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EDITORIAL NOTE

His Excellency Mr. Leonid Ilyich Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union and Chairman of the Presidium of the Supreme Soviet of the U.S.S.R. addressed the Members of Parliament during his official visit to this country in December 1980. We publish in this issue Mr. Brezhnev's address, as well as the speeches by the Hon'ble Chairman of Rajya Sabha and the Hon'ble Speaker of Lok Sabha on the occasion.

A Regional Seminar on Parliamentary Practice and Procedure for Asia and South-east Asia regions of the Commonwealth Parliamentary Association was held under the auspices of the Indian Parliamentary Group (which functions also as the India Branch of the Commonwealth Parliamentary Association) at New Delhi in October, 1980. Two subjects were discussed at the Seminar: 'The Executive and Parliament' and 'The Role of Private Members—How to make their contributions more effective?' We publish in this issue the inaugural address by Shri Bal Ram Jakhar, Speaker of Lok Sabha and the address on the occasion by Shri Shyam Lal Yadav, Deputy Chairman of Rajya Sabha, as also the key-note speeches on the two subjects at this Seminar, by Shri G. Lakshamanan, Deputy Speaker of Lok Sabha and Shri Ram Niwas Mirdha, former Deputy Chairman of Rajya Sabha.

This issue carries, besides, other regular features on parliamentary privileges, procedural matters, parliamentary events and activities, constitutional and parliamentary developments in India and abroad, brief resume of Sessions of the two Houses of Parliament and State Legislatures and book reviews.

—Avtar Singh Rikhy.

**ADDRESS BY HIS EXCELLENCY MR. LEONID ILYICH BREZHNEV
TO MEMBERS OF PARLIAMENT**

On 10 December 1980, His Excellency Mr. Leonid Ilyich Brezhnev, General-Secretary of the Central Committee of the Communist Party of the Soviet Union and President of the Presidium of the USSR Supreme Soviet addressed the Members of Parliament in the Central Hall of the Parliament House. We reproduce below the text of his Address as well as of the welcome speech by Shri M. Hidayatullah, Vice-President of India and Chairman of Rajya Sabha, and the Thanks-giving speech by Shri Bal Ram Jakhar, Speaker of Lok Sabha.

—*Editor.*

SPEECH BY SHRI M. HIDAYATULLAH, CHAIRMAN, RAJYA SABHA

It is a matter of great pleasure to have with us today, His Excellency, Mr. Brezhnev, General Secretary of the Central Committee of the CPSU, Chairman of the Presidium of the Supreme Soviet of the U.S.S.R. On behalf of the Members of our Parliament and the people of India I extend a warm and hearty welcome to our esteemed and distinguished guest.

Excellencies, Hon'ble Members, Ladies and Gentlemen, the friendship between the Soviet Union and India goes back to days when with us freedom was still an aspiration and a dream. Need it be recalled that even in those days of our freedom struggle we found nothing but sympathy and

understanding in the Soviet Union. The leaders of our freedom movement were inspired and profoundly influenced by the Great October Revolution which provided an impetus to the liberation movements in Asia and other parts of the world. I may also perhaps recall that when the Soviet Union was engaged in a grim struggle against the Nazi invasion, the Indian National Congress passed a resolution expressing, on behalf of the Indian people, their sympathy and admiration for the astonishing self sacrifice and heroic courage of the Soviet people in the defence of their country and freedom. With all this background, what was more natural than that after India became free, friendship with the Soviet Union should have come to occupy a place of primacy in her foreign relations.

Our people have had great admiration for the vitality and determination that the Soviet people demonstrated through their spectacular progress in various fields of industry, science, technology and space. In India even in the hour of freedom our leaders were clear in their minds that political emancipation was incomplete without economic growth and socio-economic justice. And ever since our Independence, we are accordingly engaged in a massive programme of planned economic growth in order to lay the foundation of a self-reliant economy and bring about betterment in the living standards of our people. In this gigantic task, how can one forget the crucial role played and co-operation extended by the friendly Soviet Union. The contribution of that country in key sectors of our economy like steel, machine building, power, oil production and refining, has helped us to build the necessary industrial infra-structure of our country. Your Excellency, we know well your own keen personal interest in India's developmental efforts and her progress. A special feature of the Soviet assistance has been that it has helped our public sector which now occupies the commanding heights of our country's economy. Bhilai, Bokaro and Mathura will ever stand out as symbols of Indo-Soviet collaboration. Not surprisingly, the trade between the two countries has been steadily expanding over the years, and it is heartening to note that our economic relations are now beginning to assume new dimensions. The Indo-Soviet Joint Economic Commission is engaged in a continuing search for identification of new areas of cooperation a wider development of industrial collaboration with exchange of technologies and undertaking joint ventures in the Third Countries.

In our world there is growing interdependence and in it peace and human happiness are indivisible. All the countries of the world today do desire peace as a pre-condition for progress. In order to widen the area of peace and limit the consequences of tension, India's approach in her international relations has been one of non-alignment and independence of judgement, a policy which, we are happy to say, the Soviet Union has always

appreciated. Both India and Soviet Union have been consistently working together for the strengthening of universal peace and independence of nations, against imperialism, colonialism, neo-colonialism and racial discrimination and in defence of freedom of all peoples on the basis of full equality and mutual respect.

Indo-Soviet friendship is based on a mutually shared vision of a world where all nations live in a peace and prosperity. Our friendship is an outstanding example of two countries with different socio-economic systems collaborating for mutual benefit and the larger good of mankind. This visit of yours, Your Excellency, we are sure, will be an important landmark in our relationship which will further strengthen the close ties of understanding and friendship that bind us together. May I now request you, Your Excellency, to deliver your address?

ADDRESS BY MR. LEONID ILYICH BREZHNEV,
GENERAL SECRETARY OF THE CENTRAL COMMITTEE OF THE CPSU AND
PRESIDENT OF THE SUPREME SOVIET OF THE U.S.S.R.

First of all, I would like to thank you for this opportunity to speak from this high rostrum and to convey to you, and through you to the entire Indian people, heartiest greetings and good wishes from the USSR Supreme Soviet, from the entire Soviet people.

Seven years have passed since my last visit to your country. Many changes have taken place in the world over these years, but the course pursued by the Soviet Union in developing friendship and cooperation with India remains unchanged. We are profoundly convinced that this course meets both the fundamental national interests of our two countries and the cause of universal peace.

Friendship between the USSR and India is a common asset of the two great nations. Our relations have stood the test of time and become an important factor of consolidating peace in Asia and beyond. Developing as they are on the solid basis of the Treaty of Peace. Friendship and Cooperation, these relations embody the principles of peaceful coexistence, of equal and fruitful cooperation of states with different socio-economic systems.

Good relations between the USSR and India, the coincidence or closeness of their positions on cardinal present-day problems, their dedication to the cause of independence of peoples, the cause of peace and equal cooperation of states, the struggle for disarmament and prevention of a new world war are especially important in conditions of the present deterioration in the international situation.

It is no secret that this deterioration has been caused by the actions of the NATO military bloc in recent years. This is a result of attempts to upset the balance of forces that has taken shape in the world and to impose their will on the peoples from positions of military superiority.

To that end military budgets are being inflated on an unprecedented scale, an arms build-up is continuing, the existing military bases are being expanded and new ones are being set up all over the world.

It is clear that on such a basis it is impossible to settle conflict situations, to make headway in resolving the problems of arms limitation, to eradicate the vestiges of colonialism and to restructure the world economic order on an equitable basis.

Difficulties have also been accumulating in bilateral relations between States. In particular, quite a few of them have accumulated over the recent years in relations between the USSR and the United States. We stand for the removal of these difficulties, but we believe there is a point in the Indian adage which says that you cannot clap with one hand alone.

Distinguished Members of Parliament,

In addressing this legislative body of a major state in Asia, I cannot but share with you my thoughts about the situation on this continent. Its role in world events is obvious; after all, this is where half of mankind lives. We are convinced that relations of peace and good-neighbourliness in Asia should be built through the joint contribution of the largest possible number of Asian states, and, better still, of all of them.

But the situation in Asia today is, unfortunately, disquieting.

An explosive situation persists in the Middle East where attempts are continuing to impose defeatist deals on Arab nations and to make them accept the flouting of their fundamental national interests.

Tensions are still running high in South-East Asia where imperialist forces and their accomplices are pursuing a policy of setting the states of that region at loggerheads, and going out of their way to prevent the establishment of relations of good-neighbourliness between them.

The conflict between Iraq and Iran, tragic in its senselessness, is still going on. This is a graphic example of how dangerous it is for countries which are not yet strong enough to find themselves between the grindstones of imperialist policies.

Who stands to profit from this war? Certainly neither Iraq nor Iran. What they will get are merely a devastated economy and great losses in human lives. It is clear though, already at this stage, that someone has benefited from this war. Before the eyes of the whole world outside military

penetration into the Near and Middle East is increasing. To the delight of the enemies of the Arab peoples the unity of the Arab world is being undermined. Plans are also afoot to weaken the anti-imperialist character of the policies pursued by both Iran and Iraq. And for all this the two neighbouring peoples are paying with their blood.

That is why the USSR is resolutely in favour of a peaceful settlement of that conflict. We condemn any attempts to encourage the prolonging of the conflict and to add fuel, by any means whatsoever, to the flames of war. India's position, as we understand it, is similar to ours.

Opponents of normalising the international climate and initiators of the arms race not infrequently refer now, in justification of their activities, to the situation in Afghanistan. But in doing so, if one thinks this over, they assume a very peculiar position.

They are making a noise for all the world to hear about a "Soviet threat" either to Pakistan or to the countries of the Persian Gulf, or God knows to whom else, though they know very well that there is not a trace of such a threat.

They are vociferously calling for the cessation of Soviet military assistance to Afghanistan but in reality they are doing everything to impede this. They are trying to maintain tension and prevent the normalisation of the situation. They are continuing to send armed gangs into Afghanistan and they are scared to death of agreement between Afghanistan and its neighbours, especially Pakistan.

In a word, the position of these gentlemen, to put it mildly, is noted for its insincerity.

But deception will not take one very far. Life in Afghanistan is gradually moving and will continue to move more and more into a normal peaceful track, the fog of misinformation will gradually clear away. And then, one should assume, it will become clear to Afghanistan's southern neighbours that the only realistic way is good-neighbourly agreement with the Afghan government. As a result, prerequisites will emerge for the full political normalisation of the situation, including withdrawal of Soviet troops from Afghanistan.

May I assure you, esteemed Members of Parliament, that the Soviet Union favours exactly such a development of events and we fully support the reasonable proposals of the government of Afghanistan on this score.

The Persian Gulf area and the Indian Ocean are becoming an increasingly dangerous seat of international tension. Under the trumped-up pretext of protecting their vital interests, powers situated at a distance of many thousands of kilometres from this area have concentrated here a military

armada and are vigorously building up armaments, widening the network of their military bases, exerting pressure on and threatening the small countries which refuse to trail in their wake.

Attempts are made to justify such actions by talking about a "Soviet threat" to the oil riches of this area. Of course, this is pure invention and its authors know this only too well. The USSR has no intention of encroaching upon either the Middle East oil or its transportation routes.

Naturally, we are not indifferent to what is happening in a region so close to our borders. We want a normal, calm situation to be established there. In contrast to the imperialist doctrine of aggression and diktat with regard to the Persian Gulf countries we propose a doctrine of peace and security.

These are not mere words. This is our actual policy. We propose to the United States, to other Western powers, to China, Japan, to all states that display interest that agreement be reached on the following mutual obligations:

—not to set up foreign military bases in the Persian Gulf area and on the adjacent islands; not to deploy nuclear or any other weapons of mass destruction there;

—not to use or threaten to use force against the countries of the Persian Gulf area and not to interfere in their internal affairs;

—to respect the status of non-alignment chosen by the states of the Persian Gulf area; not to draw them into military groupings with the participation of nuclear powers;

—to respect the sovereign right of the states of that area to their natural resources;

—not to raise any obstacles or pose threats to normal trade exchanges and to the use of sea lanes linking the states of that area with other countries of the world.

We believe that such agreement, to which the states of that area themselves would naturally be equal parties, would correspond to their vital interests. Indeed, it would serve as a reliable guarantee of their sovereign rights and security.

Let me express the hope that this proposal will meet with understanding and support on the part of peace-loving India.

The Soviet Union is a firm supporter of the idea of turning the Indian Ocean into a zone of peace. We are ready to work actively in this direction together with other states concerned. We believe that the Indian

Ocean has been, and should remain, the sphere of vital interests of its littoral states and no other.

We are ready to welcome also any other initiatives that would lead to the lessening of tension and would be motivated by concern for strengthening peace in Asia or on any other continent.

Dear Friends,

The Soviet Union has great respect for the foreign policy of India which is based on the principles of peaceful coexistence and non-alignment. We highly value your country's contribution to the struggle of peoples for peace and detente, against imperialism, colonialism, neo-colonialism and racism, against all forms of oppression and inequality.

Since the first days of its independent existence, India has been playing an important role in the world arena. What has been the contribution of this vast country with its own ancient cultural heritage to international relations? I would say that, first of all, it is the course of peaceability and considered realism, readiness to develop good relations with other States and promote a healthier international climate.

History will not forget that it was Jawaharlal Nehru, that outstanding son of the Indian people, who founded this policy of India. We in the Soviet Union remember very well how much was done by that truly great man, a sincere friend of our country, for the development of Soviet-Indian relations.

India's contribution to strengthening peace and stability in Asia is especially significant. The peoples pay tribute to India's constructive steps and peaceful initiatives for the settlement of the conflicts on the Asian continent.

Let us take, for instance, India's relations with the countries of Indochina. They have always been good with Vietnam and Laos. Good relations have now been established between you and Kampuchea, too. All this undoubtedly is conducive to the development of good-neighbourly relations and cooperation in South-East Asia. We are confident that further developments will confirm the farsightedness of this course. Recognition of reality has always been an important element of a wise foreign policy.

Dear Friends,

The task of eliminating the threat of war should leave no one indifferent. And it is surely parliamentarians, elected representatives of the people, who should be in the forefront! I am confident that the Supreme

Soviet of the USSR and the Parliament of the Republic of India will make their weighty contribution to this sacred cause.

May the voice of our people ring out against the threat of war and for fruitful cooperation between states in the solution of burning issues of our time!

May the unbreakable friendship between the people of the Soviet Union and India grow stronger and deeper!

Thank you.

SPEECH BY SHRI BAL RAM JAKHAR,
SPEAKER LOK SABHA AND PRESIDENT OF THE INTER PARLIAMENTARY GROUP

It gives me great pleasure to join the esteemed Vice-President in extending to Your Excellency a hearty welcome to our country. We are happy to have you in our midst once more. We greet Your Excellency as a sincere friend and well-wisher of our country and as the Head of a great nation with which we are happy to have such strong and enduring ties of friendship. May I also express to you, Sir, our heart-felt appreciation for the profound and inspiring address you have just delivered and all the kind sentiments you have expressed for our country and our people.

Your Excellency would recall having addressed Members of our Parliament in this very Hall, of historic memories, over seven years ago. Since then much has happened in the World and many developments have taken place in our countries and elsewhere. It is a matter of immense satisfaction that through all these changes and developments the friendship between our two countries, based on a mature understanding of each other's point of view, has not only remained firm but deepened with time. Indeed, it could not have been otherwise, for our relations are founded not upon any transient considerations of expediency or temporary advantage, but upon the bed-rock of mutual trust and goodwill and our shared commitment to the cause of global progress through peaceful co-existence and constructive cooperation among nations. We are drawn together in our opposition to all vestiges of colonialism and racialism and other forms of international economic and social injustice. We ardently believe that mankind has a vital stake in the preservation of peace, for it is only in an environment of international peace that nations, particularly in the Third World, can hope to accomplish, the gigantic task of economic development in order to provide a better quality of life to their people.

I need hardly say, Your Excellency, how much we, in this country, value and cherish our relations with your great country. You have stood by us through thick and thin. The foundations of Indo-Soviet friendship and cooperation were laid by the great leader of our freedom struggle and

our first Prime Minister Shri Jawaharlal Nehru, soon after we attained Independence. Over the years, the cooperation between our two countries has steadily progressed and extended to diverse fields. The relations between our two countries in the economic, commercial, technological and cultural spheres have been a record of outstanding success. By a happy coincidence we have the pleasure and privilege of having Your Excellency in our midst in this, the Silver Jubilee Year, of Indo-Soviet Economic Cooperation. From modest beginnings under the Indo-Soviet Economic Agreement of 1955, our bilateral cooperation has grown extensively and covers today a very wide range of activities—in industry especially heavy industry, and agriculture; exploration and refining of oil, power generation and mining; science and technology, including space exploration. We are also particularly appreciative of the significant contribution made by the Soviet Union in our efforts to build a strong industrial infrastructure which has enabled us to forge ahead with confidence on the road to self-reliant national development.

Indo-Soviet friendship and cooperation, while mutually beneficial, is directed against none. Our friendship has stood the test of time. Indeed, we may well claim—and rejoice in the fact—that it has made a significant contribution to World Peace and stability by providing an example of how sovereign nations, irrespective of any differences in their socio-economic systems, may work in close cooperation on the basis of equality, mutual understanding and mutual trust. We are sure, Your Excellency's present visit and your discussions with the leaders of our Government will only lead to further strengthening of the traditional bonds of friendship between our two countries and further development of our bilateral cooperation in the interest of our two people and the cause of World Peace.

May I, in the end, again thank Your Excellency for joining us today and for your Address, and convey to you—and through you to the Members of Parliament and the great people of your country—the warm hearted greetings of our Members of Parliament and the Millions of our fellow countrymen they represent.

**REGIONAL SEMINAR ON PARLIAMENTARY PRACTICE AND
PROCEDURE FOR ASIA AND SOUTH-EAST ASIA REGIONS OF
THE COMMONWEALTH PARLIAMENTARY ASSOCIATION**

A Regional Seminar on Parliamentary Practice and Procedure for Asia and South-east Asia Regions of the Commonwealth Parliamentary Association was held in New Delhi at the Parliament House Annexe from 22 to 25 October, 1980. The Seminar was inaugurated by the Hon'ble Shri Bal Ram Jakhar, Speaker of Lok Sabha and President of the India Branch of the gural address, as also the address by the Hon. Shri Shyam Lal Yadav, Commonwealth Parliamentary Association. We reproduce below his inau- Deputy Chairman of Rajya Sabha, and the two key-note speeches by the Hon. Shri G. Lakshmanan Deputy-Speaker, Lok Sabha and the Hon. Shri Ram Niwas Mirdha, M.P.

—Editor.

**INAUGURAL ADDRESS BY SHRI BAL RAM JAKHAR,
SPEAKER OF LOK SABHA AND PRESIDENT OF THE INDIA BRANCH OF THE
COMMONWELTH PARLIAMENTARY ASSOCIATION**

It gives me great pleasure to have this opportunity of meeting distinguished parliamentarians and legislators from various countries of Asia and South-East Asia Regions of the Commonwealth and from our own country, who have assembled here for the Seminar on Parliamentary Practice and Procedure. On behalf of the Indian Parliamentary Group and the Members of our Parliament and State Legislatures, as well as on my own behalf, I extend a hearty welcome to our friends from the family of Commonwealth countries in this region who have come here all the way from their homes to participate in this Seminar. It is our hope that they will find their stay here pleasant and participation in the meetings useful.

Friends, at our Seminar here on Parliamentary Practice and Procedure, we are to discuss two broad subjects—(i) The Relationship between the

Executive and the Parliament and (ii) the Role of Private Members and how to make their contributions more effective and more telling. Both these subjects are important and inter-related. Whatever the activity Parliament may be engaged in at any time—be it legislation, ventilation of people's grievances, voting of supplies, discussion on matters of urgent public importance, or even a private member's resolution—the Executive necessarily comes in. The close association and intimate involvement of Parliament and Executive is, as you know, the most noteworthy feature of the Parliamentary system of government. The success of Parliament—how well it fulfills its role as a people's institution—in turn depends upon the individual members—their equipment, zeal and enthusiasm and their understanding and the institutional arrangements available to them for the effective and efficient discharge of their duties.

The relationship between the Parliament and the Executive is not a static equation but one that keeps subtly changing all the time with changing times and situations, needing therefore constant reappraisal and redelineation. The tasks which governments and parliaments face today, particularly in the Third World countries, are complex and gigantic. Now, more than ever before, our institutions and procedures have to be viewed from the perspective of their relevance and adequacy in taking us nearer our end goals as a democratic society. Parliament and administration in the present day must function with full awareness of the fact that both are equal and active working partners in the democratic enterprise, with a common stake in its success. The duty and responsibility of oversight, which Parliament exercises on behalf of the people, is only meant as an aid and spur to ensure more efficient public administration and management. The problem before Parliaments everywhere is as to how to harmonise the needed latitude for effective executive performance with the requirements of public accountability. The ideal situation would be a state of creative equilibrium where, in a natmosphere of mutual respect and confidence, the Executive enjoys all the freedom it needs, remaining at the same time responsive to parliamentary influence and direction. Here, we must distinguish certain things. The will of the people, that is, the will of the people's representatives in Parliament, is always supreme. Nothing should stand in its way howsoever an important part of it the Executive may be. That fact should be borne in mind all the time.

Today, with the realities of modern administration as they are, the initiative in legislative and financial matters has largely come to rest with the Executive; and there is now a notable tendency for the Parliament everywhere to concentrate more and more on its oversight and scrutiny role, utilising its powers, as best as it may, for influencing and overseeing Executive actions and policies. How well Parliament succeeds in this obviously depends as much on its working procedures as on Private Members initiative and zeal.

To my mind, the primary role of a private Member is both creative and constructive. He takes the oath to uphold the Constitution, but I think that every responsible Member must also pledge himself to be true in the service and cause of the people with whose confidence he has been elected. He should be guided by the larger interests of the country and the people. His real contribution lies in furthering the process of development and social transformation by enlisting the support of the people at large. A private member can well give expression in the parliamentary forum to his genuinely held ideas about progress and development of his country.

It is the collective wisdom which takes the Parliament on the road to progress and achieve success. He can even bring forward a resolution or a bill which would help create a climate and enlightened opinion which may in due course persuade the authorities that be to place the measure on the Statute Book.

The legislator is a bridge between the people and the Executive and is often required to intercede on their behalf with the public functionaries for finding solutions to some of their day-to-day problems. The Executive should come to his help by ensuring that the day-to-day grievances of the people are attended to with sympathy and understanding and without delay so that they do not have to run to him for finding a redress of such routine matters as admission to a hospital or transfer/promotion etc. If the work of the Executive is done on fair and principled basis, the constituents would not deem it worthwhile to trouble the people's representative with such routine matters and would thus spare him the time which he could more appropriately devote to constructive national work.

To enable the Private Member to discharge his function properly the procedures of Parliament should provide adequate opportunities to Members to elicit information, discuss matters and policies of public importance, ventilate popular grievances and scrutinise the working of the Administration. This can only be done by intensive hard work and fruitful and productive discussion in the forum of Parliament. Opportunities should be available to him to give full vent to his own feelings or his trend of thought. This I feel should not be curbed if it is productive, constructive and based on certain guidelines. Parliamentary practices, procedures and conventions, besides making for orderly and expeditious transaction of business, impart an element of stability and predictability in the proceedings within the chamber and afford a chance to Members of every side to make their

contribution to the business before the House. But, like anything else in human affairs, procedures are subject to change. In our fast changing times, they have to be kept under continuous review to ensure that they stay opposite to current requirements and emerging needs. The search for improved processes and procedures is ever on in almost every Parliament.

We, the parliamentarians in commonwealth countries are indeed very happily placed in that we have a sizeable and wide ranging spectrum of experience. With the affinities and attendant institutions, we are in a position to exchange purposefully ideas and profit from each other's experiences. I hope our discussions here would throw up useful ideas which would make for more effective functioning of Parliament and more meaningful participation by Members towards better discharge of Parliament's obligations to the people.

May I suggest that we look upon democracy as a participatory system in which Government, Parliament and people have their own responsibilities and role to play. All must cooperate in making the democratic enterprise a success. I quote from Rig Veda:

‘सं गच्छध्वं संवदध्वं सं वो मनांसि जानताम् ।
समान मन्त्रः समितिः समान, समानं मनः
सहचित्तमेषाम्’ ।

स्मानी व आकृतिः समाना हृदयानि वः ।
समानमस्तु यो मनो यथा वः सुसहासति ।”

(Meet together, talk together, let your minds think alike: Common be the counsel of the assembled, Common be the association, Common be the purpose, associated be the desire. Common be your intention; Common be (the wishes of) your hearts; Common be your thoughts so that there may be thorough union among you.)

I thank you again.

ADDRESS BY SHRI SHYAM LAL YADAV

DEPUTY CHAIRMAN OF RAJYA SABHA AND VICE-PRESIDENT OF THE INDIA BRANCH OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

It is a matter of great honour for India to host this regional seminar in cooperation with the Commonwealth Parliamentary Association. The Hon. Speaker of the Lok Sabha—the House of the People—has already welcomed you. On behalf of the Rajya Sabha, that is to say, the Council of States, I associate myself, the Chairman and Members of the House with the welcome to the delegates by the Hon. Speaker. I am sorry that our Chairman is otherwise engaged and is out of Delhi and this task of welcoming you has fallen on me. But I feel proud to be associated with this Seminar, and I particularly welcome friends from abroad to our country, and I hope that your stay with us will be pleasant and comfortable.

One of the great achievements of modern times is the emergence of the Commonwealth of which we all are members. It is one of the largest international cooperative body of nations in the world. We come from different regions, we are divided in language, customs and manners but we are very often happy to find agreement on the major issues—political, social and economic—and are able to carry them into effect in a spirit of cooperation. The main sentiment which binds us together is a feeling that we share a common democratic approach to problems of state. We have the same respect for law and order, for upholding the dignity of the individual and for strengthening the judicial and administrative systems which lead to the happiness of the people of our respective countries.

For the Commonwealth to work in a cooperative spirit, it is necessary that there should be periodic consultations. This Seminar and the Conference are a necessary means of exchange of ideas between the different Nations of the great Commonwealth. Work of legislation is difficult because there are many things which are required to be considered in the making of the laws. The regional meeting we are holding will bring forth concrete ideas in the field of legislation which are beneficial to society as a whole and for economic uplift of the people. Of course, conditions differ in different countries but the basic sentiments are the same in all the countries. These are that the solution to all problems should be made on the right lines for the benefit of the people.

The topics chosen for the Seminar are: The Executive and Parliament and the Role of the Private Members. In every Parliamentary system there are official Bills and Private Members' Bills. The Private Members, if one can call them as such, can always contribute to the making of proper laws and by their advice can correct the mistakes of the official party in power. During discussions in Parliament one often hears the expression 'Executive Domination'. This expression means only this much that the legislative process does not really originate in the legislature but comes through the thinking of the Executive. It is the executive which plans a particular legislation and the legislation bears the ideas of the Executive and the Executive sees the measures through the Legislature. It is not realised that owing to exigencies of times the Executive of a country has certain responsibilities. Legislation is key to better Government and the Executive is the key to the administration of those laws. It should be the objective of legislation to extend help to the Executive in its work. In this there should be room for the Private Members to warn the ruling party and the Government and to save them from making errors in administration. Therefore, for Parliamentary system to succeed, there must be coordination between the Legislature and the Executive and the Private Members should

see that the Legislation made by the Executive is for the benefit of the people.

The private Members can play a very significant role by being gentle and persuasive in their criticism which must be constructive, and they should be able to offer some alternative if they feel that the proposed legislation may not lead to the benefit of the people. The Opposition usually criticises legislation suggested by the Executive, but it often has no alternative to offer. It finds fault, but may not spell out suggestions to correct the faults. The role of the private Members should be not to be unduly and unreasonably critical but to offer suggestions for corrections and be constructive.

