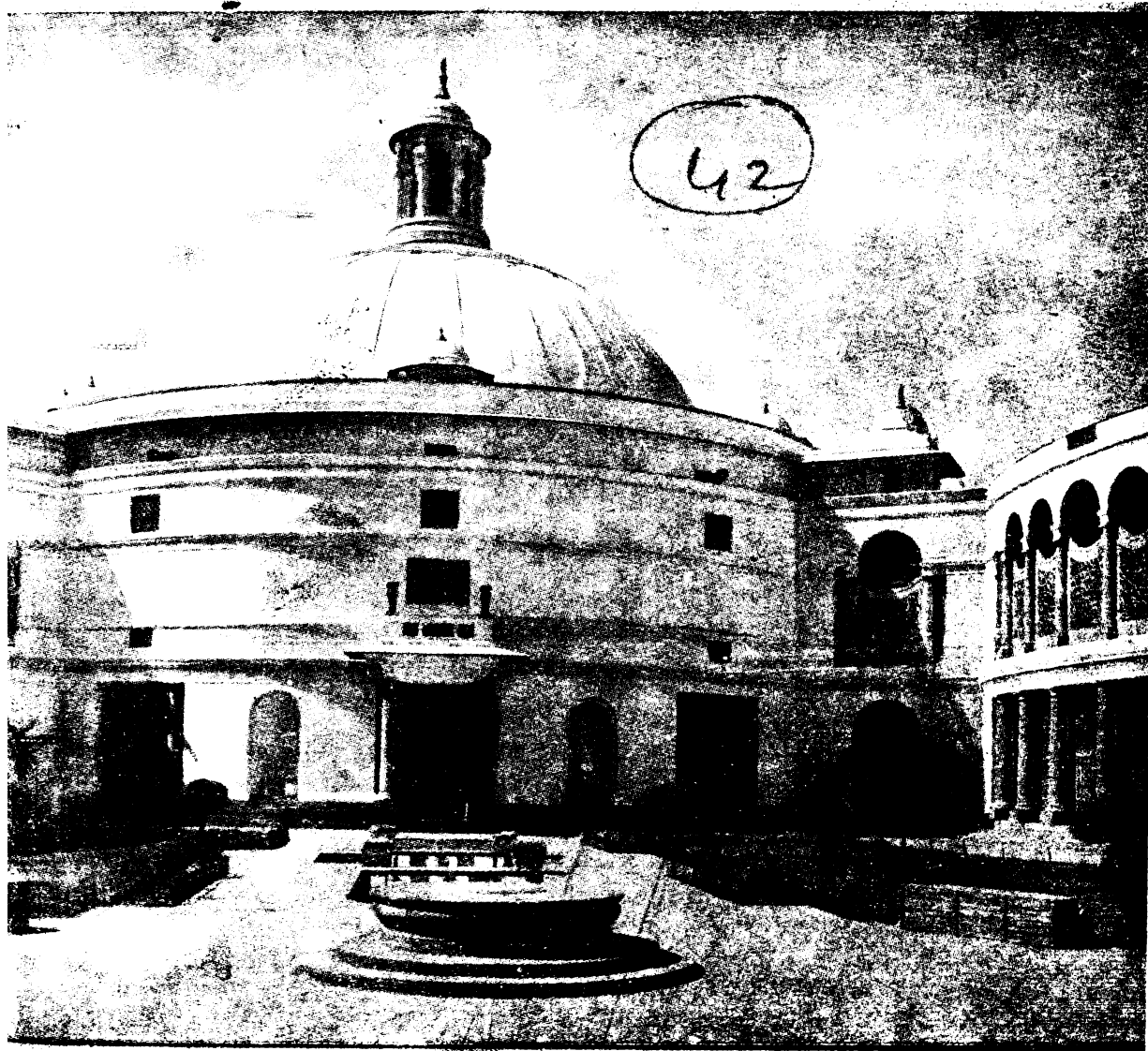


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ELECTION OF PRESIDENT AND VICE-PRESIDENT

After the Fourth General Elections and following the constitution of the new Lok Sabha and the State Legislatures and formation of new Ministries at the Centre and the States, the most significant event that took place in the country was the change in the Presidency and the Vice-Presidency. With the terms of office of Dr. S. Radhakrishnan, President and Dr. Zakir Husain, Vice-President, due to expire on May 12, 1967, the Election Commission issued a notification on April 3, 1967 fixing the programme for election to these high offices. Under the notification, the last date for filing nominations was April 13, 1967 and the date for scrutiny April 15, 1967. The last date for withdrawal of candidature was April 18. Polling, if necessary, was fixed for May 6, 1967.*

Shri B. N. Banerjee, Secretary, Rajya Sabha was appointed as the Returning Officer for the Presidential Election and Shri S. L. Shaktiher, Secretary, Lok Sabha, was appointed as the Returning Officer for the Vice-Presidential election. Secretaries to State Legislative Assemblies were appointed as Assistant Returning Officers for the Presidential election by a notification issued by the Election Commission on April 5, 1967.†

The procedure for election of the President, as explained in a Press com-

munique issued by the Election Commission is as follows:—

The President of India is elected by an electoral college consisting of all the elected members of Parliament and all the elected members of the State Legislative Assemblies (but not of the Union Territories).

Detailed provisions are made in the Constitution for securing uniformity in the scale of representation of the different States at this election. The number of votes which each MLA and each MP is entitled to cast at the election has been ascertained by the Election Commission in the following manner:—

First, the population of each State as ascertained at the last Census is divided by the total number of elected members in the Legislative Assembly of that State and the quotient is expressed to the nearest thousand. The figure so obtained is the value of the vote given by any MLA of that State. Thus, the population of U.P. at the last Census was 73,746,401 and its Legislative Assembly has a total of 425 elected members. Accordingly, the value of the vote given by each MLA of this State is fixed at 174.

The population of Jammu and Kashmir, however, is taken to be 4,410,000 as provided in the Constitution (Application to Jammu & Kashmir) Order made by the President. Dividing this figure by 75, the Vote of each MLA from Jammu and Kashmir has the value of 59.

The next step is to ascertain the total value of all the votes thus assigned to the MLAs of the 17 States. This comes to 430,851.

*Gaz. Extra. II, sec. 3(ii). 3-4-1967.

†Ibid. 6-4-1967.

In order to secure parity between the States as a whole and the Union of India, this number is divided equally among the 748 elected MPs (520 in the Lok Sabha and 228 in the Rajya Sabha). This comes to 576 which is the value of every MP's Vote.

The value of an MLA's vote, which naturally varies from one State to another, is as follows:—

Name of State	No. of MLAs	Value of votes
Andhra Pradesh	287	125
Assam	126	94
Bihar	318	146
Gujarat	168	123
Haryana	81	94
Jammu & Kashmir	75	59
Kerala	133	127
Madhya Pradesh	296	109
Madras	234	144
Maharashtra	270	146
Mysore	216	109
Nagaland	46	8
Orissa	140	125
Punjab	104	107
Rajasthan	184	110
Uttar Pradesh	425	174
West Bengal	280	125

Each member of the electoral college has, however, only one vote, though its value will differ as mentioned above. The election will be held by means of the single transferable vote and voting will be by secret ballot.

In a letter sent to the Prime Minister on April 4, 1967, the Opposition parties proposed the names of the Chief Justice of India, Shri K. Subba Rao and Shri Ali Yavar Jang, Vice Chancellor, Aligarh University, for the offices of President and Vice-President respectively. The letter urged that the Opposition nominees be accepted in the

interests of a national consensus. Shri Ali Yavar Jung did not, however, accept the candidature for the Vice-Presidency without an all-party consensus in his favour, including that of the Congress.

Dr. Radhakrishnan, on April 9, 1967, announced his decision to retire from Presidency on completion of his five-year term. On the following day, the Congress named Dr. Zakir Husain, the Vice-President, as its candidate for the Presidency and Shri V. V. Giri, Governor of Mysore, as the candidate for the Vice-Presidency. Shri K. Subba Rao, the Opposition nominee, resigned as Chief Justice of India the same day, after having agreed to be the Opposition candidate for the Presidential office.

Professor Habib, former Head of the History Department, Aligarh University, was named as the Opposition candidate for Vice-Presidency to contest against Shri V. V. Giri.

At the end of the last day for filing of nominations there were 20 candidates in the field for Presidency and two for Vice-Presidency. The number of candidates for Presidency later came down to 17. The following was the final list of candidates for the Presidency:*

Shri Bhamburkar Srinivas Gopal
 Shri Brahma Deo
 Shri Chandradutt Senani
 Shri U. P. Chugani
 Dr. M. C. Davar
 Chaudhuri Hari Ram
 Shri Khubi Ram
 Shri Koka Subba Rao

*Gaz. of India Extra. Part II. sec. 3(ii) dated 18-4-1967.

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Shri Krishna Kumar Chatterji
Shri Kumar Kamla Singh
Dr. Man Singh
Shrimati Manohara Holkar
Shri Motilal Bhikhabhai Patel
Shri Seetharamaiah Ramaswamy
 Sharma Hoysala
Swami Sayabhakt
Shri Yamuna Prasad Trishulia; and
Dr. Zakir Husain.

The elections to the two high offices were held on May 6, 1967, as scheduled. As provided in the rules, the polling centres for the Presidential Election were the Parliament House in New Delhi and the Legislature Buildings in the capitals of the States.

The details about these places of polling and the group of electors entitled to vote at each place had been notified by the Election Commission by a notification in the Gazette. The polling hours had been fixed from 10 A.M. to 4 P.M.*

The venue of polling for the Vice-Presidential election† was Room No. 62 in Parliament House, New Delhi and the polling hours were the same as for the Presidential election. Counting of votes for the Vice-Presidential election took place at 5.00 P.M. on the same day and within half-an-hour, the Returning Officer, Shri S. L. Shakhder, declared Shri V. V. Giri, who had secured 483 votes against 193 of Prof. Habib, the Opposition candidate, as duly elected to the Office of the Vice-President of India. In all, 679 electors had turned up for the Vice-Presidential poll but three votes were declared invalid.

The strength of the electoral college for the Vice-Presidential election was 763 but

there were four vacancies, bringing down the effective total to 759. Those who did not take part in this poll fall in three categories—64 members who had secured permission to vote at State headquarters and therefore, could not take part in the Vice-Presidential contest (for which New Delhi is the only Central), nine absentees from among the elected members and seven from the nominated members.

Under the Constitution, nominated members can take part in the Vice-Presidential contest but not in the Presidential election. There are 15 nominated members—12 in Rajya Sabha and 3 in Lok Sabha—and, of them, eight exercised their right.

Counting of votes for the Presidential election took place on May 9, 1967 and the result was announced shortly after 3 P.M. the same day. The Returning Officer, Shri B. N. Banerjee, declared Dr. Zakir Husain elected to the Office of the President of India, he having secured 471,244 first preference votes against Shri Subba Rao's 363,971. The value of votes secured by the other losing candidates were:—

Shri Bhamburkar Shrinivas Gopal	232
Shri Brahma Deo	232
Shri Khubi Ram	1369
Shri Krishna Kumar Chatterji	125
Shri Kumar Kamla Singh	125
Shri Yamuna Prasad Trishulia	750

The other nine candidates failed to get any vote.

The following table gives the votes polled by Dr. Zakir Husain and Shri

*Notfn. Nos. 479/2/67 (i) dated 14-4-1967, *Gaz. Extra.*, II, sec. 3(ii) dated 15-4-67.

†Notfn. No. 480/2/67 dated 20-4-1967, *Gaz. Extra.*, II, sec. 3(ii).

K. Subba Rao, State-wise and in Parliament, and the value of each vote.

State	Value of one vote	Dr. Zakir Husain	Shri Subba Rao
Andhra Pradesh	125	150	132
Assam	94	84	37
Bihar	146	141	172
Gujarat	123	96	71
Haryana	94	36	43
Jammu & Kashmir	59	62	9
Kerala	127	30	89
Madhya Pradesh	109	160	125
Madras	144	49	169
Maharashtra	146	207	62
Mysore	109	133	81
Nagaland	8	40	..
Orissa	125	29	105
Punjab	107	53	43
Rajasthan	110	95	86
Uttar Pradesh	174	210	209
West Bengal	125	137	118
Parliament	576	447	278

Among those who were the first to felicitate Dr. Zakir Husain on his election was Prime Minister Indira Gandhi, retiring President, Dr. Radhakrishnan and Shri K. Subba Rao. Soon after his election, Dr. Husain, in a statement, expressed his gratitude to the nation for its confidence in him. The statement, *inter alia* said: "It appears to me an unequivocal recognition by my people of the fact that education is inescapably involved in the quality of the nation's life, that it is indeed a prime instrument of national purpose".

The new President and Vice-President were installed in their respective offices on May 13, 1967 at a solemn ceremony in the Central Hall of Parliament House. The Chief Justice of

India, Shri K. N. Wanchoo, administered the oath of office to the new President and soon thereafter Dr. Radhakrishnan vacated the high-backed red-and-gold Chair for Dr. Zakir Husain and took a side-seat for himself. Dr. Husain then administered the oath of office to the new Vice-President, Shri V. V. Giri.

In a brief speech after taking the oath, Dr. Zakir Husain said that he had entered the new Office "in a spirit of prayerful humility and total dedication". He pledged himself to the service of the "absolute values" for which the nation had striven "through the long millennia and through the co-operation of diverse ethnic elements." The following is the text of his speech:—

Revered Dr. Radhakrishnan, Mr. Vice-President, Madam Prime Minister, Mr. Chief Justice, Members of Parliament and friends,

I must confess that I am overwhelmed by the trust my people have placed in me by electing me to the highest office in the land. This feeling is enhanced by the circumstance that I have been called upon to occupy this office after one of the most distinguished sons of India, Dr. Radhakrishnan, who has been for long years my guide, philosopher and friend and under whom it has been my valued privilege to work for the last five years. I shall endeavour to follow his example but I can hardly hope to emulate him.

Dr. Radhakrishnan brought to the Presidency a mental equipment, a degree of erudition and a wealth of experience rarely to be found anywhere. During a lifetime devoted to the pursuit of knowledge and truth, he has done more than probably any other man to bring out and explain

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Indian philosophical thought and the oneness of all true spiritual values. He has never lost his faith in the essential humanity of man and himself has never ceased to champion the right of all men to live in dignity and with justice. His services to the cause of education have been invaluable and as Vice-President and Chairman of the Upper House of our Parliament he rendered signal service to the nation for ten years before the fitting culmination of his career in the role of President. On his retirement he takes with him the grateful thanks and loving regard of the whole nation. We wish him many years of health and happiness.

I can only assure you that I enter this office in a spirit of prayerful humility and total dedication. I have just taken the oath of loyalty to the Constitution of India. It is the Constitution of a comparatively new State which its free citizens have for the first time in their history given to themselves. It is the young State of an ancient people who, through the long millennia and through the cooperation of diverse ethnic elements, have striven to realize timeless, absolute values in their own peculiar way. I pledge myself to the service of those values. For though some concrete realisations of a value may become inadequate with the change of circumstance, the value remains eternally valid and presses for newer and fresher realization. The past is not dead and static, it is alive and dynamic and is involved in determining the quality of our present and the prospects of our future. In his own inimitable way Tagore has said:

I have felt your muffled steps in my blood, Everlasting Past. I have seen your hushed countenance in the heart of the garrulous day.

You have come to write the unfinished stories of our fathers in unspoken script in the pages of our destiny;

You lead back to life the unremembered days for the shaping of new images.

The process of its constant renewal is, indeed, the process of the growth of national culture and national character. It is the business of education, as I see it, to minister to this constant renewal, and I may be forgiven the presumption that my choice to this high office has mainly, if not entirely, been made on account of my long association with the education of my people. I maintain that education is a prime instrument of national purpose and that the quality of its education is inescapably involved in the quality of the nation.

I therefore pledge myself to the totality of our past culture from wheresoever it may have come and by whomsoever it may have been contributed. I pledge myself to the service of the totality of my country's culture. I pledge my loyalty to my country, irrespective of region or language; I pledge myself to work for its strength and progress and for the welfare of its people without distinction of caste, colour or creed. The whole of Bharat is my Home and its people are my family. The people have chosen to make me the Head of this family for a certain time. It shall be my earnest endeavour to seek to make this Home strong and beautiful, a worthy Home for a great people engaged in the fascinat-

ing task of building up a just and prosperous and graceful life. The family is big and is constantly growing at a rather inconveniently fast pace. We shall each one of us have to participate unsparingly in building its new life, each in his own sphere and each in his own way. For sheer size the tasks ahead of us are so demanding that no one can afford to sit back and just watch or let frustration become endemic in our country. The situation demands of us work, work and more work, silent and sincere work, solid and steady reconstruction of the whole material and cultural life of our people.

This work, as I see it, has two aspects: work on one's self and work for the society around. They are mutually fruitful aspects of work. The work on one's self is to follow the urge towards moral development as free persons under self-imposed discipline, which alone can render that development possible. Its end-product is a free moral personality. We can neglect this end-product only at our peril. This end-product cannot sustain itself without seeking and exerting itself to bring about the approximation of the society in which it is privileged to serve a better, a juster and a more graceful way of life. The individual cannot grow to its full perfection without a corresponding advance of the collective social existence. This dual effort will give to the life of our State a specific flavour. For the State to us will not be just an organization of power but a moral institution. It is part of our national temperament and an inheritance from the great leader of our liberation movement, Mahatma Gandhi, that power should be used only for moral purposes. The peace of the strong is

what we shall dedicate ourselves to work for. Our concept of national destiny will never have the expansionist urges of imperialistic growth; it shall ever eschew chauvinism.

I shall work for providing to each citizen the essential minima of decent human existence. I shall fight against intellectual laziness and indifference to the demands of social justice. I shall eradicate all narrow, corporate selfishness. And I shall do all this as the willing acceptance of a moral duty, as a joyfully undertaken ethical task. We shall seek to combine in our national life power with morality, technique with ethics, action with meditation, the East with the West, Siegfried with the Buddha. We shall keep in view the two poles of the eternal and the temporal, of an awakened conscience and skilled efficiency, of conviction and achievement.

I have full faith in my people that they will bring forth the energy requisite for the satisfactory performance of this dual task. It shall be my privilege to contribute my share to this enchanting enterprise.

Life Sketches

DR. ZAKIR HUSAIN

Born in Hyderabad, Andhra Pradesh, on February 8, 1897, Dr. Zakir Husain had his early education at Etawah. For his college education, he went to M.A.O. College, Aligarh, which later became the Aligarh Muslim University. Having barely finished his college education, he came under the influence of Mahatma Gandhi

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and decided to devote his life to national service in the field of education. Towards this end he helped in the establishment of the Jamia Millia Islamia (the National Muslim University) in Delhi. The new pattern of education which Dr. Husain envisaged to give through this University was national in character.

After launching the Jamia Millia Islamia, Dr. Zakir Husain went to Berlin in 1923 where he took his doctorate degree in Economics. His thesis was given the highest award. On his return to India, he again devoted himself for thirty long years to the development of the Jamia Millia and acted as its Vice-Chancellor. He has been in intimate contact with the concept of "New Education", particularly as it developed in Germany, the U.K. and the U.S.A. under such leaders as Korshensteiner, Sparanger, Nunn, Dewey and the sponsors of the New Education Fellowship.

In 1937, Gandhiji chose Dr. Husain to preside over the National Committee on Basic Education which was to spell out his scheme of Basic Education, aiming at bringing about a veritable revolution in Education, making it work-centred rather than book-centred.

In 1948, Dr. Husain became the Vice-Chancellor of the Aligarh Muslim University, a post which he filled with distinction. During his tenure as Vice-Chancellor of the Aligarh University, he continued to play a significant role in every field of educational endeavours and became a member of almost all important educational bodies and committees, including the Indian Universities Commission and the University Grants Commission. He was associated with the UNESCO from the outset and in 1955, was elected a member of its Executive Board.

In 1952, Dr. Husain was nominated to Rajya Sabha in the quota reserved for those who have distinguished themselves in the field of literature, science, art and

social service. He was renominated to Rajya Sabha in April, 1956 and continued to be there till his appointment as the Governor of Bihar on July 6, 1957.

In 1962, he was elected as the Vice-President of India and in that capacity, as Chairman of Rajya Sabha, he held the scales of justice even between the Government and the opposition parties with impartiality and vision.

Dr. Husain was awarded Bharat Ratna in 1963 in recognition of his public service of the highest order. Apart from addresses and stray essays, some of which have been published under the title of the "Dynamic University" and his Patel Memorial lectures on "Educational Reconstruction in India", most of his published writings are in Urdu. These include his translations of Plato's Republic and List's National Economics and some books for children.

SHRI V. V. GIRI

Born on August 10, 1894 in Berhampore, Ganjam District of Orissa, which was then part of the Telugu-speaking region, Shri Varahagiri Venkata Giri studied in Kallikote College, Berhampore, and the National University of Ireland. He was called to the Bar in Dublin. Even as a student he took part in the political activities of the *Sin Fien* movement and has rubbed shoulders with such legendary figures as De Valera, Desmond Fitzgerald and General Conolly. The British externed him to India in 1916 before he could take his degree at the University.

Back in India, Shri Giri joined the Satyagraha movement launched by Gandhiji and gave up practice. He was convicted and sent to jail a number of times.

With an undying love for the interests of labour and trade union activities, Shri Giri founded the All-India Railwaymen's Federation. He was twice President of the Trade Union Congress and attended the Second Round Table Conference in

London as a delegate of the labour interests.

In 1932, he became a member of the Labour Sub-Committee of the Congress Working Committee and when in 1937, the Congress accepted office in Madras, Shri Giri became the Minister in charge of Labour, Industries, Co-operation and Commerce. After the Congress quit office, Shri Giri found himself once again in many trade union camps and was constantly chased by the British. He was convicted and detained in different places between 1939 and 1946.

Shri Giri was appointed India's High Commissioner in Ceylon in 1947 and he filled that post with distinction till 1951.

On his election to Lok Sabha in 1951 he became the Minister of Labour and got an opportunity once again to work for the promotion of labour interests and welfare. But as soon as the Bank Award was announced, Shri Giri resigned his office because he felt that the Award had not gone far enough.

On June 10, 1957 Shri Giri was appointed Governor of Uttar Pradesh. After a three-year term in U.P., he functioned as Governor of Kerala and Mysore from where he has now been called upon to adorn the Vice-Presidential office. During his gubernatorial assignments he showed a rare gift of imagination, initiative and spirit of work and endeared himself to the people of all these States.

The most tolerable is undoubtedly the republican form of government because this form brings men nearest to the condition of natural equality. . . . A republican is always more devoted to his homeland than a royal subject, for the simple reason that one prefers one's own goods to those of one's master. . . . In a real republic, each man being sure of the ownership of his goods and his person, works for himself with confidence, and in bettering his own condition, he betters that of the public.

—VOLTAIRE

ADDRESSES AND SPEECHES

FAREWELL TO THE RETIRING PRESIDENT

At a function held on May 7, 1967, in the Central Hall of the Parliament House, Members of Parliament belonging to all sections bade an affectionate and touching farewell to the retiring President, Dr. Sarvepalli Radhakrishnan.

The Speaker of Lok Sabha, Dr. N. Sanjiva Reddy, read out the farewell address on behalf of the Members. The address paid rich and glowing tributes to Dr. Radhakrishnan's qualities of head and heart and eulogised his services to the nation in various fields. It described Dr. Radhakrishnan as the philosopher-statesman and said that his election to the office of President in 1962 was a "dream of Plato come true."

The following is the text of the farewell address:

Esteemed Mr. President,

Sir, we have assembled here today to express our profound respect and affection for you on the eve of your laying down the exalted office of the President of the Republic of India which you have adorned with such great distinction for the last five years. In saying this, Mr. President, we are voicing not only our own sentiments and feelings but also those of the millions of our countrymen whom we have the honour to represent. The prospect of parting is always sad and on such an occasion words fail to express adequately the sentiments, emotions and sweet memories that crowd on our minds. The thought that this great country could always look up to you for guidance and inspiration in the years to come is our consolation.

You, Sir, have been in that band of select few who are fashioned by Nature to rise to eminence wherever they are or whatever they do. In you there is a rare combination not only of the best qualities of head and heart but of the best in the civilization of the Orient and the Occident. You are also remarkable in that you combine within yourself the philosopher and the man of action.

Even before India became independent, neither the political subjection of the country could clip the wings of your fame as a philosopher, well-versed in both the Eastern and Western lores, nor did the political prejudices against India becloud the appreciation in the West of your intellectual eminence. Your achievements are too numerous and magnificent to bear full expression in a short tribute.

Sir, you have all your life been a Karma Yogi. You have lived a life dedicated to bring about changes in the moral lives of your countrymen. In that task you unrelentlessly exposed the social evils in our society, and helped us to strengthen our efforts to purge ourselves of its evil practices. By your matchless eloquence and irresistible logic you made a dent into the fortress of vested interests—economic, social and religious, which stood and still stand in the way of social justice.

Sir, we take pride in your universal recognition as the greatest living Indian philosopher. You contributed in a rich measure to the great task of creating a synthesis between the Eastern and Western thought. Scholars and men of divergent temperament all over the world have been struck by your vast erudition. Spell-bound audiences in almost all the capitals of the world have

listened with rapt wonder and awe to the uninhibited flow of your rich thoughts. You have everywhere been able to create an indelible impression. Having been bred and brought up in both the Western and the Indian philosophical traditions, you have not only been an interpreter of the culture and civilization of the East to the West and of the West to the East, but also a formulator of a new synthesis. Your influence both on Western and Indian men of thought has, therefore, been profound. Thus, as India's philosopher-statesman, you have greatly enhanced the fair name and reputation of our motherland in the eyes and esteem of the civilized world.

Sir, coming from a man of your eminence, your call for world peace and universal brotherhood has always made a deep impress and has been listened to with respect. You have been stressing time and again that what the world needs today is not a juxtaposition of competing States but friendly partners working for the one supreme cause of making the world a happy home for humanity by eliminating political domination, racial discrimination and economic exploitation.

With the achievement of Indian Independence, you, Sir, who had been pre-occupied for years in garnering philosophical knowledge and its dissemination at home and abroad, were called away from that sphere to respond to the demands of political duties. The various assignments held by you subsequently, that of the first ambassador of India to Moscow, the leadership of the Indian delegation to the UNESCO, the membership of the International Committee of Intellectual Cooperation and the like, were carried out by you with rare distinction, with serenity and above all with great wisdom.

Sir, the nation's tribute to your services came in 1952 when you were unanimously elected India's first Vice-President and later admitted to the highest order of the country, the 'Bharat Ratna', in 1954. You have indeed been a rare jewel of Bharat. Your re-election as Vice-President in 1957 was the

measure of the people's faith, confidence and devotion to you. Your equable and benign temper helped you in discharging the duties of the Presiding Officer of the Rajya Sabha with eminence and your mellowing influence dispelled many a controversy.

Your election to the high office of President of our great Republic in 1962, was again a proof of the faith of a nation. In a political set-up where contending parties with conflicting ideologies and policies exist, this near-unanimous acceptance of you as the President was in itself a great tribute to your qualities and accomplishments. It was the dream of Plato come true. Plato held that the State should be ruled by philosophers as they alone were capable of discerning good from evil. You, on your part, convincingly demonstrated that politics like philosophy was a quest for eternal truth.

By your tolerant nature, liberal outlook and generous temperament not circumscribed by political necessities or dogmatic beliefs, you, Sir have given to the office of the President a lustre and majesty which will be long remembered.

We will remember also for long your statesmanship, your humanity and your vision.

We pray for your sound health and long life and many more fruitful years of dedicated service to the values and the causes you hold dear.

In his reply to the farewell address, Dr. Radhakrishnan thanked the Members of Parliament for their confidence and affection. He advised politicians not to allow politics to absorb all of the national life but to recognize that spiritual strength, intellectual achievement and artistic experience had all contributed to the greatness of our country. He expressed the hope that those who had taken to politics would try to understand the true spirit of the country and to transform the spiritual wisdom of the land to practical reality.

Addresses & Speeches

The following is the text of Dr. Radhakrishnan's speech:

Mr. Vice President, Mr. Speaker and Friends,

You have been lavish in your praise of my qualities, real or imaginary. I knew all these years I enjoyed your confidence and affection. This is another token of the same goodwill and affection which you have for me.

Generally whenever Addresses are presented to me, Plato is brought out as one who said that Philosophers should rule the State.

This is not a Platonic axiom. It is something common to all great cultures. In our own country, we said that thinkers must also be actors:

आत्मरतिः ध्यात्मकीर्णः क्रियावान् एष

ब्रह्मनिदां वरिष्ठः

He must be a *Kriyavan*, a performer of works. Similarly, it is said :

विबेकी सर्वादा कुतः कुर्वतो नास्ति कर्तृ तः

अलेखदां प्राश्रित्य श्रीकृष्ण जनकौ यथा ॥

Even a Sri Krishna and a Janaka were men of philosophic wisdom and practical efficiency. We should also behave in the same manner. So, the Platonic axiom is something which is common to all great cultures, which again shows the universality of culture.

We must have vision, we must have practical work. Vision is the illumination of solitude, but once we have the

vision, we must turn that vision into reality by steadfast, dedicated work. That is what all great people are expected to do. At any rate, students of philosophy are called upon not merely to interpret, but to change the world, not only to exert a vision but also to exert in service, in dedication. That is what we are asked to do.

Politicians are there who look upon politics as a matter of prestige and power. It is one of service and humility; it requires us to identify ourselves with the lowest of the land and do our utmost. Politicians do not mean people who twist their tongues, or have cool hearts. They are men with warmth of feeling, with compassion for the sufferings of humanity. That is what they are expected to be. And we should, as politicians, exert our utmost to alleviate the suffering of humanity and raise the material conditions of our people. That is what we are expected to do. We should not think that politics should absorb all our life. It is indispensable, but not the whole of our life. Our spiritual strength, our intellectual achievement, our artistic experience—these have contributed to the greatness of our country, and those who are patriotic must know not merely about the politics of the country, but also about the greatness of our endeavour in all these different realms. It is my hope that we shall try to understand the true spirit of our country and be able to transform the spiritual vision into practical reality.

I wish you all well. Thank you.

If law is to order human relationships rightly, it must be built upon a right induction from human experience.

—HAROLD J. LASKI

PRESIDENT KAUNDA OF ZAMBIA VISITS PARLIAMENT

Dr. Kenneth Kaunda, President of the Republic of Zambia, arrived in New Delhi on June 14, 1967 on a four-day State visit to India. On June 16, he visited the Parliament House and addressed members of both Houses of Parliament assembled together in the Central Hall.

Dr. Kaunda, in his address, stressed the bonds of friendship that held India and Zambia together and said perhaps the most important of these was the supreme value which both countries attached to the well-being of the common man.

Earlier, welcoming Dr. Kaunda, the Speaker of Lok Sabha, Dr. N. Sanjiva Reddy, described him as the "Gandhi of Africa" and praised him for persevering with passive resistance in spite of criticism from his own party.

Reproduced below are important excerpts from the texts of the welcome address by Dr. N. Sanjiva Reddy, the Address delivered by President Kaunda and the speech of Shri V. V. Giri, Chairman of Rajya Sabha proposing the Vote of Thanks.

WELCOME ADDRESS BY SPEAKER, LOK SABHA

Esteemed Mr. President of the Republic of Zambia, Madam Kaunda, Ladies and Gentlemen:

I deem it a great privilege to welcome this evening on behalf of the Members of Parliament and on my

own behalf, the distinguished President, Dr. Kenneth Kaunda, who is one of the greatest leaders of modern Africa. A renowned humanist, our honoured guest has established his image as a man of peace and universal brotherhood in the world today...

Zambia achieved her freedom from foreign yoke almost in the same manner as our own country did. The philosophy and path of non-violence so ably taught to us during our long struggle for Independence by the Father of our Nation, Mahatma Gandhi, found its counterpart in the path shown to the people of Zambia, by you. Your passive resistance campaigns like those of Gandhiji evoked criticism in your country. Your own party, we understand, questioned the justness of your policy of non-violence. Ultimately it was your leadership and determination to achieve independence in a bloodless manner that prevailed upon your followers. It is not surprising that you are known as the "Gandhi of Africa" and you, therefore, deserve our added esteem and respect....

