73)	60	41	..		..	1	16	..		..	2(z)			60
Uttar Pradesh (as on 31-3-73)	426	273	38	..	38	..	..	..		73(aa)	..			426(b)
West Bengal (as on 31-3-73)	281	215	2		..	36	13			8(cc)	4(dd)	1	..	281(ee)
Delhi (as on 31-3-73)	61	49	2		5	3				1(ff)	1			61
Goa, Daman .Diu (as on 24-4-73)	30	1								28(gg)	1	..	..	30(hh)
Mizoram (as on 16-4-73)	33	6								21(ii)		..	..	33
Pondicherry (as on 5-5-73)	30	7	3		..	3	..	..	..	..	1	..	16	30

*Refers to Delhi Metropolitan Council.

(a) Swatantra-Telangana Praja Samiti Front—3; Socialist Democratic Front 11; Andhra Progressive Democrats 8; Progressive Front 7; Peoples' Democrats 6; Majlis Ittehad-ul-Muslimeen 3; RPI—1.

(b) Vacant—5.
(c) United Legislature Party 10; Progressive Front—5.

(d) Vacant—1.

(e) Includes All India Jharkhand 3; Hul Jharkhand—2; Progressive Hul Jharkhand—1; Jharkhand (N.E. Horo Group)—1; Hind ustani Soshit Dal—2.

(f) Vacant—1; Includes Hon. Speaker.

(g) Vacant—1.

(h) Includes Vishal Haryana Party—3; Progressive Independent Party—2.

(i) Vacant—2.

(j) Includes Kerala Congress—13; Muslim League—11; Revolutionary Socialist Party—6; Kerala Socialist Party—2; Praja Socialist Party—2; Karshak Tozhiali Party—2.

(k) Vacant—3; Includes Hon. Speaker.

(l) Vacant—4; includes Hon. Speaker.

(m) Includes M.P.P.—14.

(n) Vacant—1.

(o) Includes A.P.H.L.C.—38; H.S.P.D.P.—6.

(p) Vacant—1.

(q) Janata Paksha.

(r) Includes Hon. Speaker.

(s) Includes Nagaland Nationalist Organisation—31; United Democratic Front—22.

(t) Pragati Legislature Party—73; Janta Congress—1; Jharkhand—2.

(u) Excludes Hon. Speaker.

(v) Shiromani Akali Dal—25.

(w) Vacant. 2.

(x) Tamil Arasu Kazhagam—1; Forward Bloc—7; Muslim League—6; Aruna Dravida Munetra Kazhagam—11.

(y) Vacant—1.

(z) Supported by CP(M).

(aa) Includes B.K.D.—42; Unattached—2 (Speaker & Deputy Speaker. Other parties and independents—28.

(bb) Vacant—4.

(cc) Includes R.S.P.—3; Socialist Unity Centre —1; Workers Party—1; Gorkha League—2; Muslim League—1.

(dd) Includes Speaker.

(ee) Vacant—2.

(ff) Muslim League.

(gg) Includes Maharashtrawadi Gomantak Party—18; United Goans—10

(hh) Includes Hon. Speaker.

(ii) Mizo Union—21.