In developing countries which are engaged in developmental tasks of nation building, it is very necessary that there should be no obstruction to the efforts of the people as a whole. When ideas conflict, there should be means of resolving those conflicts. For this, proper direction and understanding in legislation-making is absolutely necessary. Government is always eager to implement its policies and sometimes inclined to overlook dangers and shortcomings that might arise from legislation they want to enact. It is thus the duty of the Private Members to see that such dangers and shortcomings are obviated.

In India, during the years of our Independence, we have done extensive work of nation-building within the framework of our democratic institutions. Indian record is there to show that the democratic system has not failed in this country. In India, in spite of its being the largest democracy in the world, democracy has survived. It is because the Indians, as a whole, are against any form of coercion and want to take everybody along.

In this regard, I have no hesitation in saying that under the present dynamic leadership, democracy has stabilised and we would have all-round progress in the country.

We hope that the three wings of the Government—Executive, Judiciary and Legislature—will understand their roles and work in cooperation. We should ponder on the true areas of their action.

I am sure that in the discussions that follow, we shall be able to see how the functioning of Parliamentary democracy can be improved upon.

I once again welcome all the hon. Delegates and join the Hon. Speaker in offering you every assistance to ensure that you have fruitful deliberations and a comfortable stay with us. Thank you.

KEYNOTE ADDRESS BY SHRI G. LAKSHMANAN, DEPUTY SPEAKER OF LOK SABHA AND VICE-PRESIDENT OF THE INDIA BRANCH OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION ON 'ROLE OF THE PRIVATE MEMBER—HOW OF MAKE HIS CONTRIBUTION MORE EFFECTIVE?'

In view of the ever increasing powers of the Executive in the present-day World, the need to make the institution of Parliament more effective in overseeing the Executive can hardly be over-emphasised. Since Parliament is a living institution, an animate body composed of the elected representatives of the people, its strength and effectiveness as a representative body holding a standing brief on behalf of the people, depends, to a great extent, on the dedication, zeal and knowledge of its Members.

A Member of Parliament primarily is a representative of his constituency and his first obligation naturally is towards his constituents. In this capacity he acts as a link between the people whom he represents and the House of the Legislature of which he is a member. This might sound a truism, but it imposes a great responsibility. While, on the one hand, a Member has a duty to bring to the attention of Parliament and Legislature the hopes and expectations and the grievances and even frustrations of his constituents, on the other hand, he has also to serve as a conduit of information about the various developments particularly those relating to his betterment and welfare taking place in the Government and the Legislature. A legislator has to constantly keep feeding his voters with such information, so that they feel involved in, and correctly appreciate, the day-to-day conduct of public affairs. This assumes special significance in a vast country with a sizeable percentage of illiteracy, where a common man may feel distant from the seat of authority.

There is also a Member's responsibility to attend to the problems of his area and the people living therein. This calls for a lot of travelling, meeting a large number of persons, reading and writing a bagful of letters.

It may not, however, be practicable for a member to go round and look-up each and every voter in his constituency. A solution could be for the Member to divide his constituency and hold periodically group meetings with his constituents. The party units could help the member in organising such group meetings with the voters.

An MP's concern does not stop with his constituency. In order that he may command a national perspective on the issues coming up before Parliament, he needs to know his entire country and the problems and thinking of the people in different parts. For this, he has to extensively travel in the country, for which he has to be provided adequate travel facilities. Recognising the importance of mobility for Members, in India, every MP

has been provided a First Class Pass, and one Second Class Pass for an attendant, for free travel, besides facility of air travel for intermediate journeys subject of course to certain prescribed conditions.

If a Member were to discharge his function properly and fulfill his obligations by the people, it is obvious that there should be adequate opportunities under the rules and procedures of the House to bring up for discussion matters of public importance, as they arise, on the floor. To this end, the procedures have been developed in the Indian Parliament so much so there are now a number of them, some traditional and some new, which Members may now avail of—like questions, half-an-hour discussion, adjournment motions, call attention notice, short duration discussion, no-day-yet-named motions, raising of matters under Rule 377, private members' resolutions etc., besides the usual opportunities for debate on the Motion of Thanks on the President's Address and the Budget.

It is, however, not merely enough if a Member has knowledge of the rules and procedures, he should also know his way about in the procedural labyrinth. He should know the scope and possible application of the rules, what procedural device to use and when, and how to follow up. This brings us to the need for some institutional arrangement, especially for Members entering the Legislature for the first time, to help them in this regard. In India, we arrange what we call Orientation Programmes for new Members. These seminars, besides enabling the Members to familiarise themselves with the parliamentary processes and modalities, also serve to bring to light the practical difficulties faced by Members and the lacunae in the existing practices and procedures. This, in turn, helps the House in reviewing the rules and procedures and improving them as necessary.

A Member cannot effectively raise a matter in the House and follow it up, unless he has done a good deal of home-work and is equipped with full information on the subject. A Member anywhere is a very busy person and cannot by himself gather all the facts and figures he needs for his parliamentary work. There is, therefore, need for a legislative research and reference service to meet this requirement. In our Parliament, we have a fairly well developed 'Library and Reference, Research, Documentation and information Service' to attend to the information needs of Members.

Every one of us, if we come to think of it, is an amateur except in his special sphere where he may happen to have detailed knowledge by virtue of our academic or professional background. This underlines the need for some kind of 'specialisation' among Members. The political parties can themselves contribute in this direction by introducing some kind of division of subjects among the party members so that they may specialise in particular areas. Such a specialisation may improve party performance and go a long way towards making the debate in the House more informed and meaningful.

A basic function of legislator, as his name suggests, is to participate in the process of lawmaking. Though in the present day, the responsibility for the initiation and making of laws rests almost exclusively with the Executive, the private Members also can play an important role in this field. In the case of Government Bills, they can make a useful contribution in the House as well as in the Committee. This apart, they can introduce bills to fill gaps left by the Executive in the field of legislation, particularly in the social field. The private Member need not be discouraged by the fact that his bill has slender chances of being passed into law. The real purpose of a private Member's bill is to develop public opinion on a subject, and not unoften it may be the starting point for future official enactments.

There is however everything to be said for improving the present situation in order to provide greater opportunities to the private members. In the first place, more time may be found for private members' business. And, if a private Members' bill is important enough and a large number of members want it to be discussed, the system of balloting, where it obtains, may not completely bar it. Some modalities should be worked out to find time for its discussion, independently of the final stand that Government may take on the bill.

The success a private member would meet with would, of course, depend upon the quality of the legislation he sponsors and the issues that he seeks to project through his bills. If the issues raised are important, he can always hope to mobilise sufficient support in and outside the Parliament and make the Government either to pass the bill or atleast to accept the principle of the bill and later come up with its own legislation on the subject.

All Members of Parliament may not have the opportunities or be in a position to make their full contribution on the legislative floor. In this situation, Committee work offers to the studious and serious-minded Member ample scope for constructive contribution. While nominating the members for the various Committees the political parties may well keep in mind the aptitude, background and special interests of the individual Members. This, besides improving the quality of work in Committees, will render the private Member's parliamentary life more fulfilling. From the Parliament's side, specialisation could be promoted by ensuring some kind of continuity of membership in Committees, particularly in the Financial Committees.

Pressure on parliamentary time is a universal feature in our day. Increase in number and duration of sittings of Parliament would hardly be practicable. The Ministers have to attend to the work of their Departments and the Members must have the time to go to their constituencies. A

better solution in this context would perhaps be that more and more work could be entrusted to the Committees which could go into the matter in depth.

A Member owes it to himself and to the House to be always time-conscious and use every minute of parliamentary time most effectively and purposefully. This would imply cultivation on the part of Members of a habit of self-discipline and result-oriented approach.

Parliamentary work in the modern day is a whole-time job being performed by almost all Members on a part-time basis. No matter how frugally a Member lives, he can hardly afford to maintain two establishments—one at the place where the Parliament meets and another in his constituency. His financial worries cannot but distract his attention and affect adversely the efficient discharge of his parliamentary duties. It is therefore necessary to keep Member's parliamentary remuneration under review so that they are maintained at a realistically reasonable level. In India, we do this through a Joint Committee on Salaries and Allowances of Members of Parliament, which makes recommendations from time to time in this regard.

But, when everything is said and done, the effectiveness of a legislator ultimately would depend upon his personal attributes—his knowledge, his habit of hard work, his capacity to purposefully utilise the available parliamentary opportunities and facilities, and his commitment to and faith in the parliamentary institution as an instrument for the promotion of the welfare of his countrymen.

Thank you.

KEYNOTE ADDRESS BY SHRI RAM NIVAS MIRDHA, M.P.
ON "THE EXECUTIVE AND PARLIAMENT"

In discussing Executive-Parliament relationship, it would be well for us to remember that in the parliamentary system of government the respective roles and functions of the Executive and the Parliament though different are, in essence, mutually complementary. While the Executive, being responsible for the day-to-day governance of the country naturally enjoys the right to initiate and formulate proposals and policies and give effect to the approved policies unfettered and unhindered, Parliament is invested with the power to legislate and lay down policy, to advise and criticise and ventilate peoples' grievances, and verify *ex post facto* that the Government (*i.e.* the Administration) have acted in conformity with their obligations. To this end, Parliament also possesses the right to call for information. Together the organs of State have an obligation to ensure that the governance of the country is carried on in consonance with the wishes and aspirations of the people and in accordance with the provisions of the Constitution. The

relationship between the Executive and Parliament is thus one of inter-dependence. They must, as it were, sink or swim together. In essence, while Parliament must have due regard for the Executive's responsibilities and allow it the initiative and freedom it needs to fulfil those responsibilities, the Executive must always remember that it is accountable to Parliament and feel parliamentary influence all the time.

So far as India is concerned, our Constitution provides for a parliamentary form of government both for the Union and the States. Specific provisions in the Constitution embody the more important conventions and principles of Parliamentary government evolved over the years in Britain. For example, under Article 75(3) of the Constitution, the Council of Ministers at the Union level is collectively responsible to the popularly elected House of Parliament that is, the Lok Sabha. Again, while it is the President, the constitutional head of our Republic, who appoints the Ministers, every Minister has to be a member of one or the other House of Parliament and, if a Minister is not a Member of either House to begin with, he has to become one within six months of his appointment as Minister or, else, he ceases to be a Minister after the expiration of that period. The Council of Ministers may thus be called a grand committee of Parliament charged with the duty of conducting the executive affairs of the Government of India. It is this relationship primarily which sets the parameters of parliamentary control over the Executive.

Parliament in India, as in parliamentary systems elsewhere performs a variety of roles or functions which may be broadly classified as (i) representative, (ii) financial, (iii) legislative, (iv) redressing of public grievances, and (v) oversight and scrutiny of the Executive. The dominance of the Executive in the fields of legislation and finance is a common feature of modern parliamentary systems. And, we in India, may I add, are no exception to this general trend. The reasons are not far to seek. The growing range and magnitude of the functions and activities of the State in the present day have inevitably led to government business occupying most of Parliament's time. For the rest, the party system ensures that in all important matters the Government's position prevails. Nevertheless, even in regard to legislative and financial proposals of the Government, Parliament still has a useful role to play—that of judging the opportuneness of the proposals, the validity of the factors on which they are based and the likelihood of their achieving the objectives aimed at. As has been brought out in the Background Paper on the subject circulated earlier, Parliament does still exercise a shaping influence on the legislative process and its authority and power to ensure that governmental expenditure conforms to parliamentary sanction, remain untrammelled and very much intact. All the same as in other countries, In India also the shift of emphasis in

Parliament's pre-occupation today is towards oversight and scrutiny function and its role as an agency for influencing and controlling the Executive.

Parliamentary oversight and scrutiny of administration is, however, no longer a simple affair. The immense advances in science and human knowledge, the rapid extension of governmental activities to newer sectors of national life under the growing obligations of the modern Welfare State and the proliferation of administrative apparatus and other organisations, the close inter-dependence of national economies and other realities of contemporary international life have all tended to add their own dimensions to the problem of Parliamentary scrutiny.

These developments meant a crowded parliamentary slate—with more legislation and other business of a more complex nature to grapple with and a wider range of public issues for debate. The situation, we felt underlined the need for a three-fold approach: (i) to clear the parliamentary floor for more and more of debate on major policy; (ii) to make adequate institutional arrangements, through procedural means and otherwise, for members to bring up matters of current importance for debate as they arose; and (iii) to develop a well-knit Committee system for detailed, expert surveillance of the administration. I may briefly explain how we have gone about the job in our Parliament.

In the first place, the rational allocation of time to time of parliamentary business—through the Business Advisory Committee in the case of business in Government time and through the Committee on Private Members' Bills in respect of private members' bills and resolutions—has imported predictability to the parliamentary time-table and made for smooth despatch of business, enabling time to be found for all important discussions. The use of the Committee stage in the case of all important and controversial legislation, like-wise, has not only ensured proper detailed scrutiny of the measures, availing of the views of experts and of affected interests wherever necessary but also saved much of the time of the House which might otherwise have been used up with little gain by way of positive results.

Secondly, the procedures of our Parliament—enriched over the years by many a useful innovations—afford ample opportunities for the enforcement of ministerial responsibility and for bringing up matters for discussion as they arose. The Questions procedure (with possibilities of supplementaries and of a Half-an-Hour Discussion). Adjournment Motions, Short Duration Discussions and Calling Attention Notices enable information to be elicited and attention focussed on specific aspects of governmental policies or activities and other important matters of public concern. Also, major occasions for review of administration arise during the discussions on the Motion of Thanks on the President's Address, the Budget, and on motions on particular situations or aspects of governmental policy. These apart,

specific matters may be discussed through motions on matters of urgent public importance, Private Members' resolutions and other substantive motions. Discussions can be raised also on Annual Reports of Departments, and local problems and specific lapses of Government highlighted through cut motions during the Budget discussions.

Along with the aforementioned means, a close and continuous check on governmental activities is exercised through a fairly well-knit system of Standing Parliamentary Committees that we have in our Parliament.

Among the Standing Committees of our Parliament the three Financial Committees—on Public Accounts, Estimates and Public Undertakings, have a place and importance of their own in the scheme of parliamentary oversight and scrutiny of the Administration. The control exercised by these Committees is of a continuous and thorough nature, gathering all the information and data needed through issuance of questionnaire, calling of memoranda from representative non-official organisations and knowledgeable individuals, on-the-spot study of organisations and informal discussions, and oral evidence of officials as well as non-official witnesses.

Together, the three Committees help keep an effective and unremitting parliamentary vigil over governmental spending and performance. They bring to light inefficiencies, waste and indiscretion in the implementation of policies and programmes approved by Parliament. But that is not all. The approach of the Committees is basically constructive and their recommendations are aimed at tonning up the administration for economic, efficient and speedy execution of policies and programmes. While the watchfulness of the Committees keeps the Administration on its toes, the spirit of critical cooperation with Government in the achievement of common good, reflected in the process of enquiries and the many valuable recommendations made by the Committees, has earned for them respect from all quarters, official and non-official, who are concerned with the economic health of the Nation.

Besides the Financial Committees, we have a few other Standing Committees which also play a significant role in securing Executive accountability to Parliament. To save on time, I hope, it may suffice to say, these are: The Committee on Petitions, the Committee on Subordinate Legislation, the Committee on Government Assurances, the Committee on Papers Laid on the Table and the Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

I may mention that our Financial Committees as well as the other Committees I have referred to, have adequate procedures to ensure that their recommendations are given due consideration by Government and where they are not accepted, the Committees are apprised of the reasons. The

progress in the implementation of the recommendations as well as any unresolved differences between the Committees and the Government are brought to the notice of the House by way of 'Action Taken Reports'. I may add that this follow-up procedure with regard to Committee recommendations that we have devised have been found quite useful and effective.

From our experience of the working of the Parliamentary system in India over the last over three decades I would say that, given the realities of modern administration, for purposeful and effective parliamentary scrutiny of the Administration, it is essential to have an integrated system of Standing Committees of Parliament to examine the working of Government departments and agencies on a continuing basis. While ensuring fuller and in-depth examination of matters and judicious consideration of issues, parliamentary committees also help in substantially saving the time of the House. That apart, membership of committees help Members develop deeper insights into the complex working of Government machinery. It also provides them with opportunities to make their own contribution based on their individual background to the work of Parliament, thereby rendering their parliamentary life more fulfilling and fruitful.

The useful work done by our Committees in enforcing Executive accountability is acknowledged on all hands. Even so, the fact remains that the Committees constituted as at present are not in a position to keep surveillance over the entire area of governmental activity on a regular and continuing basis.

As you are all aware, even in the older Commonwealth Countries the need has come to be felt for an integrated and comprehensive system of parliamentary committees to secure on a continuing basis comprehensive surveillance of the whole range of Administration. In the United Kingdom, as you know, a set of 12 departmentally related Select Committees has been established each 'charged with the examination of all aspects of expenditure, and policy' within the responsibilities of the particular Department or Departments with which it is concerned. These Committees have been in existence for hardly a year, and it is therefore too early to know the nature of their impact and the extent of the gain by adopting the system. The Canadian House of Commons has 19 Standing Committees of which 13 have jurisdiction corresponding to particular Department or group of Departments. These Committees look into legislation as well as estimates but this arrangement too does not appear to have been found entirely satisfactory, even though these Committees give brief and pithy reports.

Some thinking on the subject has been going on in India as well. In the States, Maharashtra Legislature has been trying the experiment of pre-voting scrutiny of the budget in their Estimates Committee. Kerala Legislature has recently set up new Subject Committees corresponding to Departments.

As for having departmentally related Committees one view has been that setting up of such Committees—either corresponding the individual Ministries or in respect of certain important aspects of governmental activity such as public finance; planning, defence, transportation etc. would help in exercising more effective surveillance. There is however, also the other view that proliferation of committees may not necessarily confer any additional advantage; but may sap further the initiative of the Executive and that the association of such “all-party Committees” with formulation of policy “may prove detrimental to, or inconsistent with, the principle of ministerial responsibility”—I feel, nevertheless, a beginning has to be made, although cautiously.

To conclude, in a parliamentary democracy, the Parliament embodies the will of the people and it must, therefore, be able to lay down the foundational guidelines of public policy and to supervise the way in which this policy is carried out, so that it remains in consonance with, and responsive to, people’s aspirations. That being so, Parliament’s right to elicit information, to advise or criticise and oversee the Government and call it to account for its acts of commission and omissions, it has to be recognised, flow from Parliament’s own obligations towards the people and has accordingly to be fully respected. Actually, parliamentary oversight and scrutiny are meant to galvanize, not supplant, executive initiative and efficiency; promote, not impair, administrative will for action. The success of the parliamentary system, ultimately would depend upon how carefully the equilibrium between Parliament and the Executive, based on mutual respect and confidence is preserved.

Thank you.

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

67th Inter-Parliamentary Conference: The 67th Inter-Parliamentary Conference was held in Berlin (GDR) from 16 to 24, September, 1980. The Indian delegation to the Conference was led by Shri Bal Ram Jakhar, Speaker, Lok Sabha and consisted of Shri G. Lakshmanan, Deputy Speaker, Lok Sabha, Dr. Mahipatray M. Mehta, Shri Ghanshyambhai Oza, Shri Shivraj V. Patil, Shri N. K. Ramalingam, and Shrimati Pratibha Singh, MPs. Shri Avtar Singh Rikhy, Secretary, Lok Sabha was Secretary to the delegation.

The Conference discussed and adopted resolutions on the following subjects:

- (1) The strengthening of the process of *detente*; the urgent need to arrive at international agreements in the fields of arms control and disarmament and in particular the comprehensive strengthening of the nuclear weapon non-proliferation regime.
- (2) The Middle East question and the Palestinian problem.
- (3) The pressing need to preserve the Gulf region and Indian Ocean from International conflict and to preserve them as zones of peace.
- (4) The problem of refugees: its juridical and humanitarian aspects.
- (5) The Third United Nations Development Decade: its economic, social, educational, scientific, cultural and environmental aspects.
- (6) Progress towards the achievement of decolonization, including the full implementation of the peoples' right to self-determination.
- (7) The issue of hostages and attacks on diplomatic personnel with particular reference to Iran.

- (8) Support for the creation of a University for Peace.
- (9) The situation in Bolivia.
- (10) The situation in Chile and Uruguay.

During this period, meetings of the Inter-Parliamentary Council, Standing Study Committees of the Inter-Parliamentary Union, and the Association of Secretaries-General of Parliaments were also held. The meetings of the Association were attended by Shri Avtar Singh Rikhy, Secretary, Lok Sabha.

26th Commonwealth Parliamentary Conference: The Twenty-sixth Commonwealth Parliamentary Conference was held in Lusaka (Zambia) from 19 September to 4 October, 1980. The Indian Delegation to the Conference was led by Shri Bal Ram Jakhar, Speaker, Lok Sabha. Other members of the Delegation were Sarvashri Atal Behari Vajpayee, Sadashiv Bagaitkar, K. N. Joshi, K. S. Narayana and Shrimati Krishna Sahi, M.Ps. Shri S. S. Bhalerao, Secretary-General, Rajya Sabha was Secretary to the Delegation.

Shri Dinesh Mazumdar, Government Chief Whip, West Bengal, Shri R. S. Gavai, Chairman, Maharashtra Legislative Council Thiru K. Raja Ram, Speaker, Tamil Nadu Legislative Assembly, Shri Brij Bhushan Mehra, Speaker, Punjab Vidhan Sabha, Shrimati B. Basavarajeshwari, Chairman, Karnataka Legislative Council, Shri Virjibhai Bhimji Dafda, MLA, Gujarat Legislative Assembly, Shri D. Kondiah Choudhary, Speaker, Andhra Pradesh Legislative Assembly, Col. Rao Ram Singh, Speaker, Haryana Vidhan Sabha, Sheikh Chand Mohammad, Speaker, Assam Legislative Assembly, Shri Shripati Mishra, Speaker, Uttar Pradesh Vidhan Sabha, Shri Thakur Sen Negi, Speaker, Himachal Pradesh Vidhan Sabha, Shri Yagyadutt Sharma, Speaker, Madhya Pradesh Vidhan Sabha, Shri A. P. Kurian, Speaker, Kerala Legislative Assembly, Shri Radha Nandan Jha, Speaker, Bihar Vidhan Sabha, Shri Brington Buhai Lyngodh, Chief Minister, Meghalaya, Shri Horangse Sangtham, Deputy Speaker, Nagaland Legislative Assembly, and Shri Lal Bahadur Basnet, Deputy Speaker, Sikkim Legislative Assembly also attended as delegates of their respective State Branches of Commonwealth Parliamentary Association.

Shri Dwijen G. Desai, Secretary, Gujarat Legislative Assembly and Shri P. K. Ghosh, Secretary, West Bengal Legislative Assembly also attended the Conference as Secretaries from State Branches. The following subjects were considered:

- (1) Current threats to international peace and security.
- (2) A new strategy for the developing world: the Brandt report.
- (3) Africa south of the Sahara: the beginning of a new era.
- (4) International collaboration in combating drug addiction and trafficking.

- (5) The Law of the Sea
 - (a) Ownership of oil and mineral resources.
 - (b) Fish and preservation of stocks.
- (6) Race relations within the Commonwealth.
- (7) The role of Parliament in relation to public enterprises.
- (8) One party and multi-party Parliaments: relative advantages and disadvantages.
- (9) Parliament and the scrutiny of Public Finance: Review of the Report of the Study Group.
- (10) Parliament and the mass media.
- (11) The MP: his functions and responsibilities.

In the plenary session, Shri Bal Ram Jakhar, Speaker, Lok Sabha opened the discussion on "Current threats to international peace and security".

Conference of Parliamentary Committees on Delegated Legislation in Commonwealth Countries: On the invitation of the Standing Committee on Regulations and Ordinances of Australian Senate, Shri Mool Chand Daga, M.P., Chairman of the Committee on Subordinate Legislation of Lok Sabha and Shri Narsingh Prasad Nanda, M.P., Chairman of the Committee on Subordinate Legislation of Rajya Sabha attended the Conference of Parliamentary Committees on Delegated Legislation in Commonwealth Countries held in Australia from 29 September to 3 October, 1980.

Regional Seminar on Parliamentary Practice & Procedure for Asia and South-east Asia Regions of the Commonwealth Parliamentary Association: A Seminar on Parliamentary Practice and Procedure for the Commonwealth Parliamentary Association Branches in Asia and South-east Asia Regions was held in New Delhi from 22 to 25 October, 1980 under the auspices of the Indian Parliamentary Group, which functions also as the India Branch of the Commonwealth Parliamentary Association.

Shri Bal Ram Jakhar, Speaker, Lok Sabha and President of the India Branch of the Commonwealth Parliamentary Association inaugurated the Seminar on 22 October, 1980. Shri Shyam Lal Yadav, Deputy Chairman, Rajya Sabha also addressed the Seminar.

The following subjects were discussed at the Seminar:—

- (1) The Executive and Parliament.
- (2) Role of Private Members—How to make their contribution more effective?

Shri Ram Niwas Mirdha, M.P., former Deputy Chairman, Rajya Sabha delivered the key-note address on 'The Executive and Parliament', while Shri G. Lakshmanan, Deputy Speaker, Lok Sabha delivered the keynote address on 'Role of Private Members—How to make their contribution more effective?'

Ten delegates from CPA Branches overseas and forty-seven delegates from Parliament and State Legislatures in India, which includes a number of Presiding Officers and Ministers, participated in the Seminar.

After the Seminar, the delegates from overseas CPA Branches visited some places of historical, cultural and industrial interest in Delhi, Agra, Faridabad, Jaipur and Bombay.

INDIAN PARLIAMENTARY DELEGATIONS ABROAD

Indian Parliamentary Delegation to Hungary: In response to an invitation received from Hungary, an Indian Parliamentary Delegation, led by Shri Bal Ram Jakhar, Speaker of Lok Sabha, visited Hungary from 1 to 7 September, 1980. Besides the leader, the Delegation consisted of Shri Mani Ram Bagri, M.P., Shri T. Basheer, M.P., Smt. Vidyavati Chaturvedi, M.P., Shri Arif Mohammad Khan, M.P., Shri V. C. Kesava Rao, M.P., Dr. Saradish Roy, M.P., and Shri Avtar Singh Rikhy, Secretary, Lok Sabha and Secretary to the Delegation.

PARLIAMENTARY DELEGATIONS FROM ABROAD

Czechoslovak Parliamentary Delegations: In response to an invitation from India, a Czechoslovak Parliamentary Delegation led by His Excellency Mr. Alois Indra, Chairman of the Federal Assembly of the Czechoslovak Socialist Republic, visited India in November, 1980. The delegation called on the Speaker, Lok Sabha at Parliament House on 18 November, 1980 and watched the proceedings of Lok Sabha and Rajya Sabha. On the same day the Speaker, Lok Sabha hosted a dinner party in honour of the delegation. A meeting between the visiting delegation and Members of Parliament was held on 24 November, 1980.

Apart from their visits in Delhi, the delegation went to some places of cultural and industrial interest like Bangalore, Mysore, Hyderabad and Agra.

BUREAU OF PARLIAMENTARY STUDIES & TRAINING

During the period from 1 October to 31 December, 1980, the following Programmes/Courses were organised by the Bureau of Parliamentary Studies and Training:

Seminar on "Social Legislation and Problems of Its Implementation": A Seminar on "Social Legislation and Problems of Its Implementation" was held under the joint auspices of the Bureau of Parliamentary Studies and Training and the Indian Parliamentary Group on 12, 13 and 14 December, 1980 in Committee Room (Main), Parliament House Annexe. Besides Members of Parliament and of the Indian Parliamentary Group, representatives from the State Legislatures participated in the Seminar.

The Seminar, inaugurated by Shri Bal Ram Jakhar, Speaker, Lok Sabha on 12 December, 1980, was attended by 72 Members of Parliament, 50 Members from State Legislatures and 19 Associate Members of the Indian Parliamentary Group.

The following were the panel speakers:

1. Smt. Promila Dandavate, M.P.
2. Shri Jagjivan Ram, M.P.
3. Shri Ram Niwas Mirdha, M.P.
4. Smt. Purabi Mukhopadhyay, M.P.
5. Shri K. C. Pant, M.P.
6. Shri P. Ramamurti, M.P.
7. Shri Jagannath Rao, M.P.