There are many things in common between our two countries, apart from the traditional links that we have with the African continent.... Like you, we believe that all men should share the bounties of life equally. Our approach to most of the world problems is common. Our stand on the White minority regime in Rhodesia is too well known to need any further

elaboration. We admire and appreciate the heroic stand which the Zambian people have taken under your leadership in meeting the consequences of the Unilateral Declaration of Independence [U.D.I.] by White rulers in Southern Rhodesia....

The people of Zambia have, in the brief period since their emergence as a free nation, amply demonstrated their steadfast adherence to the democratic institutions and conducted themselves on the world stage in an exemplary manner. We can have nothing but praise and admiration at the strides which the people of Zambia are taking under your guidance.

We are happy that like India, Zambia too is a secular state with people of many races and many religions living in peace and harmony. This, together with the discipline and solidarity which you have taught your people throughout the national movement and the stress laid on the unity and the integrity of the nation, is bound to take Zambia a long way on the road to progress....

Mr. President, you are no stranger to our country because you have spent some time here in the past. But your present visit as the Head of the Zambian nation has a great significance and is bound to further strengthen the bonds of mutual friendship between our two countries. Such goodwill visits and closer contacts will help us to understand and learn from each other's experience, as most of the problems facing us are common....

DR. KENNETH KAUNDA'S ADDRESS

Mr. Chairman, Mr. Speaker, the hon. Prime Minister and Members of the House:

It is a long time ago since I was in this great country. At that time I was a freedom fighter, a fighter against the forces of evil, of colonial and racial op-

pression, and of exploitation of millions of our innocent and decent brethren. It was my great pleasure then to enjoy the hospitality of the Indian people whom you represent. My colleagues and I did not only enjoy the hospitality of the Indian people, we had your Government's invaluable support in our struggle for independence, for our freedom to pursue life in the best interests of all our citizens—each and every one of them regardless of race, colour or creed. It was, I must say, a great fight, and we won freedom's fight. If I may quote from the Zambian National anthem's words—'All one strong and free.... It is, therefore with the deepest sense of both humility and pride.... that I come back to this great country as the leader of the new nation of Zambia, in whose birth you and other freedom-loving Nations considerably assisted....

Indo-Zambian Relations

The history of the Indo-Zambian relations goes back to several years ago when the people of Indian origin established elaborate trade relations with the people who now form the nation of Zambia. During the struggle, several people of Indian descent were fully involved in our struggle against imperialist forces. They were part and parcel of the struggle. At the same time, as I have said, the nationalist movement was deriving invaluable assistance from the Indian Government and people. Mr. Chairman, I cannot over-emphasise the spiritual and philosophical inspiration which was derived from the history of India's own struggle for freedom.

The dedication of Mahatma Gandhi, and the selflessness and devotion to the ideals of freedom of the late Prime Minister Nehru influenced in a large measure the determination of our people to fight on until independence was

achieved. Indeed the self-less dedication of our leaders in the struggle remains a shining example to anybody who is a true freedom fighter. I, therefore, wish to pay tribute to your leaders for their role, their contribution in the elimination of colonial oppression and the creation of a society based on the dignity of man.

Basic Similarities

Today, although India and Zambia are miles apart in terms of distance, separated by land and water, nevertheless there are still basic similarities. Our two countries... fought for our freedom and independence, we won the war against our oppressors. Now we are both engaged in the consolidation of this independence, defending and maximizing our freedom in happiness and prosperity through justice to all—to every man, woman and child, to all our citizens. The magnitude of this task requires little emphasis. It calls for a redefinition of objectives and the reorganisation of instruments for the achievement of such objectives; it calls for the revision of values, a complete overhaul of plans for economic expansion and development to meet the rising expectations of a free people, free to develop as they like and having the inherent and inborn inabilities as their only limitations.

It is our determination firstly to build a healthy and strong nation through the removal of disease by establishing better and improved conditions, increasing medical facilities for all our citizens; secondly, to remove hunger by increased production and diversifying our economy to enable the nation to be self-sufficient; thirdly to eliminate ignorance through extensive and intensive programmes of education geared to meet the needs of the new nation; and fourthly to wipe out poverty through industrialisation, and improvement in productive activity,

and the creation of more employment opportunities for all our nationals.

To achieve these objectives, my Government, immediately on attaining independence, launched its transitional Development Plan followed last year by our Four-Year Development Plan, with emphasis on the expansion and development of the rural areas... This task requires the mustering of all the resources at the disposal of the new nation. The supply and organization of national effort is a major preoccupation of all of us. Zambia, like India, is going through this difficult period of readjustment and reconstruction.

The speed at which we must telescope technological revolution which took so long, for example, in Europe precludes unnecessary involvement in the internal affairs of other independent nations... We have, therefore, adopted a policy of positive non-alignment. It is my Government's determination to make this policy meaningful and real in our approach to problems involving other members of international community. I believe that the survival of mankind on this earth depends on a true, honest and unbiased approach in the judgment of national and international issues.

Adherence to Truth

In the view of my Government, all human beings, all nations, are presumed friendly unless their policies and actions or their political systems pose a threat to the well-being of our people and to the territorial integrity of the Republic of Zambia. A decent world order which all nations are struggling to establish can only come about through our adherence to TRUTH. Prior commitment to either side on any issue, which an international system based on conventional alignment implies, places more emphasis on "vested interests" rather than the

merits or demerits of each case. If other nations are failing in this matter, let us continue, for truth must ultimately prevail.

In the field of international relations, not only do we follow a similar approach; we cooperate closely in the United Nations, the Commonwealth Conference and other international forums for objectives of general human interest; such cooperation has made our two nations neighbours in thought. We share in the ideals of the importance of man—the crowning wonder of creation on earth.

Mutual Cooperation

It is Zambia's determination to follow this path of cooperation in all fields and to widen the scope of mutual cooperation. As developing nations, there is a lot we can do to exploit systematically the resources at our disposal. It is my strong belief... that the only way to achieve a breakthrough in the current vicious circle in which the rich countries are growing richer while the poor are getting poorer, is by promoting greater cooperation among the developing countries themselves. We must learn the hard way, for foreign aid alone will not cure our ills. Whatever development capital flows into countries, it must be repaid, and repaid with interest. Let us therefore husband our resources, encourage greater economic interaction.

Zambia has benefited greatly from India's offer of facilities for Zambians. Since the days of our struggle, many more Zambians have taken their training here in a wide range of subjects. It is my hope that fields of technical cooperation can be enlarged within the spirit of our mutual ideals. There are at the moment in Zambia an increasing number of Indian teachers and doctors, while the public service is attracting some more.

On economic and trade cooperation, this has a long history... Many people of Indian origin have been in Zambia for a long time. Their activities in trade and commerce to a large degree have given Zambia's economy a sound footing in this field... (and) there is a lot of room for expansion in the trade and economic cooperation between the two countries. We must examine this field closely.

On the cultural field, Indian music is being heard more and more on Radio Zambia in pursuance of our policy of cultural interaction in a nation of one people, one law and one Government. This is extremely important for Zambia as a nation of people of diverse origins determined to create for themselves and their generations a happier future, based on indivisibility, dignity and equality of the human person irrespective of colour, racial origin, creed or indeed any other distinction instituted by man through expediency. "Expedients", it has been said, "are for the hour; principles for the ages".

Our policy of non-racialism springs from our belief in this indivisibility, dignity and equality of the individual, or belief that in the final analysis, we, the black, the white, the brown, the yellow, have a community of interest and a common destiny on this earth... It is noble to live in honesty and decency. Non-racialism is among the most primary of our national interests; it is a basis for the survival of Zambia as one country, one nation, one law and one Government. Indeed all members of the family of nations must strive to make non-racialism an international policy; whether we are black, brown, white, or yellow—any colour and living anywhere on earth—there is one common denominator: we all belong to the human race. We are all God's children. We all want a decent life and to die decently....

Problem of Apartheid

Having said this I do not need to explain further the strength of feeling, the basis of Zambia's aversion for the violation of human principles through the oppression of the majority of non-White peoples of Southern Africa by a minority race on the grounds of colour distinction.....

The policy of apartheid...is debasing, humiliating to the oppressed, but it also dehumanizes the oppressor. Because of the propaganda machine of the racial supremacist dictatorship in South Africa...the disastrous doctrine of apartheid has become dangerously infectious in Europe and America.

South West Africa is a test case for the United Nations, the principle on which it was established and which it claims to be in the service of. My Government greatly welcomes the termination of the South African Government's mandate over South West Africa. My plea is, having stripped South Africa of any legal authority to administer South West Africa, let the United Nations establish its presence in that country and prepare the South West Africans for true freedom and independence....

Rhodesia Crisis

In Rhodesia, the Smith regime has enjoyed eighteen months of its so-called independence...200,000 White people have proclaimed themselves independent for the sole purpose of subjugating 4 million fellow human beings, for all time if possible, against their will and by force of arms. Africans in Rhodesia cannot exercise the right of opposition to the Smith regime because of the sheer use of force by the White minority...If this is not a violation of human rights by a member of the United Nations, what is? If it is a violation of human rights, where are we going in shaping the future of the lives of our generations? Do we wish to take

the line of least resistance now and bequeath the legacy of fratricidal war in the human race? Is our refusal or myopia fair to posterity who will bear the brunt of our parochial interests and lack of vision?...

Freedom and liberty are not privileges to be conferred upon one human community by another; they are the paramount essential to human dignity and human happiness in peace. The granting of true freedom to the four million people of Zimbabwe is the highest honour the British Government can bestow on the human race and for the law of God...Britain, as the administering power, possesses the capability of resolving the present crisis, but she has displayed unmistakable signs of lack of desire and the will to take more effective measures....It must be accepted that justice is truth in action, but to delay the proper discharge of justice is to deny it to those in dire need of it. There cannot be true and enduring peace without justice. There can be no true stability and economic progress without peace..

Current developments in Rhodesia, South Africa and Britain are a source of concern for me and my Government. Threats did not work in Rhodesia, voluntary sanctions, coupled with persuasion were a dismal failure; tiger diplomacy failed; and now of course selective mandatory sanctions are failing...We have advocated stronger measures—i.e., the application of Chapter 7, Articles 41 and 42, of the United Nations Charter not because we are bloodthirsty, but because the law of force in science remains true in Rhodesia, namely: in order for one to overcome a given force, one must of necessity use an amount greater than the force to be overcome....

Freedom from Prejudice

India's independent role remains essential and indispensable to world peace and stability. The new phase in world

history presents unmistakable challenges and if countries like India do not live up to their responsibilities, then the consequences will be hard. The pressures being exerted on the non-aligned countries notwithstanding, we must maintain our posture in world affairs to save mankind and help without prejudice to chart the course leading to a more stable, true and lasting peace in freedom, equality and human dignity. Let us close our ranks, muster every moral fibre for our common good—which is survival, while making life worth living for all human beings.

The 500 million people of India and the 4 million people of Zambia must, in communion with other brethren the world over, renew their determination to fight for new freedom, freedom from prejudice. Let us all look forward to a happier future. Let us build and not destroy. We must prepare for our generations yet unborn, using the past victories over evil to inspire our actions in the present in shaping the future...

VOTE OF THANKS BY CHAIRMAN,
RAJYA SABHA

Your Excellency, Madam Kaunda, Esteemed Prime Minister and friends:

...Having you today in our midst is a unique experience, because we are welcoming not only a steadfast friend of India but also the chosen leader of a country with which we enjoy the closest and a lasting relationship. It is not always that we have in our distinguished guests here the bonds of both personal affection and national friendship. The likeness between the outlook and experiences of our two countries is too well-known. Like India, Zambia, under your distinguished leadership, has had perhaps the smoothest transition from a colonial status to complete independence. Like India, the Republic of Zambia has chosen to cast its lot with the multiracial free association of States called the

Commonwealth . . . As a country which has won its freedom earlier, we have first embarked on the hitherto unprecedented experiment of having planned development and democracy go hand-in-hand. Such a unique and outstanding process in purposeful economic planning has not been attempted ever before. Either democracy has been sacrificed in the name of development or development given a go-by for the sake of democracy. Therefore, we take genuine pride that you have chosen an identical path to progress in your own country . . .

There is today a growing trade between our two countries involving different kinds of commodities and finished products. But, in my humble opinion, India's richest and greatest export to Zambia is Gandhism, the preserves of our great leader and Father of the Nation. In return, we covet from you an equally precious merchandise or lofty message of unity—unity of Africa and of Africa and Asia—your own significant contribution towards the ideal of universal brotherhood and humanism. I have therefore most appropriately characterised you... as Gandhi of Africa. Your profound ideas contained in your philosophical manifesto on humanism are the one on which you rightly placed the emphasis on preserving the society centred round the human beings. For us, as for you, the human personality is the essence of national growth. It has been the quintessence of our two civilized nations and our ways of life. We do not strive for societies where commerce grows but men decay. In international affairs also, we share a common approach, a common outlook based on non-alignment and independence. Gandhiji urged—Pandit Jawaharlal Nehru of revered memory practised and he almost perfected—the principles that the developing nations should steer

clear of power blocs' entanglements and rivalries and devote their energies to the preservation of peace and co-existence of diverse political systems. It is a measure of the soundness of these ideas that in far-off Africa you have made them the basis of your foreign policy.

Your Excellency, since you last

visited us, we have had many a sad experience... You, on your part, are facing a formidable economic and political challenge... In your effort to end this wildest and the most soul-destroying system, exploiting system, we are one with you and our African brothers in Asia that South African Mozambique should be speedily restored their independence and should enjoy the fruits of their labour....

In all war and in all diplomacy, in every part of foreign policy, caprice, wilfulness, loss of self command, timidity, temerity, inconsistency, indecency and coarseness, are weaknesses which rise to the level of destructive vices; and if Democracy is more liable to them than are other forms of government, it is to that extent inferior to them.

—SIR HENRY SUMNER MAINE

PRESIDING OFFICERS' CONFERENCE

Chairman's Address

[The Thirty-second Conference of the Presiding Officers of Legislative Bodies in India was held in New Delhi on October 14 and 15, 1967. Reproduced below is the text of the Inaugural Address delivered by Dr. N. Sanjiva Reddy, Chairman of the Conference —Ed.]

Friends.

It is my proud privilege to extend to you all a cordial welcome today to this Conference which has by now established its image as a very important institution in the parliamentary life of this country.

I would like to take this opportunity to felicitate you on having assumed the exalted office of the presiding officer of your respective legislative bodies and pray that your tenure be marked by significant achievements towards strengthening the democratic way of life. You are the custodians of the parliamentary institutions and my privilege is greater as it is the first time that I have the honour to address you. Like most of you, I too am a stranger to this Conference but the traditions, conventions and precedents set up by the previous Conferences are our beacon lights.

I take this opportunity to pay my tribute to my predecessor, Sardar Hukam Singh, who had, during his five-year tenure as the Speaker of Lok Sabha, and in that capacity as the Chairman of the Conference, provided us with his inspiring guidance. I am confident that his judicious mind and

scholarly approach will be a great inspiration to the people of Rajasthan whose State he is now heading as the Governor. I wish him all the best.

As I take the Chair today, I am deeply conscious of the great honour bestowed on me and the responsibility that I have been called upon to shoulder. Almost similar feelings, a sense of nervousness and diffidence, came to my mind when I was elected to the office of the Speaker of Lok Sabha in March this year. A complete break as it was from my long and busy life in the political field, I was wondering whether I would be able to adjust myself to the new environment. At that time I appealed to all sections of the House to have faith in me and to extend to me full cooperation in order to enable me to discharge my functions and responsibilities with a sense of justice and fair play. I am glad to place it on record that this faith has indeed been reposed in me and the cooperation that I sought has been extended to me. I am confident that with similar indulgence and cooperation coming from you, our deliberations here will also be very fruitful and constructive.

Menace of Floor-crossing

About seven months ago, our country successfully went through another big test as a democracy. The free and smooth manner in which the fourth general elections were conducted earned us rich tributes from far and near. Those who were sceptic about the survival of parliamentary democracy in

our country were taken aback and Indian democracy was hailed as having come of age and taken firm roots in the Indian soil. While we are naturally proud of this, we should not be complacent. Our democracy, which we have been nursing so carefully, is today facing a threat from rank political opportunism. My reference is to the growing menace of floor-crossing in our legislatures. If this is not checked in time, this menace may result in administrative instability and reduce the politics in our country to a farce and thereby undermine the people's very faith in democracy.

While I am placing this problem before you, I have no particular solution to offer for combating this growing evil. There has already been a lot of discussion over this issue in the Press and in the various public forums where journalists, politicians and academicians have already expressed their views. By and large, everyone has expressed great concern over it and unequivocally condemned the practice. Leaders of various democratic parties in the country seem to be all agreed that something effective needs to be done in this direction without delay. It has been suggested in various quarters that legal and constitutional provisions should be introduced to compel members to seek re-election if they desire to change their political affiliations. I have my own reservations in this regard. I am not sure whether such a step would be in consonance with the democratic spirit. Of what use are the legal devices when the nation faces a crisis of character? This crisis can only be faced if leaders of all political parties and all those persons who have faith in the parliamentary democracy put their heads together and evolve a code of ethics to be implemented in spirit. It is only on the basis of such a code that right conventions can be developed.

Need for national consensus

In short, there is an urgent need to evolve a national consensus to deal with this problem and this Conference being vitally concerned with it should help in reaching such a consensus. This in turn will result in the emergence of a strong public opinion looking with disfavour at the practice of floor crossings and the people at large will not place any reliance on persons who are in the habit of changing sides for purely selfish ends. If we succeed in this, we shall have rendered a great service unto the cause of strengthening parliamentary democracy in this country, which we have jealously guarded so far.

I am not sure if any particular solution could be evolved to get rid of this evil practice. Everybody, all the people belonging to all political parties are agreed on this that this evil must be done away with. But how it should be done is a matter which is being discussed both by the political parties and also the public. Nobody seems to have given us any solution which is really acceptable to all political parties.

Till this year the crossing of the floor was not of importance, because in the whole country it was only one political party which was ruling. There was no need for crossing the floor, and if it was there it was only of running into the Congress, not outside, because the Congress was in power in all the States. But now, as you see, the opposition parties have formed governments in many States. The question of crossing the floor is two-way now; it is not only one way of many people coming into the Congress since the Congress was in power.

An instance from Australia

Naturally, to prohibit the crossing of the floor also may look undemocratic at times. For instance, I may tell you that in a great democracy like Australia where they have been following the

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British pattern for a long time and the traditions are being kept up so high, when we were there a few days ago, crossing of the floor was seen there as well. The Government party, that is the Liberal Party Members, actually crossed the floor and three of them voted with the Opposition. But it was not for any personal benefit, but on principal that they did it. Here was a question of Government planes being used by Ministers. The Opposition was hesitating for the last four or five days, that is before we reached Canberra, that the planes were being misused, and that the Prime Minister had gone out in a Government plane, a VIP plane, for fishing, and that another Minister had sent his sick daughter by a VIP plane to some other town. Such kind of charges were being levelled, and the Ministers were effectively giving answers. In the House of Representatives, on the day we were there, the Prime Minister made a long statement about this, giving out details about the planes, the usage of them, how he went for fishing etc. He was giving his own reply. But in the Upper House which is called the House of the Senate, where the Opposition only wanted the accounts to be given to them, which plane was used by which Minister, what was the expenditure towards that etc., the Government was not prepared to give it. The Government said, it meant a lot of time and delay and waste of time in trying to tabulate all the details. But evidently the Government party members were not satisfied with it. Three members from the Government benches actually crossed the floor and voted for the Opposition resolution, and the resolution was carried.

That means, if you prohibit the crossing of the floor by people even where they feel honestly that the Government has not done fairly and the Government could concede a demand of the Opposition which is reasonable, then

that will be most undemocratic.

After all, even in England we saw that in the Labour Party, sixty of them did not vote on the Government policy in regard to South Rhodesia. They did not vote against. But luckily for the Government the Opposition was one with the Government and therefore the resolution was passed with a huge majority.

So, even when an hon. Member feels honestly and conscientiously that he should vote for a particular view, not for a personal benefit but because he believes in that particular view, if you prohibit him from doing that, it will be an evil practice. That means that the parties will have so much of control over the Members that they will not be allowed to vote according to their conscience. Suppose you prohibit the crossing of the floor saying that they cannot join any other party, what prevents people in the same party, ruling party, voting against it?

It happened once when I was Deputy Chief Minister and the late Shri Prakasam was the Chief Minister of Andhra State. There was a no-confidence motion against the Government. I, naturally, as the Leader of the Congress Party—though Shri Prakasam was Chief Minister—was counting the opposition votes and I thought that the balance was in my favour, and I felt that we had won by one or two votes. **But when the Speaker declared the no-confidence motion carried, it was at that stage that I turned back and found that three members behind me had voted against the Government.**

Crisis of Character

What prevents that being done? Constitutional provisions can be made. But now the crisis is in the character of the people. You will have to control. Discipline is a moral force. **As long as we maintain that moral force, perhaps we can continue for some time. The**

moment we try to control through legislation, constitutional provisions and all that, people will take to some other methods, and they may not be good.

Position in Kenya

When I went to Kenya in May, I found that they had actually amended the Constitution and made a provision to the effect that any Member changing his party automatically lost his seat. He lost it automatically; there was absolutely no question of his continuing as a Member; the moment he had crossed the floor, he was no more a Member to vote on the other side, he lost his seat and he had to face the election again and there would be a bye-election for that purpose.

There is also this possibility that a Member may not cross the floor at all, but he may vote against the Government or the party to which he belongs, without crossing the floor but sitting in the same Benches to which he belongs as a party Member.

Control of Moral Force

So, these are some of the difficulties that we are facing today. Anyway, it is not by legislation, it is not by compulsion, it is not by coercion that we control this; it is by moral force that we can control this, and the people should show their resentment at such immoral activities by any Member to whichever party he may belong.

For heaven's sake, please do not mistake me when I say that this applies to all parties. As I said in the beginning, because the Congress was in power in all the States, the crossing of the floor was a one-sided affair. Members who were elected from other parties sometimes went and joined the Congress Party, because the Congress was in power in all the States. But today it has become a two-sided affair, with Members going from this side to

that side and from that side to this side. But everyone of us will have to admit that this practice is seriously damaging democratic traditions, and so, we shall have to control it. The question is how best we can control it. Speakers cannot decide that. We are only witnesses to the crossing of the floor. If ten Members write to us saying 'We are joining the Opposition', we only record the fact. We cannot prevent that. As Speakers, we have no right to prevent it. All that we say is that this unfortunate state of affairs must be controlled by the political leaders who are at the helm of affairs, to whichever party they may belong, because India belongs to all of us, and India is not the monopoly of any one political party; our Mother country belongs to all of us, to whichever political party we may belong. As Speakers, we are only sorry spectators of this unhealthy development which has grown during the last few months. But I am sure that all the Opposition parties and ruling parties in the different States and at the Centre would take note of this and try to evolve some code of ethics which will improve the general condition.

Speaker and Party membership

There is one more problem that is exercising my mind today and I think I should share with you my feelings in this regard. The acceptance of the office of Speaker was for me a difficult choice but once the decision was made, I came to the conclusion that if I were to do justice to my new sphere of duties, I had not only to be impartial and just in the conduct of my work as required of my office, but what was more difficult was to convince the House of being so. In the circumstances in which I was placed, I mean the din and noise of a busy political life, I was eager to convince all sections of the House that I would live upto the requirements of my office and maintain the high tradi-

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tions set up by my predecessors. It was in this context that I immediately decided to resign my membership of the Congress Party to which I had the honour to belong for over three decades. You will all realize how difficult it must have been for me to abruptly sever my connections with a political party after having been associated with it for so long; but there was no alternative. I am firmly of the view that a Speaker should belong to no party or rather he should belong to all parties.

This was the view expressed by Shri Vithalbai Patel long before Independence. He was the topmost Congress leader in those days. Still, the moment he was elected Speaker, you will be glad to know, he resigned from the party to which he had the honour to belong.

Impartiality of the Presiding Officer

It has been acknowledged beyond a shadow of doubt that all our former presiding officers, at the Centre as well as in the States, have conducted themselves with justice and equity and established high traditions of impartiality while dealing with various situations that confronted them from time to time even though they might not have formally severed their links with their political parties.

It was all right in those days, because, after Independence, as we have seen, the Constituent Assembly (Legislative) had turned itself into the Provisional Parliament, and there was absolutely no Opposition party at all worth mentioning, because nearly 99 per cent of the Members belonged to the Congress Party. Then, the Congress Party was controlled by eminent people like Shri Jawaharlal Nehru, Sardar Patel, Maulana Azad and others; and all the giants who had fought for Independence were there sitting at the helm,

and there was absolutely no opposition party worth mentioning at all. Therefore, whether the Speaker who was presiding over the House at the time resigned from the Congress Party or not made no difference, because there was no obligation on his part to create that confidence in the opposition parties. Later on, of course, the obligation changed a little in 1957 and in 1962; in 1962, of course, there was a small Opposition which was created in Parliament. But today it is not so. Every Assembly has an effective Opposition. The strength of the Opposition is about 40 per cent in some States, 49 per cent in some other States and so on. In Parliament also, if the Opposition stages a walk-out, you will find that nearly half of the Chamber would be completely vacant, because about 45 to 47 per cent of the Members belong to the Opposition in Parliament. So, today, the obligation and the responsibility on the part of the Speaker is to create confidence among almost half the membership of the House.

Earlier, it was not necessary for him to resign from his party; he could continue in the Congress Party as a Member; in some cases, he even attended the party meetings; even if he did not attend the party meetings, because he belonged to the party, they certainly did expect him to behave in a particular way. When once a person belongs to a party, naturally the party expects him to behave in a particular way. Of course, there is nothing wrong with it. But today the circumstances have changed. It is no use taking the same position as was taken by either Shri Ananthasayanam Ayyangar or Shri Mavalankar when there was absolutely no Opposition and it was all an one-party affair mostly and there was no need to satisfy the Opposition or to keep up a balance. I feel that the circumstances have changed so radically today and the Speaker sitting in the Chair today will have to create that

confidence not only in the party which has put him up as the Speaker, but in the whole House. We can consider ourselves successful only when we create that confidence in the Opposition parties much more than in the party which has put us up in office, because the ruling party needs no protection; the ruling party needs not much of a protection, they are in a majority, and their resolutions are carried. It is only when we create that feeling of confidence that problems can be discussed on the floor of the House in the proper manner and it is only then that democracy can function more effectively.

If problems are not allowed to be discussed on the floor of the House, if problems which crop up suddenly, that is, important problems or essential resolutions on matters of urgent importance are not allowed to be discussed on the floor of the House, then the questions would arise in any case and they could be discussed only on the roads and on the public streets, not with Members sitting in the Parliament or in the legislatures but through other means which are not democratic at all.

Therefore, I feel that the Speaker or the chairman or the presiding officer should not belong to any political party and it will be good if that is so. But some of the Speakers and Chairmen with whom I had talks individually have expressed some doubt and have raised the question: 'Suppose we are not allowed to go uncontested, at the next elections, what would happen?'. I think that this is a question which need not be considered at this stage, for this simple reason that if we presiding officers create that confidence in all parties and all sections of the House, I think we can carry them with us. After being elected to the office of Speaker, one should behave in such a way that one does not belong to any particular party and one's decisions should be

such that they would be accepted as impartial. One party may condemn us for any decision that is not liked by that party, but on the next occasion, the party which had condemned us on the previous day might be happy at our decision. We cannot always please all the parties. Any decision that is given by us would be accepted by one section while it will not be accepted by the other section. So, these problems would naturally arise. So, we are placed in a very delicate and difficult position. Whatever decision we would give would not be to the liking of all sections of the House. Of course, some may think 'After all, this particular party has put us up as the candidate for this post.'. But what we should consider is whether the method adopted by us is a good thing or is a bad thing. That is the thing that will have to be considered.

The tradition that the Speaker is a non-party man or a person who belongs to all parties in the sense that he does not belong to any one political party, I think, is a good tradition which has been built up in all democratic countries like England, Australia or elsewhere.

Here also, I was happy when I was reading the notings by Shri Vithalbhai Patel and Shri Shanmukham Chetty in this connection. Before Independence, the moment they were elevated to the Chair, both of them said that they belonged no more to any of the parties and they were independent. I think this is a point which we can discuss, but we need not lay down any hard and fast rule. It should be left to the discretion of the Speakers. It is only my personal view which I am expressing here. If any of you is in any difficulty and you begin to think of the coming elections, saying 'What will happen to us?', then naturally, we shall not be able to take a decision correctly. The moment we begin to think of our-

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selves and of what would happen to us at the next elections after four and a half years, we shall not be able to take the correct decision. Whether the decision is correct or not is the point to be considered and not what will happen to us after four and a half years. If I am not allowed to be elected by the parties, what does it matter? Heavens are not going to fall; so, why should we change a correct decision if it is a correct decision? After all, it could never be expected that the same person may be the Speaker or the Chairman or anybody else. Therefore, I would say that while discussing this problem, all of you may consider and judge the issue on its merits and the need of the hour.

Disorders in Legislatures

In his Address to this Conference last year, Sardar Hukam Singh had expressed grave concern over the growing scenes of disorder in Parliament and the State Legislatures and said that continued defiance of Chair was putting the future of democracy at stake. I was there because I was seeing the Parliament every day and I was there for two years on the Treasury Benches in the last Parliament since the elections were held. What was happening was something which I shuddered to think of and it was terrible to enter the House and face it. Every day, there was something or the other happening and somebody or the other was being sent out.

Having seen that, I felt that to accept the Speakership was really something adventurous, and I thought that it would be foolhardy to think of becoming the Speaker after having seen the behaviour of honourable Members on the floor of the House.

But I am glad to tell you that till now I have not witnessed any scene,

and there has been no occasion for me even to name one Member in the course of these six months. Not one of them has gone out or been sent out, and it has been a very pleasant thing to sit in the Chair and secure the co-operation of all the leaders of parties—it is not of one Party but the leaders of all parties. When I am in a tight corner and in some difficulty, when some Member defies me or something, you will be glad to hear that the leader of that particular party would get up and support me and control the hon. Member belonging to his party. That has been the practice and I am really happy about it. But as to how long we will be able to secure this co-operation is the question; let us keep our fingers crossed and let us not assume too much about the future. But till now I am very very happy to say that I am securing the total co-operation of all parties, and much more particularly of the leaders of the parties who are trying to control their own rank and file in the House. Based on my own experience as Presiding Officer, though, as yet very brief, I consider two things as essential to achieve this objective: first, all sections of the House should be provided with reasonable opportunities to express themselves on matters of public importance arising from day to day; secondly, whatever business is transacted by the House, it should be in accordance with the rules and practices current for the time being. If it is felt that a rule needs amendment, the House is free to have it changed but so long as that rule exists, we should not allow it to be flouted or violated.

I am glad that in this respect also, the Rules Committee meets very often and discusses the problem. The leaders of all parties are there in the Rules Committee. They either change or amend a rule, but as long as it is there, they have been giving me this co-operation.

I do not think I should take your time by reading out the details as to how the rules have been amended and all that. The copies of this will be circulated to you just now.

Anyway, friends, we are meeting at a time when different States have got different party governments. Hitherto it was all Congress Speakers and Congress Council-Chairmen, almost all. But today we have representatives of all parties here. Therefore, it is much more easy now to talk between ourselves and take decisions which are made for the whole country and not for any particular party. I am sure you will devote your time to two or three of the very important issues and then naturally you will take decisions.

CPA membership

Another thing which I wanted to mention was this. Today in India about eight or nine States have become members of the Commonwealth Parliamentary Association. I do not know how it happened, but I see that some other States also want to become members. The Speaker of Assam had the pleasure of meeting me once or twice and he asked "why not Assam become a member?"; and though they have not approached, Andhra Pradesh is also not a member, and some other States there are. Five or six States are not members of the Commonwealth Parliamentary Association; nine States are members. They are sending delegates now, one delegate from each State, to the Commonwealth Parliamentary Conference in Uganda. I do not know the reason why four or five States should be kept out. Either all of them are members or none of them

is a member. If it is good for nine States to be members directly of the Commonwealth Parliamentary Association, the other States also, I feel, should go there.