Besides the seven panel speakers, nine Members of Parliament, seven Associate Members of the I.P.G. and 30 Members of State Legislatures participated in the Seminar.

At the end of the Seminar, the Vote of Thanks to the Hon'ble Speaker, the Panel Speakers and other participants in the Seminar, was proposed by Prof. H. N. Mukerjee, Honorary Adviser.

Orientation Programme for New Members of Parliament: A Discussion Session on "Work in Committees", under the Orientation Programme for New Members of Parliament, was held on 17 December, 1980 in Committee Room (Main), Parliament House Annexe. The Discussion Session was attended by 27 Members of Parliament. After two key-lectures on the subject by Shri N. P. Nanda, M.P. and Shri Chintamani Panigrahi, M.P., the subject was thrown open for discussion by the participating Members. Shri Nanda conducted the proceedings.

The discussion concluded with a Vote of Thanks by Professor H. N. Mukerjee.

Thirteenth Appreciation Course for Officers of the rank of Deputy Secretary and Under Secretary to the Government of India: The Thirteenth Appreciation Course in Parliamentary Processes and Procedures for Officers of the rank of Deputy Secretary and Under Secretary to the Government of India was held from 4 to 10 October, 1980. The six-day Course was attended by 23 officers. Besides the Question-Answer Session, presided over by Shri Avtar Singh Rikhy, Secretary, Lok Sabha, there were ten talks on various aspects of the working of Parliament. During the Course, which commenced with the inaugural lecture on "Parliament in the Indian Policy" by Professor H. N. Mukerjee, the participants were addressed

by senior officers of the Lok Sabha and Rajya Sabha Secretariats and the Government of India.

Appreciation Course for Probationers of (i) the Indian Defence Accounts Service; and (ii) the Indian Civil Accounts Service: A two-day Appreciation Course in Parliamentary Processes and Procedures (with special reference to the role of the Financial Committees) was organised on 14 and 15 October, 1980 for Probationers of (i) the Indian Defence Accounts Service (IDAS) and (ii) the Indian Civil Accounts Service (ICAS). Fourteen Probationers (nine from the IDAS and five from ICAS), accompanied by a Staff Associate from the office of the Controller of Defence Accounts, participated in the Course.

The participants were addressed by Shri Avtar Singh Rikhy, Secretary, Lok Sabha, who also presided over the Question-Answer Session held at the conclusion of the Course, and other senior officers of the Lok Sabha and Rajya Sabha Secretariats. The opening talk on "The Accountability of the Executive to Parliament" was delivered by Shri S. S. Bhalerao, Secretary-General, Rajya Sabha.

Attachment Programme for State Legislature Secretariat Officials: The following Attachment Programmes were organised by the Bureau:

Period	Trainees	Fields of Study
18—29 November 1980	Research Officer, Orissa Legislative Assembly Secretariat	Parliament Library and Reference, Re- search, Documenta- tion & Information Service of the Lok Sabha Secretariat
24—29 November, 1980	Two Deputy Marshals, Manipur Legislative Assembly Secretariat	Watch & Ward, Door Keeping and Sanita- tion Service of the Lok Sabha Secretariat
15—20 December, 1980	Two Reporters, Orissa Legislative Assembly Secretariat	System of Reporting in Lok Sabha
27 December, 1980 to 16 January, 1981	Thirteen Parliamentary Fellows from the Institute of Constitu- tional and Parliamen- tary Studies, New Delhi.	Parliamentary Processes and Procedures.

Study Visits: The Bureau also organised one-day Study Visits for the following:

- (i) A group of 20 students of German School, New Delhi.
- (ii) Participants in the 54th Batch of Section Officers (Refreshers) Course, conducted by the Institute of Secretariat Training and Management (ISTM), Department of Personnel and Administrative Reforms, Ministry of Home Affairs, New Delhi.
- (iii) Participants in the Section Officers (Probationers)/Assistant Civilian Staff Officers (Probationers) Course, 1980-81 conducted by I.S.T.M., New Delhi.
- (iv) Participants in a Refresher Course in Communications conducted by the Indian Institute of Mass Communication, New Delhi.
- (v) Participants in the 7th International Course on Management Techniques for Development Administration conducted by the I.S.T.M., New Delhi.
- (vi) Probationers of the Indian Telecommunication Service undergoing training at the Advanced Level Telecommunication Training Centre, New Delhi.
- (vii) Participants in a Training Course on Audit of Public Utilities Organisation conducted by the Comptroller & Auditor General of India, New Delhi.
- (viii) Participants in a Training Course on Cash and Accounts conducted by I.S.T.M., New Delhi.

The participants in the various Study Visits were apprised of the salient features of the working of the Indian Parliament. They were also enabled to watch the proceedings of the Lok Sabha during their visits.

EXHIBITION ON 'NEHRU—PATRIOT, PARLIAMENTARIAN AND NATION-BUILDER'

The Lok Sabha Secretariat organised a small Exhibition on the theme 'Nehru—Patriot, Parliamentarian and Nation-BUILDER' on Jawaharlal Nehru's 91st Birth Anniversary. The Exhibition, in which books by and on Nehru available in the Parliament Library were displayed, was inaugurated on November 14, with the garlanding of the portrait of Jawaharlal Nehru by Shri Bal Ram Jakhar, Speaker of Lok Sabha and the Prime Minister, Smt. Indira Gandhi. The gathering on the occasion included a large number of Cabinet Ministers, Leaders of Political Parties/Groups and Members of Parliament. The Exhibition was kept open for a fortnight, till 29 November 1980, the four days being open to the public.

Besides a large number of books by and on Nehru, there were visuals—photographs, press clippings and excerpts from Nehru's speeches and writings—arranged in sixteen broad sections each highlighting a fact of

Jawaharlal Nehru's multidimensional Personality—as a freedom fighter, architect of free India's democratic Government, Pillar of non-alignment movement, torch-bearer of Afro-Asian Freedom, as planner and nation builder.

A booklet containing some choice excerpts from Jawaharlal Nehru's speeches and writings was also brought out on the occasion.

PRIVILEGE ISSUES

LOK SABHA

Misreporting of proceedings of the House by a Newspaper: On 30, July, 1980, the Speaker (Shri Bal Ram Jakhar) informed the House that on 25 July, 1980, Shri Mani Ram Bagri had given notice of a question of privilege that *Patriot*, an English daily of New Delhi, in its issue of that day while reporting about the proceedings of the House regarding notice of adjournment motion on the deterioration of law and order situation in the Capital had misreported the party affiliation of Shri Jaipal Singh Kashyap, who was the leader of the Janata (S) (Raj Narain) Group in Lok Sabha, as belonging to the Lok Dal. The Speaker observed that he had taken up the matter with the Editor of *Patriot* who in his reply had expressed his sincere regrets for the mistake. The Editor had also subsequently published a correction in the issue of *Patriot* of 30th July, 1980. The Speaker observed that the regret expressed by the Editor might be accepted and the matter treated as closed. The matter was, thereafter, treated as closed.

Alleged misleading statement made by a Member of Rajya Sabha and a former Minister in the House during Fifth Lok Sabha: On 23rd April, 1979, the Speaker (Shri K. S. Hedge) informed¹ the House about a question of privilege given notice of by Shri Jyotirmoy Bosu, a member, against Shri Pranab Kumar Mukherjee, a member of Rajya Sabha and former Minister of State in charge of the Department of Revenue and Banking, or allegedly making in misleading statement in the House during the Fifth Lok Sabha. Shri Bosu in his notice referred to the following observations by Shri Mukherjee on January 19, 1976, while speaking in Lok Sabha on the "Voluntary Disclosures of Income and Wealth Bill" and said that this was a "wrong statement" and was a clear breach of privilege of the House and needed to be dealt with by the Privileges Committee:

"... The scheme of voluntary disclosure has proved highly successful and according to the latest available information, it

1. *L. S. Deb.*, 23rd April, 1979. cc. 255-57.

appears that 2,42,400 persons made declarations of income amounting to Rs. 741.24 crores in the aggregate”.

In this connection, the Speaker observed that the Public Accounts Committee in its 123rd Report had pointed out that even according to the representative of the Department of Revenue, the actual addition to the economy or net wealth might be of the order of only Rs. 200 crores. The Committee was unable to dispel its suspicion that a deliberate attempt was made to magnify the achievement of this scheme nearly by four times and thereby mislead the Parliament and the people, and had recommended that an independent enquiry should be conducted to fix responsibility for this wilful distortion of facts. The Speaker posed the question whether the House was deliberately misled? If so, who was responsible for it? He expected the Government to direct an enquiry into these questions without delay as it was a serious matter. He would, therefore, keep the matter pending till the enquiry report was available, on the assumption that the enquiry would be held urgently.

Giving his ruling in the matter on 16th May, 1979, the Speaker observed²:

“I have since received a detailed note from the Ministry of Finance which has been sent with the approval of the Deputy Prime Minister and Minister of Finance on the matter.

In their note, the Ministry of Finance after describing the manner and circumstances in which the figure of voluntary disclosures stated by Shri Pranab Kumar Mukherjee in Lok Sabha on the 19th January, 1976 was calculated, concluded that the figure of Rs. 812.11 crores was arrived at by *aggregating* the amount of wealth/value of assets disclosed for different assessment years in declarations made under Section 15(1) of the Ordinance. The Ministry of Finance further stated that ‘in para 207 of the 123rd Report of Public Accounts Committee, the Committee have recommended an independent enquiry in the matter’ and that ‘this recommendation will be pursued by the Government and the results reported expeditiously to the Public Accounts Committee’. In that Report no finding was given fixing up the responsibility for the incorrect information.

In view of the above position stated by the Ministry of Finance and in view of the fact that Shri Pranab Kumar Mukherjee is a sitting member of the other House against whom a question of breach of privilege can be dealt with only by the other House in accordance with the procedure laid down in the Report of the Joint Sitting of the Committees of Privileges of Lok Sabha and Rajya Sabha which was adopted by both Houses of Parliament I refer the matter to the Chairman of the Rajya Sabha.”

On 18th May, 1979, the Speaker, Lok Sabha, addressed a letter to the Chairman, Rajya Sabha, enclosing therewith the relevant extracts from the

² L. S. Deb, 16th May, 1979, cc. 241-42.

Lok Sabha Debates dated 23rd April and 16th May, 1979, for information and necessary action in terms of the procedure laid down in the Report of the Joint Sitting of the Committees of Privileges of Lok Sabha and Rajya Sabha, adopted by both the Houses of Parliament. On 21st May, 1979, the Chairman, Rajya Sabha (Shri B. D. Jatti) informed³ the House about the receipt of the communication dated 18th May, 1979, from the Speaker, Lok Sabha.

Subsequently, a communication was addressed to Shri Pranab Kumar Mukherjee enquiring from him as to what he had to say in the matter to enable the Chairman to consider the complaint forwarded to him by the Speaker, Lok Sabha. The Chairman, after considering the matter in the light of the comments received from Shri Mukherjee, referred⁴ it to the Committee of Privileges of Rajya Sabha on 27th June, 1979, for examination, investigation and report, under Rule 203 of the Rules of Procedure and Conduct of Business in Rajya Sabha.

The Committee of Privileges in its Seventeenth Report, presented to the House on 17th March, 1979, reported, *inter alia*, as follows:—

“... In the opinion of the Committee... acts which mislead or tend to mislead must be done wilfully with the intention to mislead or deceive. Thus, the element of deliberateness is an essential ingredient implicit in the alleged offence of deliberately misleading the House. The Committee is aware that a number of statements which come up before the House are sometimes found not wholly true. There may be many statements made before the House which may in the end be found to be based on wrong information given to those who made them. Such statements will not, therefore, in the opinion of the Committee, constitute a contempt if the persons had made them in the belief that the information contained in the statement was true.”

“On the basis of the facts and record available to the Committee, the Committee addressed itself to the limited question whether by making the impugned statement Shri Mukherjee had deliberately misled the House so as to constitute a breach of privilege and contempt of the House.”

“Shri Mukherjee in his letter dated June 6, 1979... has, *inter alia*, stated as follows:—

‘The figures which I quoted on the floor of the Lok Sabha as the then Minister of State, incharge of the Department of Revenue and Banking, were provided to me by the Department. As a Minister one has to depend on the information provided to him by the Department and one

³ R. S. Deb., 21st May, 1979.

⁴ R. S. Bulletin Part-II, Paragraph No. 25266, 30th June, 1979.

has no option but to accept it and to communicate it to the House accordingly. It is not possible for any Minister to himself collect the statistical information of such nature from every nook and corner of the country.'

"In the light of the categorical statement of Shri Mukherjee that he had no intention at any stage to mislead the House and that the figures supplied to him by the Department were believed by him to be true and correct, the Committee is of the opinion that Shri Mukherjee has not made any statement to the House with a view to deliberately misleading it. The Committee is fortified in taking this view not only by the evidence given before the Public Accounts Committee by the representative of the Department of Revenue, but also by the enquiry held by Shri J. P. Kacker, formerly Secretary, Department of Expenditure (Ministry of Finance) in regard to the computation of net wealth disclosed under the Scheme of Voluntary Disclosure in 1975, as recommended by the Public Accounts Committee. According to the conclusions contained in Shri Kacker's Report which have since been accepted by Government and a copy of which was made available to the Committee by the Ministry of Finance, the method adopted by the Central Board of Direct Taxes for computation of net wealth under the said Scheme was in consonance with the practice followed by the Comptroller and Auditor General and that there was neither any evidence in the files to show that there was pressure to present inflated figures nor was there any ground for suspecting any *mala fides* in the computation of figures for presentation to Parliament. These conclusions also lend support to the contention of Shri Mukherjee that he made the impugned statement in the Lok Sabha on the basis of the information provided to him by the Department which he believed to be true and correct.

"In the circumstances, the Committee feels that Shri Mukherjee has not committed any breach of privilege either of the House or of the members by making the impugned statement. The Committee, therefore, recommends that no further action need be taken by the House on Shri Jyotirmoy Bosu's complaint against Shri Pranab Mukherjee."

No further action was taken by the Rajya Sabha in the matter. A Copy of the Report of the Committee of Privileges was forwarded to the Speaker, Lok Sabha by the Chairman, Rajya Sabha on 17th March, 1980. No further action was taken in the matter by the Speaker Lok Sabha.

RAJYA SABHA

Alleged making of false statements and imputing of motives to a Member by a newspaper in regard to his speech in the House On 17th May, 1979, Shri P. Ramamurti, a Member, raised⁵ a question of privilege

⁵ R. S. Deb., 17th May, 1979.

against the Editor, Printer and Publisher of the *Economic Times* for making false statements and attributing motive to him in regard to his speech in the House on 20 March 1979, regarding the BHEL-Siemens Agreement, in an editorial published in its issue dated 14, April 1979, under the caption "In excusable Dithering".

The impugned editorial read, *inter alia*, as follows:—

"INEXCUSABLE DITHERING

The Union Cabinet's decision to refer the controversial BHEL-SIEMENS tie-up to a sub-committee of its own members, is an incomprehensible piece of procrastination...."

* * * * *

"The most obvious feature of all these arguments is that all of them are technical. They consist of assertions about the technical quality of existing collaborations, and the technical skills of BHEL's design engineers. The paradox of the attacks of the BHEL-SIEMENS deal, is that these technical arguments are being put forward almost exclusively by non-technical people. Mr. P. Ramamurti whose pamphlet launched the attack on the deal is a trade unionist and every page of the pamphlet, as well as of a long letter published in the *Times of India*, reveals his unfamiliarity with technical issues of the kind involved in the deal; Dr. Subramaniam Swamy who has recently added his weight to the attack on BHEL is an economist who specialised in some theoretical aspects of national income calculations, and is best known for his estimates of the growth rate attained by China in the fifties and sixties. To the best of our knowledge, none of the Janata members who supported a review of the collaboration agreement are any better qualified in technical matters. In that case the question arises how are these people sheltering behind technological arguments? The answer unfortunately is not far to seek. To most of them the technical arguments are a cloak for allegations that key members of the Ministry of Industry starting from Mr. George Fernandes, have been bribed by the Germans to sell out their country's interests. In the same vein, Mr. Ramamurthi has used the protection afforded to him by the halls of the Rajya Sabha to accuse a journalist who had the temerity to support the BHEL-SIEMENS deal of having taken bribes from the former. Such character assassination is the surest sign that those indulging in it themselves are moved by motives which will not stand the light of day."

The following motion moved by Shri P. Ramamurti was adopted⁶ by the House:—

"That this House refer the complaint of breach of privilege against the Editor, Printer and Publisher of the *Economic Times*, to the Committee of Privileges."

⁶. *Ibid.*

The Committee of Privileges, after hearing Shri P. Ramamurti and Shri Prem Shankar Jha, Deputy Editor of the Economic Times, in their Eighteenth Report, presented to the House on 17 March, 1980, reported *inter alia* as follows:—

“It is well-established that speeches and writings reflecting upon Members of Parliament concerning their character or conduct as such members constitute breach of privilege and contempt of the House. One of the examples of such speeches and writings are ‘reflection on the motives of a member or a group of members’ (May, 19th Edition, pp. 152-53). There have been many instances in both the Houses of Parliament where writings imputing motives to members for their speeches in the House have been held to constitute breach of privilege and contempt of the House. At the same time the right of a citizen to criticise the views on matters of public concern expressed by members in Parliament has been recognised; but such criticism should be fair and couched in proper language without attributing motives to members. When, however, the citizen exceeds the limit of fair comment or criticism and indulges in imputation of improper motives to a member of Parliament, he brings himself within the penal jurisdiction of the House.

“On a perusal of the editorial, the Committee is of the view that the impugned observation in the editorial, namely, ‘such character assassination is the surest sign that those indulging in it themselves are moved by motives which will not stand the light of day’, and its juxtaposition with the preceding one, namely, ‘In the same vein, Mr. Ramamurti has used the protection afforded to him by the halls of the Rajya Sabha to accuse a journalist who had the temerity to support BHEL-SIEMENS deal of having taken bribes from the former’ refers to the speech of Shri Ramamurthi made in the House on March 20, 1979, and does attribute ulterior motives to him. In the Committee’s view, the impugned observation, therefore, constitutes a contempt of the House not only by casting reflection on it but by tending to undermine freedom of speech in Parliament.

“However, taking note of the expression of regret by Shri Jha in his oral submission before the Committee as well as the subsequent publication of an apology by the Editor in the issue of *Economic Times* dated March 1, 1980, as directed by the Committee, the Committee recommends that no further action be taken by the House in the matter.”

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

Alleged misleading statement made by a Minister in the House: On 8 July, 1980, the Minister of Home Affairs (Giani Zail Singh), while making a statement in the House regarding the alleged rape of a woman

at Baghpat, referred to the report of medical examination of the woman and stated, *inter alia*, as follows:—

“Unless it is proved that the lady has been raped or not how can we punish anybody? This is the medical report. In this report this Doctor has not held that any rape was committed on her.”

On 6 August, 1980, the Chairman (Shri M. Hidayatullah), while disallowing a notice of question of privilege by Shri Satya Pal Malik, a Member, against the Minister of Home Affairs for allegedly making a misleading statement in the House, observed, *inter alia*, as follows:—

“The notice of a privilege motion given by hon. Shri Satya Pal Malik on 23-7-1980 refers to a statement made by the hon. Home Minister in the House on the 8th July, 1980... The privilege motion avers that the statement made by the hon. Home Minister was false and deliberately misleading.

As the motion relates to the statement of 8th July, 1980... it is sustainable only on one of the three grounds, namely: (i) That the Minister made a statement which he knew was false; or (ii) That he made a statement which he did not himself believe to be true; or (iii) That he made the statement without due care and attention and negligently, asserting something as true which turned out to be false.

The matter has been judged in this light as on 8th July, 1980. Mr. Malik's later inquiries and researches and their results do not enter into this question. As the hon. Minister was not an eye-witness to the alleged rape or to the examination by the doctor, he could have only spoken on the statement of facts in his possession as on the 8th July, 1980 or before.

We must judge the *bona fides* of his conduct only on this footing and the privilege motion itself is based on his conduct and *bona fides* as on a particular date.

In accordance with the established practice, the attention of the hon. Minister was drawn to the motion for his comments before I took any decision. In reply to my query, the Home Minister only gave the contents of the report as he had with him and volunteered, perfectly *bona fide*, that he would ‘make further inquiry’.

The matter thus boils down to this: what were the contents of that medical report on which the statement was based? And in reply to my query, the Hon'able Home Minister said:

“The medical report dated 18th June, 1980 referred to by Shri Satya Pal Malik is not with us. We have another medical report of 18th June, 1980, a copy of which is enclosed. We have asked Government of Uttar Pradesh to verify the authenticity of the report sent by Shri Malik...”

Therefore, as late as July 26, 1980 there was but one report before the Hon'ble Home Minister and that did not make a reference to rape or even a probable rape. . . . This report was furnished by Dr. N. Pant, Medical Officer, Women's Hospital, Meerut, on examination at 7-15 P.M. on 18th June, 1980.

It appears that the lady was later sent to P. L. Sharma Hospital and from there to the Dufferin Hospital and the Dufferin Hospital referred her again to Dr. N. Pant. She examined her again on 19-6-1980, that is, the next day, at 9 a.m. The second report thus came into existence on 19-6-1980 at 9 a.m. In this second report Dr. N. Pant said:

'Vaginal injury noted by me yesterday, in my opinion, is probably a rape injury.'

Therefore, there were two reports, one dated 18-6-1980 and the second dated the next day, that is, 19-6-1980.

Leaving out of account the word 'probably' which makes the subject of rape an *pen* issue still, the second report was not brought to the notice of the Hon'ble Minister on or before 8th July, 1980.

The statement of the Hon'ble Minister as of 8th July, 1980 was, therefore, made *bona fide*, based on the information then in his possession."

* * * * *

"I am not deciding whether there was rape or not. I have only to decide whether the hon. the Home Minister's statement was false and misleading in all the circumstances of this case.

Whatever may be the later developments after 8-7-1980, the question for me to consider is whether the Home Minister wilfully misled the House on that date. It is clear from the records that what the Minister stated in the House was based on the information in his possession which had been supplied to him by the Government of U.P. and which did not mention about rape and he had no reason to doubt it. Thus he has not misled the House wilfully or otherwise. I have fully explained the reasons for the decision because of the tension this unfortunate incident has evoked in the House and outside. I am not concerned with the fact as they later emerged or may further emerge. I am only concerned with statement of the Home Minister on 8th July, 1980.

Basing myself on this fact I withhold consent to Shri Malik to raise the matter as a matter of privilege or contempt of the House as in my opinion not even a *prima facie* case has been established."

The matter thereupon stood closed.

Misreporting of a members' speech by a newspaper: On 24 July, 1980, the Chairman (Shri M. Hidayatullah) informed the House that on 26 June, 1980, Shri Bipinpal Das, had sought to raise a question of privilege against the Editor of *The Assam Tribune*, Gauhati, for misreporting his speech in the Rajya Sabha on 9 June, 1980, while speaking on the Statutory Resolution seeking approval of the House to the continuance in force of the President's Rule in Assam for a further period of six months. On his direction, the matter was referred to the Editor of the newspaper, Enquiring from him if he had anything to say in this regard.

The Chairman observed that the Editor in his letter of 27 June, 1980 had informed him that he had published a summary of Shri Bipinpal Das's speech as delivered by him in the House in the column, 'Letters to the Editor', under the caption 'Not Accurately Reported' in the issue of the paper of 26 June, 1980 at the instance of Shri Bipinpal Das himself who had taken up the matter with the newspaper. In his letter to the Secretary-General, the Editor had not only regretted the discrepancies in the reporting of Shri Bipinpal Das's speech but also assured that there had been no deliberate attempt on his part to malign an hon. Member of the Rajya Sabha or to tarnish his political image. It was, however, felt that a mere publication of a summary of the Member's speech was not making proper amends in the case. The Editor of the newspaper was, therefore, asked to publish his unqualified apology in an issue of *The Assam Tribune* at a prominent place before the matter could be considered further.

The Chairman further observed that the Editor had since published his apology and expression of regret in *The Assam Tribune* of 13 July, 1980. In view of this, if the House agreed the matter might be treated as closed. He said:

"In this connection, I would like to observe that the Press should be circumspect in reporting the proceedings of the House. . . . If there is editing with a view to *suppressio veri* or *suggestio falsi*, then in my sole judgement I shall take appropriate action. I hope that misreporting and such other things will not occur in future."

The matter was, thereafter, closed.

ANDHRA PRADESH LEGISLATIVE ASSEMBLY*

Obstructing Members from entering the Assembly and raising of slogans in the House: On 24 and 25 September, 1980 some members of the ruling party gave notice of a question of breach of privilege of the House alleging that they were prevented from entering the Assembly by

1. R. S. Deb., 24 July, 1980.

*Contributed by the Andhra Pradesh Legislative Assembly Secretariat.

the Members of the Opposition, who later raised slogans in the House and prevented the Assembly from transacting any business. On 26 September, 1980 the Deputy Speaker heard the members from both sides on the complaint.

Giving his ruling in the matter on 29 September, the Deputy Speaker observed:

"The series of incidents that had taken place, I am constrained to remark, are most unfortunate. I may mention here that non-violent protests by members like sit-in strikes in the House are not matters involving breach of privilege as has been consistently held in Lok Sabha and other State Legislatures. But I appeal to the members that protests or sit-in strikes inside the House will not be conducive to the dignity of the House. Having taken into consideration the plea of the opposition leaders that it was not their intention to prevent ruling party members from discharging their duties or to show any disrespect to the House. I rule out that there is no case of breach of privilege.

I may here recall that this House is conducting its business in a very dignified manner hitherto. It may not be out of place if I make a frevent appeal to all the members of the House to conduct themselves in such a way in future also to enhance the dignity of the House and maintain the high standards, which the Assembly is entitled to expect of its members.

I may point out that in future we must make it clear that the impact of 'Bundh' shall not be on the working of the Assembly and on the other hand the Assembly should function so that the problems which warranted the 'Bundh' may be discussed in the Assembly even on the day of 'Bundh'."

Thereafter, the matter was treated as closed.

BIHAR VIDHAN SABHA

Throwing of leaflets from the Visitors' Gallery on the floor of the House:

On 22 July, 1980, at 2.30 P.M., a person calling himself Vindhychal Singh, threw some leaflets from the Visitors' Gallery on the floor of the House. He was immediately taken into custody by the Watch and Ward Officer of the Vidhan Sabha. Later in the day the Chief Minister (Shri Jagannath Mishra) moved the following motion which was adopted⁸ by the House:

"This House resolves that the person, calling himself as Vindhychal Singh, son of Shri Shivratna Singh of Village Phulas, Police Station Gorla Kothi, Distt. Siwan who threw some leaflets in the House from the Visitors' Gallery to-day, 22 July, 1980 at 2.30 P.M. while the proceedings of the House were going on,

⁸ Bihar Vidhan Sabha Deb., 22 July, 1980 (Original in Hindi).

and who was taken into custody immediately by the Watch and Ward Officer of the Vidhan Sabha is guilty of contempt of the House. The House further resolves that the aforesaid Shri Vindhychal Singh be sentenced to simple imprisonment for the aforesaid offence till 6.00 P.M. on 25, July 1980 and sent to Bankipur Jail, Patna to serve the sentence of imprisonment."

In pursuance of the above decision of the House, the Speaker (Shri Radhanandan Jha) issued a warrant of commitment, addressed to the Superintendent, Bankipur Central Jail, Patna and the matter was, thereafter closed.

GUJARAT LEGISLATIVE ASSEMBLY*

Shouting of slogans in the Visitors' Gallery and throwing of pamphlets in the House: On 1 October, 1980 at about 10.35 A.M., twenty-one persons shouted slogans in the Visitors' Gallery of the House and threw pamphlets in the House. They were immediately taken into custody by the security staff. Thereafter, the Minister for Parliamentary Affairs moved the following motion which was adopted by the House without any dissenting voice:—

"That the persons who have misbehaved in the actual view of the House today have committed contempt of the House and, therefore, they be sentenced to simple imprisonment till prorogation of the House and that they be sent to the Sabarmati Central Jail, Ahmedabad."