But I do not know if the people concerned, the leaders concerned, have considered whether it is really reasonable for a State Government to get itself associated directly with some Commonwealth Association. Anything outside India should be the matter of the Centre. How can States themselves be members directly of a Commonwealth Association? That was a point that was made, to look into. But what I feel is this. If it is not good for the States to become members directly of the Commonwealth Association—that is a different issue—it will apply to all the States in India. But if it is good for nine States to be members it should be good for the others also. I think that every one of you will agree that either of these proposals should be accepted: either nobody should be a member or everybody is a member, who wants. There is no compulsion here. But if one State Assembly wants to become a member, they cannot be prevented while nine of them are already members. This aspect should perhaps be considered and a decision taken on it. I for one would say, let us be uniform; either all Assemblies are members of the Commonwealth Parliamentary Association or none. Since nine of them are already there, let us allow the four or five others also. Later on, if it is considered at a higher level, the Government and the Presiding Officers together may discuss this aspect of the matter, and if it is felt that States dealing with some foreign body directly may not be desirable, it could be directed through the Centre. Anyway, this aspect also could be considered. This is another important thing.

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Developments in Procedure and Practice.

It has been a tradition with this Conference that the Chairman enlightens the participants with the new developments that might have taken place at the Centre with regard to the working of parliamentary procedure and practice so that they can benefit from the experiences gathered at the Centre. I shall now try to fulfil that duty.

In the light of past experiences and with a view to making the procedures more conducive to the growing needs of changing times, we have made some amendments recently to the Rules of Procedure and Conduct of Business in Lok Sabha and introduced certain other changes in our procedure.

Calling Attention Notices

Some change has, for instance, been made in the procedure regarding Calling Attention Notices. Under the new rule two such matters may be raised at the same sitting—one after the Question Hour and the other at the end of the sitting. This has been done rather to regularise the existing practice. Then while previously there was no restriction in the number of notices which a member could table, no member can give more than two such notices now for the same sitting. Where a notice is signed by more than one member, it is deemed to have been given by the first signatory only. All notices received by 10.30 hrs. on the day on which they are to be taken up are treated to have been received at that hour and the *inter se* priority of notices on the same subject is determined by ballot. Not more than five names are shown in regard to any Calling Attention item in the List of Business and where two notices are admitted for the same sitting, names of members who have raised the first matter are excluded from the second

notice. This saves the time of the House which otherwise used to be taken up when too many names of members were bracketed on one notice. The members whose names are entered in the List of Business are allowed to ask a clarificatory question each on the statement made by the Minister. All notices which are not taken up on the day for which they have been given, lapse at the end of the day. If the matter is of a continuing nature and a member feels on a subsequent day that it is important enough to call for a statement by a Minister, he can repeat the notice on a subsequent day or days. The working of the new procedure, I am happy to observe, has been quite satisfactory during the last session of Lok Sabha.

I may also refer here to some of the points raised during our last session regarding the scope of statements in response to such Notices. Arising out of a statement made by a Minister, the following were the points raised by several members for my consideration:

- (i) whether such a statement should be confined to the facts only and should not contain any observations or conclusions that a Minister may like to make;
- (ii) whether such a statement should contain any matter which is debatable and on which opinion may be divided in the House; and
- (iii) whether the Speaker should order expunction of any words and phrases from the proceedings which on examination relate to a matter which is pending judicial decision before a court of law.

I gave my decision on the above points as follows:

- (i) A statement in response to a Calling Attention Notice is not in the nature of an answer to a question and, therefore, it need not be confined to facts alone. The statement can include opinions, conclusions and decisions of the Government or the Minister and it is not necessary that it should be of a nature on which there should be complete agreement in the House. Similarly the questions which are asked on such a statement are not confined to matters of information only. Sometimes questions on such a statement are in the nature of suggestions, criticisms and counter-opinions and, therefore, there is no restriction that the original statement as well as the subsequent questions and answers should be confined to mere facts alone. The practice so far in this House confirms this.
- (ii) It follows from my above observations that such statements are open to debate. The only restriction is that there shall be no debate on such statements at the time they are made. There is no prohibition against a notice for a debate on a matter contained in the statement of a Minister in response to a Calling Attention Notice on a subsequent date being given. Hence if a section of the House is not in agreement with the opinions or conclusions given by a Minister in his statement, they are at liberty to raise a debate and to have the opinion of the House recorded on a proper motion or question before the House.

Expunction of references to Sub-judice matters

- (iii) Rule 380 reads as follows:

If the Speaker is of opinion that words have been used in debate which are defamatory or indecent or unparliamentary or indignified, he may in his discretion order that such words may be expunged from the proceedings of the House.

A matter which is *sub judice* and which has been referred to in a speech or debate or in any statement in the House does not fall within the ambit of this Rule and, therefore, the Speaker has no power to order expunction of any words or phrases which may relate to a matter which is pending for a judicial decision in a court of law. However, under Rule 352(i) a Member, while speaking, shall not refer to any matter of fact on which a judicial decision is pending. It is, therefore, necessary for a Member, while speaking, not to refer to any such matter and if he insists on referring to such a matter, the Speaker may ask him to discontinue his speech forthwith. The Speaker may also observe that the Member should not have referred to a matter which was *sub judice*. Both the statements will then be on record but the Speaker cannot and should not order expunction of such words.

Allegations on the floor of the House

An important observation made by my predecessor in his Address to this Conference last year was about the

growing tendency on the part of members to make allegations against one another on the floor of the House. It has been my own experience as well that this tendency is a constant source of discomfort to a Presiding Officer, because on such an occasion, when the allegations are made at the spur of the moment without any prior notice, it becomes difficult to judge whether they have been made on the basis of adequate evidence or out of sheer personal jealousy or animosity or even for gaining cheap publicity in the Press. It might interest you to know that during the last session of Lok Sabha, a member sought to move a motion for appointing a committee of members to investigate into charges against certain Ministers whose names had not been mentioned in the motion. When I saw the motion and considered it, I ruled that certain preliminary procedures must necessarily be followed in order that a notice of a motion on the conduct of a member of the House may be admissible. I advised the member concerned to refer to the procedure that was adopted in 1951 when a Committee to inquire into the conduct of Shri H. G. Mudgal, a Member of Provisional Parliament, was appointed. I also outlined in brief the procedure antecedent to the discussion of such a motion in the House, and suggested to members to follow this procedure if they wished to make charges against Ministers. Generally speaking, when any information is received regarding the alleged misconduct on the part of a member, the Prime Minister examines the statement of charges and other relevant material that he may call for in this connection. He also gives ample chance to the member against whom the complaint has been made to clear himself of the charges. If, on thorough enquiry, the Prime Minister is convinced and the Speaker upholds that there is a *prima facie* case for further investigation, the matter is then brought before the House

on a motion for the appointment of a parliamentary committee.

Documents laid on the Table

Another important point of procedure raised during the last session of Lok Sabha was whether a document with the Government becomes *ipso facto* public if a document purporting to be a copy thereof is laid on the Table of the House by a private Member. In this case, I have held that merely because a copy of a document has already been laid on the Table by a private member, the Speaker cannot compel the Government to lay such a document on the Table of the House much less to disclose it or to communicate it to any one else, if the Government continued to claim it to be a secret or a confidential document.

Adjournment Motions

In the case of an adjournment motion, tabled on a particular day, I held over my decision till a statement on the facts raised therein was made to the House by the Minister concerned. I gave my consent to the moving of the adjournment motion only after the statement had been made at 4 P.M. that day. Since under the rules, leave of the House to the moving of the motion had to be asked after the Question Hour and the motion, if admitted, was to be taken up at 4.00 P.M., the member, before asking for leave of the House, moved a motion for suspending the relevant rules in application to the adjournment motion in so far as they related to the time for asking for leave to move the motion and the time for taking up the motion. The motion for suspension of the rules was adopted and then the member asked for leave of the House to move the motion. After the leave was granted, the motion was taken up for discussion immediately, under my direction. A point was also raised in the House recently regarding the procedure for the disposal of adjournment motions.

I have held that, if at the end of the debate the mover of the motion or of an amendment thereto informs the Speaker that he does not want to press it and if thereupon the amendment or the motion is not put by the Speaker to the vote of the House, the Speaker declares that such amendment or motion is deemed to have been withdrawn by leave of the House. However, on a request made by any member that the amendment or motion should be put to the vote of the House, the Speaker puts it to the vote of the House for its decision.

Short Duration Discussions

With a view to afford greater opportunities to members to raise discussions on current matters of urgent public importance, we have recently amended the rule regarding raising of short duration discussions. Previously, members could raise a discussion not exceeding 2½ hours on a matter of urgent public importance, under rules 193 and 194. After the Speaker had admitted the notice, the date for discussion had to be fixed by the Speaker in consultation with the Leader of the House. The Government were often unable to find time for the discussion. According to the amended rule, the Speaker can allot two sittings in a week on which such matters may be taken up for discussion and fix time, not exceeding one hour, for this purpose.

Question Procedure

With regard to the question procedure, we have recently effected some changes which mark a significant departure from the established conventions. A new procedure, to be introduced from the Third Session commencing in November, has been evolved under which a member cannot give notices of questions before 21 clear days from their due dates of answer. In the absence of any such

provision earlier, a very large number of notices of questions used to be tabled immediately after the issue of summons, practically for all the sittings of the session. Thus the questions were tabled months in advance of their due dates of answer. This culminated in some of these questions becoming obsolete, superfluous and outdated in view of subsequent developments, by the time they would come up for answer in the House. Such questions also pushed to a lower priority questions tabled subsequently which related to more urgent and fresh subjects. I am hopeful that the revised procedure will enable the members to utilise the time of the House for seeking information on topical subjects. Most of you might have perhaps observed from a look at our printed Question Lists that a large number of names are at present shown against a single admitted question and a considerable time of the House is taken away in allowing all those members to raise supplementaries. With a view to economise on the valuable time of the House, it has now been decided that where a notice is signed by more than one member, it shall be deemed to have been signed by the first signatory only.

Similarly, in case of Short Notice Questions also it has been decided that where a Short Notice Question is signed by more than one member, it shall be deemed to have been signed by the first signatory only and that the names of not more than four members, other than the one whose notice has been admitted, will be shown against the Short Notice Question. Their relative priority shall, however, be determined by ballot. In case of a consolidated notice of a Short Notice Question also, names of not more than four members, other than the one whose notice has been admitted, shall be shown against the admitted question, as determined by ballot. All this, I am

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sure, will go a long way in restricting the number of supplementaries.

Half-an-hour Discussions

Now a word about the half-an-hour discussions. Prior to the Fifteenth Session of the Third Lok Sabha, it was the usual practice that if any matter put down for half-an-hour discussion on a particular day was not disposed of on that day, it was not automatically included in the List of Business for any future day unless the member so desired. Such notice of half-an-hour discussion stood lapsed on the prorogation of the House. During the aforesaid Session it was, however, decided that a notice of half-an-hour discussion which was admitted and put down in the List of Business during a previous Session but was not taken up for lack of quorum or other causes could be revived by the member during the next Session provided the fresh notice thereof was given within one week of the commencement of the Session. In order to afford opportunities to a large number of members to raise half-an-hour discussions, three days in a week have now been reserved for raising such discussions. I have accordingly fixed Mondays, Wednesdays and Fridays for this purpose. In the case of such discussions also as has been done in the case of Short Notice Questions, it has been decided that where a notice is signed by more than one member, it shall be deemed to have been signed by the first signatory only. It has very often been noticed that half-an-hour discussions last for much longer periods than the allotted time of half-an-hour, as a large number of members give their names for asking questions during the discussions. In order to ensure that a discussion does not last for more than the allotted time, it was considered quite appropriate that the number of members may be restricted to four in addition to the one whose notice has been admitted. As

such, a member wishing to ask a question is now required to make a request in writing before the commencement of the sitting fixed for discussion. In case such requests are received from more than four members, a ballot shall be held to determine the names of first four members who may be permitted to ask questions.

Public Accounts Committee

All of you must have noted with great interest the appointment for the first time, of a member of the Opposition as the Chairman of the Public Accounts Committee at the Centre. This is indeed a very significant event in the history of the Committee which, during the last 47 years of its existence, was continuously headed by members representing the party in power. Even though many State Legislatures during the post-independence era had already decided to choose members of the Opposition as Chairmen of the Committees on Public Accounts, on the analogy of the practice obtaining in the House of Commons, the same could not be done in the Centre mainly because there was no recognised Opposition party in Lok Sabha. The fourth general election brought about a change in the political alignments in the country and this was also reflected in the composition of the Opposition parties in Lok Sabha. With a substantial increase in their strength, the Opposition parties were naturally expected to share greater responsibilities. It was in this context that I had the privilege of making a departure from the tradition and calling upon Shri M. R. Masani, the leader of the principal Opposition group—the Swatantra Party—to accept the Chairmanship of the Committee for this year.

In connection with the working of the Committee, a point of interest that I might mention is the presentation of six reports of the Public Accounts

Committee (1966-67) during the first Session of Fourth Lok Sabha although all these Reports had been finalised by the previous Committee and were to be presented during the lame-duck session of Third Lok Sabha. Parliament having been dissolved earlier, the lame-duck session was not held. Consequently, under provisions of direction 71(A) of the Directions by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha, all these Reports were presented by the Chairman of the Committee to the Speaker and were laid on the Table of the House by the Secretary on March 28, 1967. You might be aware that Rule 40 of the Rules of Procedure and Conduct of Business in Lok Sabha provides that a question may be addressed to a private member provided the subject matter of the question relates to some Bill, resolution or other matter connected with the business of the House for which that member is responsible. Under the provisions of this rule, two questions relating to a report of the Public Accounts Committee were admitted during the Sixteenth Session of Third Lok Sabha and were answered by the Chairman of the Committee. This mode of eliciting information regarding the working of the Committee from the Chairman continued during Fourth Lok Sabha also. Two questions were accordingly admitted and answered by the Chairman of the present Public Accounts Committee during the second session of Fourth Lok Sabha. Through both these questions the members wanted to know the action taken by the Government in implementing the recommendations of the Committee. Three similar questions were also admitted in respect of the Estimates Committee and the Public undertakings Committee. It is hardly necessary to emphasise that the reports of the Public Accounts Committee are continuing to be helpful as ever in pin-pointing the deficiencies in the working of the Gov-

ernment in so far as they relate to financial administration. The keen interest evinced by members in the working of parliamentary committees is a happy augury as this enables these Committees to discharge their functions more profitably and thus makes available more time to Parliament to devote itself to matters of national and international importance.

Position of Committee Reports at the time of dissolution of the House

There is a specific provision in our Rules which lays down that a Committee which is unable to complete its work before the expiration of its term or before the dissolution of the House, may report to the House that the Committee has not been able to complete its work. A situation like the one visualized in the aforesaid rule confronted our previous Estimates Committee. The Committee had taken up examination of estimates of certain Ministries of the Government of India during the year 1966-67 and had completed all work upto the stage of taking evidence of both the non-official and official witnesses. But on account of the sudden dissolution of Third Lok Sabha on March 3, 1967, the Committee could not consider and finalise its draft reports. In these circumstances, the then Chairman of the Estimates Committee had to transmit the unfinished work of the Committee to the Speaker. At its first sitting held on April 10, 1967, the new Estimates Committee (1967-68) of Fourth Lok Sabha, decided to continue, *inter alia*, the examination of all the subjects which were left unfinished by the previous Committee. The new Committee thus utilised the information and material gathered by the previous Committee in drafting its reports. It, however, did not collect any fresh material nor did it re-examine the witnesses. But the Committee decided that in the "Introduction" to each report on such unfinished subjects, when presented to

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the House, it will be indicated that the subject was examined by the Estimates Committee (1966-67) and that all the necessary information had been obtained and evidence taken by that Committee; the present Committee having perused the minutes of evidence had reached its own conclusions which had been embodied in the Report. I am glad to inform you that the present Estimates Committee has by now finalised reports on all unfinished subjects excepting one, namely "Foreign Exchange" and has presented them to Lok Sabha.

A somewhat similar situation faced the Committee on Public Undertakings which, during 1966-67, had examined certain undertakings and adopted six reports. These reports would normally have been presented during the last session of Third Lok Sabha which was later cancelled. The Chairman of the Committee had to take recourse to direction 71-A of Directions by the Speaker and present the six reports already adopted by the Committee to the Speaker. These reports were later

printed and laid on the Table of Fourth Lok Sabha by the Secretary during its First Session. In the earlier years, this Committee functioned as a whole for processing of the Reports at various stages. In order to make an intensive study of material received from the Ministries and the undertakings under examination the Committee has this year constituted three Study Groups on: (i) Financial Management; (ii) Heavy Engineering and Electricals, and (iii) Aeronautics, each comprising of four Members.

I am thankful to you for the patience with which you have heard me and request you now to deliberate on the various items on the agenda. Before I conclude, I would like to say that our object in meeting here is not only to discuss certain specific questions put before us but we should also make the most out of this opportunity and form ourselves into a well-knit body of persons devoted to the advancement of parliamentary institutions in our country.

Thank you.

To follow, not to force the public inclination, to give a direction, a form, a technical dress, and a specific sanction, to the general sense of the community, is the true end of legislature.

—EDMUND BURKE

THE COMMITTEE SYSTEM IN PARLIAMENT

R. K. KHADILKAR

The role of the State has changed all the world over. The demands of political, social and economic justice make the State the planner, regulator and divider of the national product, all at the same time. Policy making for such a society becomes very complex and difficult. This growth in State activity has resulted in corresponding expansion in bureaucratic machinery, with all the implications and attendant evils for the legislatures of the land. These developments, though largely inevitable, have tended to upset the balance between Parliament and the Executive, and pose for the former special problems in the maintenance of its position as the fountain-head of the democratic order.

Lord Hewart is perhaps right in his contention that the permanent civil service is becoming more and more impatient of the sham facade of democracy behind which it works and is showing progressively greater skill in using the forms of Parliament and the convenient doctrine of ministerial responsibility as a cover for a steady increase in its own powers. Rightly has it been said that bureaucracy thrives under the cloak of ministerial responsibility. The responsibility of Minister and the sovereignty of Parliament are made mere symbols and convenient cloaks.

Inherent danger in bureaucracy

Thoughtful students of political science and administration have been

emphasising that the greatest danger inherent in bureaucracy is the danger of uncontrolled powers and that there should be a machinery of control. The time has come when serious thought has to be given to curtailing the power of the bureaucracy in India so that the ultimate objectives of the nation may not be endangered. In this context it is pertinent to draw attention to a very thoughtful warning given by the late Prof. Karl Maunheim, that the bureaucracy as a mediator between conflicting social groups or as the ally of certain classes will know how to establish its monopoly of control. We are very near this danger, if not already in it. It is absolutely essential to establish some method of popular control over the bureaucracy before it is too late. The way in which the observations of the Estimates Committee and the Public Accounts Committee are treated and the way in which the Informal Consultative Committees function has led to considerable dissatisfaction which is occasionally given vent to on the floor of the House. It is the function of Parliament, in Burke's phrase, to act as control on behalf of the people.

Oversight of Administration

The range and magnitude of governmental activities in the present day has led Parliament to shift its emphasis from its law making activities to oversight of administration, but Parliament as a body is not a fit instru-

ment to undertake this task itself. It cannot use the floor time for details as it has not enough time to do it. Therefore, it has to devise other methods. Obviously it has to rely on its committees to carry out the task. Accordingly, it has been suggested that committee system should be developed on an extensive scale. The Committees should be patterned after the Ministries or the departments of the Government or subjectwise or in such manner as may be convenient. The Committees, composed of members of various parties, tend somewhat to cool down party spirit, promote a strong corporate sense and help consideration of questions on their merits objectively, rather than on party lines. They also tend to promote an element of specialization among members. Such committees can usefully examine how the departments have shown their performance within the resources available to them.

Role of the Committees

Thus to envisage an effective Parliamentary Government, it is on the development of the structure of Committees of the House that the final stress should be laid. That is so primarily not only because this "would give the back-benchers something to do", but also because it would extend in the most creative way our conception of what Parliament is for.

Under a parliamentary system of Government, Committees of Parliament are a necessary adjunct of the work of Parliament. They make parliamentary work smooth, provide expertise to the deliberations of Parliament. They enable Parliament to feel the pulse of the public on proposals of legislation that are introduced for its consideration. They also help to ensure better and more constructive co-operation from the Opposition for the

various measures initiated by the Executive. As observed by Redlich:

The objective of the Committee debate is to arrive at decision upon special questions of substance and to settle the essential points of detail one by one. The aim of what is said is to convince, and not to gain a mere debating advantage. Committee, therefore, offers to individual members the best scope for display of expert knowledge, untiring industry, capacity for routing work and ready action; many a new member makes his reputation there.

Committees are recognised in the rules of procedure of all Parliaments. They meet a practical need; the House as a whole is too unwieldy a body to deliberate efficiently on many of the problems put before it unless they have first been considered by a smaller body. Pressure of circumstances and in particular the growing range of matters with which Parliament is concerned has led to the steady development of Parliamentary Committees. Now they have become essential to the efficient and expeditious despatch of parliamentary business.

The system of Parliamentary Committees saves time of the House for the discussion of important matters and prevents Parliament from getting lost into details and thereby losing its hold on matters of policies and broad principles.

Apart from the obvious advantage of saving floor time and rescuing the House from detail, the very complexity and technical nature of modern business makes it necessary that it should be closely scrutinised in a business like manner, availing of outside technical or expert advice, wherever necessary. Standing Committees, composed of members of various parties, also tend to promote an element of specialization among members.

Committees in the British House of Commons

In the British Parliament, Standing Committees, as also Select Committees, are now an integral and useful part of the Commons legislative procedure. While the Standing Committees of the Commons function as legislative bodies (or in the words of K. C. Wheare, "Committees to Legislate") the Select Committees perform functions of enquiry, scrutiny and control on behalf of Parliament. The three select committees of the House of Commons—on Public Accounts, on Estimates and on Statutory Instruments—are Committees to scrutinize and control. The Select Committees on Estimates, Public Accounts and Statutory Instruments may also be termed as sessional Committees in the sense that they are appointed from year to year and their work is of continuous nature.

From time to time, the British Parliament have appointed ad hoc Select Committees charged with the specific function of enquiry and report. In this connection, it may be interesting to recall that a professor of Political Science in Britain, Prof. Bernard Kirk, has suggested that the House of Lords in the U.K. should convert itself into Committees, one for each Government Department, and pay minute attention to the function of that Department instead of spending its time and energies in duplicating the work done in the House of Commons.

It is also increasingly being felt in the U.K. that the transfer of power from Parliament to the Executive has gone too far and that some institutions should be devised for detailed, continuous and effective parliamentary control over the Executive. As an experimental measure, the House of Commons agreed on December 14, 1966 to appoint two new Specialist Committees—Select Committees for Agriculture and for Science and Technology—

during a debate on the recommendations of the Select Committee on Procedure. One of the new Committees will be a Subject Committee on Science and Technology and the other will consider the activities in England and Wales of the Ministry of Agriculture, Fisheries and Food. The Committees will be able to hear evidence in public, unless at any time they prefer to sit in private. They re enabled to call Ministers and cross-examine them in public. There is nothing to stop the Committees from questioning Ministers 'in depth, in breadth or any other way'. The Lord President of the Council and Leader of the House of Commons (who moved the motions for the appointment of the two Committees), described the appointment of the new Committees as 'a cautious advance in the revival of continuous parliamentary control over the Executive.'

Parliamentary Committees in India

As in British House of Commons, Committees in the Indian Parliament are not of overshadowing importance. 'They are only auxiliaries, the mere accessories of the legislative and critical machine'. Their scope or field of operation is limited as compared to that of their counterparts in some other countries, where the committees have, to some extent, taken over the functions of the Executive. In the United States, for example, Committees of Congress formulate policy and intervene in the actions of the Government. The functions of these committees include consideration and amendment of Bills, inquiries into matters which the House refers to them for investigation, scrutiny and control of Public Accounts, Estimates and Statutory Instruments, and work of an administrative character relating to the internal affairs of the House.

Detailed scrutiny of governmental spending and performance takes place in the Indian Parliament through the

The Committee System in Parliament

three financial committees—the Public Accounts Committee, the Estimates Committee and the recently constituted Committee on Public Undertakings. The Public Accounts Committee has an important ally in the independent audit authority, the Comptroller and Auditor General, who assists the Committee in several ways. The control exercised by these financial committees is of a continuous and thorough nature and they employ all the means of scrutiny—questionnaire, on-the-spot study of organisations, oral examination of governmental representatives and non-official witnesses etc. Discussion in these Committees cuts across party lines and their recommendations, though not discussed and formally adopted by the House, nevertheless carry the same weight and sanctity, as if they were. Further, the recommendations are followed up by the Committees with the Government for implementation.

Besides the scrutiny of governmental functioning, these Committees have also been responsible for valuable suggestions for improvements in the Indian financial system and the form of presentation of the estimates, for better parliamentary control. Some of the recommendations made by the Estimates Committee in the form of estimates and implemented by Government, e.g. arrangement of Demands by Ministries instead of account heads, amplification of the Explanatory Memorandum, inclusion in the budget of a detailed review of all the State Projects, autonomous bodies etc. in which Government has some financial interest may be mentioned as examples.

Improvements in the Working of Committees

Experience has, however, shown that there is a lot of scope for improvement in the effective working of these committees. For example, evidence tendered before the Public Accounts Committee which is kept secret should be

published. The advantages that would accrue therefrom are:

- (i) the repeated complaint that the witnesses do not come prepared to give evidence might disappear;
- (ii) the Secretaries and the Heads of Departments will come well prepared and there will be no need for them to bring a number of junior officials to assist them;
- (iii) the need for calling voluminous written information from the Ministries will be obviated;
- (iv) the Members of the Committee will also come prepared to Committee's sittings and ask right type of questions; and
- (v) the published evidence will have an educative value for Members of Parliament as well as the public.

Delay in presentation of the Audit Reports

The Public Accounts Committee looks into matters years after the events have taken place and examine them in the light of the circumstances obtaining not at the time when decisions were taken but in the atmosphere of post-event. The result is that the administrative services feel afraid of taking responsibility and there are delays and procedural procrastinations in the administration leading to wastes, etc. With a view to avoiding this sort of delay, methods should be devised whereby the Audit Reports be presented to the Legislatures by the Comptroller and Auditor General within a period of six months of the close of the financial year to which the report relates and the Public Accounts Committee should examine these reports expeditiously and present its report to the Legislature either before or during the following Budget session.

Where some important cases of misuse of the public money or misappropriation or irregularity have come to the notice of the Audit authorities, special reports on such cases should be made concurrently during the year so that the legislature and the Public Accounts Committee are seized of the matter while the expenditure is being incurred and not after the event. These measures will tend to increase the morale and efficiency of administration as a whole.

Enlargement in the functions of Estimates Committee

In order to develop the Estimates Committee as a real organ of the Parliament for controlling the administration and finances of Government, the following improvements are imperative and should be given due consideration for speedy implementation:

(i) Till an enactment is made to authorise Parliament to have statutory control over the borrowing power or over the powers to resort to deficit financing of the Government, the Estimates Committee can be the appropriate organ for consultation by the Government on these two important matters.

(ii) The Supplementary Budget which does not contain any taxation proposals may also be placed by the Government before the Estimates Committee prior to placing it before Parliament and the Committee can advise the Parliament.

(iii) The Estimates Committee being representative of all the parties and of all the States can be most appropriate organ for examining the draft Plan and submitting its report to Parliament before the Parliament takes up the discussion of the draft outline. In this connection, it may be pointed out that the *ad hoc* Committees set up to examine different aspects of the outline of the Plan are not much effective as those Committees have no sanction behind them which the Estimates Committee possesses. It has been found that in formulating the Plan, the cautious advice of the Finance Ministry or the Reserve Bank is not given due attention. The Planning Commission as also the administrative Ministries and

the States put forward proposals sometimes out of enthusiasm and assessment of needs, rather than on the basis of realities.

At present there is no clear-cut demarcation of functions and scope of the three Standing Finance Committees. It is feared that there may be a tendency for each Committee to expand its scope, and that risk is likely to be aggravated when all the three Chairmen may not be of the same party. In this regard it may be said that before it is too late, it is better that the scope and functions of the three Standing Finance Committees of Parliament should be clearly defined leaving no scope for misunderstanding and mutual rivalry.

The Committee system in legislative process serves to improve the form as well as the contents of a Bill, of course, within the framework of the broad policy outlined in it. The Committee stage also provides opportunities to the Government to give second thoughts on the controversial and complicated provisions of the Bill without the glare of publicity which accompanies the discussion in the House. The Select Committee advised by experts sees to it that the provisions of the Bill bring out clearly the intention underlying the Bill, that there is no procedural defect in its working, that it does not go against the provisions of the existing law and that it is adequate to achieve the object in view.

In our legislative system, however, it is not that all legislation passes through the committees of the legislature. Only those Bills which are either complicated, both from drafting as well as from their contents point of view, or are contentious and Government is not in a hurry to get them passed are referred to Select/Joint Committees. But it has been observed that this is not a satisfactory arrangement. In the sphere of legislation an obvious line of improvement, therefore, is the process of increased reference of Bills to Com-

mittees. This would result in not merely saving more floor time on legislation, which could be utilised for more of debates on general matters, legislation itself will gain immensely in quality and content thereby.

In the Committees, affected interest can be heard, technical details got explained by governmental representatives, opinion of experts taken, and the legislative draft given intensive scrutiny of the nature just not possible in the full House.

Apart from referring more Bills to the Select/Joint Committees, further improvement in the existing arrangement would be to take the clause-by-clause consideration of Bills in the committee of the whole House—that is, in other words, to introduce the informality of atmosphere and relaxed rules of debate associated with the above procedure for speedy and business-like consideration of clauses in a Bill.

In addition to the financial committees etc., there are other committees which also serve as an useful adjunct to Parliament. The Business Advisory Committee takes care of the time-table of the House. The Committee on Subordinate Legislation looks into every statutory rule or order made by the Executive in order to satisfy itself that there have been no executive excesses or trespasses in the exercise of its delegated rule-making power. The Committee on Government Assurances, an innovation of the popular House of the Indian Parliament, keeps track of the governmental assurances and undertakings given to Parliament and pursues them till their implementation. All these Committees enjoy adequate powers (e.g. power to call for records, summon witness etc.) for the effective performance of their duties.

Enlargement in the Scope of Functions of Committee on Petitions

The Committee on Petitions entertains not only petitions on Bills and

other matters pending before the House, but also representations on other matters, and functions on the principle of 'no grievance without a remedy'. The Committee has played a vital role in securing redress of public grievances, whether contained in petitions presented to the House or in representations relating to purely personal or individual cases. Nevertheless, the scope of functions of this Committee being circumscribed by the Rules of Procedure and Directions issued by the Speaker thereunder, it cannot at present traverse beyond that, although it can be supplemented and the Committee empowered to investigate into public complaints/grievances against mal-administration of Government departments.

It is also being increasingly felt that if a machinery independent of the Executive—free from real or apparent influence of Government—were to look into the cases of injustice caused by administrative action, it will instil greater confidence in the public. But this can be adequately achieved if the scope of working of the Committee on Petitions was enlarged and it was also vested with the functions of a Parliamentary Commissioner to look into public grievances on the lines of the Swedish Ombudsman. In this context I may mention that the Administrative Reforms Commission has proposed the creation of Lok Pal and Lok Ayukta who would be entrusted with the similar functions as the Parliamentary Commissioner. This will enable this Committee, which has so far functioned independent of the Executive, to ensure higher standard of efficiency and fair administration.

Besides these committees, there are several Informal Consultative Committees functioning in respect of various Ministries. Although the avowed aim of these Committees is to enable members to become acquainted with gov-

ernmental working and to exercise informal influence on Government even at the stage of formulation of policy, much is not achieved through this process.

The Informal Consultative Committees are not parliamentary committees. They are presided over by the respective Ministers of the Government and there is no nominee of the Speaker who could hold balance between Ministers and the Members. These Committees are not in the nature of scrutiny committees and do not organise their work on these lines though the members would very much wish to devote more time to the "oversight of the administration" than listening to the exposition by Ministers of the Government policies. Besides they are not even Consultative Committees in the sense that government does not orient or formulate its policy after consultation with them. The constitutional responsibility of Ministers to Parliament may prevent them from doing so. They may at best be educative committees, but the members have so many other means of getting information that this type of committee system is not particularly of advantage to them. Hence, parliamentary scrutiny can be conducted only when the Committees have their status and functions properly defined and they are invested with the parliamentary privileges which enable them to function on behalf of Parliament. If Parliament does not take some such steps immediately it will be leaving a large area of administration outside the parliamentary oversight.

Conclusion

Living as we do today in the age of administrative state, with immense power and sums of money entrusted to public officials who serve defend and regulate us in innumerable ways, auth-

oritative prescription of the purposes and programmes to be carried out by those officials is the primary function of the Parliament. And this authority to prescribe the objectives of executive action implies that there should be some authority to see that appropriate steps are taken to achieve these objectives. Parliament must concern itself with the 'how' as well as the 'what' of executive action. It is not enough for it to formulate policies; it must concern itself to see how those policies are being executed, whether the desired results are being accomplished and, if not, what corrective action it may prescribe. The words of Woodrow Wilson ring all the more true under modern conditions of big government:

It is the proper duty of a representative body to look diligently into every affair of government and to talk about what it sees Unless Congress have and use every means of acquainting itself with the acts and disposition of the administrative agents of the government, the country must be helpless to learn how it is being served The informing function of Congress should be preferred even to the legislative function.

The utility of the investigating power as a direct aid and adjunct to the legislative functions is self-evident, because the power to investigate "provides the legislature with eyes and ears and a thinking mechanism". This task can be performed by constituting parliamentary committees, one to each Ministry. And these committees could also be of utmost use to many Ministers, if once it is grasped that the problem of parliamentary control of the Executive is inter-linked to the Ministers' own problems of how to control their own Ministries. It also needs to be understood that of all the outside bodies and interests to which Ministers turn for advice, Parliament itself could be the most useful, for it is the most representative and the least likely to be 'politically unrealistic'.

OBSTRUCTION OF PROCEEDINGS *

B. VAIKUNTA BALIGA

Legislatures are convened to transact business. This has to be carried on in accordance with the rules, conventions and other requirements which are well established. During a discussion in the Legislatures over-emphasis on individual view-points may to some extent be good for winning a point but carried beyond a certain limit, it is not only needless but, what is regrettable, leads to the parliamentary obstruction. It is the rightful function of the Opposition to oppose but obstruction is different from opposition. Opposition to policies, schemes and matters brought before the Legislature are legitimately liable to be opposed and criticized with all the vehemence, but obstructionism is purely negative in approach and cannot but be condemned.

Obstruction during Debate

Obstruction within the framework of rules may be permitted in a legislature. But when obstruction goes beyond these limits and tends to paralyse the working of the Legislature it amounts to an attack on democracy and the just principles it stands for. No person, however great and however sincere in his opinion, is entitled to destroy democracy by such methods. Any business carried on in the legislatures can be delayed, prevented or voted down only within the ambit of the rules. Any attempt beyond that cannot be countenanced or permitted on the floor of the House.

No party or individual has a right to say that transaction of the business in

a legislature will not be permitted. This is entirely unconstitutional. Rights and privileges given to members attract to them certain protection with regard to their say or their right to debate on the floor of the House, but as Bentham pointed out long time back, when the limits of assertion are exceeded it amounts to not an attack on the government but to an attack on democracy. When that stage is reached, the rights and privileges guaranteed under the Constitution are not available because they tend to cut at the very root of the matter and go against the Constitution, thus trying to destroy it. Likewise, an obstruction of business on the floor of the House in open and flagrant violation of the rules also makes the working of the Legislature impossible. He who commits an offence like that forfeits his right of protection or right to speak in the House.

Obstruction during Question Hour

So far as Question Hour is concerned, there cannot possibly be any obstruction. Any representation, any discussion that is to take place on other matters, has to begin after the Question Hour is over. Question Hour is the privilege of the Opposition primarily and perhaps equally of the other members, irrespective of their party affiliation. In reality the Question Hour is a control against the vagaries and improprieties of the Council of Ministers or the Executive Government. By

*Based on statements made by the Speaker in the Mysore Legislative Assembly on the 4th and the 5th May, 1967, following the obstruction of proceedings by the Opposition after the Government had announced a revised programme of business before the Assembly in place of the one announced earlier.

denying to the House the Question Hour, those members who tend to obstruct the proceedings are, in effect, shielding the Government and thus aid and abet in the prevention of the exposure of the faults of the Government. If that is so, it amounts to a very serious invasion of the rights of the House and those of the Members. The duty of the Speaker in this regard is quite clear, explicit and imperative. He is bound to protect the interests of those Members whose questions are coming up. It is perfectly open to them in whose name the question are found in the list to say that they will not ask questions; without that stage being reached, to prevent in limine, the entire working of the Question Hour is an unpardonable breach of the rules of the House and perhaps amounts to a contempt of the House.

Action against Obstruction

Although it is not difficult for the Presiding Officers to take action against obstruction by Members, yet parliamentary system of democracy carries with itself a certain amount of give and take and a certain amount of agreement with regard to the mode of carrying on business. Each party has, moreover, to accommodate the other in this single field of arranging the business. Even after arranging the business in this fashion Opposition may talk as virulently as necessary and the Government will hear it with patience and try to rebut or answer criticism; that is why it has been said that the majority rules and minority criticizes and opposes and the majority carries the day in the House.

In the light of what has been taking place in the legislatures, it is to be seen whether the wishes of the House have to be ascertained in this behalf or not. If that is also opposed it amounts to

tyranny of the minority over majority. Such state of things can exist only in a country where there is no democracy.

We in India have a parliamentary democracy and the protection of the rights and privileges of the Members whose work is being obstructed in the Legislatures is entitled to recognition and consequential protection at the hands of the Speaker. In that context, it is obviously clear that no member or group of members has any right to say that no work proposed or intended by any other member should ever be taken up or that stage cannot be reached unless some other things are done to their satisfaction.

Working of democracy is the common interest of all alike regardless of party affiliation. We all are wedded to democratic principles. No body in our country has lost faith in democracy or is opposed to it.

Opposition is always by one party against the other and not against the House. Opposition is against the Government supported by the ruling party and is normally by members of the Legislature who do not approve of the matters brought by the Council of Ministers before the House. It is equally open to the members of the Opposition to initiate attack. All this is as provided under the rules and not *de hors* or outside the rules. Opposition to the commencement of the business is uncovered by the rules and unprotected by parliamentary procedure. Question Hour is not a matter brought by the Government; it is directed against the Government and so it is inconceivable as to how there can be opposition to the Question Hour. Opposition is by opposing the motions before the House. Prevention of work is not opposition but obstruction.

PARLIAMENTARY ETIQUETTE AND CONVENTIONS

K. K. RANGOLE

In any discussion of a subject concerning parliamentary practice and procedure, one has inevitably to refer to the practices and usages of the British House of Commons because the practice and procedure followed in the Indian Parliament and the State Legislatures, to some extent, have been patterned on the British model. According to Sir Erskine May, the content of parliamentary procedure consists in:

- (a) the forms of proceeding used in the House, meaning the procedure on bills with its various stages, the process of debate by motion, questions, resolutions, adjournment motions etc.;
- (b) the machinery of direction and delegation, meaning the Speaker, Whips, etc.;
- (c) the rules of procedure meaning the directions which govern the working of the forms and machinery of the House; and
- (d) parliamentary conventions, which exist to supplement the rules of procedure mainly for the purpose of securing fair play between the majority and

the minority, and due consideration of the rights of individual members.

May has given a very restricted meaning to the word 'convention'. According to him, it is the understanding arrived at between the Government and the Opposition parties regarding selection of a certain type of business and division of time between different parties for Government business, which is, however, not enforceable by the Speaker. The parties may resile from this understanding or a situation not contemplated at the time of agreement may crop up subsequently to make its implementation difficult, but the understanding cannot be mentioned on the floor of the House. In this restricted sense, the conventions in the House of Commons are few, and in the Indian Legislatures fewer still. But in its comprehensive sense, the term implies customary usages, that is the conventions evolved by practice.

Parliamentary Etiquette

When the House is sitting, members are expected to observe certain rules, technically known as the rules of parliamentary etiquette. These may be enunciated as under:

- (a) every member entering or leaving the Chamber of the

House shall do so with decorum;

- (b) he shall not carry with him in the Chamber any articles, such as, an umbrella, a stick etc.;
- (c) he shall make an obeisance to the Chair while passing to or from his seat in the Chamber;
- (d) he shall not leave the Chamber when the Presiding Officer rises to address the House;
- (e) he shall not smoke in the Chamber;
- (f) he shall not cross the floor of the House in trying to reach his seat or when he is leaving the House;
- (g) he shall not pass between the Presiding Officer and a member addressing the House;
- (h) he shall devote his attention to the business proceeding in the House, and not engage himself in writing letters, reading of newspapers, books, etc., while in the Chamber;
- (i) he shall not hiss or do any act contemplated to cause interruption to the business of the House; and
- (j) he shall, if he desires to take part in the proceedings, rise in his seat and if called upon by the Presiding Officer, address his remarks to the Chair, and if not called upon, resume his seat.

All these rules aim at securing the carrying on of the business of the House in an orderly manner and in a peaceful and calm atmosphere. They are just good manners, so essential for

the smooth functioning of any meeting.

Rules of Personal Conduct

Besides, a member is also expected to observe a certain standard of personal conduct for maintaining fair-play, dignity of the House and the reputation of members. These are described as under:—

- (a) If a member desires to make a complaint against another member in connection with any act done by him *qua* member, the complaining member must first give notice of his intention and must request the member to be complained against to be in his seat at the time he proposes to make the complaint. This practice is insisted upon very rigidly in the House of Commons so that nothing is said against the member in his absence and the member to be complained against has an opportunity of stating his side of the case. If a member on receipt of such a notice neglects to appear in the House or his whereabouts cannot known with reasonable diligence, he forfeits the protection which this practice offers him.
- (b) An important rule, a salutary practice for keeping the public life clean and respectable, is that no member who has a direct pecuniary interest in a question shall vote upon it. The established convention is that a member discloses his pecuniary interest and seeks guidance from the Chair in the matter.
- (c) A member must not solicit or accept any payment from a member of the public for his

services qua member. This rule springs from the principle that a member pledges himself to do all that is required of him as a member of the Legislature in consonance with public interest. Complaints regarding a breach of this rule of conduct are dealt with by the Legislature in its privileged jurisdiction but that is only indicative of the form under which retribution comes and does not take it out of the rules of conduct required of a member.

- (d) A member must not, by his behaviour in or outside the House, prove himself unfit for association as a member with other members of the House. Any member behaving otherwise is liable to expulsion from the House. The purpose of expulsion is not so much disciplinary as it is remedial, it is not so much to punish a member as it is to rid the House of a person who is unfit for membership. The House of Commons has expelled members for a variety of reasons, e.g. for being in open rebellion, forgery, perjury, frauds, breaches of trust and like offences, for conduct unbecoming the character of an officer and gentlemen and so on. Three cases of expulsion

from Legislatures have occurred in India also—one in Lok Sabha, one in Maharashtra Vidhan Sabha and one in the Madhya Pradesh Vidhan Sabha.*

Parliamentary Conventions

Parliamentary conventions may be grouped into the following four categories:

- rules of conduct in debate including unparliamentary expressions;
- conventions having relation to the business of the House;
- conventions arising out of certain provisions incorporated in the Constitution of India; and
- some quaint conventions followed in the House of Commons.

Rules of Conduct in Debate

In all Legislatures in India, the rules of conduct of debate find a place in their respective rule books, but in the House of Commons a major portion of these is embedded in custom. In the matter of admission of questions, resolutions and rules regarding the conduct of debate in legislatures, the conventions and practices evolved in the House of Commons were incorporated into a model draft which was adopted in all provincial legislatures constituted under the Government of India Act, 1919. These were the conventions and

*The expulsion of Shri H. G. Mudgal, a member of the Provisional Parliament, was recommended by an *ad hoc* Committee on the ground that his conduct was derogatory to the dignity of the House and inconsistent with the standards expected from members of Parliament. Shri Mudgal's attempt to circumvent the effects of a motion expelling him from the House, by his resignation, was deprecated and regarded as a contempt of the House and also leading to an aggravation of the offence.

On August 12, 1964, a member of the Maharashtra Legislative Assembly (Shri J. B. Dhote) was removed from the House for obstructing the proceedings of the House and showing discourtesy and indignity to the Speaker. On the following day, a motion was adopted by the House expelling the member for his disorderly conduct.

In March, 1966, two members of the Madhya Pradesh Legislative Assembly were expelled, for grossly disorderly conduct in the House, from the legislature and their seats were declared vacant. On writ petitions by the two ex-M.L.As. the Madhya Pradesh High Court upheld their expulsion and ruled *inter alia* that "State Legislature has powers not only to expel a member but also to create a vacancy in the constituency".

practices which later formed the basis for the rules under the Government of India Act, 1935, and still later for the rules under the new Constitution. Thus in one sense they are part of customary usages. They are not exhaustive and provide only for situations that arise quite often. Situations do, however, arise which call for instant decisions from the Chair and for which there are no specific solutions available in the rules. These pertain generally to the propriety of remarks made by a member or some unruly behaviour of members and have to be ruled upon by the Chair in his own judgment. In matters of parliamentary practice, the written part is merely a pendant to the unwritten part.

Some of the well-known rules governing the conduct of debates require that a member while speaking shall not—

- reflect upon the conduct of the President as distinct from the Government of India or any Governor, as distinct from the State Government;
- reflect upon the conduct of any judge or court of law, in the exercise of his or its judicial functions, having jurisdiction in any part of India;
- reflect upon any decision arrived at by the Legislature on any matter except on a motion for rescinding the same;
- refer to any matter of fact which is under adjudication by a court of law;
- make a personal charge against another member;
- use offensive or defamatory expressions;
- use his right of speech for the purpose of obstructing the business of the House;

disclose the proceedings of any committee;

discuss any ruling, order or direction of the Presiding Officer except on a motion for his removal in accordance with law; and

persist in introducing irrelevant matter in his speech or indulge in tedious repetition.

Besides these rules which are too obvious, there are some other rules and practices on which some comments might be very useful:—

There is a well laid-down procedure which a member is required to follow before making an allegation of a defamatory or incriminatory nature against any person. This is a salutary practice because it helps the House on the one hand to have before it points of view of both parties and on the other hand, impliedly accept the right of a member to bring before the House in public interest any matter even though it may be of the nature described.

Under the parliamentary conventions, any statement of fact made by a member in the House is assumed to be true unless proved otherwise. Therefore, by necessary implication, it becomes the duty of a member to do all that he reasonably can to check the facts and take full responsibility for stating them in the House.

A member who has spoken once in a debate cannot speak a second time unless he has a right of reply under the rules or is permitted to make a per-

Parliamentary Etiquette and Conventions

sonal explanation; but the right of personal explanation is not to be used for answering or adding to arguments.

A member is not permitted to make a written speech in the legislature as it might result in not taking into account the arguments advanced in the debate. A member is also not supposed to read lengthy extracts and reports while speaking in debate.

If a member is speaking and another member expresses a desire to ask a question, the general courtesy is for the speaking member to resume his seat to enable the question to be put. This is governed by the general rule that at no time in a debate more than one member shall be on his feet. Occasions do, however arise when the member having the floor does not give way. At such times it is expected of the member desiring to put the question to resume his seat.

When a member has made a speech criticising a particular view-point, he is expected to remain in his seat to hear the reply to his criticism.

An interesting usage that is rigidly followed in the House of Commons, but not so rigidly followed in India, is the method of alluding to a member by the name of his constituency and with certain prefixes*.

This catalogue of usages cannot claim to cover all situations, though it does cover a large number of them. The power of the Presiding Officer to decide the point of dispute in a new situation is the only expedient and it is the duty of each member to submit himself to the decision of the Presiding Officer cheerfully. The Presiding Officer always seeks to maintain the balance if a debate has to be effective and even his 'catching the eye' is not accidental. When a number of members rise to take part in a debate, only he who is called by the Presiding Officer has a right to address the House. This is called 'catching the eye'. Owing to limitation on time allotted for a debate, whips of different parties intimate to the Presiding Officer beforehand the names of members whom the party may have chosen to take part in the debate. Sometimes, the members themselves give such intimation. The Presiding Officer, no doubt, tries to adjust the list but he is not bound to follow it. For it is his duty to see that every section of the House gets an opportunity to express its point of view. The existence of such a list does not and cannot absolve a member named in the list from rising to catch the Presiding Officer's eye.

There is an interesting convention in force in the legislatures that a member elected in a bye-election is given the earliest opportunity to make his maiden speech in the first session after his election.

One of the very important conventions followed in debates is that, refe-

*For instance, the prefixes in use in the House of Commons are:

- every member is an honourable member because the House is honourable;
- if the member is a Privy Councillor, he is addressed as the Rt. Hon. member;
- if a member is of the same party, as hon. friend;
- if the member is of the opposition party as hon. gentleman;
- if a member is a commissioned ex-service man, as hon. gallant member;
- if a member is a lawyer, as hon. learned member; and
- if the member has a title, as hon. noble member.

rence to persons not present in the House are avoided as far as possible*.

A member while speaking in debate is not permitted to make a reference to visitors in the gallery or to take a pose suggesting that he is addressing the galleries.

A discussion of the rules of conduct of debate will not be complete without a mention of the power conferred on the Presiding Officer to maintain order. The rules provide that the Presiding Officer may require a recalcitrant member to resume his seat, to withdraw from the House or to name him and suspend him from the service of the House for such period as may be specified in the motion to be moved for this purpose. The Speaker of the House of Commons can use these powers in addition to other powers reposed in him by custom.

Unparliamentary Expressions

As the subject of unparliamentary expressions is intimately connected with the language used in debate, it would be cogent to deal with it here. The use of a proper language, the parliamentary language as we call it, is insisted upon in the legislatures because it has been held that this alone can help a member in effectively and convincingly contradicting the opinions and conduct of his opponents in debate. The question arises as to what principles should be observed in deciding whether a particular expression is or is not parliamentary. May has classified unparliamentary expressions as under:

the imputation of false or unavowed motives;

the misrepresentation of the language of another and the accusation of misrepresentation;

charges of uttering a deliberate falsehood; and

Abusive and insulting language of a nature likely to create disorder.

A charge that a member has obstructed the business of the House or that a speech is an abuse of the rules of the House is not out of order. A member is not allowed to use unparliamentary words by the device of putting them in some body else's mouth. In India, the provision of a rule conferring the power of expunction on the Presiding Officers has robbed this subject of some importance. In the House of Commons, the power of expunction vests in the House. There the practice is to insist upon all offensive words being withdrawn by the member who uses them and only upon an ample apology being made by him which should satisfy both the House as well as the member to whom offence was given, is the matter treated as closed. If the apology be refused or the offended member declines to express his satisfaction, the House takes further steps. In such cases, as the precedents reveal, the House commits both members to the custody of the Sergeant and they may not be released until they have submitted themselves to the House and given an assurance against engaging in hostile proceedings.

Convention pertaining to Business of the House

There are a number of interesting conventions in existence both in India as well as in the House of Commons

*In the House of Commons this is carried even to the point of avoiding mention of a matter pertaining to the Department of a Minister who is not present in the House. This saves the House from an unnecessary discussion. Of course a member bent upon doing so takes recourse to a suitable method and achieves his object but that does not affect the general rule.

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which have a direct bearing on the business of the House. Some of the important ones are described below:—

Watch and ward: Arising out of the convention that the full precincts of the Legislature are under the control of the Speaker, each Legislature makes its own watch and ward arrangements. The personnel is borrowed in many places from the Police Department but, during the period they work in the Legislature, they are completely under the authority of the Speaker.

Prayer: It might be of interest to know that the House of Commons in U.K. and the House of Representatives of the American Congress start their business with prayer. The practice, however, does not exist in India, although an attempt was made to do so in the Madras Legislative Council in 1937.

Quorum: The number of members to constitute a quorum is laid down in the Indian Constitution. Before the re-introduction of the lunch hour in Lok Sabha recently, following the practice in the House of Commons that no count is asked for between dinner hour, a convention was being followed there and in certain State Legislatures that no count should be taken between the lunch hour.

Absence during Divisions: Every member is expected to be in the precincts of the House on all days on which the House is sitting, so that he may be available for recording his vote during divisions. Occasions do arise when a member has unavoidably

to leave the place of meetings during a session. To ensure that his absence does not cause inconvenience to the whips of his party, a practice has developed in the House of Commons, under which the member concerned enters into an informal agreement with a member of the opposition party to absent himself from voting during the period of the former's absence. Thus two opposing votes are automatically nullified. The whips of both the parties are notified by the members concerned of this agreement and no objection is taken by them to such absence.

Snap Vote: The constitutional practice that the Council of Ministers is collectively responsible to the Lower House has given rise to the convention that the defeat of a Government proposal tantamounts to a vote of censure against the Government, which must resign in case of such a defeat. This convention is the foundation of the authority for the whips issued to members. On occasions, the members of the treasury benches are not present in full strength, being under the impression that no occasion for voting is going to arise. But that makes the opposition all the more vigilant in order to grab such moments for inflicting a defeat on the Government.*

The convention has, however, been considerably watered down now and if the Government declares that it does not consider the matter on which it has been defeated by a snap vote to be an important one, it is not required to resign.

Opening of the Budget in the House: By a settled convention, not a privilege, the Budget must be opened first

*During the period of Campbell-Bennerman Government in U. K., there was once an occasion when, finding that the Government supporters were short in number, the opposition attempted to force a snap vote. The Government whips were in an awful mess. They somehow managed to secure the attendance of Mr. Asquith (late Lord Asquith) just at the moment when the opposition was preparing to move for the closure of the debate and the Speaker was requested to give an opportunity to Mr. Asquith to have his say. It is said that Mr. Asquith by the sheer weight of his arguments in the debate, prevented the Opposition from claiming a division.

in the House. A leakage of the budget proposals is considered to be a serious parliamentary offence. The case of Dr. Dalton in England is very pertinent to be recalled in this connection.

Dr. Dalton, then Chancellor of the Exchequer was passing through the lobby of the House at about 3-15 p.m. when a parliamentary lobby correspondent accosted him and asked for a forecast of the budget. Dr. Dalton uttered just one sentence which summarised the budget fully. The sentence which was scribbled by the correspondent on his shirt-cuff was immediately passed on by him over the telephone to his newspaper. Little did Dr Dalton or even the correspondent himself imagine that the message passed on to the newspaper office would, between 3-17 p.m. and 3.55 be in the hands of the public. A member purchased a copy of the particular Newspaper with the budget forecast headline at 3-55 p.m., and when the budget was opened in the House, he pointed out the leakage in the House. This was certainly a triumph of machine over man. Dr. Dalton at once owned the leakage and resigned the next day. The Committee of the House which enquired into the matter completely absolved Dr. Dalton of any blame and welcomed his act of resignation which they felt would maintain the purity of a healthy convention. In India, Lok Sabha had an instance of the leakage of budget but the circumstances were entirely different and no blame was attached to the Finance Minister.

Casting Vote: In case of an equality of votes in a division, the Presiding Officer has a casting vote. In order to avoid the least doubt about his im-

partiality, it is usual for a Presiding Officer, when practicable, to vote in a manner which does not make the decision of the House final by his casting vote. In the British House of Commons, the Speaker explains the reasons for his giving the casting vote whenever he does so, and those reasons are entered in the Journal of the House. Where the authority of the House is involved, the casting vote is given in favour of the authority of the House.

Opposition's Right to choose Subjects: By a convention which is outside the purview of the Speaker, the Opposition in the House of Commons is entitled to choose the subjects of discussion in certain matters. One such occasion is the debate on the speech from the throne and the other is the selection of demands for grants to be taken up for discussion each year. The convention regarding the selection of demands for grants has been adopted by Lok Sabha as well as most of the State Legislatures in India. There is also a convention in the House of Commons of utilising the 'usual channels' for division of the time of different parties. The whips of the different parties in the House enter into a bargain with the Whips of the Government party for allotment of as much time as they can get for bringing their subjects for discussion before the House.

Mace: In the House of Commons the Mace which represent the crown, is placed in the House so long as it continues its sitting. In course of time it has now come to virtually representing the authority of the House. There is no Mace in the Indian Parliament or in most of the Indian Legislature. Wherever it exists it is merely decorative and does not carry any authority as it does in the House of Commons.

Resignation by Member: A member of the House of Commons cannot resign

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his membership, for it is his duty to serve the electorate when elected. If it becomes necessary for a member to resign his seat, he has to take recourse to "Chiltern Hundreds". This is a sinecure appointment but it is considered to be an office of profit and the seat of the member becomes vacant on his acceptance of that office. In India, however, the Constitution makes a specific provision for the resignation of membership.

Leader of the House: This is not a statutory office. In India, the Prime Minister or the Chief Minister, as the case may be, acts as the Leader of the House. In England, until 1917, the Prime Minister, if he was a member of the House of Commons, acted also as the Leader of the House. If the Prime Minister happened to be a peer, the First Lord of the Treasury or the Chancellor of the Exchequer acted as the Leader of the House. The practice varied in England between 1917 and 1942 but from that year onwards there is a separate leader in the House of Commons.

Constitutional Conventions

There is yet another category of conventions which evolve out of certain provisions of the Constitution. A few of these conventions are enunciated here.

Commencement and Duration of a Session: Article 85 and 174 of the Constitution of India confer authority on the President or the Governor of a State to summon the Parliament or the Legislature, as the case may be, and to prorogue it. A convention has, however, developed according to which the Presiding Officers of Legislatures are consulted while fixing the date of commencement and the probable duration of a Session. In the same manner, they are also consulted in regard to the prorogation of the House.

Legislature Secretariat: Article 187 of the Constitution makes provision for separate secretarial staff for the two Houses of Parliament. Under this provision, the staff can be common to both Houses or separate for each House. In the Parliament of India, the staff for each House is separate and there are separate Secretariats for Lok Sabha and Rajya Sabha; but in some of the States there is only one Secretariat with common posts for the Legislature. In the States where there is only one House, the final control over the Secretariat rests with the Speaker and in States with two Houses, it rests with a Board consisting of both the Presiding Officers. Certain conventions have developed in regard to matters arising out of this provision. They are regarding—

- the appointment of officers and staff to the establishment of the Secretariat;
- the final authority for determining salaries and other conditions of service of persons employed in the Secretariat;
- the final authority for determining the strength of officers and other establishment;
- the procedure for determining the budgetary provision in respect of the Legislature including the expenditure for the Secretariat;
- the basis for regulating the relations between the Presiding Officer and the Executive and the procedure for resolving any differences of opinion; and
- the audit of accounts relating to Legislature and its Secretariat.

The conventions that have evolved in the case of appointment and other conditions of service of the officers and staff normally conform to the rules that are applicable to similar appointments to corresponding posts in the Executive Branch.

In regard to the budget provisions, it has been accepted that the ultimate authority should vest in the Speaker or the Board as the case may be.*

The audit of the accounts of Parliament and the State Legislature and their respective Secretariats is conducted in the same manner as in the Executive branch but a convention has been developed by which the comments of the audit are intimated to the Presiding Officer and are not included in the audit report.

An offshoot of the above convention is that no cut motions are allowed to be moved in the budget of the two Houses of Parliament or the State Legislature nor is a question thereon allowed to be put on the floor of the House. If a member needs any further information or has any suggestions to make or doubts to be cleared, he can do so by approaching the Presiding Officer.

A reference may relevantly be made here to the provision contained in Article 194 of the Constitution concerning the privilege jurisdiction of the Legislature. It may be mentioned that this concept has developed in the House of Commons through practice and falls in the field of customary usage. Diverse opinions have been expressed from time to time with regard to this subject even by eminent persons. In this connection an extract from the judgment of Lord Ellenborough C. J. in *Burdett Vs. Abott*, is relevant:

"If there were no precedents upon the subject, no Legislative recognition, no practice or opinions in the Courts of Law recognizing such an authority,

it would still be essentially necessary to the Houses of Parliament to have it; indeed, they would sink into utter contempt and inefficiency without it.... They certainly must have the power of self-vindication in their hands; and they have such power."

Some Ancient Customs

It might be of great interest to know the background behind some of the ancient conventions still in vogue in the House of Commons which now appear to be rather out of tune with the modern age. Once we go back to the history of these conventions, we realize their value and sanctity.

Asking for "Candles": In ancient times the lighting arrangement in the House of Commons was of candle light. When daylight became insufficient during the course of a sitting, and a member wanted lights to be put on, he would rise in his seat and gravely ask for "Candles". This mode of "asking for candles" is in vogue even today when in response to the demand, the electric lights are put on.

"Who Goes Home": Going home at night was dangerous in olden days. Therefore, if the sitting ended at night the attendants of members would call up and down the corridors shouting "Who goes home". On this the members would gather into groups for mutual protection and security in their perilous journey. Even today, at the end of each day's sitting, when the Speaker leaves the Chair, policemen call up and down the corridors shouting "Who goes home".

*In respect of both these matters, the procedure followed is that the matters are dealt first at the Secretariat level between the Secretariat and the concerned department, and if any point of difference remains unsettled, the matter is referred to the Presiding Officer or the Board who discuss the point of difference with the concerned Minister and, if necessary, with the Chief Minister. But if the Board finds itself unable to agree, its opinion is accepted. A similar procedure was in vogue in respect of the Governor's Secretariats, created under the Government of India Act, 1935.

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"I Spy Strangers": "Strangers" are allowed in the gallery only if the Commons permit them to be there. In the olden days when Irish Nationalist Members in the House of Commons had adopted obstructionist tactics, on one occasion one of them cried "I spy strangers". It was then found that amongst the distinguished strangers was the then Prince of Wales. He had to go out with the rest.

A very convincing reason has been given by Dr. Redliche in support of the continuance of these ancient customs. They take the man in the present to the times in the past when British history was being made and thus help in bridging the gap of the time.

Conclusion

To sum up, the main purposes behind all these important parliamentary conventions and the lessons that we derive from them, are:

to give to the advocates of the opposite viewpoints fair and am-

ple opportunities to persuade the other side by discussion and debate;

to ascertain as accurately as possible the will of the majority in deciding a question;

to be tolerant towards another man's point of view;

to consider the majority decision as the decision of the whole House and treat it as binding;

to preserve and enhance respect for law;

to enhance the prestige of the House and to consider the House as the repository of all power and the ultimate arbiter of public interest; and

to enhance the respect for the Presiding Officer and his decisions for achieving the above objectives.

The Member of Parliament is a genuine and vital bulwark of the liberty of the individual. Now that legislation and the work of Government departments affect every one's life, it is essential to have some one to whom ordinary people can turn to champion them.

—WOODROW WYATT

ESTIMATES COMMITTEE OF LOK SABHA

A Review of Reports presented during 1950—57-(10)

[This is the tenth and the final instalment of the Review of the Reports of the Estimates Committee presented during the period 1950—57, serialisation of which commenced with Vol. VII of the Journal. The review, it may be recalled, is in six parts: (i) Economy and Efficiency; (ii) Financial matters; (iii) Staff; (iv) Stores; (v) Certain important matters including policy and (vi) Miscellaneous Matters. With the current instalment we conclude the sixth part of this Review. It deals with the help of non-officials in Government work.—Ed.]

Help Of Non-Officials In Government Work

In several Reports, the Committee have recommended that non-officials should be associated with the Government work. In this connection, some of the recommendations and the action thereon by the Government are given below.

Central Advisory Committee on Tourism

In their Thirty-fourth Report on Tourism the Committee observed that there was no representative of the shipping interests in the Central Advisory Committee, whereas such a

representative was associated with the Bombay, Madras and Calcutta Regional Committees. In the opinion of the Committee the principal reason for there not being a representative in the Central Committee was that not more than 15 per cent of the Tourists came to India by ships. The representative of the Ministry however agreed that there was no logical reason for a representative of the shipping interests not being associated with the Central Committee. The Committee recommended that a representative of the Shipping Industry should also be included in the Central Advisory Committee¹.

The Government in their reply, conveyed acceptance of the recommendations and informed that the necessary action had been taken to include a representative each of the Directorate General of Shipping, Bombay, Indian National Steamship Owners Association, Bombay and Karmoham Conference, Bombay²:

Programme Evaluation work in community development projects

In their Thirty-eighth Report on Community Development, the Committee wrote as follows regarding the

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

¹34R (EC-1LS) para 127, pp. 36-37.

²52R (EC-2LS) pp. 16-17.

association of non-officials in the programme evaluation work³:

The Committee feel that if the Evaluation Officers keep a regular contact with local non-officials and specially the members of State and Central Legislatures of the area concerned, the reports coming from the Evaluation Officer will have better value. The Evaluation Officers should move with the public and find out what the enlightened public opinion is about a certain block. The Committee, therefore, recommend that suitable directions in this connection may be issued by the P.E.O. to the field officers and if possible periodical meetings may be held with non-officials in the area to ascertain their difficulties and the views on the programme in operation.