In pursuance of the aforesaid motion adopted by the House, the Speaker, by warrant of commitment signed by him and addressed to the superintendent of the Sabarmati Central Jail, Ahmedabad sent the said persons to Jail.

HARYANA VIDHAN SABHA

Alleged pressurising of a member by certain officials to vote for the ruling party in Rajya Sabha elections : On 10 July, 1980, when Shri Mool Chand Jain and other members sought to raise⁹ a question of privilege, the Speaker (Col. Ram Singh) informed the House as follows:—

"I have received a notice of privilege motion from Babu Mool Chand Jain, Shri Preet Singh Rathi and Shri Ram Singh Mann stating that D.C. and S.D.M. of Sirsa, called Shri Bhagi Ram, M.L.A., and told him that a telephone call from the Chief Minister has been received to the effect that he (Shri Bhagi Ram) should be pressed to vote in favour of the Congress Party during the Rajya Sabha elections. I referred the matter to the Government. The Chief Minister has given a statement on oath that he never pressurised the D.C. Thereafter, I requested the Chief Secretary to contact the D.C., Sirsa, and obtain his version. The Chief Secretary rang up the D.C., Sirsa, who replied that

*Contributed by the Gujarat Legislative Assembly Secretariat.

⁹. *Haryana Vidhan Sabha Deb.*, 10 July, 1980.

he had not received any phone call from the Chief Minister and he had never contacted Shri Bhagi Ram and that he was not aware of anything in this regard. Even then I was not satisfied. The Chief Minister has given a statement on oath, but at the same time I have in writing a statement of an M.L.A. also. I want to give due importance to the opposition and want to set up a democratic tradition. I therefore, called Shri Mool Chand Jain in my office and told him that in addition to what I have already done, I would call D.C., Sirsa, and ask him the factual position because a statement has been given by an M.L.A. and I want to give as much importance to the statement of an M.L.A. as to that of a Minister or a high dignitary. . . . I would take evidence of the D.C. to see whether there is any *prima facie* case. If there is any truth in the matter, I will refer it to the Committee."

On 12 July, 1980 the Speaker while disallowing the notice of question of privilege, informed¹⁰ the House as follows:—

"I want to make an announcement in connection with the notice of privilege motion standing in the name of Shri Mool Chand Jain and two other members. . . . In accordance with the well established conventions as given in *Practice and Procedure of Parliament* by 'Kaul & Shakdher' (Page 239), I summoned the Deputy Commissioner, Sirsa, in order to give him an opportunity to explain his point of view with regard to the privilege motion given notice of by Sarvashri Mool Chand Jain, Preet Singh and Ram Singh Mann, M.L.As."

The points at issue were as follows:—

- (a) whether the Deputy Commissioner, Sirsa, had received any instructions from the Chief Minister with regard to the elections to the Rajya Sabha due to be held on 11-7-1980;
- (b) whether the Deputy Commissioner, Sirsa, had passed any instructions to the S.D.M., Sirsa, to pressurise Shri Bhagi Ram, M.L.A. with regard to these elections;
- (c) whether the Deputy Commissioner, Sirsa, himself had had any conversation with Shri Bhagi Ram, M.L.A. in this regard.

I had this conversation in the presence of Shri Mool Chand Jain, the Leader of the Opposition. The Deputy Commissioner, Sirsa, categorically and flatly denied having received any instructions from the Chief Minister on this subject. As regards the Deputy Commissioner, Sirsa, passing on any instructions, to the S.D.M., the question does not arise as he had not received any instructions from the Chief Minister himself.

The Deputy Commissioner, Sirsa, pointed out that Shri Bhagi Ram M.L.A. had come to see him on either the 29th or 30th June (as he was not quite sure of the date, but it was either of the two dates) in order to make a complaint regarding butchering of a calf in his village. The Deputy Commissioner further

¹⁰. *Ibid.* 12 July, 1980.

said that he offered the Hon. Member a cup of tea and had very cordial talk with the M.L.A. During this conversation, no mention whatsoever was made of the impending Rajya Sabha elections.

The Deputy Commissioner, Sirsa, further submitted that in case, any conversation or pressurisation regarding the Rajya Sabha elections had taken place on the 29th or 30th June, then surely, the Hon. Member would have lodged the complaint the following day or the day after that. But, it is noticed that the complaint of the privilege motion was not lodged till the 8th of July, 1980, i.e., after the expiry of 8 or 9 days. Apart from this, the Chief Minister has also stated that no such instructions whatsoever have been passed by him to the Deputy Commissioner, Sirsa, or to any other official with regard to the Rajya Sabha elections. As such, in my opinion, no *prima facie* case exists for the admission of the motion and I disallow the motion of privilege."

The matter was, thereafter, closed.

KARNATAKA LEGISLATIVE ASSEMBLY*

Remarks by a Minister allegedly affecting the right of a Member to function in the House: On 4 July, 1980, a Member (Shri S.R. Bommai) sought to raise a question of privilege against the Minister for Law and Parliamentary Affairs and Animal Husbandry (Shri Y. Ramakrishna) for his intervention during the course of the reply by the Minister for Finance to the general discussion on Budget, when refuting certain allegations made by a member, he stated that it was not proper to make personal remarks against anybody and hence the allegation was baseless. Shri Bommai submitted that the Minister's statement that the allegation was baseless came in the way of the right of a Member to function in the House. He added that he was not making allegations against the Minister for Parliamentary Affairs, as such, but that his allegation was in respect of the misappropriation of Rs. 13 lakhs in the Anekal Constituency. Shri Y. Ramakrishna, Minister for Parliamentary Affairs clarified that to his knowledge the allegation was baseless unless it was proved. He also stated that if it had been established that there was misappropriation and that he had characterised it as baseless, then it would amount to a breach of privilege.

Giving his ruling, the Speaker observed that he had given the matter utmost consideration. On going through the proceedings carefully, he had found that this was "a tragedy of errors". While the members had been speaking about allegations of misappropriation in Anekal, the Minister was construing it to be directed to himself and had said it was baseless. On several occasions, the Speaker pointed out, it had been ruled in the Lok Sabha "that incorrect statements made by a Minister cannot make any

*Contributed by the Karnataka Legislative Assembly Secretariat.

basis for a breach of privilege. It is only a deliberate lie, if it can be substantiated, that would certainly bring the offence within the meaning of a breach of privilege. Other lapses, other mistakes do not come under this category, because everyday we find that Ministers make their statements in which they make mistakes and which they correct afterwards”.

Disallowing the question of privilege, the Speaker held that he did not think that there was any deliberate intention on the part of the Minister to mislead the House. In such cases, whenever a Minister explained his stand and said before the House that he had no intention to mislead the House the matter was not pursued further. He appealed to the House to close the matter. Thereafter, the matter was treated as closed.

KARNATAKA LEGISLATIVE COUNCIL*

Alleged misleading statement in the House by a Minister: On 24 July, 1980, Shri A. K. Subbaiah gave notice of a question of privilege against the Minister of State for Regulated Markets alleging that while making a Statement on the working of the New Market Yard at Yeshwantpur he had misled the House by stating that the reason for the delay in shifting the Market Yard from New and Old Tharagupet to the newly built Market Yard at Yeshwantpur was that the High Court and the Supreme Court had issued stay orders in this regard. According to Shri Subbaiah the question of shifting the Market Yard was not the issue in the Writ Petitions referred to by the Minister and that the issue in all the writ petitions was the question of enhancement of the market fee. He further alleged that every time the question of Yeshwantpur Market Yard was raised, the Minister was taking shelter under the stay order or the disposed of writ petitions. The Minister for Cooperation, Shri A.B. Jakanur, and the Minister for Finance, Shri Veerapra Moily, also maintained that the reason for delay in shifting the Market Yard was on account of the stay orders in the writ petitions. The three Ministers thus intentionally misled the House and had committed breach of privilege. Shri Subbaiah had attached to his notice an interim order of the High Court of Karnataka in Writ Petition No. 15424/79 in which the Court had stayed the collection of enhanced fee from the petitioners.

Shri Subbaiah raised the question on the floor of the House on 31 July, and sought the consent of the Chairman. While doing so he referred to the stay orders given by the High Court of Karnataka and the Supreme Court in other writ petitions. The Chairman allowed him to read from the stay orders which he had not produced with his original notice.

*Contributed by the Karnataka Legislative Council Secretariat.

The main issue raised by Shri Subbaiah was that the Marketing Yard was primarily meant for sale of produce by agricultural producers to traders and was not meant for sale by one trader to another. It was his contention that no agriculturist or producer had gone to the Court and obtained a stay order restraining the use of the new Market Yard for sale of produce to the trader. He admitted that the traders had gone on writ petition to the High Court and the Supreme Court and obtained a stay against shifting of their business from the old and new Tharagupet to the new Market Yard at Yeshwantpur. According to Shri Subbaiah, the stay order obtained by the traders did not prevent transaction of business by agricultural producers with the traders. Therefore, in stating that the new Marketing Yard at Yeshwantpur could not function because of the stay orders issued by the High Court and the Supreme Court, the Minister had deliberately and intentionally misled the House and thereby had committed a breach of privilege, Shri Subbaiah however stated that he was not serious in pursuing his complaint against the Minister for Finance and the Minister for Co-operation, since he believed that the two Ministers were misled by the statement of the Minister of State for Marketing.

Giving his ruling in the matter on 1 August, 1980 the Chairman observed:

“It is no doubt true that making a statement in the House knowing it to be false with the *malafide* and deliberate intention of misleading the House amounts to a breach of privilege. But in order to succeed in a notice of this kind the member concerned should prove that the Minister knew that he was making a false statement....”

“From the Minister’s statement, it seems clear beyond any doubt that the Minister was only referring to the stay orders obtained by the traders from the High Court and the Supreme Court in regard to the shifting of their business from the Tharagupet to the Yeshwantpur Marketing Yard. The Minister nowhere stated that the agriculturists or the producers obtained a stay order. Shri Subbaiah’s contention that the Yeshwantpur Market Yard could have functioned despite the stay order obtained by the traders is not a point relevant to the consideration of this notice of privilege. The Finance Minister explained that Shri Subbaiah was within his right to point out the administrative lapses, but in order to succeed in a question of privilege it should be proved beyond doubt that the Minister misled the House by making a false statement. Since the Minister had repeatedly stated that it was the traders who obtained the stay order, and this statement is proved by records, I have no hesitation to conclude that the Minister has not committed a breach of privilege and therefore I have to decline consent to the notice given by Shri A. K. Subbaiah.”

RAJASTHAN LEGISLATIVE ASSEMBLY*

Shouting of slogans and throwing of leaflets from the Visitor's Gallery on the floor of the House: On 4 August 1980 at about 12.33 P.M. two visitors calling themselves Shyam Lal Bhati and Amar Chand Singhal shouted slogans and threw some leaflets from the Visitor's Gallery on the floor of the House. They were immediately taken into custody by the Watch and Ward staff and removed from the Visitor's Gallery. Later, on the same day the Speaker informed the House that the two persons had committed a serious offence and were guilty of the contempt of the House and that had not tendered any apology for their conduct. The matter was, therefore, referred to the House for decision. The Government Chief Whip moved a resolution proposing a sentence of seven days' simple imprisonment to the two persons. An amendment was, however, moved to reduce the sentence to three days' simple imprisonment which was accepted by the House and both the persons were sent to Jail.

Illgally entering the floor of the House: On 21 August, 1980 an ex-member of the Rajasthan Legislative Assembly entered the floor of the House, shouted slogans and threw some pamphlets over the Leader of the Opposition and then slipped out of the Chamber. However, as soon as he came out of the House, the Watch and Ward staff took him into custody.

After necessary enquiries, the Speaker informed the House that ex-MLA had expressed regret for his behaviour the Government Chief Whip then moved a resolution suggesting that he be kept in custody of the Watch and Ward Officer till the rising of the sitting of the House. However, an amendment moved to set him free was accepted by the House and he was let off.

TAMIL NADU LEGISLATIVE ASSEMBLY**

Publication of distorted version of the proceedings of the House by a Newspaper: On 9 July, 1980, Shri A. Rahmankhan sought to raise a matter of privilege against the daily 'Anna' of 28 June, 1980 for publishing a distorted version of the proceedings of the House with regard to an answer furnished by the Minister for Education to a short notice question about the sale of note books. The Speaker ruled that as the Editor of the daily had expressed his regret and also published a correction in the daily on 8 July, 1980, the matter might be dropped. The matter was then dropped.

Publication by Newspaper of the speeches of Members and omission of replies thereto given by the Ministers: On 18 July, 1980 Shri Thiruppur Manimaran sought to raise a matter of privilege against 'Murasoli' for

*Contributed by the Rajasthan Legislative Assembly Secretariat.

**Contributed by the Tamil Nadu Legislative Assembly Secretariat.

publication of speeches of members belonging to the D.M.K. Party and omission of the replies given by the Ministers to the speeches.

On 8 August, 1980, the Speaker referring to the above matter recalled the previous rulings of the Chair on similar matters and stressed the importance of publishing accurate gists of the speeches of the Members and to avoid captions which tended to create distorted views of the news given thereunder. He ruled that though there was a *prima facie* case involved in the above matter, further action might be dropped.

The matter was then dropped.

PROCEDURAL MATTERS

LOK SABHA

Time Limit for asking questions: The Business Advisory Committee at its sitting held on 2 December, 1980, decided that in order that more questions might be answered during the Question Hour, not more than eight minutes might be devoted to a question for oral answer and that the Members should put their supplementary questions in a pointed and pertinent manner. It was also agreed that in case there was a detailed answer to be given to a Starred Question or some statistical information to be furnished, a statement could more appropriately be laid on the Table in order to save the time of the House. Making an announcement in this regard on 3 December, 1980, the Speaker requested the cooperation of the Members in observing this time-limit of eight minutes for an oral question. This generally received the support of members of all Parties/Groups.

Motion for adjournment of debate on a resolution: On 12 December, 1980 when the Chair, after taking the sense of the House, further extended the time for a private member's Resolution by Shri Giridhar Gomango regarding implementation of policies and programmes for the tribal areas and scheduled castes then under discussion, a Member (Shri Somnath Chatterjee) made a submission that he might be allowed to move his resolution which was the next item on the agenda so that it did not lapse and that the debate on the resolution under discussion could continue thereafter. The Chair, however, did not agree to this as it is not permissible. Thereupon, Shri Somnath Chatterjee moved a motion, with the consent of the Chair, that further discussion on Shri Giridhar Gomango's resolution be adjourned at 5.45 P. M. till the next appropriate date. The motion when put to vote was, however, negatived by the House and the discussion on the Resolution of Shri Giridhar Gamango continued.

Adjournment motions—withholding of consent by Chair: On 27 November, 1980, when the Deputy Speaker explained the position regarding the adjournment motions tabled by several Members relating to the bye-election in Weir Assembly constituency, two Members (Dr. Subramaniam Swamy and Shri Niren Ghose) enquired about the notices of adjournment motions given by them and demanded that if the Speaker had rejected their notices, reasons therefor might be given. The Deputy Speaker, reiterated that as per earlier rulings the Chair was not bound to give reasons for rejecting the notices of adjournment motions.

Adjournment Motion—asking of leave of the House: On 17 November 1980, after the Question Hour was over, the Speaker informed the House of having given his consent to the moving of an adjournment motion given notice of by four members, viz Sarvashri Basudev Acharya, A. K. Balan, Rupchand Pal and Harikesh Bahadur regarding Railway accidents. Members then started insisting on another adjournment motion regarding rise in prices being allowed in its place. The Speaker did not agree on the ground that there was no precedent for changing his decision and allowing another adjournment motion in that manner. Some Members thereupon staged a walk out. When the Speaker called one by one the names of the four members who had tabled the adjournment motion regarding railway accidents to ask for leave of the House for moving the motion, it was noticed that none of them was present. The matter, was therefore, not proceeded with.

Laying of Papers on the Table of the House: On 21 November, 1980 a Member (Shri Sunil Maitra) opposed the laying of a Gazette Notification containing the General Insurance (Rationalisation and Revision of Pay Scales and other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Second Amendment Scheme, 1980 on the Table of the House on the ground that the Supreme Court had stayed implementation of the Notification. The Minister of Finance (Shri R. Venkataraman) clarified that the Notification in question was being laid on the Table in pursuance of a statute of Parliament. The Speaker, after hearing both the Member and the Minister, observed that in view of the clarification given by the Minister of Finance it would not be in order to prevent laying of the Gazette Notification on the Table of the House.

Making of allegations by a Member: On 6 August, 1980, Shri Jyotirmoy Bosu intimated that while speaking on the motion to be moved by him against the Minister of Energy and Coal (Shri A. B. A. Ghani Khan Choudhury) he would make allegations against certain persons.

On 7 August, 1980, when the item was taken up in the House, the Speaker *inter-alia* observed that in the intimation sent by Shri Jyotirmoy Bosu under rule 353, he had not specified in precise terms the charges that he wanted to level against officials and outsiders named by him in his letter, nor had he sent any documents in support thereof. He reiterated that the Member should confine himself to matters which came strictly within the ambit of the motion included in the List of Business.

RAJASTHAN VIDHAN SABHA*

Zero Hour—New Procedure for Adjournment Motions and Calling Attention Notices: Government business in the Rajasthan Vidhan Sabha often suffered owing to a tendency during the last few years to prolong the Zero Hour sometimes up to as late as 3.00 P.M. Matters pertaining to minor incidents used to be raised through adjournment motions and despite rejection of notices of adjournment motions, full opportunity was provided, as a matter of convention, to the members to express their views. Keeping these in view, the following procedure was evolved recently in regard to adjournment motions and Calling attention notices:

- (i) As recommended by the Business Advisory Committee of the previous Vidhan Sabha, the House decided that the Zero Hour would be over by 1.00 P.M. and the Members should try to conclude their discussion during this period.
- (ii) One Calling attention notice would be included in the List of Business daily.
- (iii) After giving Calling attention notices the Members would not have the right to raise the matter on the same day unless their motions were included in the List of Business.
- (iv) Being of extraordinary nature, the purpose of an adjournment motion was to discuss a specific situation or recent incident of urgent public importance rather than an ordinary situation prevailing over a period such as rising prices, scarcity of essential commodities, hunger strike, demonstration, deterioration in a law and order situation and natural calamities like famines and floods. It would be desirable to raise only matters of urgent public importance of recent occurrence by adjournment of the usual business of the House.
- (v) When discussion on the Motion of Thanks on the Governor's Address or general discussion on Budget was going on, notices of adjournment motions should not as a well-established parliamentary practice be given as the Members would automatically get full opportunity to express their views during the discussion on the Motion of Thanks.
- (vi) A Member could give only one notice of adjournment motion on any single day. If more than one notice were given or

one notice was signed by several Members jointly, the Chair could give his ruling on any one of these notices and leave the others without giving any ruling thereon. It would not be necessary for the Chair to give ruling on all the notices given by the Members. No ruling would be given on notices not considered suitable for ruling and the Members would not have any right to raise discussion in the House in regard thereto. The Members could see the Speaker in his Chamber and get information about such motions, if they so desired.

- (vii) Notices of adjournment motions could be given to the Secretary, Vidhan Sabha in his room or put into a box kept outside the liftroom of Vidhan Sabha building upto 9.30 a.m. every day. The notices of motions received after the prescribed hours would not be considered for admissibility on that day.
- (viii) At least three typed copies of notice of each adjournment motion or written in legible hand, should be given.

Change in date of commencement of session: On 7 July, 1980, a Member rising on a point of order submitted that under article 174 of the Constitution the Governor had issued orders on 21 June, 1980 for summoning a Session of the Vidhan Sabha on 26 June, 1980 at 11.00 hours in Sawai Man Singh Hall, Jaipur. The Governor had fixed the date for commencement of the session on the recommendation of the Government and he could, under the provisions of the Constitution, only prorogue or dissolve the House, but had no right to change the date of commencement of the session of the Vidhan Sabha. The change later made by him for the commencement of the session of the Vidhan Sabha on 4 July, 1980 was, therefore, unconstitutional.

The Speaker *pro-tem*, ruling out the point of order, observed that there had been occasions in the past when the dates of commencement of the sessions of Lok Sabha and Rajya Sabha had been changed and their sessions were called on the changed dates. The President thus had the right to change these dates through a fresh summons. The Governor too had similarly changed the earlier date of commencement of the session by issuing a fresh summons for the House to meet on 4 July, 1980, instead of on the earlier date, *viz.*, 26 June, 1980. The second notification issued by the Governor in supersession of the earlier one did not therefore violate article 174 of the Constitution.

Taking Oath in Rajasthani language: On 4 July, 1980, the opening day of the Session of the Vidhan Sabha, a Member sought permission of the Chair to take oath in a regional language (Rajasthani) but the Speaker *pro-tem* observed that Rajasthani not being a language recognised under the Constitution, he could not be permitted to take oath in that language.

TRIPURA LEGISLATIVE ASSEMBLY*

Passing of Budget in one day: The Budget of the State of Tripura for the year 1980-81 was passed by the State Legislative Assembly during its one-day Session held on 25 July, 1980. This was made possible by the suspension of three of the provisions in the Rules of Procedure and Conduct of Business of the Assembly, viz., Rule 155 (1) which dealt with the General Discussion on the Budget, Rule 157 which dealt with the motion to reduce the amount of the Demand for Grant, and Rule 152. A Direction was issued by the Speaker determining the time schedule to be followed in transacting the business relating to the Budget estimates within that day. Under the Direction, the time-table laid down was: laying of the Budget Estimates for the year 1980-81 by the Chief Minister, followed by the General Discussion and replies of the Ministers 4 hours; and voting on Demands for Grants—another 4 hours; all the Demands standing in the names of different Ministers would be moved by the concerned Minister at a time and the discussion would also take place on all the Demands simultaneously; the introduction, consideration and passing of the Appropriation Bill would also be taken up after the Demands for Grants had been disposed of.

UTTAR PRADESH LEGISLATIVE ASSEMBLY**

Elections to Committees: Under the Rules of Procedure and Conduct of Business in the U.P. Legislative Assembly, elections were to take place to the Estimates Committee, the Public Accounts Committee, the Committee on Public Undertakings and Corporations, as well as to the 29 Standing Consultative Committees attached to the various Ministries. Likewise, in accordance with a Resolution adopted by the State Assembly on 6 August, 1974, members had to be elected to the Joint Committee on the Welfare of Scheduled Castes and Backward Classes for the year 1980-81 as well.

On 8 September, 1980, the Minister of Parliamentary Affairs moved a motion in the Assembly to suspend the relevant rules and the aforesaid resolution to the extent they related to the procedure for election to these Committees, and to authorise the Speaker to nominate members of the Vidhan Sabha to all these Committees. In terms of the motion, such nominated members would be deemed to have been duly elected to the respective Committees for the year 1980-81 as per requirements of the relevant rules and the resolution. The motion was adopted by the Assembly on the same day.

*Based on the information received from the Tripura Legislative Assembly Secretariat.

**Contributed by the U.P. Legislative Assembly Secretariat. Original in Hindi.

Appointment of Speaker pro-tem: On 3 July, 1980 Shri Rajendra Kumar Gupta raised a point of order regarding Governor's order of 18 June, 1980, appointing Shri Dharma Singh as Speaker *pro-tem* to discharge the functions of Speaker and said that as the Presiding Officer for the day had not been duly elected, that day's sitting was illegal. The Speaker, *pro-tem* ruled that as the offices of Speaker and Deputy Speaker were vacant, a Speaker *pro-tem* had been appointed by the Governor under article 180(1) of the Constitution, till such time as the new Speaker was duly elected by the House. A similar situation had arisen in Lok Sabha also on 17 April, 1952, when the offices of Speaker and Deputy Speaker were vacant and Shri G. V. Mavalankar was appointed Speaker *pro-tem* till the first sitting on 15 May, 1952. Keeping these circumstances and the precedent in view, the House was duly constituted and there was nothing illegal about it, he observed.

The matter was raised again on 8 July, 1980 by Shri Rajendra Kumar Gupta on another point of order that the office of Speaker had remained vacant for the period from 17 February, 1980 to 18 June, 1980, when Shri Dharma Singh was appointed Speaker *pro-tem* and all the functions of the Speaker discharged by any other person during that period would become illegal. The Speaker gave the ruling that the office of Speaker of the Legislative Assembly had remained vacant since 26 February, 1979. The House was dissolved by a Presidential Proclamation of 17 February, 1980 and there was no member of the House who could be appointed to discharge the functions of the Speaker under clause (1) of article 180. Besides, the legislative functions of the Speaker and the House and the Rules of procedure had been suspended by this Proclamation. The question of the discharge of the functions of the Speaker by any other person during President's rule thus did not arise. Moreover, the question of the office of Speaker remaining vacant from 17 February, 1980 to 18 June, 1980 was not related to any business pending in the House. This matter could not therefore be raised on a point of order. Even otherwise this matter was related to a proclamation issued by the President under article 356 of the Constitution which was a prerogative of the Central Government.

Reference to an outsider in speech: On 9 July, 1980 the Leader of the Opposition, Shri Rajendra Kumar Singh, while raising a point of order said that Shri Mahesh Chandra had referred to the name of Chaudhary Charan Singh in his speech and it should be expunged from the proceedings of the House. He said that the name of a person who was not a member of the House should not be referred in the House. The Chair ruling out the point of order observed that making of a simple reference by a member to any person's name was not prohibited, but if any allegation was made, then the proceedings would be checked and objectionable statement, if any, would be expunged therefrom.

Ordinance-making power of Governor: Before laying of the U.P. Liquidation of Anti-Social Elements Ordinance, 1980 on the Table of the House by the Chief Minister on 27 August, 1980, Shri Mohan Singh raised an objection that the Governor had the powers to promulgate an ordinance under special circumstances only. In the present case, both the Houses of the Legislature were in session—the Legislative Assembly had been summoned to meet and the session of the Legislative Council had been adjourned but the dates had been changed after summoning the Assembly. He said that the Governor had no right to revise the dates after summoning the House. The Ordinance could not, therefore, be laid on the Table of the House.

In his ruling the Speaker observed that the Governor had no powers to promulgate an ordinance only when both the Houses were in session. In this case, however, one House was in session while the other House was not. Summoning of the House did not mean that the House was in session. Under these circumstances, the Governor did have the authority to promulgate an ordinance. The promulgation of an ordinance by the Governor and the decision regarding the circumstances necessitating it was a matter for his discretion and his decision could neither be challenged in a court of law nor in the House.

Making allegations against a Member: On 4 September, 1980 a Member raised a point of order against the use of a certain words by Dr. Krishna Vir Singh Kaushal in his speech which amounted to allegations against the former Minister for Excise, who was not then a member of the House. The Speaker ruled that no allegations could be made against a person who was not a member of the House, but if a member had held any office, then his acts while holding that office could be discussed in the House, irrespective of the fact whether that member was present in the House or not.

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY*

Increased time for Private Members' Business: As recommended by the Business Advisory Committee at its meeting held on 20 September, 1980, the Minister of Parliamentary Affairs moved the following motions on 22 September, 1980:

1. "That the House may transact Private Members' Business on Monday, Wednesday and Thursday in addition to Tuesday during the current Session".
2. "That Sub-rule (1) of Rule 23 of the Rules of Procedure and Conduct of Business in the Arunachal Pradesh Legislative Assembly be suspended in relation to the motion before the House."

*Based on the information received from the Arunachal Pradesh Legislative Assembly Secretariat.

The motion for suspension of Sub-rule (1) of Rule 23 was put to vote of the House first and adopted and thereafter the other motion was adopted.