The Government in their reply stated as follows⁴:

The Evaluation Officers maintain contact with the public and especially through their surveys have a representative cross-section of opinions and attitudes of different strata of rural society. The suggestion regarding their maintaining contact with local non-officials and especially Members of State and Central Legislatures has been noted. In the current series of enquiries, the Evaluation Officers are meeting local non-officials including Members of State and Central Legislatures, who are Members of the Block Advisory Committee.

Role of non-officials in community development work

In their Fortieth Report on Community Development the Committee wrote as follows regarding the co-operation of non-officials in the work of community development⁵:

The Committee fully appreciate the difficulties in the way of complete co-ordination between officials and non-officials in the development programme. But they feel that with a right type of approach on both sides the problem can be solved to a great extent and the support of constructive workers and the people's organisations can be made avail-

able in a larger measure. One way of doing that, in the opinion of the Committee, is to realise the different roles of a civil servant and a public worker and to fully appreciate that they are in no way conflicting but complimentary. Their objective is the same, viz. to serve the common man.

Association of Shipping interests in Port Trusts

In their Forty-eighth Report on Major Ports, the Committee wrote that, as conveyed to them in the Bombay Port Trust there was only one representative of the shipping interests on the Board of 25 Trustees and that the position was more or less similar in other Port Trusts also. The Committee recommended that as shipping interest was a vital element in the administration of ports, and had much to do with the usage of the Port, the element of shipping interests might be strengthened in the Port Trust. The constitution of the Port Trusts in the foreign countries might be examined with advantage, for arriving at a more equitable representation of the various interests⁶.

The Government in their reply stated⁷:

The position regarding representation for Shipping interests in the Bombay Port Trust has been examined. It has been decided that the representation for the Indian National Steamship Owners' Association on the Board should be increased from one to two. In addition, the Director-General of Shipping, Bombay is already having one seat even now on the Board. Out of two seats allotted to the Bombay Chamber of Commerce and Industry one seat is earmarked for 'shipping'. Besides, it has been decided that the Sailing Vessels Interests should be separately recognised for representation on the Board and one seat has been allotted to the All India Sailing Vessel Industries Association, Bombay.

³38R (EC-1LS) paras 115-116, p. 42.

⁴63R (EC-2LS) pp. 6-7.

⁵40R (EC-1LS) para 121, pp. 34-35.

⁶48R (EC-1LS) para 41, p. 13.

⁷67R (EC-2LS) pp. 6-7.

Consultation with Shipowners regarding Shipping Agreements

In their Sixty-second Report on Shipping, the Committee recommended that Indian Shipowners should be consulted before Shipping agreements were concluded so that there might be complete coordination between the private and public sectors of Indian Shipping and the available tonnage might be utilised to the maximum possible extent⁸.

The Government in their reply stated that the suggestion was in complete accord with Government's own views about it. In fact, Indian Shipping Companies were consulted prior to the execution of the Indo-Soviet and Indo-Polish Shipping Agreements and similar consultations would be held in regard to such agreements in future as well.⁹

Committee to examine the extent of idle capacity in Ordnance Factories

In their Sixty-eighth Report on Ordnance Factories, the Committee recommended that a Committee consisting of officials and non-officials should be formed to examine the extent of idle capacity in the Ordnance factories with a view to suggesting its utilisation to the maximum extent possible. The Committee could also offer suggestions (i) regarding the utilisation in an emergency of machinery existing in private sector and the rest of public sector and similar to that existing in Ordnance Factories, and (ii) on the feasibility as well as the economics of installing in future multi-purpose machinery, which could be switched over to other types of production during

lean periods of service production, thereby eliminating the problem of idle labour and machinery¹⁰.

In their reply, the Government stated as follows¹¹:

One of the important terms of reference of the Ordnance Factories Re-organisation Committee was to suggest ways and means of utilising the idle capacity in the Ordnance Factories civil trade work. The various recommendations of this Committee with a view to utilising the idle capacity in the Ordnance Factories have been implemented as far as possible. In addition, Government have decided that the requirements of Government Departments should, wherever possible, be met by the Ordnance Factories. For this purpose, a list of types of stores which the Ordnance Factories can manufacture and the types of surplus capacity they possess for meeting certain orders have been communicated to the various Ministries. In view of the position explained above, it is felt that the appointment of another Committee so soon after the Ordnance Factories Re-organisation Committee is not necessary, particularly in view of the increase in the civil trade activities of the Ordnance Factories that has already taken place. However, the suggestions made by the Estimates Committee will be put up for consideration by the Defence Planning Committee.

Commenting on this reply, the Committee subsequently wrote as follows¹²:

Considering, however, the fact that more than four years have elapsed since the Ordnance Factories Reorganisation Committee submitted their Report and also the significant progress in the industrialisation of the country that has taken place during this period, the Committee feel that the appointment of a Committee with the terms of reference suggested above would be desirable. The Committee, therefore, reiterate their earlier recommendation and hope that an early action would be taken in the matter.

⁸62R (EC-1LS) para 175, p. 46.

⁹53R (EC-2LS) p. 8.

¹⁰68R (EC-1LS) para 68, pp. 19-20.

¹¹56R (EC-2LS) pp. 60-61.

¹²56R (EC-2LS) p. 1.

Suggestions for Legislation

During the course of examination of the estimates of various Ministries and Departments of the Government, the Committee came across several instances where legislation was necessary or desirable in certain matters and where legislation had been delayed in certain cases. Some of the instances pointed out by the Committee are given below.

Legislation regarding tourist industry

In their Thirty-fourth Report on Tourism, the Committee observed that in many countries of the world legislation existed on three aspects of the tourist industry, viz. travel agencies, guides and hotels and catering establishments. The Committee were given to understand that in India also the question of bringing in legislation on certain aspects of tourism such as Hotels, Guides and Travel Agents was being considered by the Ministry of Transport and that certain points had been drawn up on the basis of study on legislations in about ten other countries of the world. The Committee recommended that this matter should be expedited¹³.

While accepting the recommendation, the Government, in their reply, stated¹⁴.

Regarding the hotels it was felt that before any legislative measures were considered, an enquiry into the conditions of the hotel industry should be conducted. Consequently a Committee called the Hotel Standards and Rate Structure Committee was set up under a non-official Chairman in September, 1957. The Committee is expected to make detailed recommendations by the end of March, 1958, and it is expected that the Committee would also suggest the lines on which legislative measures, if any, should be enacted.

Regarding legislation on travel agencies and guides, no significant progress has been made as it was felt that this work should be taken up only after a separate Department of Tourism has been set up. Such a Department came into being on the 1st March, 1958, and it is hoped that this Department would now take up this work at an early date.

Statutory recognition of 'Intermediate', 'Minor' and 'Sub' ports

In their Forty-eighth Report on Major Ports, the Committee observed that minor ports had been more or less neglected by the Centre so far despite the fact that they were in the 'Concurrent List'. The Committee recommended that the classification of 'Intermediate', 'Minor' and 'Sub' ports should be given a statutory recognition. This would enable the Centre to focus greater attention to the development of these ports¹⁵. The Committee reiterated this recommendation in their Fifty-first Report on Intermediate and Minor Ports¹⁶.

The Government in their reply stated that the State Governments had been consulted in the matter and that the recommendation was accepted. The Government also stated that necessary legislation to amend the Indian Ports Act would be taken up at a suitable opportunity¹⁷.

Amendment of Inland Steam Vessels Act

In their Sixty-first Report on Inland Water Transport, the Committee recommended that the provisions in the laws of foreign countries should be studied and suitable modifications made in the Inland Steam Vessels Act in respect of the following matters¹⁸:

- (i) Blockage or obstruction to a navigable channel caused by a wreck or other obstruction; and

¹³34R (EC-1LS) paras 188—196, pp 53—55.

¹⁴52R (EC-2LS) p. 69.

¹⁵48R (EC-1LS) para 30, p. 10.

¹⁶51R (EC-1LS) para 61, p. 22.

¹⁷82R (EC-2LS) p. 3.

¹⁸61R (EC-1LS) paras 129—131, pp. 37-38.

(ii) Blockage or obstruction to navigable channel caused by a vessel being overrafted and grounded in a navigable channel.

The Government in their reply stated that the recommendation had been noted. Information regarding the provisions in the laws of the foreign countries have been obtained and is being studied.¹⁹

Legislation regarding Sailing Vessels

In their Sixty-second Report, the Committee, while recommending legislation to govern deep sea-going sailing vessels, observed²⁰:

It is in the interest of the industry that deep sea-going vessels should go under Central control and hence there is the necessity of a Central Act to govern these vessels. The Act, *inter alia*, must contain the following provisions:

(i) Uniformity of measurement and registration;

(ii) Inspection;

(iii) Assignment of free board;

(iv) Permits for tindals and identity cards for seamen;

(v) Detention of vessels which are found defective by any of the prescribed rules or in equipment;

(vi) Deterrence of fraudulent jettisoning;

(vii) Standardisation of forms and practices;

(viii) Amendment of Workmen's Compensation Act to include all seagoing ships and their employees and introduction of specific provision for initiation of claims.

The Government in their reply stated as follows²¹:

The Merchant Shipping Bill which has been introduced in Parliament has one whole Part devoted to Sailing Vessels and all these matters excepting item (g) in so far as it relates to standardisation

of practices and item (h), have been incorporated therein. As regards standardisation of practice it is the intention that the trade should organise itself on an all-India basis and evolve a uniform system of practices. As regards (k), the question of extending the Workmen's Compensation Act, to all sailing vessels irrespective of their tonnage has been taken up with the Ministry of Labour and Employment who are the Ministry concerned in the matter.

Collection of Statistics

In several of their Reports the Committee have stressed the need for proper and timely collection of statistics, for their proper interpretation and the application of the results with a view to effecting economy and improving the efficiency. Some of the recommendations made in this regard are given below.

Centralised Collection of Statistics

In their Third Report on the Ministry of Commerce, the Committee wrote that for the sake of greater co-ordination and economy it would be better if all offices in the different Ministries, concerned with collection of statistics are combined into a single organisation under the overall control of the Commerce Ministry. Such a step, the Committee felt, would lead to specialisation and co-ordination of the related subjects and prevent the emanation of contradictory statistics and information from the various Ministries. They *inter alia*, wrote further as follows²¹:

We are informed that a beginning has already been made with the setting up of the Central Statistical Organization, as an adjunct to the Cabinet Secretariat, the object of which is to ensure co-ordination in the matter of collecting statistics. The Central Statistical Organization under the Cabinet Secretariat, which is an entirely independent organization, should in due course take over the functions that are now being performed by

¹⁹70R (EC-2LS) p. 24.

²⁰62R (EC-1LS) paras 140-142, p. 37.

²¹53R (EC-2LS) pp. 4-6.

²²3R (EC-1LS) paras 59-61, pp. 26-27.

different Ministries. The Ministries should delegate progressively their statistical functions to this Central Body and effect suitable reductions in staff in their Ministries.

The Government in their reply stated²³:

Since its inception, the Central Statistical Organisation has been coordinating the statistical activities of the Central and State Governments. It has been rendering advice on statistical matters to the various Ministries of the Government of India, State Governments and Industry and Trade . . .

The principal machinery by means of which the co-ordination of the statistical activities of the Central and State Governments is sought to be achieved by the Central Statistical Organisation is the annual Joint Conference of Central and State Statisticians which have been conducted by the Central Statistical Organisation, since it was set up in 1951. A number of recommendations towards the improvement of statistical systems, e.g., better co-ordination between the Central and State Governments on statistical matters, uniformity in statistical publications, quality of primary data, statistical legislation, training of statisticians needed at various levels, proper co-ordination of sample surveys with a view to securing uniformity and minimum standards, steps to be taken towards improvement of quality of primary data, have been made by the Conferences. The Central Statistical Organisation follows up these recommendations in order to see that necessary action is taken by all concerned.

The Central Statistical Organisation has also helped the various Ministries and Departments to revise their statistical forms with a view to avoiding duplication and providing for comprehensive information. It also organises training schemes for the training of Junior and Senior Statisticians in order to meet the growing requirements of statistical personnel both by the Central and State Governments . . . The Central Statistical Organisation has been working towards building up an integrated statistical system in the country and has made substantial progress in this direction.

Railway Statistics

In their Twenty-ninth Report on Railways, the Committee noted that considerable time and energy was spent by the Railways in the compilation of statistics. According to the Committee, the expenditure incurred for the statistical organisation of the Railways could not be justified unless the statistics—

- (i) were devoid of unnecessary items;
- (ii) are compiled with speed;
- (iii) reflect actual performance;
- (iv) are intelligently interpreted and comparatively studied; and
- (v) the results are made available to public.²⁴

The Government's reply indicated that the remarks made by the Committee had been noted. They also added that the principal statistics of working and literature dealing with important activities of the Railways at different levels were already being supplied to the Members of Zonal/Regional/Divisional Railways Users' Consultative Committees/Parliamentary Committees/Press/Commercial Bodies/Chambers of Commerce etc.²⁵.

In the same Report the Committee recommended that there was a vital need for revision of the statistics compiled by the Railways²⁶. In several respects the statistics were inadequate and the Committee emphasised the importance of collecting, publishing and interpreting these figures for the efficient running of the Railways. Even in regard to commercial matters, the Committee observed that steps had not yet been taken for reorientating the statistics so as to compile vital information regarding the flow of traffic of commodities, the cost of handling at transshipment points, the

²³37R (EC-2LS) pp. 31-32, 36, 55-57.

²⁴29R (EC-1LS) paras 1-4, pp. 1-2.

²⁵71R (EC-2LS) pp. 2-3.

²⁶29R (EC-1 LS) para 21, pp. 11-12.

working of terminals etc. Staff statistics were given very little attention in the Domestic Statistics of the Railways, and even in the statistics compiled by the Railway Board, important staff statistics such as absentee man hours, man hours worked in various workshops, sheds etc. were not compiled.

The Government's reply indicated that action had been taken to make good the deficiencies pointed out by the Committee²⁷.

As regards Workshops Statistics, the Government stated that it was intended to include the particulars pointed out by the Committee in the Railway Board's pamphlet entitled "Monthly Workshop Repair Statistics".

Integrated studies of Railway statistics

In the same Report the Committee also recommended integrated studies of Railway statistics and observed²⁸:

The Committee do not find that overall and integrated studies of the various aspects of the working of Railways are being regularly and systematically prepared and utilised periodically, though, whenever any special problems arise, such studies are being made . . . Comparative statistical analysis provide the administration with important tools for an effective control and a failure to make a correct assessment of varying conditions deprives them of the means for effective supervision. The Committee consider, therefore, that comparative studies of inter-railway performances should be undertaken and explanations for variations should, as far as possible, be drawn up in quantitative terms for which norms are to be worked out and various factors determined by experts in the matter.

The Government in their reply (which the Committee accepted) stated as under²⁹.

Objections have been raised by various railway companies in the United States in rate proceedings against the

validity of the cost studies developed by the Bureau of Cost Finding on the ground that the cost studies are based on 'average costs of movements of a large number of commodities over a wide territory with diverse operating conditions, and that the costs could in no wise reflect the actual operating conditions' under which a particular commodity is transported from one point to another (See I.C.C. Reports, Vol. 289 May 1953-October 1953, page 185). The Inter-State Commerce Commission itself has also recognised the very limited utility of cost data as can be gathered from the observations made in the case United States Vs. Great Northern Railway Company (See I.C.C. Reports, Vol. 293, page 878) as follows:

Thus cost studies predicted on average cost of moving numerous commodities over wide territories under diverse operating conditions were of little value in determining reasonableness of rates on cement from and to specific points under actual operating conditions incident thereto.

Interpretation of Statistics

As regards interpretation of statistics the Committee wrote that more attention was paid in the matter of statistics to the compilation work, than to that of interpretation and use, without which compilation by itself had no value³⁰. These had been occasioned by several administrative and organisational difficulties. Much of the interpretation work had been left to the Departmental Officers who are, even as it was, sufficiently burdened with their normal operating, engineering or commercial problems, as the case may be. They could, therefore, have little time or interest to carry out statistical studies, especially where the studies were likely to reveal poor performance results. By leaving interpretation work to various Departmental Officers who were concerned only with their own items of work, overall survey was also made

²⁷71R (EC-2LS) p. 8-10.

²⁸29R (EC-1LS) para 28, pp. 16-18.

²⁷71R (EC-2LS) p. 12.

²⁹29R (EC-1LS) paras 47-50, pp. 26-27.

difficult as it could only be undertaken by a person who was a little removed from the heat and strife of action and who had the time and opportunity to devote his attention for the same. The Committee further observed:

The Committee feel that in the present circumstances, the officer charged with the work of interpretation should not be burdened also with that of compilation. This function should be assigned to the economic research cell which is proposed to be organised on the Railways under the Finance and Accounts Department.

The Committee hope therefore that in choosing the Officers for interpretation of statistics in the economic research cells on the Railways and in the Railway Board, due attention is given to these recommendations, and only officers of proven ability and considerable experience and knowledge of all aspects of Railway working are chosen for the purpose. Trained statisticians should also be attached to these cells to enable them to solve problems of a purely technical nature in the compilation and interpretation of statistics.

The Government in their reply stated as follows²¹:

In regard to the observations of the Committee that the officer charged with the work of interpretation should not be burdened also with that of compilation, it may be stated that every zonal railway, with the solitary exception of the newly formed North East Frontier Railway, which is the smallest of the zonal railways, covering only 1739 route miles, already has separate Compilation and Statistical Officer. At the Railways' level, Statistical Officers are entrusted with the work of interpretation of statistics. So far as the Railway Board's office is concerned, interpretation of statistics is already being undertaken by the Statistical Directorate in conjunction with the technical Directorates concerned. The procedure in regard to compilation has also been standardised and objective studies are always made in regard to interpretation as and when necessary. The

detailed recommendations of the Committee in regard to the allotment of duties, including that of economic research to specific officers in these organisations will also be borne in mind.

Utilisation of Statistics for managerial control

In the same Report the Committee made the following general comments on Railway Statistics after they had made several recommendations regarding particular statistics compiled by the Railways²²:

The Committee have indicated the organisational and procedural changes necessary in the compilation and use of statistics. The details of this should be worked out by an Officer, who should be appointed without delay to work out a detailed procedure for the reorganisation and also a programme for its implementation.

In conclusion, the Committee would observe that, as the position is at present, the time and energy spent by the Railways in compiling their statistics is largely wasted. The statistics are insufficient and are put to little use by proper interpretation. Control is ineffective and the large volume of the statistics play little part in management control. There are many aspects of Railway working where there is scope for considerable economy in expenditure, and for effecting improvement of efficiency with resulting increase in earnings. These can only be explored if there is efficiency in the compilation and use of statistics, but unfortunately this is not the case at present.

The total annual expenditure incurred by the Railways on their statistical organisations including the cost of stationery etc. is very large, running into many lakhs of rupees. Much of this is, as the position stands at present, infructuous and unless the recommendations made by the Committee for the improvement in the use of statistics are undertaken vigorously and without delay, the waste will continue.

²¹71R (EC-2LS), pp. 15-16.

²²29R (EC-1LS), paras 79-81, pp. 41-42.

The Government in their reply stated as follows³³:

So far as the procedural changes necessary in the compilation and use of statistics are concerned, this work is continually going on as a part of the normal functions of the Statistical Departments of the Railways and the Statistical Directorate of the Railway Board. Special meetings with the Statistical Officers of the Railways are convened from time to time to consider all such questions and a thorough revision of the Manual of Statistical Instructions has only recently been completed.

Statistics relating to Inland Water Transport

While dealing with Inland Water Transport in their Sixty-first Report, the Committee observed that proper appreciation of inland water transport problems in India was rendered difficult due to absence of reliable statistics and data showing the number of boats, country-crafts, tugs, barges, etc., which are plying in the various canals and rivers, the traffic carried (both passenger and freight), their respective incomes etc.³⁴ These details were not available in any one place. The main reason for this was the fact that the executive responsibility for regulating inland water transport vested in the State Governments. There was no centralised authority to co-ordinate and compile the statistics as in the case of the Railways. The Committee wrote as follows regarding this matter:

The Committee would suggest that the statistics which are of vital importance, should be published regularly. The Transport Ministry should either bring out a journal at prescribed intervals giving the data in respect of these forms of transport which come within its purview, or publish these essential statistics for all the States in India in a consolidated manner along with their annual report.

The Government in their reply stated³⁵:

Inland Water Transport plays an important role at present on the Calcutta-Assam route. On this route, mechanised craft owned by organised companies operate. Particulars of essential statistics for this route will be collected and published.

In other parts of India, Inland Water Transport operates only on certain navigable stretches of rivers and canals. Mostly, the craft that operate are country-craft. Country-craft traffic is essentially unorganised. It may not be possible in such cases to collect regular statistics of cargo carried. Some State Governments however collect statistics of traffic carried over canals. Efforts will be made to publish such statistics as are available.

As regards the publication by the Department of Transport of Statistics relating to the various forms of transport within its purview, it may be stated that basic road statistics are at present already published by the Roads Wing of this Ministry annually. Road transport statistics are also included therein.

As regards shipping statistics, arrangements are being made through the Central Statistical Organisation for compilation and publication of the same in stages. To begin with statistics of cargoes moving by sea transport will be collected.

Commenting on this reply, the Committee further observed:

It is not clear whether any statistics are collected with respect to river transport. The Committee reiterate their views and also suggest that the State Governments may be requested to collect the statistics.

Record of breakdowns of machines in Ordnance Factories

While dealing with Ordnance Factories in their Sixty-eighth Report the

³³7R (EC-2LS), pp. 21-22.

³⁴61R (EC-1LS), para 136, p. 40.

³⁵70R (EC-2LS), pp. 36-37.

Estimates Committee of Lok Sabha

Committee observed as follows regarding the maintenance of records relating to breakdowns of machines and the like³⁶:

In regard to the furnishing of corroborative data in support of technical opinion required by Finance, it was stated that the records of breakdowns, rejections due to machine faults, cost of repairs etc. were not generally maintained in the past and consequently it was either difficult or not possible to supply them. The Committee regret to learn about the non-maintenance of such a vital record in the past. They feel that such information, quite apart from

being required by Finance, is all the more necessary for the executive and administrative authorities themselves to enable them to determine the working efficiency of the particular machines and the need for their replacement. They, therefore, recommend that such particulars should be kept in respect of all machines in future.

The Government in their reply stated as follows³⁷:

The Ministry agrees with the observations of the Estimates Committee. Necessary instructions for the maintenance of machine history cards have now been issued by the D.G.O.F.

If our democracy is to flourish, it must have criticism, if our government is to function, it must have dissent. Only totalitarian governments insist upon conformity and they do so at their peril. Without criticism, abuses will go un-rebuked; without dissent, our dynamic system will become static.

—H. S. COMMAGER
in Freedom, Loyalty, Dissent.

³⁶ 68R (EC-1LS) para 47, p. 16.

³⁷ 56R (EC-2LS) p. 5.

Short Notes

(a) PARLIAMENTARY EVENTS AND ACTIVITIES

Thirteenth Commonwealth Parliamentary Conference

The Thirteenth Commonwealth Parliamentary Conference was held in Kampala (Uganda) in October-November, 1967. The Indian delegation to the Conference was led by Dr. N. Sanjiva Reddy, Speaker, Lok Sabha. The other members of the delegation were:

Smt. Amanna Raja, M.P., Dr. B. N. Antani, M.P., Smt. Jayaben Shah, M.P., Shri R. Umanath, M.P., and Shri B. N. Banerjee, Secretary, Rajya Sabha, who acted as the Secretary to the Delegation.

Shri B. K. Banerjee, Speaker, West Bengal Legislative Assembly, Shri U. Patil, M.L.C., Maharashtra, Shri V. K. Ramaswamy Mudaliar, M.L.C., Madras, Shri Kanwar Lal Sharma, M.L.C., Punjab, Shri A. P. Apanna, M.L.A., Mysore, Shri Niranjan Nath Acharya, Speaker, Rajasthan Legislative Assembly, and Shri Digvijaysinhji Pratapsinhji, M.L.A., Gujarat, also attended the Conference as delegates of their respective State Branches of the Commonwealth Parliamentary Association. Shri R. L. Nirola, Secretary, Punjab Legislative Council, attended the Conference as Secretary from State Branches.

The following subjects were discus-

sed at the Conference:

1. International Affairs.
2. Aid to Developing Countries.
3. Parliamentary Institutions.
4. Commonwealth and the European Economic Community

Pre-Conference tours for about 10 days had been arranged by the Uganda Branch of the Commonwealth Parliamentary Association.

After the termination of the Conference, some of the delegates also visited Kenya for four days, as guests of the Kenya Branch of the Commonwealth Parliamentary Association.

Indian Delegations Abroad

Visit to Nepal

In pursuance of an invitation received from Nepal, an 11-Member Indian Parliamentary Delegation led by Dr. Sanjiva Reddy, Speaker, Lok Sabha, visited Nepal in September, 1967 for six days. Other members of the delegation were:

Shrimati Devaki Gopidas, M.P.

Shri B. K. Gaikwad, M.P.

Shri Hem Barua, M.P.

Shri Bhogendra Jha, M.P.
Shri S. Kandappan, M. P.
Shrimati Sucheta Kripalani, M.P.
Shri Narendrasing Mahida, M.P.
Shri Ram Sahai, M.P.
Shri Ramshekhari Prasad Singh,
M.P.
Shri S. L. Shakhder, Secretary,
Lok Sabha.

Australian Tour

An 8-Member Indian Parliamentary Delegation led by Dr. N. Sanjiva Reddy, Speaker, Lok Sabha, visited Australia in September-October, 1967 for 14 days in response to an invitation from that country. The following members composed the delegation, besides the Speaker:

Shri Gaure Murahari, M.P.
Shrimati T. Lakshmi Kantamma,
M.P.
Chowdhary Ram Sewak, M.P.
Shri N. Srirama Reddy, M.P.
Shri P. N. Solanki, M.P.
Shri Atal Bihari Vajpayee, M.P.
Shri S. L. Shakhder, Secretary,
Lok Sabha.

Trip to Bhutan

Following an invitation from Bhutan, a 6-Member Indian Parliamentary Delegation, led by Shri K. Hanumanthaiya, M.P., visited that country in October 1967 for 7 days. Besides the Leader, others who composed the delegation were:

Shri R. S. Khandekar, M.P.
Shri Amrit Nahata, M.P.
Shri Rabi Ray, M.P.
Shri S. C. Samanta, M.P.
Shri S. P. Ganguly, Deputy Secretary, Rajya Sabha Secretariat,

who acted as the Secretary to the Delegation.

Foreign Delegation in India

Indonesian Delegation

In response to our invitation, a 5-Member Parliamentary Delegation from Indonesia, led by Hedji A Sjaichu, Speaker of the Indonesian Parliament, visited India from October 18 to 22, 1967.

Conference of Presiding Officers of Legislative Bodies in India, New Delhi, 1967.

The Thirty-second Conference of Presiding Officers of Legislative Bodies in India was held in New Delhi on the 14th and 15th October, 1967. Dr. N. Sanjiva Reddy, Speaker of Lok Sabha, presided. Besides the Deputy Chairman of Rajya Sabha and the Deputy Speaker of Lok Sabha, 49 Presiding Officers of State Legislatures attended the Conference.

In his opening Address to the Conference, the Chairman, Dr. Sanjiva Reddy, referred to the growing menace of floor-crossing in the legislatures and said that if this was not checked in time, it would lead to administrative instability and reduce the politics in our country to a farce.*

The Conference discussed the following items on its agenda:

1. *Presiding Officers:* The desirability of establishing a convention that the Speakers and the Chairmen of Legislatures should, on their election to the Chair, resign their membership of the political parties to which they belonged.
2. *Legislators:* The propriety of legislators changing their allegiance from one party to another and their frequent crossing of the floor and its effect on the growth of Parliamentary democracy.

* For text of the Chairman's Address, see under "Addresses and Speeches", pp. 146-60.

3. **Indian Parliamentary Association:** The formation of the 'Indian Parliamentary Association'.
4. **Indiscipline in Legislatures:** What steps should be taken to check the growing tendency of indiscipline in the Legislatures?
5. **Members' Code of Conduct:** Code of Conduct for Members of the Legislatures in India.
6. **Contempt of the House:** (a) What sort of misleading statement may constitute a contempt of the House?

(b) When a statement made by a Member is refuted by another, is it obligatory for the Speaker to get it investigated (by the Committee of Privileges or otherwise) as to which of the statements is correct and whether the maker of the incorrect statement is guilty of contempt of the House?
7. **Withholding Information in Public Interest:** When a Minister refuses to answer a question on the ground that the information cannot be given in public interest, is it not desirable that the Speaker should have power to ask the Minister, in appropriate cases, to explain how it is not in public interest to disclose the information?
8. **Leader of Opposition:** Is the Presiding Officer bound to recognise any person put forward by the United front of all or substantially, the opposition members, as leader of the Opposition?
9. **Governor's Address:** (a) Whether, front of all or substantially, the in his absence due to unavoidable circumstances like sudden illness, the Governor can delegate his function to the Speaker or the Chairman to read his Address to the Houses assembled together under article 176 (1) of the Constitution of India?

(b) Whether it is necessary to amend the Constitution to obviate the difficulty or, can a provision be made in the Rules of Procedure and Conduct of Business of the House to the effect that when the Governor suddenly falls ill or is otherwise incapacitated to address the House on the date on which the House has been summoned under article 176(1) of the Constitution, the Governor can delegate his function to the Speaker or Chairman to read his Address to the House on his behalf?
10. **Bills—Language:** In a State, where the Legislature has prescribed Hindi as the language for use in Bills under article 348 of the Constitution, whether it is necessary to supply to the Members of the House the English version of the Bill along with the Hindi version at different stages of the Bill?
11. **Parliamentary Committee:** The desirability of constitution of a new parliamentary Committee to scrutinise the cases of exercise of discretionary powers by Government confirming financial or material benefit on any individual or institution.
12. **Presiding Officers:** Special privileges of the Presiding Officers and their position *vis-a-vis* the Executive.
13. **Budget Speech:** Budget speech delivered in the House by the Finance Minister—request to Speaker for correction in material particulars—whether correction could be done by the Speaker or whether the Finance Minister has to make a motion to that effect in the House?
14. **Minister:** Whether a Minister, who is a member of one House of a Legislature, is subject to the privilege of jurisdiction of the other House of the same Legislature in respect of his conduct while taking part in the proceedings of the other House by virtue of article 177 of the Constitution.
15. **Money Bills:** The scope of recommendations that may be made by Upper House under article 198 read with article 204 of the Constitution regarding Money Bill's generally and Appropriation Bills in particular.
16. **Appropriation Bills:** Whether the Legislative Council has the right to postpone consideration of the Appropriation Bill, or refer the Appropriation

tion Bill to a Select Committee after the same has been passed by the Legislative Assembly and transmitted to the Legislative Council.

17. *Bills*: Whether an amendment to the motion for consideration of a Bill is permissible in the following cases:

- (i) Where the Bill is introduced in the Assembly and the amendment to the motion of consideration is:

‘that the Bill be referred to a Select Committee for report by a date’ which is beyond six weeks from the re-assembly of the Legislature.

- (ii) Where the Bill is introduced in the Assembly and the amendment to the motion of consideration is:

‘that the Bill be circulated for the purpose of eliciting opinion thereon by a date’ which is beyond six weeks from the re-assembly of the Legislature.

- (iii) Where the Bill is passed by the Assembly and transmitted to the Council and the amendment to the motion of consideration in the Council is:

‘that the Bill be referred to a Select Committee for report by a date’ which is beyond six weeks from the re-assembly of the Legislature.

[In the case mentioned at (i), (ii) and (iii) above the Bill is one to replace an Ordinance promulgated during inter-sessional period.]

- (iv) Where a Bill is passed by the Assembly and transmitted to the Council and the amendment to the motion of consideration in the Council is:

‘that the Bill be referred to a Select Committee for report by a date’ which is beyond three months from the date on which the Bill is laid before the Council [c.f. Article 197 (1) (b) of the Constitution.]

18. *Chamber*: Whether Members of one House of a Legislature have the right and privilege to enter the floor of the other House and through it to its lobbies which open at the House?

19. *Legislature Secretariat*: Position of the Legislature Secretariat consequent on the dissolution of the Assembly.

20. *Legislatures—Procedural Changes*: What conventions, traditions and other procedural devices are required to be adopted or evolved to enable the Parliament/Legislatures to function effectively and meet the new challenging situations witnessed in this country?

21. *Production of Government Files*: (a) When in the course of his speech a Member makes some allegation against a Minister and while in reply to that allegation in the course of his personal explanation the Minister quotes from Government files, is it a privilege of the Member making the allegation or any other Member of the House to be supplied with the whole file from which the quotation has been made or any other file which may have bearing upon the matter in issue?

(b) When from the statement or speech made by any Minister there appears an allegation in respect of a Member of the House who has been a Minister of the State and if that Member seeks to offer a clarification in respect of that allegation, is it a privilege of that Member to be supplied with the whole file from which quotations were made and any other Government file which he may ask for and which may be relevant to the subjects on which he wants to offer clarification?

22. *Zero Hour*: Is there any rationale or sanction behind the zero hour or is it beyond the bound of legislative work? If elimination is necessary, what steps should be taken in that behalf?

23. *Assurances*: Whether with the coming into existence of the new State of Haryana on the 1st November, 1966, the assurances given on the floor of the Vidhan Sabha of the composite Punjab be treated as lapsed, so far as the Haryana State is concerned?

24. **Privileges:** When a question of privilege is referred to the House instead of the Privilege Committee for decision towards the far end of the session and the House stands adjourned *sine die* followed by prorogation without taking up the question of privilege, can the House be summoned; if so, how and what procedure should be adopted in examining the question of the Privilege?
25. **Papers Laid on the Table:** Whether documents placed on the Table by a Member, in the course of a Statement in the House can be returned to the Member on his request?
26. **Sub judice:** What is the exact scope of the rule of *sub-judice*, namely, that a matter whilst under adjudication by a court of law, should not be brought before the House by a motion or otherwise (except by means of a Bill) in relation to parliamentary proceedings?
27. **Division:** When a division is called on a motion which is put to vote of the House, and it is not possible to send the Members to lobbies due to frayed tempers in the House and apprehension of serious disturbances in lobbies, can the division be held by a process which has an element of secrecy?

Meeting of Secretaries of Legislative Bodies in India, New Delhi, 1967

A meeting of Secretaries of Legislative Bodies in India was held in New Delhi on October 16, 1967. Shri S. L. Shakdher, Secretary, Lok Sabha, presided. The meeting discussed various matters relating to Parliamentary procedure.

Parliament Week

A Parliamentary Exhibition was inaugurated by the Speaker of Lok Sabha, Dr. N. Sanjiva Reddy, on May 22, 1967, in Parliament House, New Delhi, to mark the beginning of a Parliament Week in order to acquaint the people with the activities of Parliament during the years 1962-67, the tenure of the Third Lok Sabha. A Souvenir brought out by the Lok Sabha

Secretariat, reviewing the working of parliamentary democracy in India and the activities of the Third Lok Sabha, was also released on this occasion.

The exhibits consisted of illustrated statistical charts, tables and graphs depicting generally the day-to-day working of Parliament. Such features as legislation enacted, questions asked by Members, proportion of such questions Ministry-wise and the functioning of the Parliamentary Committees formed part of the exhibits. Other interesting exhibits included the photographs of the former Presiding Officers and a pictorial record of significant events in the history of India's Parliament. Photostat copies of some rare documents having a bearing on the evolution of parliamentary democracy in India were also displayed. Some of the charts and photographs on display also gave a glimpse of the parliamentary activities in U.K., U.S.A. and Japan.

Colour slides and documentary films of parliamentary interest were also screened during the evenings throughout the Parliament Week.

Special talks on the working of Parliament were broadcast over the AIR and special articles published by the leading national newspapers to mark the observance of the Parliament Week.

Apart from members of Parliament and members of the Metropolitan Council of the Union Territory of Delhi, the Exhibition attracted a large number of people, including students.

Amenities for Members

Continuous efforts are made to provide more and more facilities and amenities to Members of Parliament to enable them to discharge their parliamentary duties in an effective manner. Following are some of the recent faci-

ilities provided in the Parliament House:—

Air Booking Office

The Indian Airlines Corporation has opened a booking office in Room No. 134, Attic Storey, Parliament House, to cater to the exclusive needs of M.Ps. in regard to their Air travels. A Railway booking office is already functioning in the Parliament House.

Office Accommodation for Parties and Groups

In order to meet to some extent the growing needs of various Parliamentary parties and groups for office accommodation in the Parliament House, a part of the outer corridor of the Library Hall has been converted into suitable cubicles. Besides, two lounges of the Central Hall have been partitioned. The cubicles and lounges thus carved out have been allotted to various groups of M.Ps. and one large cubicle has been earmarked for their meetings and conferences.

(b) PRIVILEGES ISSUES

Important privilege issues that were raised in Fourth Lok Sabha during its First and Second Sessions and in Rajya Sabha during its Sixtieth Session are summed up below.

Misreporting by the Hindustan Times

On March 27, 1967, Sarvashri Madhu Limaye and George Fernandes, raised a question of privilege against *The Hindustan Times*, New Delhi, for misreporting a part of the proceedings of the House of March 23, 1967, and thereby casting reflections on Shri Fernandes*.

In reply to the enquiry made by the Speaker from the Editor of *The Hindustan Times*, the latter regretted "the inadvertent lapse in the publication" of their report on the Lok Sabha proceedings of March 23, 1967 in respect of Shrimati Tarakeshwari Sinha's reference to the utilization of CIA funds. According to the Editor, "the correspondent, who covered the proceedings, did not reproduce the exact statement made by Mrs. Sinha", because "he misheard her". The Editor apologized for any misunderstanding that the news item might have caused and assured

the Speaker that "the publication was a genuine error". On being informed accordingly by the Speaker on March 29, 1967, the House accepted the Editor's apology and directed that the letter of apology together with Shrimati Sinha's actual statement in the House on March 23, 1967, should be published on the front page of the newspaper. This direction was duly complied with by *The Hindustan Times* on March 30, 1967

Alleged Misleading and Untruthful Statements by Ministers

On April 5, 1967, a question of privilege was raised in the House alleging that the Ministers of External Affairs and Commerce and the Prime Minister had misled the House by making misleading and untruthful statements in the House in connection with the Svetlana episode. A motion was moved by Dr. Ram Manohar Lohia to refer the matter to the Privileges Committee**. The Minister of Parliamentary Affairs moved a counter-motion to the effect that Ministers concerned had not committed any breach of privilege of the House.**

Thereupon, a point of order was raised that the second motion, which had

* In its issue dated March 24, 1967, the paper carried *inter alia* the following report which was taken objection to by the Members :

"Mrs. Sinha alleged that the SSP leader George Fernandes had benefited from the CIA sources when he was connected with the *Hind Mazdoor Sabha*. She conceded, however, that he was no longer connected with the HMS".

**L.S. Deb., 5-4-1967, cc. 2924-3001.

merely the effect of a negative vote, was out of order under Rule 344. Citing Rule 226(g), the Speaker observed that either of the two motions or both the motions could be made thereunder, and ruled both the motions in order and to be put to the vote of the House, one after the other, in the order in which these were moved.

After a lengthy debate during the course of which the Ministers of External Affairs and Commerce explained the facts of the matter, the original motion was put to vote first but was negatived. The second motion was put to vote thereafter and was adopted by the House.

Speaker Not informed of Member's Detention

On April 7, 1967, a question of privilege was raised in the House that in connection with the alleged arrest and subsequent release of Swami Brahmanand, M.P., on April 5, 1967, when he was offering *satyagraha* along with his followers outside the Parliament House Estate, the authorities concerned had not sent any intimation to the Speaker, as required under rules 229 and 230 of the Rules of Procedure and Conduct of Business in Lok Sabha.

In a statement on the subject made in the House on April 8, 1967, the Minister of Home Affairs said that technically speaking, Swami Brahmanand and his followers who had been trying to court arrest on the day of the incident, were not "in fact arrested" as the magistracy and the police did not consider it necessary to do so. He, however, added that the matter could be referred to the Privileges Committee for inquiry so that proper responsibility was fixed. On a formal motion, the matter was referred to the Committee the same day.

In its report, presented to Lok Sabha on May 22, 1967, the Committee, *inter alia*, came to the conclusion that irrespective of the fact whether Swami Brahmanand was arrested or not within the strict legal meaning of the term "arrest", he was in fact under some kind of detention by the Police on April 5, 1967, from the time he was taken in a taxi from outside the Parliament House Estate to the Parliament Street Police Station (where his name and address were recorded by the Police) upto the time he left the Police Station at about 7 P.M.

The Committee were, therefore, of the opinion that the authorities concerned should have informed the Speaker about the aforesaid detention and subsequent release of Swami Brahmanand as required under the rules and their failure to do so constituted technically a breach of privilege of the House. However, in view of the "unqualified regret for the happenings" offered by the District Magistrate, Delhi, during his evidence before the Committee, no further action was recommended.

The Report of the Committee was adopted by the House on May 29, 1967.

Alleged reflections on the Conduct of Ministers (Members of Lok Sabha) by a Member of the other House.

In Lok Sabha

On May 30, 1967, Shri S. M. Banerjee, M.P., called the attention of the Prime Minister in Lok Sabha to a news report wherein Shri Arjun Arora, Member, Rajya Sabha, had alleged that certain Central Ministers were in the pay roll of the Birlas and requested her to make a statement thereon. The Prime Minister informed the House that she had asked Shri Arora to substantiate his allegations and thereafter she would look into the matter.

* The allegation was made at a meeting of the Congress Parliamentary Party.

On June 20, 1967, the Prime Minister made a statement in the House that the relevant material furnished to her by Shri Arora together with the written statements of the Ministers concerned, had been carefully examined by her in consultation with her colleagues, the Deputy Prime Minister, the Home Minister and the Minister of External Affairs. Her colleagues, she added, were convinced that their examination of the material had revealed nothing relating to the conduct of these Ministers which could be regarded as inconsistent with their integrity and honour as Ministers of Government and she herself was in entire agreement with this conclusion.

As a sequel to the statement of the Prime Minister, Shri P. Ramamurti, M.P., moved a motion on June 21, 1967, to the effect that the allegations made by Shri Arora against the two Ministers who were both members of Lok Sabha, not having been substantiated, "the question of privilege against Shri Arora for making baseless allegations be referred to the Chairman, Rajya Sabha for action" in accordance with the procedure already laid down for the purpose. His contention was that Shri Arora's action constituted a contempt of the House.

The Minister of Law opposed Shri Ramamurti's motion on the ground that the allegations in question were not made in public but were made at the Congress Party meeting. The statement having been made before the leader of the party, the member was subject to party discipline and the matter was thus an internal affairs of the Congress Party. Moreover, if such issues were treated as breaches of privilege, the Law Minister felt, party functioning would become impossible in this country.

After a lengthy debate, the motion was moved by Shri Ramamurti was put to vote and negatived.

In Rajya Sabha

The issue of Shri Arjun Arora's involvement in the privilege issue sought to be raised against him in Lok Sabha on June 21 was also raised in the Rajya Sabha on the following day by Shri Bhupesh Gupta who considered it a breach of privilege and contempt of the House.

The Chairman, Shri V. V. Giri, said he had given great attention to the matter and discussed it *ad nauseam*. He was of the view that no further discussion on the matter was necessary since no action had been taken by Lok Sabha against "our member". Notice could be taken only if some action had been taken by the other House.*

Alleged Reflection on the Conduct of Ministers (Members of Lok Sabha) by a Member of the other House

In Rajya Sabha

On May 30, 1967, during the course of a debate in Rajya Sabha, Shri Sheel Bhadra Yajee, a member, made certain allegation against Dr. Ram Manohar Lohia, a member of Lok Sabha.**

On June 5, another member of the House (Shri Raj Narain) sought to raise a question of breach of privilege against Shri Yajee for his "malicious, untrue, baseless and defamatory" allegation against Dr. Lohia.***

On June 19, the Chairman, who had asked Shri Yajee to substantiate his allegation, informed the House that the member concerned had not been able to produce any primary evidence in support of his charges and had admitted that he had made the allegation based on certain 'circumstantial' evidence.

*R.S. Deb., 22-6-1967.

**R.S. Deb., 30-5-1967.

****Ibid.*, 5-6-1967.

In this context the Chairman ruled:*

"I want to make it clear that members who are not in a position to substantiate charges of the nature made in the present case, should not make such statements. Allegations and counter-allegations of this nature by members detract from the dignity of Parliament. As has been well stated by May, good temper and moderation are the characteristics of parliamentary language. 'Parliamentary language is never more desirable than when a member is canvassing the opinions and conduct of his opponents in debate'. I would like to add that it would be a good rule to observe that members of one House should not use the freedom of speech on the floor of the House to make allegations or charges against members of the other House . . . I would like the matter to rest here."

In Lok Sabha

On June 6, 1967, this issue was also raised by three members of Lok Sabha who gave notices of a question of privilege arising out of the allegation.**

The Speaker informed the House that according to the rules and procedures not only in this Parliament but in other Parliaments also, each House being equally sovereign no case of a breach of privilege or contempt of the House can be founded on a speech made by a member of the other House†. However, he characterized it as "unfortunate" that

members of one House made allegations against those of the other or made "unsubstantiated allegations against each other in this House".

On June 28, 1967, another member made an attempt in the House to get the matter referred to the Chairman of Rajya Sabha for appropriate action. His contention was that the allegation was untrue and had not been substantiated and was thus a breach of privilege and contempt of the House.

Disallowing the question of privilege in this case once again, the Speaker said that the House could take notice of the speech only if it had been made outside the House, as in the case of Shri Arjun Arora‡. Referring to another case in the British Parliament to which the member had made a reference, the Speaker said that there also the Parliament could take note of it only because the member of the House of Lords had made the speech outside the House.§ The position in this case was, however, different and when the point was raised in Rajya Sabha itself that the matter should be referred to the Privileges Committee of that House, the Chairman had not allowed it, because the member who had made the allegation against the Lok Sabha member, had not been able to produce a satisfactory evidence to substantiate his allegation. As such the Chairman having already given a decision that the allegation was not proper, there

*R. S. Deb. 19-6-1967.

**L.S. D.b. 16-6-1967, cc. 3215-18.

†A somewhat similar situation arose in the House of Commons, U.K., on March 4, 1949, in connection with something said against one of its members in the House of Lords by a member of that House. When the Speaker was requested to give his opinion as to whether the members of the House of Commons had any remedy whereby they could protect their reputation against libellous accusations by the members of the House of Lords, he ruled as under :

Our Rules are quite definite. Hon. Members may not refer to a speech made in another place during the same session. We are two independent bodies. Sometimes they may say things which we do not like, and we say things that they do not like. After all, that is our position, and there is no remedy here. [462. H.C. Deb., 14-3-1949, cc. 1744-45].

‡See pp. 197-98

§In this case, after a complaint had been made in the British House of Commons of a speech delivered, outside the House, by Lord Mancroft, a member of the House of Lords, a motion was made on April 25, 1952 to refer the matter to the Committee of Privileges. The motion was, however, withdrawn after the Speaker had announced that he had received a letter of apology from the Peer concerned which he read out to the House.— (C. J. 1951-52, pp. 201-02; May, 17th Ed., p. 145).

was no point in referring the matter to him again, the Speaker added.*

Reflections on the conduct of members and proceedings of Parliament by a newspaper

In Lok Sabha

On June 5, 1967, a question of privilege was raised by a member in Lok Sabha against the Editor of *Hindustan*, a Hindi daily, on the ground that certain passages of the newspaper's editorial on June 2, 1967, captioned "*Niradhar, Anargal Wa Anuchit*" (Baseless, Meaningless and Improper) cast reflections on the conduct of members and the proceedings of the Houses of Parliament. The House decided to refer the matter to the Committee of Privileges.**

In their Second Report, presented to the House on July 19, 1967, the Committee, *inter alia*, observed that the editorial in question contained "reflections on the character and proceedings of Parliament and on the conduct of its members as such" and tended to bring "Parliament into disrespect and disrepute, which amounts to a breach of the privilege and contempt of the House".

The Committee, however, recommended that no further action need be taken in the matter, in view of the fact that the Editor of the *Hindustan*, in his letter of apology dated the 28th June, 1967, had expressed his "deep and unqualified regret for any offence caused to the House or any hon. member thereof" by the editorial. The recommendation was accepted by the House on July 31, 1967, and the Report was adopted.

In Rajya Sabha

On June 5 itself the objectionable editorial became the subject-matter of

a privilege issue in Rajya Sabha as well. As in Lok Sabha, the members contended that the editorial constituted a breach of privilege and contempt of the House, and decided to refer the matter to their Committee of Privileges.†

In their Ninth Report, presented on August 14, the Privileges Committee of Rajya Sabha also came to the conclusion that it was a clear case of breach of privilege and contempt of the House. However, in view of the unqualified apology tendered by the Editor of the *Hindustan* and the expression of deep regret by him, the Committee recommended that no further action be taken in the matter.

Misreporting of a Member's Speech by a Newspaper

In Lok Sabha

On July 6, 1967, a member, Shri C. K. Bhattacharva, raised a question of breach of privilege against the U.N.I., a news agency, and the *Indian Express* which, in its issue of July 5, carried a news item, circulated by the news agency, misreporting the member's speech in which he was said to have supported *gherao* whereas he had not referred to it at all.

On receipt of the replies from the Editors concerned to whom the matter was referred, the Speaker, on July 10, informed the House that while the Editor of the U.N.I. had stated that there was no error in reporting nor was there any reference to *gherao* attributed to Shri Bhattacharva in their report, the Editor of the *Indian Express* owned the mistake as having occurred at his end. He felt genuinely sorry about this mistake and conveyed his apologies to the Speaker and the honourable Member concerned.

*L.S. Deb., 28-6-1967, cc. 8120-24

**L.S. Deb., 5-6-1967, cc. 2946-58

†R.S. Deb., 5-6-1967.

The correction of the member's speech and the regret from the Editor were published in the *Indian Express* dated July 11 and the matter was thereafter treated as closed.

Prorogation of M.P. Assembly: Alleged Misleading Statements by Minister in the House

In Lok Sabha

During the course of the debate in Lok Sabha on July 20, 1967, on the adjournment motion regarding the prorogation of the Madhya Pradesh Legislative Assembly, the Minister of Home Affairs observed that he had no facts in his possession but denied having had any talk with or given any directions to the State Governor.

On July 25, some members drew the attention of the House to the fact that certain newspapers of July 21 had published the following statement of the Governor of Madhya Pradesh:

"Asked whether he (the Governor) had consulted the Centre before proroguing the House, he said he had done so 'to the extent the Constitution permits'."

According to the members, this statement clearly implied that the Governor had consulted the Centre before proroguing the House and the Minister of Home Affairs had, by his statement on July 20, misled the House and thereby committed a breach of privilege of the House.

In support of his earlier statement, the Home Minister placed on the Table a letter received by a Joint Secretary in his Ministry from the Secretary to the Governor which, *inter alia* said:

"... Some representatives of the Press met the Governor on 20th July. He handed to them a prepared statement . . .

One of the representatives asked him whether in arriving at his decision to prorogue the Assembly, he had consulted the Centre. The Governor replied: 'I consult the Centre to the extent the Constitution permits'. What he meant to say was that it was only where the Constitution requires it that he consults the Centre. In this particular case, such a consultation was neither required nor permitted, and no advice was given by the Centre. He took the decision on the advice of the Chief Minister . . ."

The Speaker agreed with the Home Minister that no case of breach of privilege was made out and withheld his consent to the motion.

Printing of the M.P. Budget: Alleged misleading of the House by a Minister

In Lok Sabha

On August 1, 1967, a member invited the attention of the House to a note recorded on a file by a Deputy Secretary of the Madhya Pradesh Government which indicated that a Joint Secretary of the Ministry of Finance of the Government of India had 'sounded the Finance Secretary (of the State Government) on phone on the evening of 22nd July to start preliminaries for this contingency by way of abundant precaution'.

In view of this, the member contended that the Home Minister, by denying knowledge about the printing of the M.P. Budget for presentation to Lok Sabha, had kept the House in the dark by his statements made on the 28th and 31st July, 1967, and had thus committed a breach of privilege of the House. He accordingly moved a motion that the alleged breach of privilege committed by the Home Minister be referred to the Committee of Privileges for examination, to which the Minister of Home Affairs agreed.

But when another member moved an amendment to the motion seeking "that the responsibility of the Prime

Minister in this matter, as the head of the Cabinet, be also referred to the Committee of Privileges", the Home Minister felt that there were political motivations behind the issue and, therefore, opposed both the original motion as well as the amendment thereto. The amendment itself was ruled out of order by the Speaker on the ground that it was in the nature of a substantive motion and could not be moved as an amendment to the original motion.

Urging for the rejection of the original motion as there was no privilege involved in it, the Home Minister said that he had not misled the House by giving any information which was contrary to the facts. He also categorically denied that the Madhya Pradesh Government had been given any instructions by the Centre about the printing of the Budget. So far as the question of the Joint Secretary talking to somebody in the State Government was concerned, the Home Minister explained that the Central Administration was naturally concerned, but the Joint Secretary in question had not felt the need to inform the Deputy Prime Minister or the Home Minister about his talk because he was very clear in his mind that he had not given any instructions in the matter.

The Home Minister further said that he had earlier responded in a spirit of co-operation while agreeing to the reference of the matter to the Privileges Committee because he had thought that the Opposition were interested in finding out the facts and also his responsibility in the matter.

The motion was then put to the vote of the House and negatived by 161 to 116 votes.

Alleged Molestation of Members of Parliament by Police

Rajya Sabha

On July 31, 1967, two members of Rajya Sabha (Sarvashri Bhupesh Gupta and Raj Narain) sought to raise a privilege issue arising out of certain incidents that took place in front of the Prime Minister's House involving some members of Parliament on July 29th and 30th. They alleged that the Delhi police had obstructed without authority, molested and abused the members of Parliament, who had gone to the Prime Minister's House to protest against the action of the Government regarding inadequate allotment of food-grains to Kerala. This, according to them, constituted a breach of privilege of the members.

In a statement before the House, the Minister of Home Affairs observed that the police had performed only their normal duties in this case but had shown all possible consideration to Members of Parliament. As such, the Home Minister denied that any question of privilege was involved in this case.*

Disallowing the question of privilege, the Chairman said that he was satisfied, after having heard all concerned, that no breach of privilege was involved in this particular case.**

Punjab: Editor reprimanded for breach of privilege

On April 5, 1967, the Leader of the Opposition in the Punjab Vidhan Parishad gave notice of a privilege motion alleging commitment of a gross contempt of the House by Shri K. Narinder, Editor, Printer and Publisher of the 'Daily Pratap', Delhi, by misrepresenting in his paper on March 25, 1967

*R.S. Deb., 31-7-1967.

***Ibid.*, 2-8-1967.

"that the Punjab Vidhan Sabha has passed a resolution abolishing this House and that the matter is now before the Central Government."

The matter was referred to the Privileges Committee which, in its report

presented to the House on May 8, 1967, recommended that the Editor be summoned to the bar of the House and reprimanded. The report was adopted by the House on May 9, 1967 and the Editor was reprimanded at the bar of the House on May 24, 1967.

(c) PROCEDURAL MATTERS

Lok Sabha: Procedure to be followed when charges are made against Ministers or Members

On May 30, 1967, Shri Madhu Limaye, M.P., gave notice of a motion under rule 184 of the Rules of Procedure and Conduct of Business in Lok Sabha seeking the appointment of a 15-member Parliamentary Committee, including six members from Rajya Sabha, "to investigate into the charges against the members of the Cabinet that they are in the pay of Birla group".*

Giving his ruling on the following day, the Speaker observed that the Member giving the notice had neither specified the names of the Ministers nor the charges against them. The notice, he said, was in the nature of an inquiry into the "conduct of members of this House or the other House". He added that in order that a notice of a motion on the conduct of a member may be admissible, certain preliminary procedures had to be followed. In this connection, he referred the Member to the procedure that was adopted in 1951 when a Committee was appointed to inquire into the conduct of Shri H. G. Mudgal, a member of the Provisional Parliament. The procedure antecedent to the discussion of such a motion in the House was explained by the Speaker as under:

Anyone who has reasonable belief that a Member of Parliament has acted in a manner which, in his opinion, is inconsistent with the dignity of the House or the standard expected of a Member of Parliament may inform the

Leader of the House (Prime Minister) or the Speaker about it. The person making such an allegation is required to first make sure of his facts and base them on such authentic evidence, documentary or circumstantial, as he may have. He has to be careful in sifting and arranging facts because, if the allegations are proved to be frivolous, worthless or based on personal jealousy or animosity, directly or indirectly, he is himself liable to a charge of the breach of privilege of the House. Therefore, it is of the utmost importance that allegations are based on solid, tested and checked facts.

When information regarding the alleged misconduct on the part of a Member of Parliament is received, the usual practice is that the Prime Minister examines the whole evidence and if he is satisfied that the matter should be proceeded with, he gives a full and fair opportunity to the member to state his own version of the case, to disprove the allegations against him and to place before the Prime Minister such information as may assist him to come to a conclusion. After the member's explanation, oral or written, is received by the Prime Minister, he sifts the evidence critically and together with his conclusions places the whole matter before the Speaker. If the member has given adequate explanation and it is found that there is nothing improper in his conduct and he has cleared all the doubts, the matter may be dropped and the member exonerated. If, however, on the basis of the explanation given by the member and the evidence, it is held by the Speaker that there is a *prima facie* case for further investigation, the matter is brought before the House on a motion for the appointment of a Parliamentary Committee to investigate the specific matter and to report to the House by the specified date.

*Shri Limaye gave notice of the motion while Shri Arjun Arora's allegation regarding certain Central Ministers being in the pay of the Birla group was being discussed; See under 'Privilege Issues', pp. 198-99

However, if in the course of preliminary investigation it is found that the person making the allegations has supplied incorrect facts or tried to bring discredit to the name of the member wilfully or through carelessness, he is deemed to be guilty of a breach of privilege of the House.

Lok Sabha: A document with the Government does not ipso facto become public even if a copy thereof is laid on the Table by a private member

On June 8, 1967, a member (Shri Madhu Limaye) called the attention of the Home Minister to the reported refusal of the Central Government to make available to Orissa Government the C.B.I. Report on Shri B. Patnaik, a former Chief Minister of Orissa, and demanded a statement thereon. In his statement, the Minister of Home Affairs said the C.B.I. Report in question was intended only for the consideration of the Cabinet Committee and the Prime Minister, and the documents prepared for the Cabinet or any of its Committees were always treated as secret.

On this, several members raised a number of points of order to the effect that the relevant report of the C.B.I. had already been laid on the Table of the House by a Member of the Third Lok Sabha and as such it had become a public document.* They, therefore, questioned the contention of the Home Minister in calling the document as secret and not making its copy available to the Orissa State Government.†

On June 9, the Minister of Law, who was asked by the Speaker to give his opinion in the matter upheld the posi-

tion taken by the Home Minister and invited the attention of the House to a ruling by the former Speaker on the 26th February, 1965, who had *inter alia*, ruled:**

It is for the Government to consider whether a document, copies of which have been circulated among Members and have appeared in the Press wholly or partially shall still be treated as secret or confidential and not laid on the Table of the House.

This ruling, he said, was binding on the Government and, as such, it was still open to Government to claim that it was a confidential document and therefore, they were not bound to disclose it, publish it or communicate it.

On a point of clarification, the Home Minister explained that the document in question was not in the real sense an investigation report but some sort of an internal study which the Director of C.B.I. had been asked by the Cabinet Sub-Committee to make and the Government could claim privilege for it. According to him, the denial of this document was not going to obstruct the inquiry in any way, because the documents on which the whole inquiry was based, were with the Orissa Government and if they wanted to go into that examination again, they could do so without any hindrance.‡

The Speaker gave the following ruling on June 12 in this connection:§

After my distinguished predecessor Sardar Hukam Singh, gave his ruling on the 26th February, 1965, an hon. Member of the then House, Shri Kamath, placed on the Table of the House what he

*Shri H.V. Kamath, a Member of the Third Lok Sabha placed on the Table of the House what he claimed to be a summary of the C.B.I. Report in regard to some of the activities of the Orissa Ministers. Later, Shri S.N. Dwivedy placed on the Table what he claimed to be a copy of the full report on this matter.

† L.S. Deb., 8-6-1967, cc. 3818-43.

** *Ibid.*, 9-6-1967, cc. 4125-28.

‡ *Ibid.* cc. 4128-33.

§ *Ibid.*, 12-6-1967, cc. 4366-73.

claimed to be a summary of the C.B.I. Report with respect to some of the activities of the Orissa Ministers, and later Shri S. N. Dwivedy placed on the Table of the House what he claimed to be a copy of the full report with respect to that matter. The Government have not so far admitted or denied the correctness of any of these documents. From the statement of the Home Minister, it is clear that they still classify the report as confidential and they are not prepared to make it public. The right of the Government in this respect is absolute and the Speaker cannot compel them to lay such a document on the Table of the House much less to disclose it or communicate it to any one else. There was no demand in the House that Government should lay the report on the Table of the House and indeed even if there had been a request and the Government had not complied with it, the Speaker had no power in the matter.

... the documents laid on the Table during the Third Lok Sabha by Shri Kamath and Shri Dwivedy are already public ... the documents which may be in the possession of the Government have not become *ipso facto* public.

Lok Sabha: Calling Attention Notices: Statements in response thereto need not confine to facts alone; these are open to debate—References to sub-judice matters cannot be expunged.

On June 27, 1967, the Home Minister made a statement in Lok Sabha in response to a Calling Attention Notice regarding the reported assault on a Member in his constituency three days ear-

lier. Apart from giving the information which he had received from the West Bengal State Government on this incident, including the fact that the complaint of the M.P. had been registered by the police, the Home Minister made a concluding observation that if "this kind of violence against political opponents of a party in power continues, orderly and civilised political life would become impossible". It was, therefore, a matter of grave concern to Government and he was confident that the House would "share this concern" and join him "in condemning it unreservedly," the Home Minister added.*

A member of the Opposition raised a point of order, and he was supported in this by several others, objecting to the concluding part of the Home Minister's statement on the plea that it was not open to him to add observations of his own when the matter was *sub judice*. They also expressed doubts whether it was proper for the Home Minister to make statements casting reflections upon particular parties and urged that the Speaker should use his powers to expunge the observations of the Home Minister from the proceedings of the House. Further to this point of order, another member contended that under Rule 197† only a statement of facts could be made and no debatable matter could come in.

*L.S. Deb., 27-6-1967, cc. 7825-47.

†Rule 197 reads—

- (1) A member may, with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.
- (2) There shall be no debate on such statement at the time it is made.
- (3) Not more than one such matter shall be raised at the same sitting.
- (4) In the event of more than one matter being presented for the same day, priority shall be given to the matter which is in the opinion of the Speaker, more urgent and important.
- (5) The proposed matter shall be raised after the questions and before the list of business is entered upon and at no other time during the sitting of the House.

According to the Law Minister, however, Rule 197 did not say that such statements should be on facts only. He was of the view that the Home Minister's observations that the attack on the M.P. was regrettable, was not debarred by the Rule. The Home Minister, while clarifying his statement subsequently said that what he wanted to condemn was violence and not any particular incident.

In his ruling on the various points raised during this controversy, the Speaker, on June 28, said: *

(i) A statement under Rule 197 is not in the nature of an answer to a question and therefore it need not be confined to facts alone. The statement can include opinions, conclusions and decisions of the Government or the Minister and it is not necessary that it should be of a nature on which there should be complete agreement in the House. Similarly the questions which are asked on such a statement are not confined to matters of information only. Sometimes questions on such a statement are in the nature of suggestions, criticisms and counter-opinions and therefore, there is no restriction that the original statement as well as the subsequent questions and answers should be confined to mere facts alone.

(ii) It follows from my above observations that such statements are open to debate. The only restriction is that there shall be no debate on such statements at the time they are made. There is no prohibition against a notice for a debate on a matter contained in the statement of a Minister in response to a Calling Attention Notice to a subsequent date being given.

(iii) A matter which is *sub-judice* and which has been referred to in a speech or debate or in any statement in the House does not fall within the ambit of Rule 380† and therefore the Speaker has no power to order expunction of any words or phrases which may relate to a matter which is pending for a judicial decision in a court of law . . . However, under Rule 352(i) a Member while speaking shall not refer to any matter of fact on which a judicial

decision is pending. It is "shall not". It is, therefore, necessary for a Member who is speaking not to refer to any such matter and if he insists on referring to such a matter the Speaker may ask him to discontinue his speech forthwith. The Speaker may also observe that the Member should not have referred to a matter which was *sub-judice*. Both the statements will then be on record but the Speaker cannot and should not order expunction of such words.