Accordingly, Private Members' resolutions were listed for discussion on all the days of the Session held from 22 to 25 September, 1980. There were altogether 73 resolutions tabled by the Members. 40 resolutions were included in the lists of Admitted Resolutions on the basis of the ballots held for each allotted day; and 27 Resolutions were discussed of which 20 were adopted, with or without amendment, 2 withdrawn, 4 negatived and one barred.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS
(1 July to 30 September, 1980)

INDIA

DEVELOPMENTS AT THE CENTRE*

Promulgation of National Security Ordinance: On 22 September, the President promulgated the National Security Ordinance which became effective from September 23, to enable the Union or the State Government to detain a person for a maximum period of 12 months to prevent him from acting in any manner prejudicial to the security of the State or the maintenance of public order or supplies and essential services.¹

Expansion of Council of Ministers: The Union Council of Ministers was expanded on 19 October with the appointment of one Cabinet Minister, six Ministers of State and four Deputy Ministers, raising the strength of the Ministry to 51. The allocation of portfolios was as follows:

Cabinet Ministers:

Shrimati Indira Gandhi, Prime Minister: *Defence, Atomic Energy, Space and Science & Technology and all other departments not specified below;* Shri Pranab Kumar Mukherjee: *Commerce and Steel & Mines;* Shri P. V. Narasimha Rao: *External Affairs;* Giani Zail Singh: *Home Affairs;* Shri C. M. Stephen: *Communications;* Shri Kamalapati Tripathi: *Railways;* Shri R. Venkataraman: *Finance;* Shri A. B. A. Ghani Khan Chaudhuri: *Energy;* Shri S. B. Chavan: *Education & Social Welfare;* Shri Kedar Pandey: *Irrigation;* Shri Veerendra Patil: *Shipping & Transport;* Shri Vasant Sathe: *Information and Broadcasting;* Shri P. C. Sethi: *Petroleum, Chemicals & Fertilizers;* Shri Shiv Shankar: *Law, Justice & Company Affairs;* Shri B. Shankaranand: *Health & Family Welfare;* Shri A. P. Sharma: *Tourism & Civil Aviation;* Shri Vidya Charan Shukla: *Civil*

*Cover the period upto 31 October, 1980.

1. *Times of India*, 23 September, 1980.

Supplies; Shri Bhishma Narain Singh: *Parliamentary Affairs and Works & Housing*; Rao Birendra Singh: *Agriculture & Rural Reconstruction*; Shri Narayan Dutt Tiwari: *Planning and Labour*.

Ministers of State:

Shri Z. R. Ansari: *Irrigation*; Shri Bhagwat Jha Azad: *Supply and Rehabilitation (Independent Charge)*; Shri Charanjit Channana: *Industry*; Shri Chandulal Chandrakar: *Tourism and Civil Aviation*; Smt. Sheila Kaul: *Education*; Shri Sita Ram Kesri: *Parliamentary Affairs*; Shri Khursheed Alam Khan: *Commerce*; Shri Nihar Ranjan Laskar: *Health & Family Welfare*; Shri Vikram Mahajan: *Energy*; Shri Yogendra Makwana: *Home Affairs*; Shri Kartik Oraon: *Communications*; Shri Shivraj V. Patil: *Defence*; Shri Baleshwar Ram: *Agriculture*; Shri C. K. Jaffar Sharief: *Railways*; Shri Buta Singh: *Shipping and Transport*; Shri C. P. N. Singh: *Science & Technology and Electronics*; Shri Dalbir Singh: *Petroleum, Chemicals & Fertilizers*; Shrimati Ram Dulari Sinha: *Labour*; Shri Sawai Singh Sisodia: *Finance*; Shri R. V. Swaminathan: *Agriculture*; Shri P. Venkata-subbaiah: *Home and Parliamentary Affairs*.

Deputy Ministers:

Shri Mohammed Usman Arif: *Works & Housing*; Shri Maganbhai Barot: *Finance*; Miss Kumudben M. Joshi: *Information & Broadcasting*; Miss Kamla Kumari: *Agriculture*; Shri Mallikarjun: *Railways*; Shri Brajmohan Mohanty: *Civil Supplies*; Shri Vijay N. Patil: *Communications*; Shri P. Venkata Reddy: *Labour*; Shri P. K. Thungon: *Supply and Rehabilitation*; Shri P.A. Sangma: *Industry*.

Subsequently, on 25 October, Shri Kamalapati Tripathi, Minister of Railways tendered his resignation from the Council of Ministers. ^{2A}

AROUND THE STATES

ANDHRA PRADESH

Resignation by Deputy Speaker: On 12 July, Shri Prabhakar Reddy resigned from the office of the Deputy Speaker of the State Assembly.⁸

². *Times of India and Indian Express*, 20 October, 1980.

^{2A} .The President, Shri Sanjiva Reddy accepted the resignation of Shri Triparthi on 12. November. The portfolio of Railways was allotted to Shri Kedar Pandey and that of Irrigation; till then held by Shri Pandey, was given to Rao Birendra Singh in addition to his own portfolios of Agriculture and Rural Reconstruction. *Times of India*; 13 November, 1980.

³. *Hindustan Times*, 13 July, 1980.

MADHYA PRADESH

Presiding Officers: On 3 July, Shri Yagyadutt Sharma and on 26 September Shri Ramkishore Shukla were elected Speaker and Deputy Speaker respectively of the State Legislative Assembly.⁴

New Leader of the Opposition: On 4 July, the Speaker of the Legislative Assembly accorded recognition to the Bharatiya Janata Party as the main opposition party, and its Leader Shri Sunder Lal Patwa as the Leader of the Opposition in the Assembly.⁵

MAHARASHTRA

Expansion of Ministry: On 25 September, four new Ministers *Viz.*, Shri N.M. Tidke, Shri Nanabhau Yembadwar and Shri Swarup Singh Naik of the Cabinet rank and Shri Permanand Awale, Minister of State were sworn in by the Governor Shri Sadiq Ali, raising the strength of the Ministry to 26.⁶

PUNJAB

New Presiding Officers: On 1 July, Shri Brij Bhushan Mehra and on July 8, Shri Gulzar Singh were elected Speaker and Deputy Speaker respectively of the State Assembly.⁷

New Leader of the Opposition: On 25 July, Shri Prakash Singh Badal, Leader of the Akali Dal Legislature Party which had a strength of 37 members in the 117-member House, was recognised as Leader of the Opposition in the Vidhan Sabha.⁸

RAJASTHAN

New Speaker: On 7 July, Shri Poonam Chand Vishnoi of the Congress (I) was unanimously elected Speaker of the Vidhan Sabha.⁹

SIKKIM

Enhancement of allowances to Legislators: The Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Amendment Bill, 1980, which became effective

⁴. Based on the information received from the Madhya Pradesh Legislative Assembly Secretariat.

⁵ *Hindustan Times*, 5 July, 1980.

⁶ *Statesman*, 26 September, 1980.

⁷ *Times of India*, 3 and 9 July, 1980.

⁸ *Indian Express*, 26 July, 1980.

⁹ *Times of India*, 8 July, 1980.

from 1 August, provided for raising the Consolidated Allowance of the Members of the Legislative Assembly from Rs. 200 to Rs. 300 p.m. and the travelling facilities from 5,000 kms. to upto 8,000 kms. in a financial year.¹⁰

UTTAR PRADESH

New Presiding Officers: On 6 July, Shri Sripati Mishra and on September 5, Shri Yadendra Singh were elected unopposed Speaker and Deputy Speaker respectively of the Legislative Assembly.¹¹

DEVELOPMENTS ABROAD

AFGHANISTAN

Appointment of new Deputy Prime Minister: President Babrak Karmal's Government appointed, on 16 August, Mr. Abdur Rashid Arian as the third Deputy Premier—the other two Deputy Premiers being Mr. Sultan Ali Kishmand and Mr. Asadullah Sarwari.¹²

BOLIVIA

New President: On 19 July, the three-men military *junta* that had seized power in Bolivia, named Army Commander Gen. Luis Garcia Mega as the new President of the country.¹³

BOTSWANA

Death of President: President Seretse Khama, who had ruled his country since its independence from Britain in 1966, died on 13 July. He was succeeded on 18 July, by Vice-President Mr. Quett Masire who took over the Presidential duties pending an election to choose Mr. Khama's successor.¹⁴

CENTRAL AFRICAN REPUBLIC

Dismissal of Government: President David Dacko, who had come to power in a French-backed *coup* against the then Emperor Jean Bedal Bokassa in September, 1979, dismissed on 10 July, the Central African Republic Government.¹⁵

¹⁰. Based on the information received from Sikkim Legislative Assembly Secretariat.

¹¹. *Times of India*, 7 July, and *Hindustan times*, 6 September, 1980.

¹². *Hindustan Times*, 18 August 1, 1980.

¹³. *Times of India*, 20 July, 1980.

¹⁴. *African Recorder*, 1980, pp. 5424.

¹⁵. *Times of India*, 11 July, 1980.

CHINA

Resignation by Prime Minister: On 7 September, Prime Minister, Mr. Hua Guofeng informed the Parliament that he and 7 Vice-Premiers had tendered resignations from their respective posts. On 10 September, the National People's Congress (Parliament) elected Mr. Zhao Ziyang as the new Prime Minister.¹⁶

New Vice-Chairman of Parliament: On 10 September, Panchen Lama, Tibet's second religious leader after Dalai Lama, was elected Vice-Chairman of the National People's Congress (Parliament).¹⁷

DOMINICA

General Election and formation of new Government: Following the expiry, in April 1980, of the term of the House of Assembly, the first general elections since the attainment of independence in 1978 were held on 21 July in which the Dominica Freedom Party (DFP) led by Miss Mary Eugenia Charles won 17 of the 21 elective seats in the House. The Dominica Democratic Labour Party and Independents shared 2 seats each.

Following the elections, Miss Charles formed a new 6-member Government.¹⁸

EL SALVADOR

Declaration of Emergency: The Salvadoran Junta declared, on 23 August, a nation-wide state of Emergency in the country and deployed the army to take control of the country's essential public services.¹⁹

HONDURAS

End of Military rule: On 20 July, General Policarpo Paz Carcia handed over executive power to the newly elected Constituent Assembly which would perform the task of choosing a provisional President, drafting a new Constitution, and establishing procedures for the election of a civilian President.²⁰

¹⁶. *Indian Express*, 8 September, and *Times of India*, 11 September, 1980.

¹⁷. *Times of India*, 11 September, 1980.

¹⁸. *Keesing's Contemporary Archives*, 1980, pp 30484.

¹⁹. *Hindustan Times*, 24 August, 1980.

²⁰. *Times of India*, 21 July and *Keesing's Contemporary Archives*, 1980, p, 30483.

IRAN

New President: Mr. Abolhassan Bani-Sadr, who was named President in February 1980, was formally sworn in on 22 July, at a special session of the Majlis (Parliament).²¹

Expulsion of a Member: The Parliament deprived on 5 August, by 117 votes to 1, the former Defence Minister Admiral Ahmed Madani of his seat in Parliament on the ground that he was found to be a "pro-American".²²

New Prime Minister: On 11 August, Mohammed Ali Rajai became the second Prime Minister of the Islamic Republic of Iran following a parliamentary vote of confidence of 153 votes, with 24 against and 19 abstention.²³

ITALY

Resignation by Government: The Six-month old Government of Prime Minister Francesco Cossiga resigned on 27 September, following a one-vote defeat in Parliament over 'economic proposals'.²⁴

JAPAN

New Prime Minister: A new Liberal Democratic Party Government headed by Prime Minister Mr. Zenko Suzuki was sworn in on 17 July, ending the two-month old political instability in the country, ever since a no-confidence motion brought down the Government of Prime Minister Masayoshi Ohira.²⁵

JORDAN

New Prime Minister: Following the resignation by the Government headed by Dr. Kassem Rimawi, King Hussein appointed Mr. Modar Badran as the new Prime Minister of the country on 28 August.²⁶

²¹. *Hindustan Times*, 23 July, 1980.

²². *Statesman*, 6 August, 1980.

²³. *Asian Recorder*, 1980, p. 15644.

²⁴. *Times of India* 28 September, 1980.

²⁵. *Times of India*, 18 July, 1980.

²⁶. *Statesman*, 29 August and *Keesing's Contemporary Archives*, 1980, p. 30508.

LEBANON

Resignation by Government and appointment of new Prime Minister: On 16 July, President Elias Sarkis accepted the resignation tendered on 7 June by the Government headed by Prime Minister Dr. Salim al-Hoss and appointed Mr. T. Solh as the new Prime Minister.²⁷

LIBYA

Declaration of Emergency: On 18 August, the Government declared a state of emergency throughout the country following an attempted uprising by the army which resulted in a large number of casualties.²⁸

MALAYSIA

New King: Tunku Ahmad Shah was installed as the seventh King on 10 July when he read out the document of oath, marking the commencement of his five-year term.²⁹

NEPAL

Restoration of freedom of speech, Press and assembly: Freedom of speech and publication, promised during the National Referendum in May 1980, were formally guaranteed with the passage, on 13 August, of the Freedom of Press, Speech and Peaceful Assembly Bill by the Rashtriya Panchayat. The King assented to the Bill on August 14, which replaced the Royal Ordinance on the subject promulgated prior to the Referendum.³⁰

PERU

End of military rule: On 27 July, Mr. Fernando Balaunde Terry, who had won the election in May, was installed as the new President, ending 12 years of military dictatorship.³¹

POLAND

Resignation by Prime Minister: Following the labour and political crisis, the Prime Minister, Mr. Edward Babiuch, who had been in office for only six months, resigned in a political shake-up on 24 August and was succeeded by Mr. Josef Finkoweki Foreign Minister Mr. Emil Woitaszek was replaced, three new Deputy Ministers were appointed, and new Controllers were made in charge of T.V. and Radio.³²

²⁷ *Asian Recorder*, 1980, p. 15651.

²⁸ *Times of India*, 19 August, 1980.

²⁹ *Hindustan Times*, 7 July, 1980.

³⁰ *Statesman*, 14 August and *Times of India*, 15 August, 1980.

³¹ *Statesman*, 30 July, 1980.

³² *Statesman*, 25 August, 1980.

SOUTH KOREA

New President: Following the resignations, on 27 August of President Choi Kyu-Hau, General Chon Doo-Hwan was installed as the fifth President of the country on 1 September. He announced the appointment of a new Cabinet on 2 September, with Mr. Nam Duck-woo as the Prime Minister.³⁴

SRI LANKA

Declaration of emergency: The Government promulgated a state of emergency in the country on 16 July, invoked the Public Security Act and imposed Press censorship to deal with the threat of a general strike by the Opposition-led trade unions. The emergency was, however, allowed to lapse from August 15 as the situation in the country 'returned to normal'.³⁴

Former Prime Minister found guilty: On 24 September, a three-member Presidential Commission, which enquired into some of the actions of the former Sri Lanka Freedom Party Government led by Prime Minister Mrs. Sirimavo Bandaranaike, found her guilty of six charges of abuse of power during her 7-year rule ending July 1977 and recommended that she be deprived of her civic rights. The Commission also found former Minister of Justice Mr. Felix R. Dias Bandaranaike guilty of four charges of corruption and abuse of power.³⁵

SURINAM

New President: President Johan Ferrier, who had been the President of the Republic since the attainment of independence in 1975, was dismissed by the National Military Council following a dispute over political policy. He was replaced by Dr. Chun-a-Sen, who became the new President while retaining the post of the Prime Minister. A state of emergency was declared on August 15, the Constitution was suspended, curfew imposed and Press censorship was introduced.³⁶

^{33.} *Hindustan Times*, 28 August, *Statesman*, 2 September and *Times of India*, 3 September, 1980.

^{34.} *Times of India*, 17 July, and *Hindustan Times*, 15 August, 1980.

^{35.} *Hindustan Times*, 25 September and *Asian Recorder* 1980, p. 15733. The Government declared a state of emergency for the second time on October 14, this time to meet the threat of violence that could erupt following the move to expel Mrs Bandarnaike from Parliament. On 16 October, the Parliament passed a resolution by 139 votes to 18, expelling Mrs. Bandaranaike from membership of the House and depriving her of civic rights for 7 years. By an identical resolution the House also deprived by 139 votes to 19. Mr. Felix R. Dias Bandaranaike of his civic rights—*Hindustan Times*, 15 October and *Statesman*, 17 October, 1980.

^{36.} *Keating's Contemporary Archives*, 1980, p. 30507.

TURKEY

Bloodless military coup: On 12 September, the Turkish military in a bloodless *coup* seized power, abolished Parliament and imposed Martial Law in the country. The legislative and executive powers were taken over by the National Security Council headed by General Kenan Evren, Chief of Staff of the Armed Forces, pending formation of a new government and a legislative body.

On 20 September, the Council announced the appointment of Admiral Bulent Ulusu as the new Prime Minister, who on 21 September, named his 26-member civilian Cabinet.⁸⁷

⁸⁷. *Times of India*, 13 September and *Statesman*, 21 and 22 September, 1980.

SESSIONAL REVIEW

SEVENTH LOK SABHA

FOURTH SESSION

The Fourth Session of the Seventh Lok Sabha was held from 17 November to 23 December, 1980. A brief resume of the important discussions and legislative business transacted by the Lok Sabha during the session is given below:

A. DISCUSSIONS

Continued statement in Assam on 'Foreign nationals' issue: Making a statement in response to a Calling Attention Notice by Shri Dhanik Lal Mandal, the Minister of Home Affairs, Shri Zail Singh said on 17 November, 1980 that despite consistency patient and reasonable attitude shown by the Government, the agitation in Assam had been resumed from 27 October, 1980. The agitation spread over a year had caused incalculable harm to the economy of the country.

The Government, he added, was anxious to find an early solution to the problem of foreigners in Assam and had decided to take up vigorously and on priority basis the work of detection of foreigners who came to Assam after March, 1971 through the machinery which commands the confidence of all concerned.

In the meantime, he added, almost all demands of the agitators had been accepted in principle, security arrangements had been further strengthened to prevent illegal entry, and in future citizenship certificates would be granted by authorities of the Central Government for which modalities were being worked out. Restrictions had also been placed on foreigners in regard to acquisition of immovable property in Assam.

Answering questions, the Minister explained that the Government had not imposed any restrictions on the use of 1951 National Register for

identifying the foreigners in Assam but had pointed out to the agitation leaders that all the copies of the National Register were not available and the Gauhati High Court had held that the document could not be relied upon as a time proof.

Iran-Iraq Conflict: Making a statement on 18 November, 1980, the Minister of External Affairs, Shri P. V. Narasimha Rao expressed deep concern over the continuing war between Iran and Iraq, two countries with whom India had close and long-standing ties. The Government, he said, had made it clear that it had not taken and would not take sides and consistently held that disputes between countries should be settled bilaterally and by peaceful means without recourse to war.

The Minister told the House that in the U.N. General Assembly, he had stated that the continuing conflict between the two countries would only weaken the solidarity of the non-aligned and developing countries and that it was his belief that Iran and Iraq, being themselves non-aligned countries, would be more willing to accept a group of non-aligned countries to help towards a resolution of the present conflict. At the meeting held in Belgrade of a Seven-member Committee of Goodwill comprising Algeria, Cuba, India, Zambia since constituted. It was decided to issue an appeal to the warring countries.

Continuing, the Minister said that the safety of large number of Indians working in Iran and Iraq had been the major concern of the Government and all possible steps including arranging their repatriation to India, where necessary, have been taken by the Government.

Demand by farmers for remunerative prices for agricultural produce: Making a statement on 24 November, 1980 in response to a Calling Attention Notice by Shri Kamal Nath, the Minister of Agriculture and Rural Reconstruction and Irrigation, Rao Birendra Singh stated that it was an accepted policy of the Government that the growers should be paid remunerative prices so that they had an incentive for increasing productivity and production. In March, 1980, the present Government amended the terms of reference of the Agricultural Prices Commission and it was provided that the Commission, among other things, would also take into account the terms of trade between the agricultural commodities and non-agricultural commodities. The Commission was also specifically asked by the Government to rework their recommendations with regard to prices of various crops such as paddy, cotton etc. consequent upon an increase in the prices of fertilizers and diesel oil.

That it was at the same time the policy of the Government of India, the Minister pointed out, that while agricultural prices must be fixed at a

level that was remunerative to the farmer, the end-product should not be so costly that the effective demand for the relevant agricultural produce tended to shrink. It is in this context that a proper balance between sustaining consumer demand through a proper consumer price and providing a remunerative price for sustaining incentive for production had to be brought about.

While the Government, the Minister added, was fully alive to consideration of all genuine needs and demands of the farmers, any agitations in pursuance of such demands were totally unwarranted. These agitations were neither in the interest of the farmers nor in the interest of the nation. He expressed the hope that the section of the farmers who had been misled into getting involved in these agitations would understand Government's genuine concern for their welfare and that these agitations would not be continued any longer.

Rise in prices of essential commodities: Moving the motion on 25 November, 1980, Shri Madhu Dandavate said that the inflationary situation prevalent in the country went back to pre-emergency era and black money economy had become almost a parallel economy. He wanted the Government to take radical measures like demonetisation, ceiling on property, income and expenditure, and clubbing of agriculture and non-agricultural incomes for curbing black money. Tax relief could be given for slum development schemes and development of small-scale industry. Programmes like Food for Work and 'Antyodaya' should be taken up effectively in different States.

Supporting the motion, Shri Samar Mukherjee said that unless the present system of economy was basically changed, there was no way out for the common man. He demanded the nationalisation of sugar factories and strengthening of public distribution system, with absolute physical possession of the essential commodities.

Shri C. T. Dhandapani wanted the Government to give up the basic excise duty and additional excise duty on sugar amounting to Rs. 165 crores so that sugar could be sold at cheaper rate.

Shri Yeshwantrao Chavan felt that the economic situation could not be solved by economic manoeuvre. He suggested that working of the public sector should be improved and public distribution system should be increased, improved and made more effective.

Shri Jaipal Singh Kashyap was of the view that only a national Government could solve the problem.

The discussion continued for more than six hours in which several other Members* also participated.

Intervening in the discussion, the Minister of Finance, Shri R. Venkataraman said that the Government was deeply concerned about the current inflationary trend and had taken several steps to tackle the situation. At the same time, he pointed out that the situation was not alarming as had been made out. He urged the Members not to create a scare among the public that prices were going on galloping. After the prices had worked themselves out upto July and August, the rate of increase in the level of prices was 1.1 per cent in September, 1 per cent in October and 0.6 per cent in November, which was not a small achievement. The outlook of the economy was also bright; there were prospects of increase in food production and power generation by 10 per cent, in the next year; and the production of coal would go up from 103 million tonnes to about 110-112 million tonnes.

Referring to the prices, the Finance Minister said that four commodities—sugar, khandsari, gur and edible oil had contributed nearly a third of the 14 per cent inflation. Besides, one post-budget imponderable which had upset the calculations was the Assam situation. There was a direct loss of Rs. 2 crores per day from stoppage of oil flow.

Detailing the measures being taken to contain the prices, Shri Venkataraman said that the Infrastructure Committee was meeting every week to monitor the supply of coal to power stations, the production of coal in the collieries and its distribution and transport to various priority sectors. The money supply had been drastically reduced. As many as 1807 raids had been carried out, resulting in seizure of Rs. 866 lakhs. Efforts were being made to improve the public distribution system. The number of public distribution outlets had been increased by 30,000 during the current year. It would be the constant endeavour of the Government to improve the cooperatives and ensure that public distribution system became a permanent feature.

After Shri Dandavate replied to the discussion the motion when put to vote was negatived.

Reported blinding of some suspected criminals in Bihar: Making a statement on 1 December, 1980 in response to a Calling Attention Notice by Shri Dhanik Lal Mandal, the Minister of State in the Ministry of Home

*The Members who participated in the discussion were: Sarvashri H. K.L. Bhagat, Chandrajit Yadav, Chintamani Panigrahi, Mohan Lal Sukhadia, B. V. Desai, Kamal Nath, Shiv Prasad Sahu; Satish Agarwal; Harish Chandra Singh Rawat, Mool Chand Daga, Bhogendra Jha, Arif Mohammad Khan, Harikesh Bahadur, G. M. Banatwalla and Chitta Basu.

Affairs and Department of Parliamentary Affairs, Shri P. Venkatasubbaiah informed the House that as per report of the State Government investigations into the incidents had already been taken up by the C.I.D. of Bihar. On the basis of these preliminary investigations, immediate action had been taken by the State Government. Allegations of blinding by policemen had been made by 29 persons. Criminal cases had been instituted against 14 police officials against whom allegations had been made by the concerned undertrial prisoners in petitions both before the District Judge, Bhagalpur and before the Supreme Court. According to the information received from the State Government, one Deputy Superintendent of Police, one Inspector and 12 sub-Inspectors had already been suspended and transferred out of their jurisdictions. The Government of Bihar had constituted a Committee consisting of seven legislators, including the Leader of the Opposition to go into the matter.

Out of 29 under-trials who had been blinded, 22 persons had been examined by the D.I.G., C.I.D., Bihar so far. Of them, 20 had alleged that police officers of different categories were responsible for blinding them, whereas two persons had stated that the blinding was done by the villagers.

Answering a question, Shri Venkatasubbaiah said that the proposal of police orientation was under active consideration of the Government. Replying to another question, the Minister of Home Affairs, Shri Zail Singh said that holding of judicial enquiry might delay the matters. The Government, he added, have decided to send a board of eye-specialists to examine if eye-sight of those persons could be restored either by grafting or otherwise. The expenditure incurred in this regard would be borne by the Government.

Communal riots: On 3 December, 1980, Shri B. V. Desai moved a motion seeking "to consider the situation arising out of the unprecedented communal riots that occurred in various parts of the Country during the last three months." A substitute motion on the subject was moved by Shri G. M. Banatwalla.

Initiating the debate, Shri Desai pleaded for a ban on all communal organisations and improvement in the poor economic condition of majority of Muslims.

The discussion continued for more than seven hours in which as many as 27 Members participated.*

*The other Members who participated in the discussion were: Sarvashri Ghulam Mohd. Khan, Mohan Lal Sukhadia, Jyotirmoy Bosu, M.M.A. Khan, Jagjivan Ram, H.K.L. Bhagat, Era Mohan, P. Namgyal; Ram Jethamalani, Arif Mohammad Khan, Ashfaq Husain, Ram Nagina Mishra, R. S. Sparrow, Abdul Samad, Tariq Anwar, Chitta Basu; Zainul Basher, Muzaffar Hussain Jaliq Abbasi Samunuddin, Dr. A. U. Azmi, Dr. Golam Yazdani and Smt. Mohisina Kidwai.

Participating in the discussion, Professor Madhu Dandavate suggested that a small Committee of Members of Parliament selected by the Speaker should visit Moradabad and other places where disturbances had taken place to find out the facts. Special Courts should be set up for summary trial of the offences connected with communal riots. The Minority Commission already set up should be given a statutory status to guarantee rights and privileges to the minorities in the country.

Shri Indrajit Gupta suggested that whenever any riots or disturbances of a communal nature were apprehended or anticipated, or took place, the PAC should be removed from there. Shri Jaipal Singh Kashyap asked the Government to bring about reforms in Police administration.

Commending his substitute motion to the House, Shri G. M. Banatwalla urged the Government to institute a judicial enquiry by a Supreme Court Judge in place of the inquiry that was going on by the District Judge. The Government should act in a firm and determined manner for safeguarding secular democracy and establishment of communal harmony in the country.

Intervening in the discussion, the Minister of Home Affairs, Shri Zail Singh denied that either he or the Prime Minister had ever alleged the involvement of foreign hand in recent communal riots.

He subscribed to the view expressed by Members that the inquiry into Moradabad happenings should be headed by a High Court Judge and said that the Chief Minister of Uttar Pradesh would be requested to get a serving High Court Judge appointed as the Chairman of the Inquiry. He also promised to look into allegations that police personnel had sent large sums of Money Orders from the booty of the loot.

Shri B. V. Desai replied to the discussion. The substitute motion moved by Shri G. M. Banatwalla was withdrawn by leave of the House.

President Brezhnev's visit to India: The Chairman of the Presidium of the Supreme Soviet of USSR and Secretary-General of the Communist Party of the Soviet Union, H.E. Mr. Leonid Ilyich Brezhnev visited India from 8 to 11 December, 1980. In a statement made on 15 December, 1980, the Prime Minister, Smt. Indira Gandhi informed the House that the visit of the Soviet President had afforded a valuable opportunity of reaffirming the strength and vitality of Indo-Soviet relations. These relations were based on trust and mutuality of interests and had, therefore, stood the test of time.