Lok Sabha: Maximum period for giving notices of Questions

Rule 33 of the Rules of Procedure and Conduct of Business in Lok Sabha prescribed only the minimum and not the maximum period for giving notices of questions. Accordingly, a very large number of notices of questions used to be tabled by members immediately after the issue of summons for a session, practically for all the sittings of that session. Questions would thus pile up months in advance of their due dates of answer and some would even become obsolete, superfluous, and outdated in view of the subsequent developments by the time these came up for answer in the House. Such questions also pushed to a lower priority others relating to more urgent and fresh subjects, tabled subsequently.

The Rules Committee, after considering these shortcomings from all aspects, evolved a procedure by which the time of the House could be utilised for seeking information on matters of topical interest. It recommended an amendment to this Rule whereby no notice of a question can be given for a period beyond 21 days. The amendment was adopted by the House on June 23, 1967, and the new provisions of Rule 33 will be implemented with effect from the Third Session of Fourth Lok Sabha.

*L.S. Deb., 27-6-1967, cc. 7825-47; 28-6-1967, cc. 8116-23.

**Rule 380 reads as follows :

If the Speaker is of opinion that words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may in his discretion order that such words may be expunged from the proceedings of the House.

Lok Sabha: Half-an-hour Discussion thrice a week.

A new provision limiting the number of days in a week on which Half-an-Hour Discussions can be raised in the House, has been incorporated in sub-rule (1) of Rule 55 of the Rules of Procedure and Conduct of Business in Lok Sabha. In pursuance of this provision, Half-an-Hour Discussions can now be held thrice a week and Mondays, Wednesdays and Fridays have been allotted by the Speaker for this purpose.

Sub-rule (4) of Rule 55 of the Rules of Procedure and Conduct of Business in Lok Sabha provides that 'if more than two notices have been received and admitted by the Speaker, the Secretary shall hold a ballot with a view to draw two notices and the notices shall be put down in the order in which they were received'.

The provisions of the aforesaid sub-rule were enforced during the Second Session of Fourth Lok Sabha. The two notices of Half-an-Hour Discussions tabled by two members on the same subject at the same point of time and which were admitted, were balloted in the presence of these members.

Assam: Disclosure by Ministers of important matters outside the House while it is in Session—Speaker's Ruling.

On June 9, 1967, a member gave notice of a privilege motion against the State Minister of Supply alleging that the Minister had given out to Press on June 3, 1967, certain information regarding the attitude of the Central Government on some facts and figures regarding wheat supply to Assam, although he was due to make a statement on the food situation in the Assembly two days later.

In the statement that the Minister made in the House on June 5, 1967, he, however, did not express any displeasure against the attitude of the

Central Government nor did he disclose any facts and figures and other information in the manner in which he had given it out to the Press.

While disallowing the privilege motion on the ground that the statement given to the Press by the Minister could not be characterized as a policy statement in so far as it did not enunciate any policy pursued or intended to be pursued by the Government regarding food or wheat supply, the Speaker made the following observations:

When the House is not in session, the Ministers can make statements regarding policy, implementation of policy and other matters so long as these do not require the approval of the House. The question is different when the House is in session and particularly when it is seized of the subject and has not concluded the discussion thereon . . . If the information (in the present case) were made available to the House first, the debate would perhaps have taken a different turn and the House would perhaps have expressed its displeasure at the attitude of the Centre towards Assam or might have adopted any other measure. This has, therefore, prevented the House from looking at the problem in its entire perspective and discharging its duties satisfactorily. This must be taken exception to and cannot be allowed to go unnoticed. Definitely a discourtesy has been shown to the House.

By and large it is agreed that a policy statement should not be made before anyone without first making it known before the House when it is in session. The impugned statement of the Minister on June 3, 1967, although not a policy statement, is a very vital statement which ought to have been made before the House first. It is also accepted as a golden principle that when the House is in session, the Minister must not disclose to the public anything of importance about policy decisions of the Government before they have first taken the House into confidence. . . .

These observations must not be treated just as *obiter-dicta* to be appreciated and not to be acted upon merely because the privilege motions which occasioned the making of these observations were ruled out.

Punjab: Appointment of the Leader of the Upper House—Chairman's ruling re: observance of proper procedure.

On a point raised in the Punjab Vidhan Parishad, on March 28, 1967, the Chairman drew the attention of the Finance Minister to the fact that in spite of the Government's assurance that a decision about the appointment of the Leader of the House would be taken by March 27, 1967, no decision had yet been conveyed to him. The Finance Minister, thereupon, informed the Chairman that a decision had been taken that Shri Krishan Lal, a member of the Vidhan Parishad, but not of the Council of Ministers, would be the Leader of the House and that the decision would soon be officially communicated to the Chairman.

In view of the recent modification of the relevant rules whereunder the Leader of the House meant the Chief Minister, if he was a member of the House, or a Minister who was a member of the House and was nominated by the Chief Minister to function as the Leader, the Chairman considered the appointment of Shri Krishan Lal as a contravention of the rules and made the following observations:

"... No member can be the Leader of the House unless he is, in the real sense of the term, a spokesman of the Government. In this country and in other countries where the Parliamentary democracy works, the Leader of the House is always a senior Member of the Government. . . I will find it difficult to allow any

Government business to be transacted in this House, if no proper procedure is followed. I cannot think that this House can be without a Leader and the Leader is expected to be one who represents the Government."

The appointment of Shri Krishan Lal as the Leader of the House was not formally confirmed for a long time and the controversy in this regard came to an end only on May 16, 1967 when his appointment was formally announced, after he had been sworn in as the Cabinet Minister.

In between, the propriety of conducting the official business without the Leader of the House was questioned several times in the House, but the Chairman observed that the proceedings conducted in the absence of the Leader of the House were not in any way null and void. On April 5, a privilege motion against the Punjab Government for not appointing a leader of the Upper House in accordance with the accepted parliamentary practice, tantamounting to abuse of Rules of Procedure, was also admitted by the Chairman and referred to the Privileges Committee. The Committee, which presented its report on May 24, 1967, recommended "a gracious and liberal attitude in the matter" on the part of the House. "The amends that he (the Chief Minister) had made in the last resort" compelled the Committee to recommend to the House to forget the unpleasant chapter of defiance and to presume that "he must have been *bona fide* misdirected in this regard"

(d) PARLIAMENTARY COMMITTEES

Committee on Public Undertakings: Separate Reports on important paras of Audit Report (Commercial).

The tenure of the Committee on Public Undertakings of the Third Lok Sabha ended on March 3, 1967 with the dissolution of the House. Before dissolution, the Committee presented six reports to the Speaker under Direction

No. 71-A. These were printed and published under Rule 280 and laid on the Table of the House by the Secretary during the First Session of Fourth Lok Sabha.

The new Committee on Public Undertakings was constituted on April 7, 1967 for the term ending on March 31, 1968. The tenure of the Committee was thus brought at par with that of the

Estimates and the Public Accounts Committees, i.e. one year.

In accordance with the practice followed by the previous Committee, only those paras of the Audit Report (Commercial) which related to the public undertakings under examination by the Committee were taken up during the year. The new Committee reconsidered the matter and decided that the important paras of the Audit Report (Commercial) bringing out serious irregularities and losses etc. would be examined each year and a separate report on them presented to Parliament.

The Estimates Committee: Transmission of unfinished work of the previous Estimates Committee to the new Committee for 1967-68.

The Estimates Committee (1966-67) of the Third Lok Sabha had taken up examination of the estimates pertaining to certain Ministries/Departments during its tenure. The Committee completed all work up to the stage of taking evidence of both non-official and official witnesses between July-December, 1966. No meeting of the Committee could be held in January-February, 1967 because of General Elections. The Committee was scheduled to meet from March 7, 1967 onwards to consider and finalise draft reports to be presented in the Seventeenth Session of Third Lok Sabha which was to commence on

March 13, 1967. However, in view of the sudden dissolution of the Third Lok Sabha on March 3, 1967, the Estimates Committee also ceased to exist and the business before the Committee lapsed.

In the circumstances, the then Chairman of the Estimates Committee transmitted, under rule 285 of the Rules of Procedure and Conduct of Business in the Lok Sabha, the unfinished work of the Committee to the new Committee, by addressing a letter to the Speaker.

At their first meeting held on April 10, 1967, the Estimates Committee (1967-68) of the Fourth Lok Sabha decided to continue *inter alia* the examination of all the subjects which were left unfinished by the previous Committee.

The Committee also decided that the following paras should be incorporated in the introduction to the reports on subjects left unfinished by the previous Committee:—

“The subject was examined by the Estimates Committee (1966-67) and necessary information obtained and evidence taken by them and that the present Committee have perused the minutes of evidence and have come to their own conclusions which have been embodied in the Report.”

The Speaker was also apprised of the above position by the Chairman of the new Estimates Committee.

(e) CONSTITUTIONAL AND LEGAL MATTERS

The Constitution (Twenty-First Amendment) Act, 1967

Before the partition of the country, Sindhi language was spoken in the Province of Sind and, but for partition, would have continued to be so. There had been persistent demands from the Sindhi-speaking people in the country from time to time for the recognition of their language by its inclusion in the Eighth Schedule of the Constitution. The Committee of Petitions of Lok Sabha was also moved time and again

with petitions and representations in this connection. The Commissioner for Linguistic Minorities also recommended the inclusion of the Sindhi language in the Eighth Schedule in view of Sindhis constituting “an important linguistic minority group in several states” and Sindhi being “a rich language with a considerable cultural heritage.”

A private Member's Bill was introduced in Lok Sabha by Shri U. M. Trivedi, M.P., on June 22, 1962 to meet the demands of the Sindhis. The Bill was discussed on the 26th August and 4th

Short Notes

November, 1966. A memorandum signed by over one lakh of Sindhis in support of the Bill was also submitted to the Prime Minister by the All-India Sindhi Sewa Sangh. However, on an assurance by the Government that it had been decided to introduce a Bill to give effect to the demand, Shri Trivedi withdrew his Bill.

On November 21, 1966, the Government introduced in the Rajya Sabha, The Constitution (Twenty-Second Amendment) Bill, 1966 to include Sindhi in the Eighth Schedule. The Rajya Sabha passed the Bill on December 9 but Lok Sabha was unable to take it up in view of its early dissolution.

The Bill having thus lapsed, the Home Minister introduced another Bill—The Constitution (Twenty-First Amendment) Bill, 1967—in Rajya Sabha on March 20, 1967. It was discussed and passed in that House on April 4, 1967 and in Lok Sabha on April 7, 1967 and in both Houses it received wide support.

The President gave his assent to the Bill on April 10, 1967 whereupon it became the Constitution (Twenty-First Amendment) Act, 1967. This is the first amendment to the Eighth Schedule of the Constitution.*

The following is the text of the enactment:—

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

1. This Act may be called the Constitution (Twenty-First Amendment) Act, 1967.
2. In the Eighth Schedule to the Constitution,
 - (a) entries 12 to 14 shall be re-numbered, as entries 13 to 15 respectively, and
 - (b) Before entry “13” as so re-numbered, the entry “12 Sindhi, shall be inserted.”

Bye-elections to Lok Sabha and the State Assemblies.

Six bye-elections to Lok Sabha and fifteen to the State Assemblies were held after the Fourth General Elections and upto the end of September, 1967.

Of the six Lok Sabha seats, four were secured by the Congress and two by the Swatantra Party. Of the fifteen Assembly seats, the Congress captured 5. Independent candidates four and one each was taken by the PSP, Swatantra Party, Jan Sangh, Forward Block, Bangla Congress and Jana Kranti Dal.

The tables that follow give a State-wise analysis of these bye-elections.

* Before amendment, the Eighth Schedule was as under :

EIGHTH SCHEDULE

[Articles 344(1) and 351]

Languages.

1. Assamese.
2. Bengali.
3. Gujarati.
4. Hindi.
5. Kannada.
6. Kashmiri.
7. Malayalam.
8. Marathi.
9. Oriya.
10. Punjabi .
11. Sanskrit.
12. Tamil.
13. Telugu.
14. Urdu.

Journal of Parliamentary Information

Analysis of results of Bye-Elections held to Lok Sabha and State Assemblies after the General Elections, 1967

(Position as on 30-9-67)

A—LOK SABHA

Serial No.	Name of State in which held	Total No. of bye-elections held	No. of seats won by different Parties/Independents	
			Congress	Swatantra
1	Andhra Pradesh	1	..	1
2	Assam	1	1	..
3	Gujarat	1	1	
4	Jammu & Kashmir	1	1	..
5	Madhya Pradesh	1	..	1
6	Maharashtra	1	1	..
TOTAL:		6	4	2

B—STATE ASSEMBLIES

S. No.	Name of State in which held	Total No. of bye-elections held	No. of seats won by different Parties/Independents]									
			INC	PSP	SWA	BJS	FBL	ADS	BAC	JKD	IND	
1	Andhra Pradesh	1	1	..	..	..	..	..	..	..	..
2	Bihar	3	..	1	..	..	..	..	..	..	1	1
3	Gujarat	1	..	..	1	..	..	..	..	..	..	..
4	Haryana	1	..	..	..	..	..	..	..	..	..	1
5	Madhya Pradesh	1	1	1	..	..	..	..	..	..	..	..
6	Maharashtra	1	1	..	..	..	..	..	..	..	..	..
7	Mysore	1	1	..	..	..	..	..	..	..	..	..
8	Orissa	2	..	..	..	..	..	..	..	..	..	2
9	Rajasthan	1	..	..	..	1	..	..	..	..	..	..
10	Uttar Pradesh	1	1	..	..	..	..	..	..	..	..	..
11	West Bengal	2	..	..	..	..	1	..	..	1	..	..
TOTAL:		15	5	1	1	1	1	1	..	1	1	4

NOTE:— INC—Indian National Congress
PSP—Praja Socialist Party
SWA—Swatantra Party
BJS—Bharatiya Jana Sangh
FBL—Forward Block
ADS—Akali Dal (Sant Group)
BAC—Bangla Congress
JKD—Jana Kranti Dal
IND—Independents

[Source:—Election Commission, India]

OBITUARY REFERENCES

Six members of the Fourth Lok Sabha passed away during the year. They are: Shri Sadashiv Govind Barve (Bombay North East—Maharashtra—*Cong.*), Shri Jai Bahadur Singh (Ghosi, U.P.—*CPI.*), Shri M. K. Shivananjappa (Madhya,—Mysore—*Cong.*), Dr. Ram Manohar Lohia (Kannauj, U.P.—*SSP.*), Shri G. D. Patil (Bijapur, Mysore—*Cong.*), and Shri H. P. Chatterjee (Krishnagar, West Bengal—*Cong.*).

Shri Sadashiv Govind Barve, an eminent economist and administrator, was a Member of the Planning Commission before his election to Lok Sabha in the Fourth General Elections. He passed away in New Delhi on March 6, 1967 at the age of 52. On March 18, 1967, the opening day of the First Session of Fourth Lok Sabha, the House mourned the loss of Shri Barve and both the Speaker as well as the Prime Minister feelingly referred to his sad demise.

Shri Jai Bahadur Singh, the veteran peasant leader, died at New Delhi on August 9, 1967. The same day, glowing tributes to his memory were paid in the House by the Speaker, the Prime Minister and leaders of all the Opposition groups. The House, after observing silence for a short while, adjourned that day without transacting any business.

Shri M. K. Shivananjappa, died in Mysore on September 2, 1967 at the young age of 47. He had been a Member of the First, Second and Third Lok Sabha as well.

Dr. Ram Manohar Lohia, the Socialist Leader, breathed his last at New Delhi

on October 12, 1967. He had entered Parliament in 1963 when he was elected to Third Lok Sabha in a bye-election from Farrukhabad Constituency of Uttar Pradesh. A veteran freedom-fighter, Dr. Lohia was, in the words of Speaker Sanjiva Reddy, "a believer in the socialism of a secular order" who "made ceaseless efforts, in the realms of thought and action, to fight out the social tyranny". His death, according to Dr. Reddy, has removed from the House "a powerful speaker" and "one of the outstanding leaders".

Shri G. D. Patil, who died in his own constituency on November 1, 1967 at the young age of 45, had a very short tenure in Lok Sabha for he had taken his seat in the House only on April 6 last.

Shri H. P. Chatterjee, who was also a member of the Third Lok Sabha, passed away at New Delhi on November 11, 1967 at the age of 70. He was an active member of the House and used to make useful contributions in debates.

When the House met for its Winter Session on November 13, 1967, references full of sorrow and emotion were made to the demise of Dr. Lohia and Sarvashri Shivananjappa, Patil and Chatterjee by the Speaker, the Prime Minister and leaders of all sections of the House. Glowing tributes were paid to each one of the deceased. The House then stood in mournful silence for a short while and adjourned for the rest of the day as a mark of respect to the memory of the departed souls.

Parliament and foreign policy by Peter Richards; George Allen & Unwin Ltd., 1967 pp. 191, Price 35s.

The subject of 'Foreign Affairs' has to be studied in two different but complementary aspects, *viz.*, legislative and executive. In every democratic country 'foreign policy' is a matter for the Cabinet to decide with the approval of the elected representatives of the people. Diplomacy, as we understand it, is the operative part of this policy. While foreign policy is the legislative aspect of Foreign Affairs of any country decided by the popular representatives in Parliament, diplomacy forms the executive part and is generally left to professionals having experience and a special degree of aptitude. The diplomat, usually a civil servant, is subject to the Foreign Minister, while the latter, being a member of the Cabinet, is accountable to Parliament. Broadly speaking this is the pattern obtaining in all democratic countries.

Parliament in Britain reviews domestic problems in great detail but in the case of foreign policy it does not do so and one of the reasons for this state of affairs as enumerated by Mr. Peter G. Richards in his book is the secrecy that surrounds diplomacy. Further, the lack of information available to Members of Parliament and the restraints imposed by Parliamentary procedure make fruitful discussion difficult.

In analysing the control of Parliament over foreign policy it is essential "that in a democratic society Government leaders must be accountable for

their actions to elected representatives of the whole community and that they should be forced to reconsider their policies in the light of debates". But Members cannot exercise effective influence and scrutiny over public business if they are not well informed. While the need for research and information in Government Departments was accepted by the Haldane Committee in 1918, Parliament tends to continue on an amateur basis. Unless the backbenchers are properly briefed, there cannot be any searching scrutiny. As things are, in the words of the author, "it is difficult to resist the conclusion that many are ill-informed about international problems".

The author reviews the various opportunities that the British Parliament, as do Parliaments in other democratic countries, enjoys for discussion of foreign policy. While the opportunities for backbench initiative have been drastically reduced over the course of time, the traditional rights of the Opposition remain largely unaffected.

There are outside influences or political pressures which go a long way in the formulation of the foreign policy, though the Prime Minister and his Cabinet are primarily responsible for making decisions on it. This raises the crucial question whether Government which dominates parliamentary time allows any opportunity to the Opposition to play any significant part in the foreign affairs. No doubt Ministers utilise the "mood" of Parliament" as one

of the important factors while bargaining with foreign countries. But Parliament finds itself completely helpless when secret agreements are entered into by the Government with other countries. It is some comfort that they are now becoming less common as it is being realised that such agreements cause embarrassment to the succeeding Governments.

In a detailed study of Parliamentary debates on foreign affairs in a particular session (Chapter VI of the book) the author concludes that "general foreign affairs debate tends to be disappointing". In his opinion "limited discussions on a particular topic are frequently more impressive than the day-long reviews of the whole international scene." One of the reasons assigned for this unimpressive record of British Parliament in regard to foreign affairs (concluding Chapter of the book) is that a back-bencher, whose speech may be predictable may not be called on to speak. Besides the Members of Parliament are generally more concerned with the problems of their constituencies than happenings abroad and "foreign affairs are not thought of as a fruitful field of parliamentary endeavour". All the same, parliamentary opinion has its impact which has been amply borne out by the example of the Suez crisis.

There has been a spate of criticism against the present set-up of British Parliament, particularly its inability to utilize its procedure to modern needs. As at present the Parliament "lacks both the information and opportunities necessary to enable it to carry out any effective review of the activities of Government Departments" including the foreign policy. The remedy suggested by Mr. Richards is the creation of Parliamentary Committees. In the past sixty years the idea of such specialized committees did not find favour with the advocates like Ramsay MacDonald, Harold Laski, Ramsay Muir,

Lloyd George and Ivor Jennings who held "Left Wing Opinions". But the practical possibility of creating such committees has become apparent now. In this context details of the working of a Committee on foreign affairs has thoroughly been examined (in Chapter VIII) and as pointed out by Mr. Richards "the real question is whether this reform is likely to serve a valuable function in increasing public and parliamentary understanding of international issues and would help to break down the barrier between the experience of Westminster and that of Whitehall". He favours that the scheme should be given a trial.

Mr. Richards is a recognized authority on British Government. As the subject of the Book amply reveals, he has attempted to discuss an aspect of British Parliament's duties which has not attracted many writers so far. He has himself mentioned that there is hardly any standard work in Britain dealing with this subject when compared to literature available elsewhere, especially in the United States. The Book thus fulfils a long-felt need and spotlights a neglected aspect of the British political process. It also provides an authoritative survey of the working of British Parliament in relation to Foreign Affairs and will perhaps prove a source of interest and study to the keen students of Parliamentary form of Government.

Parliament and Administration: The Estimates Committee, 1945-65; by Nevil Johnson; London, George Allen & Unwin, 1966; pp. 187; 35c.

In the context of the general complaint regarding the veil of secrecy shrouding the inner operations of the British Government and of the equally strong criticism that Parliament has become too enfeebled to perform its traditional functions of control as the Executive has waxed more powerful, Mr. Nevil Johnson points out that the secrecy of British administration and

the weakness and ineffectiveness of Parliament have often been exaggerated. He singles out the work of the Estimates Committee as one of the best means of showing how much one can, in fact, find out about the working of the Government in Britain and as illustrating the character of parliamentary scrutiny of administration. Even if one were to write off, he says, all the recommendations in the reports of the Estimates Committee since 1945 as quite without effect, one must still accept that the sheer quantity of information contained in them together with the supporting evidence is impressive. (In the period of 1945 to 1965 over 150 reports were made, backed by just over 23,000 pages of published oral evidence, to say nothing of thousands of pages of memoranda and appendices). If one were to examine it, one can gain an understanding as to how the Central Government in Britain works, and find in it the basis for further research and inquiry into individual problems. Further, a study of the Estimates Committee suggests that Parliament has not failed, quite as dismally as some assert it has, in discharging what is generally agreed to be one of its main functions, namely to contribute to keeping British system of Government 'open' and to ensuring that the executive remains aware of the need to explain itself from time to time.

Besides the three useful appendices and an Introduction, the Book is divided into six Chapters: Chapter I contains some introductory comments on how the Estimates Committee is constituted and how it works. The more significant procedural developments of recent years have been highlighted (e.g. appointment of sub-Committees, providing more time for debating the Committee's reports in the House, etc.). Chapter II makes a survey of what has been done by the Committee between 1945 and 1965. It offers a summary of some 150 reports. The emphasis is on a factual

account of what has been done rather than on evaluation of the reports either singly or collectively. In Chapter III, three recent reports are treated as case studies and examined in some detail with a view to showing the Committee at work and illustrating its ability to grapple with the problems of administration. Chapters IV and V are devoted to a general appreciation of some of the more important aspects of the Committee's work in the twenty years under review, to assessing the impact of its efforts on the executive and the House of Commons, and to considering some of the difficulties facing the Committee, as well as a number of proposals made from time to time for improving it. The short final Chapter offers some comments on the value of the Committee as an instrument of parliamentary scrutiny and control.

The Estimates Committee in Britain was first set up in 1912. It got off to a poor start. After being appointed for only three sessions it was suspended in 1914 and a year later replaced by the first National Expenditure Committee. But in 1921 it was revived. After suspension again during the Second World War, when another National Expenditure Committee was set up, the Estimates Committee was re-established in 1945. In July, 1960 a number of changes affecting the Estimates Committee were announced. Briefly these were to increase the size of the Committee from 36 to 43, to ask it to consider and report on supplementary estimates as early as possible to provide more time for debating its reports in the House, and to empower it to examine variations in estimates between the current and the preceding years. The latter proposal required a change in the order of reference, and in November, 1960 this was revised and embodied in Standing Order 80 under which the Committee is now constituted. One minor consequence of anchoring the Committee in Standing Order was that it ceased to

be appointed annually by order of the House, and became a sessional committee. The 1960 amendment gives some emphasis to what has been since 1945 characteristic of the Committee's approach to its work, that its main function is to find out whether administration is effective and economical. It can thus probe into and take evidence on questions of policy if it is to be able to discern more economical methods of carrying out particular policies.

The Committee has now established itself as one of wide-ranging administrative scrutiny. Value for money and the pursuit of efficiency remain as the main practical guide lines for its work but the Committee feels no hesitation about engaging in enquiries in which financial questions play a minor role, and pursuing problems of organisation and management which it is extremely difficult to discuss in financial terms.

The author indicates that departments accept a higher proportion of Committee's suggestions, and when they do not, they acknowledge an obligation to offer reasoned comments on what it proposes. It does, however, remain difficult to discern the extent of departmental action, even when a department has accepted many of the Committee's proposals. To overcome this lacuna the author suggests that in the case of some of the more limited and precise recommendations the Committee might remedy this deficiency by holding follow-up inquiries.

The House of Commons has given little or no formal attention to the results of the labour of the three of its permanent Select Committees, which are primarily concerned with the efficiency of administration. The majority of Members of Parliament show little interest in what Select Committees are doing. They want the Committees to continue with "their good work", but they are quite content to leave it to

a small minority to take an active interest in this. The author points out that if this view is right it has some implications for proposals which suggest the extension of scrutiny of administration carried out by the House and thereby to make available more information for the use of members in debate. He is apprehensive that most members might not make use of the additional material which would be produced by an extension of scrutiny because the evidence produced by the existing methods of administrative scrutiny has not so far been paid much attention. Even when apparently neglected, the work of the Estimates Committee contributes to explaining the operations of government and to making them more open and public than they would otherwise be. This, according to the author, is surely a political function of enduring significance.

Regarding the staff of Select Committee the author is of the decisive view that in fact there is little reality in the plea for full-time specialists and that the shibboleth of expert staff should be abandoned as a remedy for the weakness of Parliament. The author further concludes:

In relation to the Estimates Committee the crux of the matter is that here is a group of Members of Parliament who set about investigating administration. They may often do it imperfectly, but at least they do it themselves. They undertake this job as lay critics with no pretensions to substitute their expert assessment or analysis for that of the departments. Their aim is not to provide blueprints for improvement, but to explain in lay terms what is being done, and to stimulate the departments into critical self-examination.

Talking of the Secretariat of the Committee the author continues:

In this situation the best people to service the Committee are the generalists they now have. They are adaptable, do not mind turning from one field of activity to another, and are well able to talk to the members in language they will understand.

The study will help to make the work of the Estimates Committee more accessible to students of British Parliament and of Public Administration, as well as offering a contribution to the discussion of the scope and importance of parliamentary scrutiny of administration.

Journal of Constitutional and Parliamentary Studies, Volume I: No. 1 (January—March, 1967), No. 2 (April—June, 1967) and No. 3 (July—September, 1967): *Institute of Constitutional & Parliamentary Studies. New Delhi, Price per copy Rs. 4.00.*

The Institute of Constitutional and Parliamentary Studies was established in the year 1965 to undertake and promote studies on constitutional and parliamentary problems with special reference to the evolution and working of the Indian Constitution and to educate the public in respect of the working of Indian democracy and parliamentary institutions. The Institute, has, during the short span of two years, organised seminars, symposia, lectures and conferences and published several books and pamphlets on subjects of topical interest in the constitutional and parliamentary field. Besides these activities, the Institute conducted this year a unique experiment for the first time in this country in the form of a Parliamentary Fellowship Programme. The programme, aimed at providing young journalists, lawyers, researchers, political workers, university teachers and parliamentary officials at the Centre and in the States, opportunities of observing first hand, the operation of parliamentary institutions and the work of individual Members of Parliament.

The publication of the first issue of the *Journal of Constitutional and Parliamentary Studies*, a quarterly, with a view to disseminating information on the evolution of democratic institutions in India and abroad and to promote popular interest in and understanding of the parliamentary institutions, is a laudable venture and fulfils one of the principal objectives of the Institute. The Journal is not committed to any particular political ideology or party, but is envisaged as an objective and independent forum for the expression of different opinions and perspectives.

The Journal is certainly a welcome addition to the very few journals being published in the country, devoted exclusively to the specialised subjects of legal, constitutional and parliamentary matters and will prove useful to researchers in these fields, students, teachers and legislators alike.

In the first three issues of the Journal under review here, a wide range of specialised topics have been dealt with in almost all the articles written by authors with deep knowledge in their respective fields. Mention may be made of articles on parliamentary and constitutional interest like "Chairman of the Legislative Council: Precise Status" (Vol. I, No. 1), "Rajya Sabha: Its Powers and Position" (Vol. I, No. 2), "Ministerial Advice and Governor's Discretion in Dissolution of an Assembly" (Vol. I, No. 3), "Estimates Committee of Lok Sabha" (Vol. I, No. 1), and "Parliamentary Questions" (Vol. I, No. 3), all of which are quite informative and thought-provoking. The treatment of such topical but specialized subjects as "Parliamentary Accountability of

Public Undertakings", "The Role of the Financial Committees in the Parliamentary Surveillance of Administration" (Vol. I, Nos. 1 and 2) and the "Privileges of Press and Parliaments" (Vol. I, No. 1) is good. Similarly, there is a mine of information in the article on the Inter-Parliamentary Union and in another on the patterns of world-wide Parliamentary Government *vis-a-vis* the I.P.U. (Vol. I, Nos. 2 and 3). The importance of legislative research and information services has been adequately emphasised in a separate article on the subject by one in the field (Vol. I, No. 3). The working of the parliamentary committees in the Italian political system has been described in a very scholarly and thought-provoking manner in a comprehensive paper on the subject (Vol. I, No. 2).

Besides a set of six articles in each issue, the Journal also contains informative notes on constitutional and parliamentary developments, important case studies, an extensive Book Reviews section and a quarterly report on the activities of the Institute. The case study on the famous *Golak Nath* case in re-

gard to fundamental rights and constitutional amendments, made by the Research Staff of the Institute (Vol. I: No. 3, pp. 89-116) deserves special mention. The number of articles, notes and case studies etc. are, however, not evenly balanced as between parliamentary and constitutional matters. A more harmonious balance between the two branches, would perhaps be more desirable.

The Journal has a presentable get-up, the printing is good and the general treatment of the matter commendable. The quality of its contents can safely compete with standard Indian and foreign journals of its kind.

Although a periodical of a specialized nature, it is moderately priced at Rs. 4.00 a copy with the annual subscription at Rs. 15.00. The Journal can prove a useful addition to the standard literature on the subject, on the reading tables of university and legislature libraries and those of other specialized research institutions.

RECENT LITERATURE OF PARLIAMENTARY INTEREST

I—BOOKS

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APPENDICES

APPENDIX I

Statement showing the activities of the Houses of Parliament/State Legislatures during the period 1st January to 30th June, 1967

Sessions held	Legislation			Questions				Committees that met			
	Govt. Bills Passed	Pvt. Members Bills Passed	Starred Recd.	Unstarred		Short Notice	Names	Sittings held	No. of Reports presented		
				Recd.	Admtd.					Recd.	Admtd.
I	2	3	4	5	6	7	8	9	10	11	12
<i>Rajya Sabha</i>											
Two Sessions :	19		4,564	1,064*	212	1,374†	81	5	Business Advisory Committee	2	
(i) 59th Session from 18th March to 11th April, 1967 (17 sittings) ;									Committee of Privileges	3	
									Committee on Petitions	3	1
									Committee on Subordinate Legislation	3	2
(ii) 60th Session from 22nd May to 24th June, 1967 (26 sittings)									House Committee	4	..
									<i>Ad Hoc Committees</i>		
									Select Committee of the Rajya Sabha on the Indian Penal Code (Amendment) Bill, 1963	8	1

* Includes 2 Short Notice Questions admitted as Starred Questions.
 † Includes 1,291 Starred Questions admitted as Unstarred Questions.

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	1	2	3	4	5	6	7	8	9	10	11	12
<i>Lok Sabha</i>												
Two Sessions :												
(i) 1st Session from 16th March to 8th April, 1967		15	..	2,135	359*	144	885**	223	9	Business Advisory Committee	3	3
										Committee on Government Assurances	2	1
										Committee on Private Members Bills and Resolutions	6	6
										Estimates Committee	8	4
										Joint Committee on Salaries and Allowances of Members of Parliament	1	
										Committee on Public Undertakings.	6	7
										Public Accounts Committee	8	..
										Committee on Privileges.	8	1
										Committee on Absence of Members from the sittings of the House	1	1
										Committee on Petitions	7	..
										Committee of Subordinate Legislation	3	..
										House Committee :	4	..
										Accommodation Sub-Committee	4	..
										Joint Committee of the Chairmen, House Committees of the two Houses of Parliament	2	..
										Library Committee	..	..
										Library Sub-Committee	1	..
										Rules Committee	3	2
										Joint Committee on Offices of Profit	..	..

(ii) 2nd Session from 15th May to 30th June, 1967

Andhra Pradesh Legislative Assembly

6 ..	1,558	825†	43*	446	268	<i>Ad hoc</i> Committee on Rules	3	..
2	720	242	38	63	126	72	Business Advisory Committee	7
							Committee on Government Assurances	1
							Estimates Committee	2
							House Committee	3
							Public Accounts Committee	11

Bihar Vidhan Sabha

2	720	242	38	63	126	72	Business Advisory Committee	7
							Committee on Government Assurances	1
							Estimates Committee	2
							House Committee	3
							Public Accounts Committee	11

Appendices

Gujarat Legislative Assembly

4	2095	647	147	141	114	19	Business Advisory Committee	2
							Committee on Government Assurances	3
							Committee on Petitions	1
							Committee of Privileges	2
							Committee on Private Members Business	1
							Estimates Committee	5
							Public Accounts Committee	6

One Session from 18th March to 2nd April, 1967 (13 sittings) and from 17th June to 30th June, 1967 (8 sittings)

One Session from 15th March to 7th April 1967 (13 sittings)

One Session from 16th March to 31st March, 1967 (13 sittings)

* Includes 9 Short Notice Questions admitted as Starred.
 ** Includes 789 Starred and 4 Short Notice Questions admitted as Unstarred Questions.
 † Starred Questions admitted as Unstarred Questions.
 ‡ 118 Short Notice Questions admitted as Starred Questions.

	1	2	3	4	5	6	7	8	9	10	11	12
<i>Haryana Vidhan Sabha</i>												
One Session from 17th March to 21st June 1967 (22 sittings)		11		551	410	85	37	5	3		2	2
									Business Advisory Committee			
									Estimates Committee		2	
									House Committee			3
									Public Accounts Committee			1
<i>Kerala Legislative Assembly</i>												
Two Sessions : (i) First Session from 15th March to 31st March, 1967 (9 sittings); (ii) Second Session from 19th June to 2nd August, 1967 (9 sittings till 30th June, 1967)	6		1,383	1,260	826	813	54	22			2	[2
									Committee on Private Members Bills and Resolutions			
									Committee on Subordinate Legislation		2	
									Estimates Committee			4
									Library Advisory Committee			1
									Public Accounts Committee			6
<i>Madhya Pradesh Vidhan Sabha</i>												
One Session from 23rd March to 7th April 1967 (12 sittings)	13		404	124	237	87	21	6			2	2
									Business Advisory Committee			
									Committee on Delegated Legislation		6	
									Committee on Government Assurances		5	1
									Committee on Petitions		1	..
									Committee on Private Members Bills and Resolutions		1	1
									Committee of Privileges		1	1
									Estimates Committee		7	1
									House Committee		4	..
									Library Committee		1	..

Appendices

Public Accounts Committee 7 1
 Rules Committee 3

Madras Legislative Council

One Session 7 .. 451 267 22 22 3 3 4 1
 XXIX Session from 17th March, 1967 had not yet prorogued till 30th June 1967.¹
 Business Advisory Committee 4
 Committee on Government Assurances 1
 House Committee 1
 Press Advisory Committee 2
 Select Committee on the Madras District Municipalities (Amendment) Bill, 1967 3 1

Madras Legislative Assembly

One Session from 15th March to 30th March, 1967 (11 sittings); and from 17th June to 18th July, 1967 (26 sittings).
 7 .. 2,715 1,711 160 160 29 4 4 2
 Committee on Government Assurances 2
 Committee on Subordinate Legislation 2
 Committee of Privileges 2 1
 Estimates Committee 9
 House Committee : : : 1
 Public Accounts Committee 3
 Rules Committee 4 1

Mysore Legislative Assembly

One Session : 4 .. 1,005 887 180 159 59 20 1 1
 from 15th March to 31st March, 1967 (12 sittings); from 2nd May to 6th May, 1967 (5 sittings); and from 26th June to 30th June, 1967 and had not yet prorogued till 30th June, 1967 (5 sittings).

11

10

9

8

7

6

5

4

3

2

1

Nagaland Legislative Assembly

One Session : from 9th Session from 14th March to 31st March, 1967 (11 sittings). 4 135 116 73 58 1 1 Public Accounts Committee ?

Punjab Vidhan Parishad

One Session : from 21st March to 2nd June, 1967 (27 sittings). 3 406 384* 39** 22 1 Business Advisory Committee . 7
Committee on Government Assurances 12 1
Committee of Privileges 14 4
Committee on Petitions 2
Committee on Subordinate Legislation 5 1
Committee on Public Undertakings 19

House Committee 3

Library Committee 4

Ad hoc Committee formed to device ways and means to put an end to the sordid practice of crossing the floor by Legislators 2

Business Advisory Committee 6 3

Committee on Government Assurances 7

Committee of Privileges 6

Committee on Subordinate Legislation 1

Punjab Vidhan Sabha

One Session : from 20th March to 26th May, 1967 (298 sittings). 3 .. 541 373 173 112 13 7 Business Advisory Committee 6 3
Committee on Government Assurances 7
Committee of Privileges 6
Committee on Subordinate Legislation 1

Appendices

Estimates Committee	8	..
House Committee	2	..
Library Committee	2	..
Public Accounts Committee	5	..
Rules Committee	2	..

Rajasthan Legislative Assembly

2	2,759	647	109	69	60	22	Committee on Government Assurances	1	1
							Committee on Petitions	5	1
							Committee on Subordinate Legislation	7	1
							Estimates Committee	3	..
							House Committee	8	
							Public Accounts Committee	4	2

One Session : First Session from 3rd May to 30th June, 1967 (26 sittings).

Uttar Pradesh Vidhan Parishad

3	1,343	1,148	44	44	23	4	Business Advisory Committee	5	5
							Committee on Government Assurances	22	
							Committee of Privileges	7	
							Committee on Revision of Rules	5	
							Committee on Compilation of Rulings	6	
							House Committee	4	1

One Session : from 17th March to 3rd April, 1967 (7 sittings) and from 16th June to 30th June, 1967 (9 sittings).

Uttar Pradesh Vidhan Sabha

6	1,996	1,028	106	54	989	25	Committee on Government Assurances	1	
---	-------	-------	-----	----	-----	----	------------------------------------	---	--

One Session from 17th March, 1967 had not yet prorogued till 30th June 1967 (16 sittings).

*Short Notice Questions admitted as Starred Questions.
**Starred Questions converted Unstarred.

	1	2	3	4	5	6	7	8	9	10	11	12
<i>Goa, Daman and Diu Legislative Assembly</i>												
One Session from 12th to 18th April, 1967 (5 sittings).			3				..	2	1			
<i>Himachal Pradesh Legislative Assembly</i>												
One Session from 18th March to 29th March, 1967 (8 sittings).		2	..	18	3			12	4		I	
									Committee on Delegated Legislation			
									Committee on Government Assurances		5	I
									Estimates Committee		10	6
									Public Accounts Committee		11	..
									Rules Committee		I	I
									Library Committee		3	..
<i>Man pur Legislative Assembly</i>												
Two Sessions : Sixth Session of the First Assembly from 4th January to 11th January, 1967 (6 sittings) ; First Session of the Second Assembly from 20th March to 26th April, 1967 (22 sittings).		5	110	110	101			3	3		3	3
									Business Advisory Committee			
									Committee on Government Assurances		I	..
									Committee on Petitions		2	I
									Committee of Privileges		I	I
									Estimates Committee		I	I
									Public Accounts Committee		2	I
<i>Pondicherry Legislative Assembly</i>												
One Session from 13th March to 28th April, 1967 (17 sittings).		3	..	22	20	3	3	2			2	2
									Business Advisory Committee			
									Committee on Delegated Legislation		I	2

Committee on Government Assurances	1	1	1
Committee of Privileges	1		
Estimates Committee	22	1	
Public Accounts Committee	7		
Select Committee	3		

Tripura Legislative Assembly.

Two Sessions :
 (i) From 14th March to 11th April, 1967 (19 sittings) ;
 (ii) From 19th June to 26th June, 1967 (6 sittings).

4	290	277*	22	22	35	30**	1	1
							Business Advisory Committee	
							Committee on Absence of Members from the Sittings of the House	1
							Committee on Petitions	1
							Committee of Privileges	1
							Estimates Committee	2
							Public Accounts Committee	14
							Rules Committee	1

* Includes 36 Unstarred Questions admitted as Starred Questions.
 ** Includes 22 Starred Questions as Short Notice Questions.

APPENDIX II

List of Bills passed by the Houses of Parliament and assented to by the President during the period 1st January, to 30th June, 1967.

Sl. No.	Title of the Bill	Date of Assent by the President
1.	The Appropriation Bill, 1967	31-3-1967
2.	The Appropriation (Vote on Account) Bill, 1967	31-3-1967
3.	The Appropriation (Railways) Bill, 1967	31-3-1967
4.	The Appropriation (Railways) Vote on Account Bill, 1967	31-3-1967
5.	The Goa, Daman and Diu Appropriation Bill, 1967	31-3-1967
6.	The Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1967	31-3-1967
7.	The Rajasthan Appropriation Bill, 1967	31-3-1967
8.	The Rajasthan Appropriation (Vote on account) Bill, 1967	31-3-1967
9.	The Armed Forces (Special Powers) Continuance Bill, 1967	4-4-1967
10.	The Constitution (Twenty-first Amendment) Bill, 1967	10-4-1967
11.	The Representation of the People (Amendment) Bill, 1967	11-4-1967
12.	The Mineral Products (Additional Duties of Excise and Customs) Amendment Bill, 1967	12-4-1967
13.	The Finance Bill, 1967	12-4-1967
14.	The Land Acquisition (Amendment and Validation) Bill, 1967	12-4-1967
15.	The Essential Commodities (Amendment) Bill, 1967	16-4-1967
16.	The Passports Bill, 1967	24-6-1967
17.	The Anti-Corruption Laws (Amendment) Bill, 1967	25-6-1967
18.	The Companies Tribunal (Abolition) Bill, 1967	27-6-1967

APPENDIX III

Subject-wise List of Bills passed by the State Legislatures during the period 1st January to 30th June, 1967.

Administration

Andhra Pradesh

*The Andhra Pradesh Stamp (Increase of Duties) Bill, 1967.

Bihar

- (1) Bihar Nagar Palika Sarvarakshan (Sanshodhan) Vidheyak, 1967.
- (2) Bihar Nagar Palika (Sanshodhan) Vidheyak, 1967.

Haryana

- (1) The Punjab Excise (Haryana Amendment) Bill, 1967.
- * (2) The Punjab Gram Panchayat (Haryana Amendment) Bill, 1967.
- * (3) The Punjab Panchayat Samities and Zila Parishads (Haryana Amendment) Bill, 1967.

Madhya Pradesh

- (1) Madhya Pradesh Shasakiya Sewak Aniwariya Sewa Navriti ka Vidhi Manyatakaran Vidheyak, 1967.
- (2) Madhya Pradesh Nagar Palika (Sanshodhan) Vidheyak, 1967.

Madras

The Madras District Municipalities (Amendment) Bill, 1967.

Mysore

The Mysore State Civil Services (Prevention of Strikes) (Amendment) Bill, 1967.

Uttar Pradesh

*Uttar Pradesh Sthaniya Nikaya (Alpakalik Vyavastha) (Sanshodhan) Bill, 1967.

Manipur

The Manipur Hill Areas (Acquisition of Chiefs' Rights) Bill, 1967.

Nagaland

The Nagaland Excise Bill, 1967.

Tripura

*The West Bengal Security (Tripura-Re-enacting) Bill, 1967.

Education

Kerala

The Kerala University (Amendment) Bill, 1967.

Madhya Pradesh

Madhya Pradesh Shiksha (Sanshodhan) Vidheyak, 1967.

Jawaharlal Nehru Krishi Vishwavidyalaya (Mandal ke liye Katipay Sadasiyon ke Nam Niradesh ka Manayatakaran) Vidheyak, 1967.

Finance

Andhra Pradesh

- (1) The Andhra Pradesh Appropriation (Vote on Account) Bill, 1967.
- (2) The Andhra Pradesh Appropriation Bill, 1967.

Bihar

- (1) Bihar Viniyog (Sankhya 2) Vidheyak, 1967.
- (2) Bihar Viniyog (Sankhya 3) Vidheyak, 1967.

Gujarat

- (1) The Gujarat Contingency Fund (Amendment) Bill, 1967.
- (2) The Gujarat Appropriation (Vote on Account) Bill, 1967.

Journal of Parliamentary Information

- (3) The Gujarat (Supplementary) Appropriation Bill, 1967.

Haryana

- (1) The Haryana Appropriation Bill, 1967.
- (2) The Haryana Appropriation (Vote on Account) Bill, 1967.
- * (3) The Punjab Passengers and Goods Taxation (Haryana Amendment) Bill, 1967.
- (4) The Haryana Appropriation (No. 2) Bill, 1967.
- (5) The Punjab Land Revenue (Haryana Amendment and Validation) Bill, 1967.

Kerala

- (1) The Kerala Appropriation Bill, 1967.
- (2) The Kerala Appropriation (Vote on Account) Bill, 1967.
- (3) The Kerala Additional Tax on Lands (Repeal) Bill, 1967.

Madhya Pradesh

- (1) Madhya Pradesh Viniyog Vidheyak, 1967.
- (2) Madhya Pradesh (Lekhanudhan) Vidheyak, 1967.
- (3) Madhya Pradesh Anusuchit Janjaati Renii Sahayata Vidheyak, 1967.

Madras

- (1) The Madras Appropriation (Vote on Account) Bill, 1967.
- (2) The Madras Appropriation Bill, 1967.
- (3) The Madras General Sales Tax (Amendment) Bill, 1967.
- * (4) The Madras Motor Vehicles Taxation (Amendment) Bill, 1967.

Mysore

- (1) The Mysore Appropriation Bill, 1967.
- (2) The Mysore Appropriation (Vote on Account) Bill, 1967.

Punjab

- (1) The Punjab Appropriation Bill, 1967.

- (2) The Punjab Appropriation (Vote on Account) Bill, 1967.

- (3) The Punjab Appropriation (No. 2) Bill, 1967.

Rajasthan

- * (1) The Rajasthan Appropriation (No. 1) Bill, 1967.
- * (2) The Rajasthan Appropriation (No. 2) Bill, 1967.

Uttar Pradesh

- (1) The Uttar Pradesh Appropriation (Third Supplementary, 1966-67) Bill, 1967.
- (2) The Uttar Pradesh Appropriation (Vote on Account) Bill, 1967.
- (3) The Uttar Pradesh Appropriation (Second Vote on Account) Bill, 1967.
- (3A) The Uttar Pradesh Contingency Fund (Amendment) Bill, 1967.
- * (4) The Uttar Pradesh Appropriation Bill, 1967.

Himachal Pradesh

- (1) Himachal Pradesh Appropriation Bill, 1967. (Bill No. 1 of 1967).
- (2) Himachal Pradesh Appropriation Bill, 1967 (Bill No. 2 of 1967).

Manipur

- (1) The Manipur Appropriation Bill, 1967.
- (2) The Manipur Appropriation (Vote on Account) Bill, 1967.
- (3) The Manipur Appropriation (No. 2) Bill, 1967.
- (4) The Manipur Appropriation (No. 3) Bill, 1967.

Nagaland

- (1) Nagaland Sales Tax Bill, 1966.
- (2) The Nagaland Finance (Sales Tax) Bill, 1966.
- (3) The Nagaland Petroleum and Petroleum Products including Motor Spirit and Lubricants Taxation Bill, 1967.

Pondicherry

- (1) The Appropriation (No. 1) Bill, 1967.

Appendices

- (2) The Appropriation (Vote on Account) Bill, 1967.
- (3) The Appropriation (No. II) Bill, 1967.

Tripura

- (1) The Appropriation (Vote on Account) Bill, 1967.
- (2) The Appropriation (No. 2) Bill, 1967.
- (3) The Appropriation (No. 3) Bill, 1967.

Health and Housing

Gujarat

The Bombay Medical (Gujarat Amendment) Bill, 1967.

Land and Agriculture

Andhra Pradesh

- (1) The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Amendment Bill, 1967.
- * (2) The Andhra Pradesh (Andhra Area) Tenants and Ryots Protection (Amendment) Bill, 1967.
- * (3) The Andhra Pradesh (Andhra Area) Estates Abolition and Conversion into Ryotwari) Amendment Bill, 1967.

Bihar

Bihar Kashtakari Vidhi (Sanshodhan) Vidheyak, 1967.

Haryana

- (1) The Land Acquisition (Haryana Amendment) Bill, 1967.
- * (2) The Pepsu Tenancy and Agricultural Land (Haryana Amendment) Bill, 1967.
- * (3) The Punjab Security of Land Tenures (Haryana Amendment) Bill, 1967.

Madhya Pradesh

- (1) Madhya Pradesh Bhoomi Sudhar Yojna Vidheyak, 1967.
- (2) Madhya Pradesh Bhoo Rajasav Sanhita (Sanshodhan) Vidheyak, 1967.

- (3) Bhoomi Archan (Madhya Pradesh tatha Bhoomiyun ke Archan ka Vidhi Manyatakarana) Vidheyak, 1967.

Mysore

The Mysore Land Reforms (Amendment) Bill, 1967.

Legal

Bihar

Bihar Akasmikata Nidhi (Sanshodhan) Vidheyak, 1967.

Kerala

The Kerala Gift Goods (Unlawful Possession) Bill, 1967.

Madhya Pradesh

Dandh Vidhi Sanshodhan (Madhya Pradesh Sanshodhan) Vidheyak, 1967.

Parliamentary Affairs

Madhya Pradesh

- (1) Madhya Pradesh Vidhan Sabha Anharata Niwaran (Sanshodhan) Vidheyak, 1967.
- (2) Madhya Pradesh Mantri Waytan tatha Bhata (Sanshodhan) Vidheyak, 1967.

Madras

The Madras Legislature (Prevention of Disqualification) Bill, 1967.

Social

Kerala

The Prohibition (Amendment) Bill, 1967.

Madras

The Madras Prohibition (Amendment) Bill, 1967.

Transport and Communication

Bihar

Bihar Parisar aur Gadi (Adhigrahan) Vidheyak, 1967.

APPENDIX IV

Ordinances issued during the period 1st January to 30th June, 1967.

Sl. No.	Subject	Date of promulgation	Date on which laid before the Houses	Date of cessation	Remarks
1	2	3	4	5	6
UNION					
1	The Land Acquisition (Amendment and Validation) Ordinance, 1967	20-1-1967	18-3-1967		Replaced by legislation.
2	The Representation of the People (Amendment) Ordinance, 1967	28-2-1967	18-3-1967		Do.
3	The Anti-Corruption Laws (Amendment) Ordinance, 1967	5-5-1967	22-5-1967	..	Do.
4	The Passports Ordinance, 1967	5-5-1967	22-5-1967	..	Do.
ANDHRA PRADESH					
	The Andhra Pradesh Sugarcane (Regulation of Supply and Purchase) Amendment Ordinance, 1967	4-2-1967	23-3-1967	3-5-1967	
BIHAR					
1	Bihar Nagar Palika (Dwitiya Sanshodhan) Adhyadesh, 1967	27-4-1967	30-5-1967	10-7-1967	
2	Bihar Kashtakari Vidhi (Dwitiya Sanshodhan) Adhyadesh, 1967	24-4-1967	30-5-1967	10-7-1967	
3	Bihar Nagar Palika (Dwitiya Sanshodhan) Adhyadesh, 1967	27-4-1967	30-5-1967	10-7-1967	
4	Bihar Akasmikata Nidhi (Tritiya Sanshodhan) Adhyadesh, 1967	11-5-1967	30-5-1967	10-7-1967	
5	Bihar Parisar Aur Gaadi Adhyadesh, 1967	25-5-1967	30-5-1967	10-7-1967	
6	Bihar Motor Gaadi Kraropan (Sanshodhan) Adhyadesh, 1967	25-5-1967	30-5-1967	10-7-1967	
GUJARAT					
	The Bombay Provincial Municipal Corporations (Gujarat Amendment) Ordinance, 1967	13-1-1967	11-7-1967	..	Replaced by legislation.

Appendices

1	2	3	4	5	6
KERALA					
1	The Kerala Essential Services (Maintenance) Ordinance, 1967	22-12-1967	16-3-1967		
2	The Prohibition (Amendment) Ordinance, 1967	27-4-1967	19-6-1967		Replaced by legislation.
3	The Kerala University (Amendment) Ordinance, 1967	27-4-1967	19-6-1967	..	Do.
4	The Cochin Abkari (Extension and Amendment) Ordinance, 1967	10-5-1967	19-6-1967	..	Do.
5	The Kerala Stay of Eviction Proceedings Ordinance, 1967	19-5-1967	19-6-1967		Do.
6	The Unregistered Cashewnut Factories Prohibition Ordinance, 1967	15-6-1967	20-6-1967		Do.
MADHYA PRADESH					
1	Madhya Pradesh Nagar Palika (Sanshodhan) Adhyadesh, 1967	26-1-1967	27-3-1967		Do.
2	Madhya Pradesh Shasakiya Sewak Aniwariya Sewa Nivriti ka Vidhi Manyakaran Adhyadesh, 1967	10-2-1967	27-3-1967		Do.
3	Madhya Pradesh Atiawashyak Sewa Sandharan Adhyadesh, 1967	10-2-1967	27-3-1967	3-5-1967	Do.
4	Bhoomi Archan (Madhya Pradesh Sanshodhan tatha Bhoomiyun ki Archan ka Vidhi Manyakaran) Adhyadesh, 1967	25-2-1967	27-3-1967		Do.
5	Madhya Pradesh Mantri Waytan tatha Bhatta (Sanshodhan) Adhyadesh, 1967	29-4-1967	3-7-1967		Do.
6	Madhya Pradesh Adhyaksh tatha Upadhyaksh (Waytan Avam Bhatta) Sanshodhan Adhyadesh, 1967	1-6-1967	3-7-1967		Do.
MYSORE					
1	The Mysore Land Reforms (Amendment) Ordinance, 1967	1-1-1967	7-3-1967	28-4-1967	Do.
2	The Mysore Civil Services, (Prevention of Strikes) (Amendment) Ordinance, 1967	25-1-1967	21-3-1967	2-5-1967	Do.
PUNJAB					
1	The Punjab General Sales Tax (Amendment) Ordinance, 1967	21-6-1957	

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1	2	3	4	5	6
2	The Punjab Land Revenue (Amendment) Ordinance, 1967	24-6-1967	
3	The East Punjab War Awards (Amendment) Ordinance, 1967	28-6-1967			..
4	The Punjab Professions, Trades, Callings and Employment Taxation (Repealing) Ordinance, 1967	29-6-1967		..	..
5	The Land Acquisition (Punjab Amendment) Ordinance, 1967	29-6-1967		..	

APPENDIX V
Party Position in Parliament and State Legislative Assemblies
 (As on December 31, 1967).
I-LOK SABHA

Name of the State	Seats											Unattach- ed	Total
	2	3	4	5	6	7	8	9	10	11	12		
Andhra Pradesh	41	34	3		1	1				2	40†		
Assam	14	10		..	1	1	..	..	2	1	14
Bihar	53	34	..	1	5	5	5	1	1	6	52‡		
Gujarat	24	11	12	..						1	24		
Haryana	9	7	..	1						1	9		
Jammu & Kashmir	6	5			..	..	..	..		1	6
Kerala	19	1		..	3	3	3	9		3	19		
Madhya Pradesh	37	24	..	7	..	..	..	..	6	6	37
Madras	39	3	6		25	..	..	4		1	39
Maharashtra	45	37	1		2	2	2	1	2	2	45		
Mysore	27	17	4		1	1	1	3	..	..	25%
Nagaland	1	1	..		..	..	..	..	..	..	1
Orissa	29	6	9	..	1	1	1	..	4	..	20		

† Excludes the Speaker, who is not a member of any party.

‡ One seat is vacant.

% Two seats vacant.

	1	2	3	4	5	6	7	8	9	10	11	12
Punjab		13	9		1		..				3	13
Rajasthan		23	10	7	3		..		..		3	23
Uttar Pradesh		85	47	2	12		5	7	1	2	7	83@
West Bengal		40	14	..	..	..	5	1	5	1	13	39*
<i>Union Territories.</i>												
Andaman & Nicobar Islands		1	1		..					..	..	1
Chandigarh		1	..		1		..	..	..	..	..	1
Dadra & Nagar Haveli		1	1		..	..	..	..	..	..	..	1
Delhi		7	1		6					..	..	7
Goa, Daman and Diu		2	..		..				..	..	2	2
Himachal Pradesh		6	6		..							6
Laccadive, Minicoy and Amini Islands		1			..		..				1	1
Manipur		2	..	..	..		1				1	2
Pondicherry		1	1		..	..	..				1	1
Tripura		2	2		..	..	..				2	2
<i>Nominated.</i>												
North East Frontier Tract		1	1		..	..	..				..	1
Anglo-Indian		2	..	..	..	..	..	..	..	..	2	2
TOTAL		523	283	44	32	25	23	20	19	14	56	516

*One seat vacant.

@Two seats vacant.

II-RAJYA SABHA

Name of the State	Seats	Cong.	Swa.	CPI(R)	FSP	JS	SSP	CPI(M)	Ind.	DMK	Other Parties*	Nominated
1	2	3	4	5	6	7	8	9	10	11	12	13
Andhra Pradesh	18	15		3								
Assam	7	7					..		..
Bihar	22	17			1		2		1		1	
Gujarat	11	9	2									
Haryana	5	3				1					1	
Jammu & Kashmir	4	4										
Kerala	9	2	..	2	..		1	2	1		1	
Madhya Pradesh	16	9	2		2	2			1	..	..
Madras	18	12	3							2	1	
Maharashtra	19	16	1									2
Mysore	12	9			2	..			1			
Nagaland	1	1	..				..
Orissa	10	6	3			1						
Punjab	7	4	..		..	..					3	
Rajasthan	10	8	1		..	1	..		..
Uttar Pradesh	34	25	1	1	1	2	3	..	1		..	
West Bengal	16	10		1				2	2		1	

* Other parties include *Jharbhand* Party in Bihar, *Progressive Independent Party* in Haryana, *Muslim League* in Kerala and Madras, *Republican Party* in Maharashtra, *Abadi Dal* in Punjab and *Forward Bloc* in West Bengal.

	1	2	3	4	5	6	7	8	9	10	11	12	13
<i>Union Territories.</i>													
Delhi		3	3										..
Himachal Pradesh		3	3										..
Manipur		1	1										..
Pondicherry		1	1										..
Tripura		1	1	..	..	..	..	..	..	..	..	..	..
Nominated by President	..	12	..	..	..	..	..	..	..	..	..	..	I**
TOTAL	..	240	166	13	7	7	6	6	4	7	2	10	II
													-239

**One seat, following the resignation of Prof. D.R. Gadgil, is vacant. The following are the nominated members : Shri M. Ajmal Khan, Shri M.N. Kaul, Shri G. Ramachandran, Shri Jairamdas Dautaram, Shri M.C. Setalwad, Dr. Gopal Singh, Smt. Shakuntla Paranjapye, Shri R.R. Diwaker, Dr. H.R. Bachhan, Prof. Satyavrata Siddhantankar and Dr. Tara Chand.

III. STATE LEGISLATIVE ASSEMBLIES.

State	Seats	Cong.	Swa.	JS	CPI	GPI(M)	SSP	PSP	Rep.	Other Ind. parties	Nom. Muslim League	For- ward Bloc	DMK	Total		
I	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Andhra Pradesh	287	182	..	3	10	9	2	2	54 (a)	21	I					284(b)
Assam	..	..	..	..	..	7	1	3	5	..	9 (c)	25	..	..	..	124(d)
Bihar	..	..	..	..	..	26	24	4	68	18	I	..	..	..	..	318

(a) Democratic Front-39 and Peoples Democratic Party-15.

(b) 3 Seats vacant.

(c) All the seats belong to All Party Hill Leaders' Conference.

(d) 2 Seats vacant.

Gujarat	168	97	61	1	..	..	1	4(c)	4	168
Haryana(f)	..	..	..	..	..	..	..	..	..	..
Jammu & Kashmir	75	62	3	3	..	..	..	6(h)	2	73(88)
Kerala	134	9	..	..	20	54	19	14(g)	3	134
Madhya Pradesh	297	125	..	65	1	9	9	85(h)	1	296(1)
Madras	235	49	20	2	11	2	4	1(j)	1	3
Maharashtra	270	203	..	4	10	1	4	8	5	19(m)
Mysore	217	127	16	4	2	5	24	1	21(n)	15
Nagaland	46	..	..	..	..	..	..	46(oo)	..	46
Orissa	140	31	48	7	1	1	21	25(p)	5	139(q)
Punjab	104	43	..	9	5	3	1	31(r)	9	103(rr)

(e) Praja Samajwadi Party—3 and Mahagujarat Janta Parishad-1.

(f) State Assembly dissolved on November 21, 1967 following imposition of President's Rule.

(ff) All seats belong to National Conference. (gg) 2 Seats vacant.

(g) Karshaka Thozhilali Party—2, Kerala Socialist Party—1, Kerala Congress and Revolutionary Socialist Party—6.

(h) Prajatantra Rakshak Dal—52 and Kranti Kari Vidhayak Dal—33.

(i) One seat vacant.

(j) The seat belongs to Tamil Arasu Kazhagam.

(k) Includes one affiliated member.

(l) Excludes the Speaker and one vacant seat.

(m) All the seats belong to Peasants & Workers Party.

(n) Janta Paksha—14, L.S.S.—2, and M.E.S.—5.

(o) Excludes the Speaker and one vacant seat.

(oo) All seats belong to Nagaland Nationalist Organisation : this State did not take part in the Fourth General Elections.

(p) All the seats belong to Jana Congress.

(q) Excludes the Speaker.

(r) This includes Punjab Janta Party—9, Akali Dal (Sant Group)—15, Akali Dal (Master Group)—1, Akali Dal (Hudiyara Group)—2 and Peoples United Front—4.

(rr) Does not include the Speaker.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Rajasthan		184	89	49	22	1	8				15						184
Uttar Pradesh		426	186	9	96	13	1	45	11	5	31(s)	26	1	..			424(t)
West Bengal		280	127	1	..	16	43	7	7		66				13		280
<i>Union Territories</i>																	
Himachal Pradesh		63	39(u)	..	6	2	..	..	..	..	13	3					63
Manipur (v)	
Goa, Daman & Diu		32	..	..	..	..	..	..	..	..	29(w)	2					31(x)
Pondicherry		30	20	..	..	..	..	..	..	..	10(y)	..					30
Tripura		33	27	..	..	1	2	..	..	..	..	..	3	..	..	..	33

(s) Bharatiya Kranti Dal (Jana Congress)—29, Socialist-I, Hindu Mahasabha—I.

(t) Two seats vacant. (u) This includes three nominated members who also belong to Congress. (v) Assembly dissolved.

(w) Maharashtrawadi Gomantak Party—17 and United Goans Party—12. (x) One seat vacant. (y) United Democratic Front.

NOTE.— Party position regarding Andhra Pradesh, Assam, Gujarat, Kerala, Madhya Pradesh, Madras, Mysore, Nagaland, Orissa, Punjab, U.P., Himachal Pradesh, Goa, Pondicherry, and Tripura is based on official information received from respective State Legislature Secretariats, figures in regard to Bihar, Maharashtra, Rajasthan, and West Bengal are as on April 30, 1967 with latest changes if any based on Press reports.

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