Giving details of the parleys, the Prime Minister said that a large number of questions "especially those of direct concern to our countries" were discussed by both the sides. The discussion on international relations covered the world situation in general and "affairs in our region" in some detail.

On the Indian Ocean and on the continuing conflict between Iran and Iraq, there was a close proximity of views. On Afghanistan President Brezhnev reiterated his country's views. India on her part expressed her opposition to all forms of outside interference in the internal affairs of other countries, whether through the induction of regular troops or through infiltration. Both the sides agreed that there was no alternative to a peaceful political solution to the problems in South-East Asia as well as to other situations, wherever they might arise.

The situation in South-West Asia had not been looked upon in isolation. These tensions were related to regional and global situation. The great powers had special responsibility in bringing about general and positive improvement in relations on a global scale and in this context the proposals made by President Brezhnev in his Address to the Hon'ble Members appeared constructive.

On the bilateral level, she said the discussions were focussed on further strengthening of the co-operation between the two countries. An agreement on Economic and Technical Co-operation which she signed with President Brezhnev provided a framework for it. The Soviet Union had agreed to co-operate with India in three very important sectors—Power, Coal-Mining and Oil exploration. The two sides had identified some specific projects which were left out of the 6th Plan because of lack of resources. Three more Agreements were signed during the visit: (1) Trade Agreement, (2) Protocol on Cooperation in the field of cinematography and (3) Programme of Cultural, Scientific and Educational Exchanges for the years 1981-82. The Soviet Union had agreed to increase its supplies of crude oil to India from the current level of 1.5 million tonnes to 2.5 million tonnes annually and of oil products from 1.9 million tonnes to 2.2 million tonnes annually for the next five years.

Performance of I.C.A.R.: The constitution of an all-party Parliamentary Committee to enquire thoroughly into the target and performance of the Indian Council of Agricultural Research was the subject matter of a motion moved by Shri Jyotirmoy Bosu on 22, December, 1980.

Initiating the discussion, Shri Bosu contended that I.C.A.R. was the basic institution for promotion to scientific growth of agriculture. It had been entrusted with the task of making some contribution in this direction. But whatever research had been made by it so far, had not been in tune with the conditions of India and not relevant to the present scientific and technological growth. Some of the suggestions made by Shri Bosu included shifting of I.C.A.R. from Delhi, creation of a Central Reviewing Board with eminent scientists to oversee the functioning of the institutions and the Retirement Board should be a Wing of the UPSC.

He demanded the setting up of a Parliamentary Committee to go into the working of I.C.A.R. and suggest the remedies.

In a brief discussion, which ensued, 9 members took part.*

Intervening in the discussion, the Minister of Agriculture and Rural Reconstruction and Irrigation, Shri Birendra Singh Rao said that it was to provide for better flexibility and autonomy that the status of society had been given to I.C.A.R. The Government, he added, had recently considered the Reports of Gajendragadkar Committee and Estimates Committee and come to the conclusion that the existing arrangement was perhaps the best for a scientific research body like the I.C.A.R. The Government had thought of entrusting the work of recruitment to UPSC. But it was felt that recruitment of scientists might be delayed as UPSC was already burdened with much work. Certain remedial steps have been taken to see that scientists no longer felt dissatisfied. The motion was negatived.

Supplementary Demands for Grants (General) 1980-81: On 22 December, 1980, the House discussed the Supplementary Demands for Grants (General) of Rs. 1170 crore for the year 1980-81. 15 Members participated in the debate†.

Replying to the discussion, the Minister of Finance assured the House that the deficit during the financial year would be far less than Rs. 2700 crores—a record set by the Janata Government in 1978-79. He expressed the hope that with the slight improvement discernible in the economy, it would be possible to recover the lost ground and show a more encouraging picture in the next budget.

Shri Venkataraman admitted that it would not be possible to achieve 8—10 per cent growth in the Industrial Sector as envisaged in the budget. He was also sorry that the public sector had not shown the improvement anticipated in the budget. But he hoped that with the improvement in the power and coal situation, the public sector would give a better account of itself by next year's budget.

*The Members who took part in the discussion were. Sarvashri Chandra Shekhar Singh, Rasheed Masood, M. Ramgopal Reddy, Krishna Kumar Goyal, Rana Vir Singh, Bhim Singh, K. A. Rajan, Harikesh Bahadur and P. Namgyal.

†The Members who took part in the discussion were Sarvashri Sudhir Giri, K. Lakkappa. Satish Agarwal, Virdhi Chander Jain, C. T. Dhandapani, Giridhar Gomango, Ram Vilas Paswan, Zainul Basher, Nathu Ram Mirdha, Niren Ghosh, Jharkhande Rai, Ram Lal Rahi; Jaipal Singh Kashyap, Dr. Subramaniam Swamy and Professor N. G. Ranga.

The Minister agreed to consider the suggestion of bringing before the House every six months a mid-term appraisal of the economy.

Shri Venkataraman informed the House that the draft to codify and simplify the customs administration had been prepared and was being considered at official level. So far as the income tax law was concerned, it would be referred to a drafting Committee to be appointed very soon.

B. LEGISLATIVE BUSINESS

*Statutory Resolution re: Auroville (Emergency Provision) Ordinance, 1980 and Auroville (Emergency Provisions) Bill**: Moving A Statutory Resolution for disapproval of Ordinance on 2 December, 1980, Shri N. K. Shejwalkar said that the matter was *sub-judice* and should not be considered.

Moving a motion for consideration of the Bill, the Minister of Education and Social Welfare, Shri S. B. Chavan informed the House that after the Mother a number of problems of varied nature arose affecting the smooth running of Auroville. The Government of India, on receiving complaints, set up a Committee to look into the matter. The Committee had a detailed scrutiny and found instances of serious irregularities in the management of the Society, misutilisation of its funds and their diversion to other purposes. Further, various other serious difficulties had arisen, plaguing the management of Auroville, and rendering any further growth of the township almost impossible. Sri Aurobindo Society had lost control over the institution, and the members of the Auroville approached the Government of India to give protection against oppression and victimisation at the hands of the said society. The matter was examined by Government at length and it was decided to issue a Presidential Ordinance, which was now sought to be replaced by an Act of Parliament.

Giving details of the Bill, Shri Chavan said that it sought to vest the powers of management of the property of Auroville in the Central Government for a period of two years in the first instance. The Government's function would be that of a protector of the members of Auroville. There would be a tribunal for the adjudication of any dispute or doubt that might arise as to whether any asset, right or property formed part of, or was relatable to Auroville.

As regards the objection raised by the mover of the resolution that the matter was *sub-judice* and could not be discussed on the floor of the House, Shri Chavan said that there was a ruling given in the past, from which it was absolutely clear that both from the point of view of legal grounds and

*The Bill was introduced on 25 November, 1980.

from the point of view of propriety, there was no bar on the discussion on the Bill.

The Deputy Speaker, Shri G. Lakshmanan also observed that it had been held that a Bill seeking to replace an Ordinance could be discussed in the House notwithstanding the fact that the Ordinance had been challenged in a court of law, and therefore, there was no bar on the consideration of the Bill. And as regards the question of legislative competence of the House, he pointed out, it was the accepted practice in Lok Sabha that the Chair did not make any pronouncement thereon.

Replying to the day-long discussion, in which 13 Members* took part, Shri Chavan said that Government had to interfere because of international commitment. He made it clear that the Government were taking over only the Auroville part and not the affairs of Sri Aurobindo Society. In the case of Auroville, the State Government and the Central Government together had contributed about Rs. 90 lakhs and that too for specific purposes.

After Shri Shejwalkar spoke (by way of reply to his Statutory Resolution), the motion for consideration of the Bill was adopted and the Bill was passed.

*National Security Bill***: Moving the motion that the Bill be taken into consideration, the Minister of Home Affairs, Shri Zail Singh said on 10 December, 1980 that the prevailing situation of communal disharmony, cast conflicts, social tension, extremism, atrocities, secessionist tendencies, and regional agitations called for strict and effective action. It had, therefore, been considered necessary to arm the Government with adequate powers of preventive detention to deal with the anti-social and anti-national elements. All the same, he added, the Bill provided sufficient safeguards to prevent its misuse and it also ensured that justice was meted out to the person put under arrest.

Earlier, moving a Statutory Resolution for disapproval of the Ordinance, Shri Atal Bihari Vajpayee said that it had been issued to suppress the pub-

*The Members who participated in the discussion were: Sharvashri Ram Vilas Paswan, Era Anbarasu, K. P. Unnikrishnan, Jagannath Rao; Era Mohan, Karan Singh, Mool Chand Daga, M. Ramanna Rai; Krishna Dutt Sultanpuri, Ratansinh Rajda, Sunder Singh, Bhogendra Jha and Harikesh Bahadur.

**The Bill was introduced by the Minister of Home Affairs Shri Zail Singh on 4 December, 1980. The motion for leave to introduce the Bill was opposed by some Members on the ground that it violated article 22 of the Constitution besides being a draconian measure. Replying to the objections, Shri Zail Singh maintained that the Bill had been brought forward to safeguard security, freedom and democracy in the country and the fear expressed by some members that the Bill would have the way for introducing military rule was unfounded.

lic outcry against the deteriorating conditions. It was against the spirit of the Constitution and also violated Article 9 of the Universal Declaration of Human Rights which states that no person could be arrested or detained arbitrarily. The Bill, he contended, aimed at concentration of power, suppression of Fundamental Rights and curbing the rights of judiciary. It was an attempt to bring dictatorship through the front door.

Intervening in the resumed combined discussion on 12 December, 1980, the Minister of Communications, Shri C. M. Stephen contended that preventive detention was very necessary to run the country. The Government, he added, thought it necessary as a national policy to put down the violent forces which were trying to sabotage democracy.

Participating in the resumed discussion on 15 December, 1980, the Minister of Information and Broadcasting, Shri Vasant Sathe said that by the enactment of the National Security Bill, the Government wanted to prevent certain bad elements from carrying on their nefarious activities.

Supporting the Bill Shri C. T. Dhandapani wanted the Government to ensure that the measure was not misused by the State Governments.

Replying to a 4-day discussion, in which 23 members participated*. Shri Zail Singh reiterated that Bill was in the interest of democracy and was aimed at those who indulged in anti-social activities, created lawlessness, suppressed the poor and the minorities and committed atrocities on Harijans. It also aimed at giving protection to the innocent citizens so that the poorest would be able to raise his voice.

Shri Atal Behari Vajpayee also spoke by way of reply to his Statutory Resolution. On the motion for consideration of the Bill, the House divided: Ayes 125, Noes 67. The motion was accordingly adopted. The Bill was passed on 16 December 1980.

*Maruti Limited (Acquisition and Transfer of Undertakings) Bill**:* Moving the motion that the Bill be taken into consideration, the Minister of State in the Ministry of Industry, Shri Charanjit Chanana said on 17 December, 1980 that looking to the state of automobile industry including

*The Members who took part in the debate were: Sharvashri Jagpal Singh, H.K.L. Bhagat, Somnath Chatterjee, Arif Mohammed Khan, Frank Anthony, Chintamani Panigrahi, Jaimilur Rahman, Chiranjil Lal Sharma, Ravindra Verma, Mohan Lal Sukhadia, K. P. Unnikrishnan, Harish Chandra Singh Rawat, Vijay Kumar Yadav, Era Anbarasu, N. K. Shejwalkar, Jagan Nath Rao, R. N. Rakesh, Ram Pyare Panika, Tridib Chaudhuri, G. M. Banatwalla, C. Chinnaswamy, Chitta Basu and Chander Pal Singh.

**The Bill was introduced on 8 December 1980. The motion for consideration of the Bill moved by Shri Charanjit Chanana on 5 December, 1980 was opposed by several members. On the motion, the House divided: Ayes 107, Noes 46.

the passenger car in the country, Government had felt that setting up of public sector units under the Central Government for manufacture of automobiles connected items would be in the public and national interest. The proposed unit would give the benefit of mass production techniques and the induction of latest technology including higher fuel efficiency. Since the infrastructure of Maruti Limited had been lying unutilised for some time, the Government decided to acquire the undertakings of the said Company which could form the nucleus for very encouraging growth of ancillaries provide substantial employment opportunities, both directly and indirectly and would lead to greater economic prosperity.

Earlier, moving a Statutory Resolution for disapproval of Ordinance, Shri Satish Agarwal said that the nationalisation of Maurati had been done in an unusual and extra-ordinary manner. He wanted to know if the Government ever in the past nationalised any company when the proceedings for its liquidation were pending in the High Court.

Intervening in the combined discussion on the Resolution and the motion for consideration of the Bill, the Minister of Law and Company Affairs, Shri P. Shiva Shankar informed the House that according to the statement filed by the liquidator, the assets of the company were more than its liabilities. Recounting the reasons that had led to the issue of the Ordinance, Shri Shankar said that Delhi Automobiles Ltd. which had sought liquidation of Maruti had filed an application in the High Court for take-over of the Company. The application was posted for 17 October, 1980. It became necessary to issue the Ordinance to stall the proceedings in the Punjab and Haryana High Court.

Defending the Bill, Shri Shiv Shankar said that many sick textile undertakings and Aloock-Ashdown Company Ltd. were taken over by the Government when they were under liquidation.

Opposing the Bill during the resumed discussion on 18 December, 1980, Prof. Madhu Dandavate said that the decision of take-over of Maruti was politically motivated to suit certain individuals. He wanted priority to be given to power generation and allocation of more funds to railways.

Shri C. T. Dhandapani supporting the Bill wanted the nationalized Company to produce vehicles which would be available to the middle class people and the common man within the price he could afford.

Shri Indrajit Gupta asked the Government to clearly lay down automobile policy and urged that top priority should be given to public transport.

Shri Jaipal Singh Kashyap called for a thorough probe against the Directors of the Company.

Replying to a two-day discussion in which 13 Members* took part, Shri Chanana denied that the Government had deviated from the industrial and economic policy. The Government wanted the industry to get out of obsolescence. The nationalisation of Maruti was essentially for modernisation of automobile industry and for generating employment to the extent of between 7,000 and 10,000. The project report was already being worked out. A committee had been set up for obtaining details about the transfer of technology. The automobile production with an international market orientation would benefit both the exchequer and the exporter. It might be possible to produce 50,000 cars per year in the beginning.

After Shri Satish Agarwal spoke (by way of reply to his Statutory Resolution), the motion for consideration of the Bill was adopted. The Bill was passed on the same day.

Code of Criminal Procedure (Amendment) Bill†: Moving that the Bill be taken into consideration, the Minister of State in the Ministry of Home Affairs and Department of Parliamentary Affairs, Shri P. Venkatasubbaiah said in Lok Sabha on 9 December, 1980 that in view of the prevailing law and order situation and in order to enable the law enforcement agencies to deal effectively with anti-social elements, habitual offenders and those creating enmity between groups and communities, it was considered imperative that the law should be strengthened urgently. Accordingly, an ordinance was promulgated. The Bill sought to replace the ordinance.

One of the main objectives of the Bill was to make it difficult for habitual criminals falling within defined categories to obtain bail. The Bill also sought to entrust security proceedings under sections 108-109 and 110 Cr. P.C. to Executive Magistrates, with a provision to enable the States to entrust them, if they so preferred, to Judicial Magistrates. It empowered District Magistrates to accord sanction for prosecutions under section 103B IPC and sub-sections (2) and (3) of section 505 IPC.

Earlier, moving Statutory Resolution for disapproval of the Ordinance, Shri Satish Agarwal said that it was in violation of article 50 of the Constitution and gave blanket power to the Executive Magistrate to act in accordance with the dictates of executive authorities of the States.

*The other Members who took part in the discussion were Sarvashri: George Fernandes, Arif Mohammad Khan, Jyotirmoy Bosu, H.K.L. Bhagat, K. P. Unnikrishnan, Harish Kumar Gangwar, A. K. Roy and Chitta Basu.

†The Bill was introduced on 1, December 1980. On a motion for leave to introduce the Bill, the House divided, Ayes 63; Noes 25.

Participating in the combined debate, Shri C. T. Dhandapani felt that the Bill would not help the judiciary and wanted the Government to bring forward a comprehensive measure which could help the public as well as the judiciary.

Shri Jaipal Singh Kashyap said that Government was encouraging injustice by giving such wide powers to the police and judiciary. He asked the Government to seek the opinion of the Supreme Court whether it could transfer the powers given to the Judiciary to the Executive.

Replying to a brief debate, in which 14 Members participated*, Shri Venkatasubbaiah ruled out that the amendments proposed in the Bill were of punitive nature. As a matter of fact they were security provisions designed to play a role in the prevention of crime and especially assisting the maintenance of law and order. The Executive magistrates were in charge of maintaining law and order and, therefore, the power had been given to them to see that the habitual offenders and anti-social elements were dealt with quickly. He assured the House that the Government did not intend to use the amended act against political opponents.

As for the bail provisions being made more stringent, he said, the purpose of it was to make it very difficult for habitual criminals falling within the specified category to obtain bail.

On the motion of consideration of the Bill the House divided: Ayes 96, Noes 22. The motion was accordingly adopted.

The Bill, as amended, was passed.

C. THE QUESTION HOUR

The Fourth Session of the Seventh Lok Sabha which commenced on 17 November, 1980 and was scheduled to continue upto December 19, was subsequently extended upto December 23, 1980. There was no Question Hour during the extended period. In all, 14471 notices of questions (11664 Starred, 2671 Unstarred and 136 Short Notice Question) were received. Out of these 503 Starred and 4733 Unstarred questions were admitted. No short Notice Question was admitted during the Session. 26 Starred and 95 Unstarred Questions were transferred/postponed from one Ministry to another.

Daily Average of Questions: Each Starred List contained 20 questions except those of 28 November, 4, 5 and 8 December, 1980 which contained 21 questions each, that of 22 November, 15 and 17, 18 December,

*The other Members who took part in the discussion were: Sarvashri Syed Masudal Hossain, Jagannath Rao, Rajnath Sonkar Shastri, Mool Chand Daga, A. T. Patil, Ratansinh Rajda; Virdhi Chander Jain; Bhogendra Jha; Ram Singh Yadav, A. K. Roy, Xavier Arakal and G. M. Banatwalla.

1980, which contained 22 questions each, and those of 1 and 19 December, 1980 which contained 23 questions each. The list of Starred Questions, for 1, December, 1980 contained 30 questions because 9 postponed questions and one transferred question were included in that List. On an average, 7 questions were orally answered daily on the floor of the House. The maximum number of Starred Questions orally answered was 11, on 19 December, 1980 and the minimum number of questions answered was 3 on 19 and 26 November, 1980. The average number of questions in the Unstarred List came to 197 as against the prescribed limit of 200.

Half-an-hour Discussionse: In all, 99 notices of Half-an-Hour Discussions were received during the Session. Out of these 23 notices were admitted and 6 were actually discussed on the floor of the House.

RAJYA SABHA

HUNDRED AND SIXTEENTH SESSION*

The Rajya Sabha met for its Hundred and Sixteenth Session on Monday, 17 November, 1980 and adjourned *sine die* on 24 December, 1980. Some of the important subjects discussed during the session are briefly mentioned below:

A. DISCUSSIONS

Acute shortage and abnormal rise in prices of essential commodities : On 17 November, 1980, Shri Viren J. Shah called the attention of the Minister of Civil Supplies to the acute shortage and abnormal rise in prices of essential commodities, including sugar and cereals whose supply prices through the public distribution system were also being increased by Government.

The Minister of Civil Supplies, Shri Vidya Charan Shukla said that the Governemnt shared the concern of the House about the rise in prices of some essential commodities though of late there had been some moderation in the rate of inflation. He said that the present Government had inherited a difficult economic situation characterised by high rate of inflation, shortage of some essential commodities, declining industrial production and widespread infrastructural constraints. It had also to face the after-effects of the unprecedented drought of 1979. The Government had to increase the prices of petroleum products. The Indian economy could not be insulated from inflation in the midst of continuing high rates of inflation in many countries. Moreover, during the lean season which

*Contributed by the Research and Library Section, Rajya Sabha Secretariat.

was just over, there was a normal tendency for the prices to move up. The Union Government was keeping a continuous watch on the prices and availability of the essential commodities, in close consultation with the State Governments.

Replying to the points raised by the members the Minister added that the Government was trying to have a coordinated policy, with regard to sugar, Khandsari and gur. As regards taking concrete measures to bring down the prices, the Government was going to amend the Essential Commodities Act to plug the existing loopholes in it. The difficulty in regard to lack of sufficient production was also being tackled in the best possible way.

The Minister said that as the budgetary deficit had a large bearing on the price situation, the Government would endeavour to bridge this gap as far as possible in order to contain the price rise.

Agitation by farmers for fixation of remunerative prices for their produce : On 18 November, 1980, Shri A. G. Kulkarni called the attention of the Minister of Agriculture and Rural Reconstruction to the situation arising out of the agitation by farmers in Maharashtra, U. P., Karnataka, Haryana, Punjab, and other States of the country for fixing of remunerative prices for their produce and the steps taken by the Government in this regard.

The Minister of Agriculture and Rural Reconstruction, Rao Birendra Singh said that the agitation which had been started by farmers in certain areas of Maharashtra and elsewhere was essentially political in nature. It was rather unfortunate that a section of farmers had been misled to take to agitational methods. Such agitations were not in the interest of either the farmers or the consumers. It was an accepted policy of the Government that the growers should be paid remunerative prices for their produce so that they had an incentive for sustained increases in production. To this end, the present Government had amended the terms of reference of the Agricultural Prices Commission and had laid down that "among other things, the APC should also take into account the terms of trade between agricultural commodities and non-agricultural commodities".

Replying to the points raised by the members, the Minister said that the Government had taken several steps to remove, as far as possible, the disparity between the prices in agricultural and non-agricultural sectors. The farmers were free to sell their produce in the open market at prices higher than the support prices fixed by the Government. The Government had only fixed minimum support prices for the agricultural produce in order to save the farmers from incurring losses and to get profits.

Amendment of the Constitution to give more powers to the Prime Minister: On 21 November 1980, raising an Half-an-hour discussion on points arising out of the answer to Starred Question No. 5 given on 17 November 1980, Shri Bhupesh Gupta said that a national debate on the question of amendment of the Constitution to give more powers to the Prime Minister was not warranted as none of the Opposition parties in the country or individuals in the Opposition parties had made a demand of this kind. Even the Congress Party had not formally adopted a resolution. Neither the ruling party nor the Government of India had made any policy statement that they stood for the Presidential system in place of the Parliamentary-cum-Cabinet system.

The Minister of Law, Justice and Company Affairs, Shri Shiv Shankar, replying to the discussion said that the Government of India did not at all come into the picture in the convening of the Lawyers' Conference where the demand for adoption of the Presidential system in the country was raised recently. Were it so, the Government would have got the resolution passed unanimously. It was true that the Prime Minister had inaugurated that Conference. What she actually, however, said was that the Presidential form also had many varieties and nowhere was it more criticised than within the United States, which had had to pay high price for the frequent deadlocks between the Executive and the Legislature.

Discriminatory policy by the Centre towards Government of West Bengal: On 25 November, 1980, Shri Bhupesh Gupta called the attention of the Minister of Home Affairs to the reported observations of the Chief Minister of West Bengal alleging discriminatory policy by the Centre towards the Government of West Bengal, causing difficulties in the functioning of the State Government and undue delay in assent to the Bills passed by the State Legislative Assembly.

Making a statement on the subject, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana denied that there was any discrimination against the Government of West Bengal. There had never been any unsympathetic or discriminatory attitude adopted by the Government of India, he said, in the matter of supply of foodgrains to West Bengal. As regards the distribution of foodgrains and execution of works through the Panchayats, the State Government had been told to constitute District level Steering Committees according to certain guidelines, as had been done in other States. As regards grant of assent to certain Bills passed by the State Legislature, the Union Government was required to study the matters pertaining to the Bills carefully in all aspects before their submission to the President for assent. There would be no undue delay in clearing the pending Bills as soon as such examination was completed.

*Replying to the points raised by the Members, the Minister said that the State Government was required to send utilisation reports in respect of foodgrains and the report sent by the West Bengal Government so far showed that only 45,000 tonnes of foodgrains had been utilised. They were as such not entitled to release of further stocks. Even then, the Ministry of Agriculture had taken a lenient view and had released 30,000 tonnes more of foodgrains as a special case. He further said that there was no intention on the part of the Central Government to destabilise any State Government, including the Government of West Bengal.

Industrial Policy: On 15 December 1980, Shri M. Kalyanasundaram raised a discussion* on the Government's statement on Industrial Policy, laid on the table of the Rajya Sabha on 24 July 1980. Initiating the debate, the Member said that the Government should have examined and presented a White Paper on the implementation of the objectives outlined in the 1956 Industrial Policy Resolution during the last 20 years. The assets of the twenty top monopoly houses amounting to Rs. 3,071 crores in 1972 had risen to Rs. 5,401.70 crores in 1977 and these monopoly houses were entering other industries also. He demanded unconditional withdrawal of the Industrial Policy announced through the statement by the Government since in spite of Government aid to the monopoly houses and the multi-nationals, the contribution of the industries to the national income had remained static at 18 per cent for the past ten years and poverty and unemployment had continued to increase.

Replying to the discussion, the Minister of State in the Ministry of Industry, Shri Charanjit Chanana said that in 33 months' time the Janata Government had undone many things and one of them had to do with the public sector. The total net losses of all the public sector undertakings during the last three years came to Rs. 1,539.65 crores. A favourable change was, however, discernible in the economic climate of the country since the new Government had come into power. The rate of inflation had come down from 20 per cent to 13.4 per cent during January to November 1980, the negative rate of industrial growth had been reversed and a positive trend had started. There was a 4.9 per cent increase in the index of industrial production in October 1980 as compared to October 1979. A higher rate of registration of medium-sized units had been recorded as a result of streamlining of the registration process.

Referring to the increase in the MRTP licences, the Minister said that in the 11 months in 1980 they had actually come down to 10 per cent of the

*Other Members who took part in the discussion were Dr. Rafiq Zakaria, Sarvashri A. G. Kulkarni, Shiv Chandra Jha, Dr. Bhai Mahavir, Dr. Malcolm S. Adiseshiah, Sarvashri Hukmdeo Narayan Yadav, N. K. P. Salve, P. Ramamurti, R. Ramakrishnan, Shrimati Purabi Mukhopadhyay and Shri Syed Shahabuddin.

total licences issued, while the percentage for the whole year of 1978 was 14.8 and for 1979 it was 14.5.

With a view to indigenisation of all products and in order to curb imports, public sector units had been asked to prepare a list of such products which were at present being imported. The Minister assured the Members that the public sector units were going to play a most important role in the matter of nucleus plants and the Government was trying to look at some important industries like cement, paper etc. keeping in view the immediate problem of development as also perspective development.

B. LEGISLATIVE BUSINESS

Code of Criminal Procedure (Amendment) Bill, 1980:* On 16 December, 1980, Shri Sunder Singh Bhandari moving a statutory resolution seeking to disapprove the Code of Criminal Procedure (Amendment) Ordinance, 1980 (No. 12 of 1980) promulgated by the President on 23 September 1980, said that the fact that the Government had issued nineteen Ordinances within one year was a sad commentary on the faith of the Government in the parliamentary institution. There was no urgency to issue the present Ordinance on 23 September 1980 providing for transfer of judicial powers to Executive Magistrates. Such Ordinances were issued only to meet certain specific situations. The provision in the Ordinance that bail would be inadmissible in cases where a person was twice convicted of a cognizable offence, made the police very powerful in such cases and a poor person would only be rotting in jail for ever if he was convicted twice of a cognizable offence. The Government should create an atmosphere in the country in which the judiciary could respond to the national urges. There should be no curtailment of the discretionary powers of the judiciary. Therefore, there was no justification for bringing forward the Bill which sought to replace the Ordinance.

Replying to the discussion† on the resolution, Shri Bhandari said that he was happy that all the parties except Congress (I) had opposed the Bill and had supported his resolution. In spite of the fact that the Ordinance had been in force for the last three months, the Government had not been able to maintain law and order and contain the culprits. Therefore, the Bill, which gave more powers to the Executive was unreasonable.

*The Bill as passed by the Lok Sabha was laid on the Table of the House on 10 December, 1980.

†Other members who took part in the discussion on the Resolution and the motion for the consideration of the Bill were Shrimati Purabi Mukhopadhaya, Sarvashri Rajendra Singh, Ishwar Singh, Ghanshyambhai Oza, P. Ramanurti, U. R. Krishnan, Mahendra Mohan Mishra, M. Kalyanasundaram, L. Genesan, Murlidhar Chandrakant Bhandare, Professor Sourendra Bhattacharjee, Sarvashri K. K. Madhavan, Nageshwar Prasad Shahi, Syed Sibte Razi, Shrimati Usha Malhotra, Sarvashri Shiv Chandra Jha, Hukmdeo Narayan Yadav, Era Sezhiyan, Syed Shahdullah and Bhola Paswan Shastri.

On the same day, moving the motion for consideration of the Code of Criminal Procedure (Amendment) Bill, the Minister of State in the Ministry of Home Affairs and Department of Parliamentary Affairs, Shri P. Venkatasubbaiah said that in order to put down the anti-social and disruptive elements and to create a sense of security among the people it was considered necessary that the present law should be strengthened by making a suitable amendment to the Criminal Procedure Code. With this end in view an Ordinance was introduced and passed by the Lok Sabha on 9 December 1980. The security proceedings now sought to be entrusted to the Executive Magistrates were essentially part of executive functions. In principle, therefore, there could be no objection to entrustment of these proceedings to Executive Magistracy.

One of the main objectives of the Bill was to make it difficult for the habitual criminals falling within defined categories to obtain bail. But these changes would not affect women or those under 16 years of age or those who were sick or infirm. A provision had also been made to make a surety liable to imprisonment in a civil jail if the penalty to be paid on the forfeiture of his bond was not paid or could not be recovered. These amendments were necessary to curb crime.

Replying to the discussion on the Bill on 17 December 1980, Shri P. Venkatasubbaiah said that the provisions of sections 108, 109 and 110 of the Criminal Procedure Code did not relate to judicial functions. The Judicial Magistrates were primarily to deal with cognizance, institution of inquiry into, and trial of a reference under the Indian Penal Code or under any other local or special law, while the Executive Magistrates were mainly concerned with the prevention of offences. The measures to be taken by the Government were preventive in nature and did not form part of the judicial functions.

Thereafter, the statutory resolution disapproving the Ordinance was negatived and the motion for consideration of the Bill was adopted, and the Bill subsequently passed.

*The National Security Bill, 1980**: On 18 December 1980, Shri Lal K. Advani moving a statutory resolution seeking disapproval of the National Security Ordinance, 1980 (No. 11 of 1980) promulgated by the President on 22 September 1980, said that the Ordinance was a gross abuse of the Ordinance-making powers of the Government. Nothing had happened during September, 1980 or in the preceding months that warranted the invocation of the constitutional power in his regard. He opposed the Ordinance and the Bill because, he said, they were against democracy, violated the basic principles of natural justice, and sought to imprison a person merely on suspicion and not on any proved offence.

*The National Security Bill, 1980 as passed by Lok Sabha was laid on the Table of the House on 17 December, 1980.

Replying to the discussion on his resolution on 22 December, 1980, Shri Advani said that there was no danger to the security of the country. If the Government wanted to take stern action against black marketeers and hoarders, the existing laws were sufficient for the purpose and there was no necessity for seeking extraordinary powers as was being done through the present Bill. He expressed apprehension over the possibility of the powers obtained through the Bill being used against political opponents. While under the provisions of clause 13 of the Bill, he pointed out, any person could be detained for one year, under clause 14 there was no restriction on the Government in this regard. The same person could be arrested again after release, and thus a person could be kept under detention for an indefinite period.

On 18 December, 1980, the Minister of Home Affairs, Giani Zail Singh moved the motion for consideration of the Bill and said that the present condition of the country when anti-social, communal and disruptive forces were raising their ugly heads again warranted the Bill. The Ordinance to control them had been issued during the period when Parliament was not in session and the Government had come with the Bill in the very first session of Parliament after the issue of the Ordinance. The Government had absolutely no intention of using the measure against political opponents. However, nobody just because they were political workers, would enjoy the licence to incite and support disruptive forces.

Replying to the debate* on 22 December 1980, the Minister said that the Opposition's view that the Bill was anti-democratic, stifled the working class, sought to annihilate political opponents, suppress the Assam agitation and deprive the citizens of their liberty, could not convince the Government. He assured the Members that the Bill would be used only against those who would adopt undemocratic steps and resort to unnecessary strikes, gheraos, smuggling, black-marketing, rape and against forces creating disturbance in the defence forces. The Bill had been brought to safeguard the independence of the country and to ensure the welfare of the people.

The Minister said that the Government had not done anything in violation of the constitutional provisions. It believed in individual dignity and

*Other members who took part in the discussion were Sarvashri Sankar Ghose, Shrikant Verma, Pilo Mody, Ladli Mohan Nigam, Bipinpal Das, Dinesh Goswami, Shrimati Margaret Alva, Sarvashri R. Ramakrishnan, Professor N. M. Kamble, Sarvashri Harkishan Singh Surjeet, J. K. Jain, Bhupesh Gupta, Dharmavir, Murasoli Maran, Ramanand Yadav, V. B. Raju, P. N. Sukul, Ramakrishna Hegde, G. Swamy Naik, Harishankar Bhabhra, B. Ibrahim, Sushil Chand Mohunta, Ajit Kumar Sharma, Mahendra Mohan Mishra, Shrimati Rajinder Kaur, Sarvashri Amarprosad Chakraborty, B. V. Abdulla Koya, Shrimati Monika Das, Sarvashri Gurcharan Singh Tohra, G. C. Bhattacharya and Professor Sourendra Bhattacharjee.

liberty and had no intention to use the Bill against political opponents. But at the same time it would not allow the country's freedom to be jeopardised to safeguard the individual liberty of a handful of persons. The Government always believed in the maxim that prevention was always better than cure. The Bill had been brought to ensure economic and social justice.

The resolution seeking disapproval of the National Security Ordinance, 1980, when put to vote was negatived. The motion for consideration of the Bill was adopted and the Bill later passed.

*The Maruti Limited (Acquisition and Transfer of Undertakings) Bill, 1980**: On 23 December 1980, Shri Jagdish Prasad Mathur moved a statutory resolution seeking disapproval of the Maruti Limited (Acquisition and Transfer of Undertakings) Ordinance, 1980 (No. 13 of 1980) promulgated by the President on 13 October 1980. Shri Mathur said that though it had been said that the company had been nationalised in the public interest, the fact was that this was done in the interest of only one family. While nationalising the Maruti Limited, the principles in regard to nationalisation had been flouted and the necessary legal requirements had not been adhered to.

Replying to the discussion on his resolution, Shri Mathur said that in the name of foreign collaboration the Government wanted to bring a multinational in the country. This would be against national interests. If Shri Sagar Suri or Mohan Meakins had been allowed to take over the company, nothing would have been lost. The Government could have watched the performance of the new management for a few years and if its performance was not found satisfactory, then it could have been nationalised.

The Minister of State in the Ministry of Industry, Shri Charanjit Chanana, moving the motion for consideration of the Bill on the same day, said that looking to the state of the automobile industry in the country, including the passenger cars industry, the Government had felt that the setting up of a public sector unit under the Central Government for manufacture of automobiles and connected items would be in public and national interest. Since the infrastructure of the Maruti Limited had been lying unutilised for quite some time, the Government decided to acquire the undertaking of the said company so that it could form the nucleus of the new industrial activity. The proposed industrial unit, apart from encouraging the growth of ancillaries, would provide substantial employment opportunities, directly as well as indirectly, and would lead to greater economic prosperity.

*The Bill as passed by Lok Sabha was laid on the Table of the House on 19 December 1980.

Replying to the debate*, the Minister of State in the Ministry of Industry, Shri Charanjit Chanana said that the Government's move to nationalise the Maruti Limited was to evolve a system so that it became a demonstration unit for the automobile industry. While the Government was considering the question of updating the related technology and getting rid of obsolescence, there was a suggestion to nationalise all such vital industries. The nationalisation of the company was a part of the policy of advancement of technology and modernisation of industry. Taking over of Maruti was not a coincidence; it fitted in with the industrial policy of the Government of India.

Thereafter, the resolution seeking disapproval of the Ordinance was negated and the motion for consideration of the Bill was adopted and the Bill later passed.

C. QUESTION HOUR

During the Session, 6170 notices of questions (5590 Starred and 580 Unstarred), and 15 Short Notice Questions were received. Out of these, 466 Starred Questions and 2717 Unstarred Questions were admitted. After the lists of questions were printed, 18 Starred Questions and 90 Unstarred Questions were transferred from one Ministry to another.

Daily average of questions: Each of the lists of Starred Questions contained 20 questions. On an average, 4 questions were orally answered on the floor of the House per sitting. The maximum number of questions answered orally was 7 (on 26 November, 8 and 12 December, 1980) and the minimum number of questions orally answered was 2 (on 24 November, 1980). The average number of questions in the Unstarred list came to 113.

Half-an-hour discussions: In all, 47 notices of Half-an-hour discussions were received during the Session. Out of these only six notices were discussed.

D. OBITUARY REFERENCES

During the Session, the Chairman made references to the passing away of Shri Suhrud Mullick Chowdhury, Shri M. Govinda Reddy, Shri S. Venkatarman, Shri Bhagwat Narayan Bhargava, all ex-Members, and of Shri Venigalla Satyanarayana, sitting Member of the House. The House

*Other members who took part in the discussion were Shri S. W. Dhabe, Shri N.K.P. Salve, Dr. Shanti G. Patel, Shri Jaswant Singh, Professor D. P. Chattopadhyaya, Shri Nageshwar Prasad Shahi, Shri P. Ramamurti, Shri Murlidhar Chandrakant Bhandare, Shri R. Mohanarangam Shri M. Kalyanasundaram, Professor Sourendra Bhattacharjee, Shri M. R. Krishna, Shri Ramakrishan Hegde, Shri V. Gopalswamy, Shrimati Rajinder Kaur, Shri Bholu Paswan Shastri and Shri R. Ramakrishnan.

stood in silence for a minute as a mark of respect to the memory of the deceased.

STATE LEGISLATURES

BIHAR LEGISLATIVE COUNCIL*

Inclusion of Bhojpuri language in the Constitution: On 11 July, 1980, the Council discussed and passed a private Member's Resolution urging the State Government to recommend to the Government of India inclusion of the Bhojpuri language in the Eighth Schedule to the Constitution.

SIKKIM LEGISLATIVE ASSEMBLY†

No-Confidence Motion against Council of Ministers: On 11 September, 1980, the Assembly discussed a motion of no-confidence against the Council of Ministers headed by Shri N. B. Bhandari. Shri B.B. Gurung, while moving the motion and initiating discussion thereon, levelled charges against the Government of not fulfilling the promises given to the people, of favouritism, nepotism and corruption and break down of law and order machinery in the State. The allegations were refuted by the Chief Minister, Shri Bhandari and the Establishment Minister Shri Sharab Palden. When put to vote, the motion was negatived with 19 Noes, 10 Ayes and one absention.

U.P. LEGISLATIVE ASSEMBLY@

Raising of loan limit by U. P. State Electricity Board: On 19 September, 1980, the Assembly adopted a Resolution moved by the Minister for Power seeking enhancement of the maximum limit of the loans that could be raised by the West Bengal State Electricity Board from the present 600 crores, to enable the Board to implement its Plan projects.

WEST BENGAL LEGISLATIVE ASSEMBLY

Raising of loan limit by West Bengal State Electricity Board: On 26 August, 1980, the Assembly adopted a resolution moved by the Chief Minister, Shri Jyoti Basu, to raise the maximum limit of loan that could be raised by the West Bengal State Electricity Board from the present Rs. 350 crores to Rs. 450 crores.

Haldia Petro-Chemicals Complex: On 2 September, 1980, the Assembly adopted a resolution moved by Dr. Konailal Bhattacharya seeking establishment without any loss of time, of the Haldia Petro-Chemicals

*Contributed by the Bihar Legislative Council Secretariat. Original in Hindi.

†Contributed by the Sikkim Legislative Assembly Secretariat.

@Contributed by U. P. Legislative Assembly Secretariat. Original in Hindi

Complex, which would help the growth of a large number of downstream units by providing chemical raw material for the medium and small scale units and which would also maximise employment opportunities in this problem ridden State'. The resolution urged upon the Central Government for immediate clearance of the industrial licence application for the proposed complex.

BOOK REVIEWS

ECONOMIC STRATEGY FOR THE 80s. By L. K. Jha. Published by Allied Publishers Private Ltd., New Delhi. 1980. 152 pages, Rs. 50.

When Keynesian economics was at its zenith it was said in London that whenever four economists gathered together, there were eight opinions, six of them of Lord Keynes. The situation in India has been no different. There has been a plethora of models and strategies, suggested in a number of seminars, roundtables and workshops, which on closer analysis are frequently found to be the same old solutions expressed in different technical jargons.

Shri L. K. Jha's book on economic strategy for the 80s is one of those refreshing exceptions which enable an ordinary reader to understand our current problems in their true perspective. Mr. Jha represents that tradition of economist-cum-civil servant in India which began with R. C. Dutt. He has been involved both in the evolution and implementation of our economic policy and, as such, has a better insight and perception.

The greatest danger according to Jha is that there is now a great deal of discontent and disillusionment with the planning process itself. There can be no end to poverty unless consumer goods are available in abundance and consumption levels cannot be increased unless there is increase in level of production. But a high rate of growth does not, by itself, ensure reduction in poverty. Mere policies of income distribution also will not materially improve consumption standards. It is only through higher production of the goods needed by the masses that mass poverty can be banished.

Shri Jha very rightly poses the policy-maker's problem in these terms: "The real problem is not of the size of the *cake* or its slices but of ensuring that out of the available wheat we get *more bread* which is needed by the

poor and less cake which the rich consume. This objective cannot be fulfilled simply by restricting or banning the production of cakes. Bread-making has to be made attractive to the baker. This is where the policy-maker's dilemma lies: a price which is remunerative to the producer may put the product beyond the reach of the poorer consumers."

The strategy he suggests is to pursue the twin policies of maximising the availability of wage goods and generation of new job opportunities. The chapter on management of the economy will be of particular interest to the administrators and policy-makers. For a citizen who takes intelligent interest in economic matters, the book must be regarded as a must.

—V. N. GADGIL

A REVOLUTIONARY'S QUEST: SELECTED WRITINGS OF Jayaprakash Narayan. Edited by Bimal Prasad. Published by Oxford University Press, Delhi, 1980, pp. 406, Price Rs. 150.

J. P. FROM MARXISM TO TOTAL REVOLUTION. By Ram Chandra Gupta. Published by Sterling Publishers, Delhi, 1980. 160 pages. Price Rs. 50.

Jayaprakash Narayan has a secure place among the top stalwarts of India's history in recent years. With his mind that was finely attuned and even more, with all his heart, he had, early in life, felt the agony and ecstasy of being a child of our Indian soil, the agony due mainly to our subjugation to British imperialism and the ecstasy, prized by all sensitive souls, of being heir to the legacy of our dear India. "the land of glory and servility, the land of impermanent empires but of eternally glorious thoughts, the people who bid defiance to Time" (as Romain Rolland apostrophised "Renovated India" in his great book on Mahatma Gandhi). Jayaprakash's was a life of single-minded but thoughtful and unambiguous devotion to the cause, as he felt it, of India's freedom and fulfilment. In many ways, almost inevitably, a controversial figure, he has left thus a name whose memory will not easily fade.

Someone once said that if the Fates wanted to play pranks with a great man's testament they would send in "disciples in revenge". Out of the two books under review, the one edited by Professor Bimal Prasad, who has the liveliest respect for Jayaprakash and would perhaps not wince at being thought of as his 'disciple', is a compilation to be greatly commended, a collection, carefully chosen, out of Jayaprakash's voluminous writings in different periods, a clear conspectus, within certain limitations, of the great man's life-long search for the categorical imperatives of life in a long tortured and twisted land like ours. Professor Bimal Prasad

is, of course, a 'partisan', in the best sense of the term, in relation to his subject—which adds indeed to the book's attraction. But he keeps the picture within not just scholarly but also sensitive bounds. Jayaprakash emerges in these pages as a Marxist in the 'thirties' drawn strongly at the same time towards certain values in the so-called 'western' democratic system, a close and powerful participant in India's freedom struggle (especially in a heroic manner during the upheaval following on August 9, 1942), an earnest seeker for a new polity that he felt for a while he could identify in the Gandhian principles of 'Sarvodaya', and in the last eventful chapter of his life the protagonist of what (with some pathos) he termed "total revolution" in the shape, to begin with, of an attack on authoritarianism which left him equivocally with a sense of satisfaction at the success first earned and then, before his death, the unhappiness of seeing its utter frustrations and failures. The story of JP's life and work has been narrated already but by publicists with an eye on only the instant reader and not on judgement by posterity. Professor Bimal Prasad's compilation, perceptively introduced in a seventy-page essay and carefully annotated, will serve, as a work of sensitive scholarship, as a reliable source of JP's life and thought pending the appearance of a standard biography which must be qualitatively different from the journalistic hagiology that one has noticed so far.

The other book, with the sensationalist savour of its title, claims pompously to study "the multi-dimensional and epoch-making personality of Loknayak Jayaprakash Narayan in the context of his changing political faiths and concepts during the course of his life". Such formulations are tiresome, and what Dr. Ram Chandra Gupta's book contains, in spite of some little promise here and there of suggestive discussion, is of little permanent value. His bibliography is useful and some of his discussion, not in its integrated approach but in passing observations, appears of some value, but one leaves the book, full of clichés and of hyperbole, with a sense of dissatisfaction.

Professor Bimal Prasad's will be vastly welcome if only for the extensive extracts he gives from JP's "Why Socialism?" (1935), which is not even noted in Dr. Gupta's list of books. There has been no clearer elucidations of the fundamental principles of socialism relevant especially to a subject country. JP never renounced Marxism altogether but after a short euphoric phase he was disillusioned with what is called these days "real, existing socialism", in the Soviet Union or for that matter anywhere else. He pinned his faith for a while in what is termed "democratic socialism", and as the top leader of 'Congress Socialists' was always a great deal tolerant of communists and others who at one time found room in the 'Congress Socialist Party' than most of his colleagues (like M. R. Masani at one end and R. M. Lohia at the other). This was because of a certain humanism in his make-up which, however, dragged him

sometimes, paradoxically, into dubious company and into positions he took up on such issues as India-Pakistan relations. His home-coming back to Gandhi whom he had pilloried, doctrinally, in "Why Socialism?" found him in the post-independence period, firmly in 'Sarvodaya' circles but fatuously also in rather undersirable international outfits as the 'Congress for Cultural Freedom' that was run openly with CIA money. His inner restlessness—index indeed to the dynamism that had made him the intrepid fighter he was, especially during the 'Quit India' campaign—threw him into what was widely thought of as a battle for democracy, for *Sampoorna Kranti*. One can read, alongside Dr. Gupta's panegyric, a book like "From Total Revolution to Total Failure" by J. A. Naik of Jawaharlal Nehru University, himself a disillusioned participant in J.P.'s agitation which, flushed with success in early 1977, claimed at one time, but in vain, to change the quality of India's public life.

So much could be said about Jayaprakash himself, but one should forbear. Perhaps the present reviewer might conclude with an extract from a personal letter to him (June 9, 1957) by Jawaharlal Nehru (quoted in "*The Gentle Colossus: A Study of Jawaharlal Nehru*", by Hiren Mukerjee, Calcutta 1964, pp. 138-39): "...Jayaprakash Narayan has frequently summoned me to this national leadership, that is, to get together men of good will from all groups and parties and march ahead.. It appears to be thought that if people of good will just got together in a room, all would be well. As Jayaprakash, for whom I have always had a good deal of affection, is entirely opposed to both my domestic and foreign policies, I do not quite know how both of us together will chalk out a common path. If that is so between us two, what of a larger crowd?"

The books under review, Professor Bimal Prasad's especially, are welcome in so far as they contribute towards the understanding of an attractive, sometimes aggressive but always civilized and perceptive, powerful and provocative figure in our national movement.

—PROFESSOR HIRENDR NATH MUKHERJEE.

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE FORTH SESSION OF THE SEVENTH LOK SABHA

1. Period of the Session —	17 November to 23 December 1980.
2. Number of meetings held	26
3. Total number of sitting hours—	191 hrs. and 2 mts.
4. Number of divisions held	56
5. GOVERNMENT BILLS:—	
(i) Pending at the commencement of the Session	12
(ii) Introduced	21
(iii) Laid on the Table as passed by Rajya Sabha	4
(iv) Returned by Rajya Sabha with any amendment—recommendation and laid on the Table	Nil
(v) Referred to Select Committee	1
(vi) Referred to Joint Committee	1
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	Nil
(ix) Discussed	26
(x) Passed	22
(xi) Withdrawn	1
(xii) Negatived	Nil
(xiii) Part discussed	Nil
(xiv) Discussion postponed	Nil
(xv) Returned by Rajya Sabha without any recommendation	3
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	1
(xvii) Pending at the end of the Session	14
6. PRIVATE MEMBERS' BILLS:—	
(i) Pending at the commencement of the Session	84
(ii) Introduced	29
(iii) Laid on the Table as passed by Rajya Sabha	Nil
(iv) Returned by Rajya Sabha with any amendment and laid on the Table	Nil
(v) Reported by Select Committee	Nil

(vi) Discussed	3
(vii) Passed	Nil
(viii) Withdrawn	1
(ix) Negatived	1
(x) Circulated for eliciting opinion	Nil
(xi) Part discussed	1
(xii) Discussed postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to select Committee	Nil
(xv) Removed from the Register of Pending Bills	1
(xvi) Pending at the end of the Session	110
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 :	
(Matters of Urgent Public importance)	
(i) Notices received	46
(ii) Admitted	3
(iii) Discussion held	2
8. NUMBER OF STATEMENTS MADE UNDER RULE 197 :	
(Calling attention to matters of urgent public importance)	
Statements made by Ministers	18
9. MOTION OF NO CONFIDENCE IN COUNCIL OF MINISTERS	
(i) Notices received	} Nil
(ii) Admitted and Discussed	
(iii) Barred	
10. Half-an-hour discussions held.	6
11. STATUTORY RESOLUTIONS :	
(i) Notices received	101
(ii) Admitted	10
(iii) Moved	9
(iv) Adopted	Nil
(v) Negatived	9
(vi) Withdrawn	Nil
12. GOVERNMENT RESOLUTIONS	
(i) Notices received	} Nil
(ii) Admitted	
(iii) Moved	
(iv) Adopted	

13. PRIVATE MEMBERS' RESOLUTIONS :

(i) Received	6
(ii) Admitted	6
(iii) Discussed	1
(iv) Withdrawn	Nil
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	1
(viii) Discussions postponed	Nil

14. GOVERNMENT MOTIONS

(i) Notices received	} Nil
(ii) Admitted	
(iii) Moved	
(iv) Discussed	
(v) Adopted	

15. PRIVATE MEMBERS' MOTIONS :

(i) Received	354
(ii) Admitted	151
(iii) Moved	4
(iv) Adopted	Nil
(v) Discussed	4
(vi) Negatived	3
(vii) Part-discussed	Nil
(viii) Withdrawn	Nil

16. MOTION RE: MODIFICATION OF STATUTORY RULE :

(i) Received	2
(ii) Admitted	2
(iii) Moved	1
(iv) Adopted	Nil
(v) Negatived	1
(vi) Withdrawn	Nil
(vii) Part-discussed	Nil

17. Number of Parliamentary Committee created, if any, during the session. 1

18. Total number of Visitors Passes issued during the session. 35, 484

19. Maximum number of Visitors' Passes issued on any single day, and date on which issued. 1,799
on 22 December, 1980

20. NUMBER OF ADJOURNMENT MOTIONS :

(i) Brought before the House	15
(ii) Admitted and discussed	Nil
(iii) Barred in view of adjournment motion admitted on the subject	Nil
(iv) Consent withheld by Speaker outside the House	345
(v) Consent given by Speaker but Member were not present when called by Speaker to ask for leave of the House.	4

21. TOTAL NUMBER OF QUESTIONS ADMITTED

(i) Starred	503
(ii) Unstarred (including Starred Questions converted as Unstarred Questions)	473 ¹
(iii) Short Notice Questions	Nil

22. WORKING OF PARLIAMENTARY COMMITTEES :

Name of the Committee	No. of meetings held during the period during 1-7-80 to 30-9-80	No. of Reports presented during the Season
(i) Estimates Committee	1	5
(ii) Public Accounts Committee . . . . .	..	14
(iii) Committee on Public Undertakings	3	6
(iv) Business Advisory Committee . . . . .	..	3
(v) Committee on Absence of Members from the Sitzings of the House. . . . .	..	1
(vi) Committee on Subordinate Legislation	7	3
(vii) Committee on Petitions . . . . .	..	1
(viii) Committee on Private Members Bills and Resolutions . . . . .	..	5
(ix) Committee on Privileges . . . . .	..	Nil
(x) Committee on Government Assurances . . . . .	..	Nil
(xi) Committee on the Welfare of Scheduled Castes and Scheduled Tribes.	4	3
(xii) Joint Committee on Salaries and Allowances of Members of Parliament	5	Nil
(xiii) Rules Committee . . . . .	..	Nil

(xiv) Committee on Paper's laid on the Table	5	1
(xv) House Committee	3	..
(xvi) <i>Ad hoc</i> Sub Committee of the House Committee.	2	..
(xvii) Joint Committee of Chairmen , House Committees of both the Houses of Parliament	1	..
<hr/>		
23. Number of Members granted Leave of absence		6
24. Petitions presented		4
25. Number of new Members sworn with dates.	--	Nil.

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND SIXTEENTH SESSION OF RAJYA SABHA

1. Period of the Session	17 Nov. to 24 Dec. 1980
2. Number of meetings held	27
3. Total Number of sitting hours	175 hrs. 48 mts. (Excluding lunch hours)
4. Number of divisions held	19
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	12
(ii) Introduced	4
(iii) Laid on the Table as passed by Lok Sabha	22
(iv) Returned by Lok Sabha with any amendment	Nil
(v) Referred to Select Committee by Rajya Sabha	Nil
(vi) Referred to Joint Committee by Rajya Sabha	1
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	Nil
(ix) Discussed	29
(x) Passed	29
(xi) Withdrawn	Nil
(xii) Negatived	Nil
(xiii) Part-Discussed	Nil
(xiv) Returned by Rajya Sabha without any recommendation	4
(xv) Discussion postponed	Nil
(xvi) Pending at the end of the Session	9
6. PRIVATE MEMBERS BILLS	
(i) Pending at the commencement of the Session	35
(ii) Introduced	4
(iii) Laid on the Table as passed by Lok Sabha	Nil

(iv) Returned by Lok Sabha with any amendment and laid on the Table	Nil
(v) Reported by Joint Committee	Nil
(vi) Discussed -	2
(vii) Withdrawn	2
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Pending at the end of the Session	37
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (MATTERS OF URGENT PUBLIC IMPORTANCE)	
(i) Notices received	14
(ii) Admitted	1
(iii) Discussion held	1
8. NUMBER OF STATEMENTS MADE UNDER RULE 180. (CALLING-ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE)	
Statements made by Ministers	21
9. Half-an-hour discussion held	6
10. (STATUTORY RESOLUTIONS)	
(i) Notices received	9
(ii) Admitted	9
(iii) Moved	7
(iv) Adopted	Nil
(v) Negatived . . . . .	..
(vi) Withdrawn . . . . .	..
11. GOVERNMENT RESOLUTIONS	
12. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	13
(ii) Admitted	13
(iii) Discussed	1
(iv) Withdrawn	
(v) Negatived	} Nil
(vi) Adopted	
(vii) Part discussed	1
(viii) Discussion postponed	

13. GOVERNMENT MOTIONS :	Nil
14. PRIVATE MEMBERS' MOTIONS :	
(i) Received	104
(ii) Admitted	104
(iii) Moved	} Nil
(iv) Adopted	
(v) Part-discussed	
(vi) Negatived	
(vii) Withdrawn	
15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE :	
(i) Received	1
(ii) Admitted	1
(iii) Moved	Not moved
(iv) Adopted	} Nil
(v) Negatived	
(vi) Withdrawn	
(vii) Part-discussed	
16. Number of Parliamentary Committees created, if any, during the session		1
17. Total number of Visitors' Passes	4903
18. Maximum number of Visitors' Passes issued on any single day, and date on which issued	440 ⁺ 24th Dec. 1980
19. NUMBER OF MOTIONS FOR PAPERS UNDER RULE 175 :	
(i) Brought before the House	} Nil
(ii) Admitted and discussed	
20. TOTAL NUMBER OF QUESTIONS ADMITTED :	
(i) Starred	466
(ii) Unstarred (including Starred Questions)	2717
(iii) Short-Notice Questions	Nil
21. DISCUSSION ON THE WORKING OF THE MINISTRIES :	Nil

22. WORKING OF PARLIAMENTARY COMMITTEES :

Name of Committee	No. of meetings held during the period 1-7-80 to 30-9-80	No. of Reports Presented during the Session
(i) Public Accounts Committee		
(ii) Committee on Public Undertakings		
(iii) Business Advisory Committee	—	Nil
(iv) Committee on Subordinate Legislation	5	2
(v) Committee on Petitions	10	1
(vi) Committee on the Welfare of Scheduled Castes and Scheduled Tribes		
(vii) Committee on Privileges	3	2
(viii) Committee on Rules	—	—
(ix) Joint Committee on Offices of Profit	—	—
(x) Committee on Government Assurances	10	1
23. Number of Members granted leave of absence		4
24. Petition presented		1
25. NUMBER OF NEW MEMBERS SWORN WITH DATES		Nil
26. OBITUARY REFERENCES		

Sl. No.	Name	Sitting Member/ Ex-Member
1.	Shri Suprid Mullick Chowdhury	Ex-member
2.	Shri M. Govinda Reddy	Do.
3.	Shri S. Venkataraman	Do.
4.	Shri Bhagwat Narayan Bhargava	Do.
5.	Shri Venigalla Satyanarayana	Sitting Member

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE STATE LEGISLATURES DURING THE PERIOD 1 JULY, 1980 TO 30 SEPTEMBER, 1980

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
Andhra Pradesh L. C.	29-9-80 to 1-10-80	8	(9)	..	242(190) (a)	..	49 (33)
Andhra Pradesh L. A.	22-9-80 to 3-10-80	9	11 (7)	..	223(113) (b)	..	70(3) (c)
Assam L. A.	..	..	..	..	..	..	..
Bihar L. C.	30-6-80 to 25-7-80	20	(2)	..	756(706)	21 (d)	217 (72)
Bihar L. A.	23-6-80 to 25-7-80	25	2 (2)	..	..	..	..
Gujarat L. A.	18-8-80 to 1-10-80	31	32 (30)	19	2782 (1497)	650(447) (c)	51 (9)
Haryana L. A.	8-7-80 to 12-7-80	5	14 (14)	..	95 (68)	2 (2)	..
Himachal Pradesh L. A.	..	..	..	..	..	..	..
Jammu & Kashmir L. C.	..	..	..	..	..	..	..
Jammu & Kashmir L. A.	..	..	..	..	..	..	..
Karnataka L. C.	1-7-80 to 1-8-80	26	(10)	..	44 (36)	23 (21)	5 (2)
Karnataka L. A.	1-7-80 to 31-7-80	27	7 (9)	..	255 (235)	11 (11)	9 (1)
Kerala L. A.	30-6-80 to 31-7-80	23	17(13)	..	7441 (6608)(re)	..	..
Madhya Pradesh L. A.	..	..	..	..	..	..	..
Madhya Pradesh L. C.	2-7-80 to 11-7-80 and 18-8-80 to 20-9-80	29	28 (21)	..	2359 (1590)	1024 (794)	44 (6)

Punjab L. A.	..	..	34 (22)	10 (4)	..
Rajasthan L. A.	28	6 (4)	2099 (709)	208 (542)	21
Sikkim L. A.	3	4 (4)	38 (60)	..	..
Tamil Nadu L. C.	26	(30)	704 (528)	26 (26)	1 (1)
Tamil Nadu L. A.	39	34 (34)	2296 (645)	783 (783)	170 (156)
Tripura L. A.	1	1 (1)	143 (122)	8 (17)(f)	..
Uttar Pradesh L. C.	13	6 (4)	614 (570)	2 (2)	143 (83)
Uttar Pradesh L. A.	38	15 (14)	2208 (1752)(g)	837 (613)	1561 (1112)(h)
West Bengal L. A.	16	26 (22)	690 (384)	269(302)(i)	17 (4)
<i>Union Territories</i>					
Arunachal Pradesh L. A.	4	..	180 (175)	58 (58)	..
Goa, Daman and Diu L. A.	5	..	21 (16)	..	(1)
Mizoram L. A.	..	..	..	..	..
Pondicherry L. A.	..	..	..	..	..

Notes: (i) Figures in Cols. 4 and 5 indicate the number of Bills introduced followed by the number of Bills passed in brackets.

(ii) Figures in Cols. 6, 7 and 8 indicate the number of notices received followed by the number of notices admitted in brackets.

(a) Out of 130, 17 Notices were treated as Unstarred.

(b) Includes 9 Short Notice Questions admitted as Unstarred Questions.

(c) Includes 30 Starred Notices and Short Notice Questions admitted as Unstarred Questions.

(d) Converted from Starred and Short Notice Questions.

(e) Includes 75 Notices received as Starred Questions but admitted as Unstarred Questions.

(f) Includes 9 Starred Questions admitted as Unstarred.

(g) Includes 1182 Notices received as Unstarred but admitted as Starred.

(h) Includes 52 Notices received as Starred and 392 Notices received as Unstarred but admitted as Short Questions.

(i) Figure 302 includes some Short Notice Questions and Starred Questions admitted as Unstarred.

- (c) *ad hoc* Committee
- (d) Committee on Papers Laid on the Table-3
- (e) The Committee to Examine the Tripura Land Revenue and Land Reforms Act, 1960.
- (f) (i) Warehousing Committee-6 ; (ii) Parliamentary Committee-2; (iii) Committee to Probe into the irregular appointment of District Government Counsel and Additional Government Counsel-2; (iv) Compilation of Ruling Committee-16 ; and (v) Kanpur Jansewak Cooperative Committee-3.
- (g) Committee on Salaries and Allowances of Members to the House.
- (h) House Committee to find out a Solution to the dispute between the traditional fishermen and Mechanised Boat owners.
- (i) (i) Select Committee on the Howrah Municipal Corporation Bill, 1980—7(1) ; and (ii) Select Committee on the West Bengal Cultural Institution (Taking over of Management) Bill, 1980.

APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE
PRESIDENT DURING THE PERIOD 1 JULY, 1980 TO 30 SEPTEMBER, 1980

S. No.	Title of the Bill	Date of assent by the President
1.	The Delhi High Court (Amendment) Bill, 1980	2-7-1980
2.	The Assam State Legislature (Delegation of Powers) Bill, 1980	11-7-1980
3.	The Appropriation (Railways) No. 3 Bill, 1980	11-7-1980
4.	The Banking Companies (Acquisition and Transfer of Undertakings) Bill, 1980	11-7-1980
5.	The Essential Services Maintenance (Assam) Bill, 1980	19-7-1980
6.	The National Company Limited (acquisition and Transfer of Undertakings) Bill, 1980	19-7-1980
7.	The Appropriation (No. 3) Bill, 1980.	31-7-1980
8.	The Finance (No. 2) Bill, 1980	21-8-1980
9.	The Inter-State Water Disputes (Amendment) Bill, 1980	27-8-1980
10.	The Brahmaputra Board Bill, 1980.	1-9-1980

APPENDIX V

BILLS PASSED BY THE STATE LEGISLATURES DURING THE PERIOD 1 JULY, 1980 TO
30 SEPTEMBER, 1980

ANDHRA PRADESH LEGISLATIVE COUNCIL

1. The Andhra Pradesh Factories and Establishments (National, Festival and other Holidays) Amendment Bill, 1980.
2. The Andhra Pradesh Contingency Fund (Amendment) Bill, 1980.
3. The Andhra Pradesh Gram Panchayats (Second Amendment) Bill, 1980.
4. The Tirumala-Tirupathi Devasthanams (Second Amendment) Bill, 1980.
5. The Andhra Pradesh Land Encroachment (Amendment) Bill, 1980.
6. The Andhra Pradesh General Sales Tax (Amendment) Bill, 1980.
7. The Andhra Pradesh Motor Vehicles (Amendment) Bill, 1980.
8. The Andhra Pradesh Municipalities (Third Amendment) Bill, 1980.
9. The Hyderabad Municipal Corporation (Amendment) Second Amending Bill, 1980.

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

1. The Andhra Pradesh Factories and Establishments (National Festival and other Holidays) Amendment Bill, 1980.
2. The Andhra Pradesh Contingency Fund (Amendment) Bill, 1980.
3. The Andhra Pradesh Gram Panchayats (Second Amendment) Bill, 1980.
- *4. The Tirumala-Tirupathi Davasthanams (Second Amendment) Bill, 1980.
5. The Andhra Pradesh General Sales Tax (Amendment) Bill, 1980.
6. The Andhra Pradesh Motor Vehicles Taxation (Amendment) Bill, 1980.
- *7. The Andhra Pradesh Land Encroachment (Amendment) Bill, 1980.

BIHAR LEGISLATIVE COUNCIL

1. Bihar Vidhan Mandal (Sadasyon Ka Vetan, Bhatta aur Pension) (Sanshodhan) Vidheyak, 1980.
2. Bihar Viniyog (Sankhya 2) Vidheyak, 1980.

*Awaiting assent.

GUJARAT LEGISLATIVE ASSEMBLY

1. The Bombay Police (Gujarat Amendment) Bill, 1980.
2. The Gujarat State Guarantees (Amendment) Bill, 1980.
3. The Gujarat Nagar Panchayats (Extension of Term) (Second Amendment) Bill, 1980.
4. The Bombay Sales of Motor Spirit Taxation (Gujarat Amendment) Bill, 1980.
5. The Bombay Non-Trading Corporations (Gujarat Amendment) Bill, 1980.
6. The Gujarat Local Authorities Laws (Second Amendment) Bill, 1980.
7. The Gujarat Panchayats (Amendment) Bill, 1980.
8. The Gujarat Education Cess (Amendment) Bill, 1980.
- *9. The Bombay Shops and Establishments (Gujarat Amendment) Bill, 1980.
- *10. The Bombay Labour Welfare Fund (Gujarat Amendment) Bill, 1980.
11. The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 1980.
- *12. The Bombay Land Revenue (Gujarat Second Amendment) Bill, 1980.
13. The Gujarat University Laws (Amendment) Bill, 1980.
14. The Gujarat Panchayats and Municipalities Laws (Amendment) Bill, 1980.
15. The Gujarat Ministers' Salaries and Allowances (Amendment) Bill, 1980.
16. The Bombay Home Awards (Gujarat Amendment) Bill, 1980.
17. The Gujarat Civil Services Tribunal (Amendment) Bill, 1980.
- *18. The Gujarat Shops and Establishments (Employee Life Insurance) Bill, 1980.
19. The Gujarat Appropriation Bill, 1980.
20. The Gujarat Compulsory Primary Education (Amendment) Bill, 1980.
- *21. The Ahmedabad City Courts (Amendment) Bill, 1980.
- *22. The Gujarat Essential Services Maintenance (Amendment) Bill, 1980.
23. The Gujarat Live stock Improvement Bill, 1980.
24. The Gujarat Water Supply and Sewerage Board (Amendment) Bill, 1980.
25. The Gujarat (Supplementary) Appropriation Bill, 1980.
26. The Gujarat Appropriation (Excess Expenditure) Bill, 1980.
27. The Gujarat Appropriation (Excess Expenditure) (Second) Bill, 1980.
28. The Gujarat Appropriation (Excess Expenditure) (Third) Bill, 1980.
29. The Gujarat Appropriation (Excess Expenditure) (Fourth) Bill, 1980.
30. The Gujarat Appropriation (Excess Expenditure) (Fifth) Bill, 1980.

*Awaiting assent.

HARYANA VIDHAN SABHA

1. The Punjab Gram Panchaya (Haryana Second Amendment) Bill, 1980.
2. The Haryana State Legislature (Prevention of Disqualification Amendment Bill, 1980.
3. The Haryana Housing Board (Amendment) Bill, 1980.
4. The Haryana Canal and Drainage (Amendment) Bill, 1980.
5. The Haryana Ceiling on Land Holdings (Amendment) Bill, 1980.
6. The Haryana Legislative Assembly Speaker's Pension and Medical Facilities (Retrospective Enforcement) Bill, 1980.
7. The Haryana Legislative Assembly (Facilities to Members) Second Amendment Bill, 1980.
8. The Haryana Legislative Assembly (Allowance and Pension of Members) Fourth Amendment Bill, 1980.
9. The Punjab Agricultural Produce Markets (Haryana Second Amendment and Validation) Bill, 1980.
10. The Haryana Board of School Education (Amendment) Bill, 1980.
11. The Kurukshetra University (Amendment) Bill, 1980.
12. The Punjab Khadi and Village Industries Board (Haryana Second Amendment) Bill, 1980.
13. The Haryana Appropriation (No. 4) Bill, 1980.
14. The Punjab Courts (Haryana Second Amendment) Bill, 1980.

KARNATAKA LEGISLATIVE ASSEMBLY@

1. The Karnataka Vacant Lands in Urban Area (Prohibition of Alienation) (Amendment) Bill, 1980.
2. The Mysore Betting Tax (Karnataka Amendment) Bill, 1980.
3. The Bangalore City Civil Court (Amendment) Bill, 1980.
4. The Karnataka State Universities (Amendment) Bill, 1980.
5. The Karnataka Tax on Entry of Goods into a local area for Consumption, Use or Sale therein Bill, 1980
- 6 The Karnataka Entertainment Tax (Amendment) Bill, 1980.
7. The Karnataka Municipal Corporation (Amendment) Bill, 1980.
8. The Karnataka Appropriation (No 2) Bill, 1980.
9. The Karnataka Forest (Amendment) Bill, 1980.

KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Plantation Tax (Amendment) Bill, 1980.
2. The Agricultural Income Tax (Amendment) Bill, 1980.
- *3. The Kerala Advocates' Welfare Fund Bill, 1980.
4. The Kerala General Sales Tax (Amendment) Bill, 1980.
5. The Kerala Agricultural University (Amendment) Bill, 1980.
6. The Kerala Grants and Leases (Modification of Rights) Bill, 1980.

@ These Bills were also passed by the Legislative Council.

*Awaiting assent.

7. The Kerala Appropriation (No. 2) Bill, 1980.
8. The Kerala Appropriation (No. 3) Bill, 1980.
9. The Kerala Appropriation (No. 4) Bill, 1980.
10. The Kerala Appropriation (No. 5) Bill, 1980.
11. The Kerala Appropriation (No. 6) Bill, 1980.
12. The Kerala Appropriation (No. 7) Bill, 1980.
13. The Kerala Appropriation (No. 8) Bill, 1980.

MADHYA PRADESH LEGISLATIVE ASSEMBLY.

1. The Madhya Pradesh Gramo me ki dakhlahit bhoomi (Vishesh Upabandh) Sanshodhan Vidheyak, 1980.
2. The Madhya Pradesh Appropriation (Vote on Account No. 2) Vidheyak, 1980.
3. The Madhya Pradesh General Sales Tax (Amendment) Vidheyak, 1980.
4. The Madhya Pradesh Vas-Sthan Dakhalkar (Bhumiswami Adhikaron ka Pradan kiya jana) Vidheyak, 1980.
5. The Madhya Pradesh Co-operative Societies (Amendment) Vidheyak, 1980.
6. The Madhya Pradesh Town Improvement Trusts (Amendment) Vidheyak, 1980.
7. The Madhya Pradesh Civil Courts (Amendment and Validation) Vidheyak, 1980.
8. The Madhya Pradesh Vidhan Mandal Virodhi Dal ka Neta (Vetan Tatha Bhatta) Vidheyak, 1980.
9. The Madhya Pradesh Tractor Dwara Tori Gai Bhoomiyon Par Asudhar Shulka (Sanshodhan) Vidheyak, 1980.
- *10. The Madhya Pradesh Rajya Beej Evam Farm Vikas Nigam Vidheyak, 1980.
11. The Madhya Pradesh Contingency Fund (Amendment) Vidheyak, 1980.
12. The Madhya Pradesh Karadhan Vidhi (Sanshodhan) Vidheyak, 1980.
13. The Madhya Pradesh Audyogik Sambandh (Sanshodhan) Vidheyak, 1980.
14. The Madhya Pradesh Appropriation (No. 2) Vidheyak, 1980.
15. The Madhya Pradesh Vitta Vyapar aur Ajeevika Sevayojana Kar (Sanshodhan) Vidheyak, 1980.
16. The Madhya Pradesh Rajya Suraksha Tatha Lok Vyavastha Vidheyak, 1980.
17. The Madhya Pradesh Land Revenue Code (Amendment) Bill, 1980.
18. The Madhya Pradesh Lck Adhikaron Ke Madhyam Se Bis Sutriya Karyakram ka Krinwayak, 1980.
19. The Vindhya Pradesh Abolition of Jagirs and Land Reforms (Madhya Pradesh Amendment) Vidheyak, 1980.
20. The Madhya Pradesh Vishwavidhalaya (Sanshodhan) Vidheyak, 1980.

*Awaiting assent

21. The Madhya Pradesh Vidhan Sabha Sadasya Veten, Bhatta Tatha Pension (Sanshodhan) Vidheyak, 1980.

RAJASTHAN LEGISLATIVE ASSEMBLY

1. The Rajasthan Agricultural Produce Markets (Amendment) Bill, 1980.
2. The Rajasthan Appropriation (Vote on Account No. 2) Bill, 1980.
3. The Rajasthan Sales Tax (Amendment and Validation) Bill, 1980.
4. The Rajasthan Appropriation (No. 1) Bill, 1980.

SIKKIM LEGISLATIVE ASSEMBLY

1. The Sikkim Entertainment Tax Bill, 1980.
2. The Sikkim Public Premises (Eviction of Unauthorised Occupants and Rent Recovery) Bill, 1980.
3. The Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Amendment Bill, 1980.
4. The Sikkim Weights and Measures (Amendment) Bill, 1980.

TAMIL NADU LEGISLATIVE ASSEMBLY@

1. The Madras City Municipal Corporation (Amendment) Bill, 1980.
2. The Tamil Nadu Commercial Crops Assessment (Repeal) Bill, 1980
3. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Bill, 1980.
4. The Tamil Nadu Hindu Religious and Charitable Endowments (Amendment and Special Provisions) Amendment Bill, 1980.
5. The Land Acquisition (Tamil Nadu Amendment) Bill, 1980.
- *6. The Tamil Nadu Board of Revenue Abolition Bill, 1980.
7. The Tamil Nadu Additional Assessment, Additional Water-cess, Special assessment and special Water-cess (Amendment) Bill, 1980.
8. The Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Bill, 1980.
- *9. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Bill, 1980.
10. The Tamil Nadu Pawnbrokers and Debt Relief Laws (Amendment) Bill, 1980.
11. The Tamil Nadu General Sales Tax (Amendment) Bill, 1980.
12. The Tamil Nadu Cultivating Tenants Arrears of Rent (Relief) Amendment Bill, 1980.
13. The Tamil Nadu Cyclone and Flood Affected Areas Cultivating Tenants Arrears of Rent (Relief) Amendment Bill, 1980.
14. The Tamil Nadu Appropriation (No. 2) Bill, 1980.
15. The Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Second Amendment Bill, 1980.

@These Bills were also passed by the Legislative Council

*Awaiting assent.

16. The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Bill, 1980.
- *17. The Indian Electricity (Tamil Nadu Amendment) Bill, 1980.
18. The Tamil Nadu General Sales Tax (Second Amendment) Bill, 1980.
19. The Tamil Nadu Municipal Council (Appointment of Special Officers) Amendment Bill, 1980.
20. The Coimbatore Municipal Council (Appointment of Special Officer) Amendment Bill, 1980.
21. The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Bill, 1980.
22. The Tamil Nadu Panchayats (Amendment) Bill, 1980.
23. The Tamil Nadu Panchayats (Appointment of Special Officers) Amendment Bill, 1980.
24. The Tamil Nadu Local Authorities Laws (Amendment) Bill, 1980.
25. The Tamil Nadu Civil Courts and the Madras City Civil Courts (Amendment) Bill, 1980.
26. The Tamil Nadu References to Magistrates in Laws (Special Provisions) Bill, 1980.
- *27. The Tamil Nadu Public Works Engineering Corporation Ltd. (Acquisition and Miscellaneous Provisions) Bill, 1980.
- *28. The Tamil Nadu Private Colleges (Regulation) Amendment Bill, 1980.
- *29. The Code of Criminal Procedure (Tamil Nadu Amendment) Bill, 1980.
- *30. The Code of Criminal Procedure (Tamil Nadu Second Amendment) Bill, 1980.

TRIPURA LEGISLATIVE ASSEMBLY

1. The Tripura Appropriation (No. 5) Bill, 1980.

UTTAR PRADESH VIDHAN PARISHAD

1. Uttar Pradesh Lok Sewa (Adhikaran) (Sanshodhan) Vidheyak, 1980.
2. Uttar Pradesh Rajya Vishwavidhyalaya (Diwiteyya Sanshodhan) Vidheyak, 1980.
3. Uttar Pradesh Siksha Sewa Aayog Vidheyak, 1980.
- *4. Intermediate Siksha (Sanshodhan) Vidheyak; 1980.

UTTAR PRADESH VIDHAN SABHA

1. Uttar Pradesh Rajya Vishwavidyalaya (Sanshodhan) Vidheyak, 1980.
2. Uttar Pradesh Nagar Yojana Aur Vikas (Sanshodhan) Vidheyak, 1980.
3. Uttar Pradesh Swayat Shashan Vidhi (Sanshodhan) Vidheyak, 1980.
4. Uttar Pradesh Krishi Utpadan Mandi Samiti (Alpkalik Vyavastha) (Sanshodhan) Vidheyak, 1980.
5. Uttar Pradesh Anantim Kar-Sangrehan Vidheyak, 1980.
6. Uttar Pradesh Viniyog (Dwitiya Lekhanudan) Vidheyak, 1980.

*Awaiting assent.

7. Uttar Pradesh Krishi Avam Prodyogik Vishwavidyalaya (Sanshodhan) Vidheyak, 1980.
8. Uttar Pradesh Homeopathic Medicine (Sanshodhan) Vidheyak, 1980.
9. Uttar Pradesh Rajkeeya Nalkoop (Sanshodhan) Vidheyak, 1980.
10. Uttar Pradesh Rashtra Virodhi Tatva Nivaran (Sanshodhan) Vidheyak, 1980.
11. Uttar Pradesh Lok Seva (Adhikaran) (Sanshodhan) Vidheyak, 1980.
12. Intermediate Shiksha (Sanshodhan) Vidheyak, 1980.
13. Uttar Pradesh Rajya Vishwavidyalaya (Dwitiya Sanshodhan) Vidheyak, 1980.
14. Uttar Pradesh Uchttar Shiksha Sewa Aayog Vidheyak, 1980.

WEST BENGAL LEGISLATIVE ASSEMBLY

- *1. The Murshidabad Estate (Management of Properties) and Miscellaneous Provisions Bill, 1980.
- *2. The Presidency Small Causes (West Bengal Amendment) Bill, 1980.
- *3. The West Bengal Cultural Institution (Taking over of Management) Bill, 1980.
4. The Bengal Municipal (Second Amendment) Bill, 1980.
5. The West Bengal College Service Commission (Amendment) Bill, 1980.
6. The West Bengal Homoeopathic System of Medicine (Third Amendment) Bill, 1980.
- *7. The City Civil Court (Amendment) Bill, 1980.
- *8. The Industrial Disputes (West Bengal Amendment) Bill, 1980.
- *9. The West Bengal Workmen House Rent Allowance (Amendment) Bill, 1980.
- *10. The North Suburban Hospital Acquisition Bill, 1980.
- *11. The West Bengal Corneal Grafting (Amendment) Bill, 1980.
- *12. The City Sessions Court (Amendment) Bill, 1980.
- *13. The West Bengal Housing Board (Amendment) Bill, 1980.
14. The West Bengal Taxes on Entry of Goods in Local Areas (Amendment) Bill, 1980.
15. The Calcutta Thika Tenaney Stay of Proceedings (Temporary Provision) Bill, 1980.
- *16. The Commission of Enquiry (West Bengal Amendment) Bill, 1980.
17. The West Bengal Scheduled Castes & Scheduled Tribes (Reservation of Vacancies in Service & Posts) (Amendment) Bill, 1980.
18. The West Bengal Panchayat (Amendment) Bill, 1980.
- *19. The West Bengal Govt. Premises (Tenancy Regulation) (2nd Amendment) Bill, 1980.
- *20. The Howrah Municipal Corporation Bill, 1980.
- *21. The Calcutta University (Amendment) Bill, 1980.
22. The Motor Spirit Sales Tax (Amendment) Bill, 1980.

*Awaiting assent.

APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL AND STATE GOVERNMENTS DURING THE PERIOD
1, JULY 1980 TO 30, SEPTEMBER 1980

Sl.No	Title of Ordinance	Date of promulgation, which laid before the House.	Date of Cessation	Remarks	
1	2	3	4	5	6
CENTRAL GOVERNMENT					
1.	The Payment of Bonus. (Amendment) Ordinance, 1980 (No. 10 of 1980).	21-8-80	17-11-80	..	Replaced by Legislation
2.	The National Security Ordinance, 1980 (No. 11 of 1980)	22-9-80	Do.	..	Do.
3.	The Code of Criminal Procedure (Amendment) Ordinance, 1980 (No. 12 of 1980)	23-9-80	Do.		Do.
STATE GOVERNMENTS					
ANDHRA PRADESH					
1.	The Andhra Pradesh Gram Panchayats (Second Amendment) Ordinance, 1980.	16-7-80	23-9-80		Replaced by Legislation
2.	The Tirumala Tirupathi Devasathanams (Second Amendment) Ordinance 1980.	12-8-80	23-9-80		Do.
3.	The Andhra Pradesh Motor Vehicles Taxation (Amendment) Ordinance, 1980.	8-9-80	23-9-80		Do.

1	2	3	4	5	6
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BIHAR

1.	The Bihar Aid to Industries (Second Amendment) Ordinance, 1980	21-4-80	30-6-80	13-8-80	..
2.	The Minimum Wages (Bihar Amendment) Second Ordinance, 1980	Do.	Do.	Do.	..
3.	The Bihar Khardi and Village Industries (Second Amendment) Ordinance, 1980.	Do.	Do.	Do.	..
4.	The Bihar Land and Water Protection and Land Development Second Ordinance, 1980.	Do.	Do.	Do.	..
5.	The Bihar Hindu Religious Trust (Second Amendment) Ordinance, 1980.	Do.	Do.	Do.	..
6.	The Bihar Motor Vehicle Taxation (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
7.	The Rajendra Agriculture University (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
8.	The Bihar Agriculture Produce Market (Second Amendment) Ordinance, 1980.	Do.	Do.	Do.	..
9.	The Bihar Control of Crimes (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
10.	The Bihar Bhoodan Movement (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
11.	The Bihar Cess (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
12.	The Bihar Public Land Encroachment (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
13.	The Bihar Land Rent (Remission from Payment) Second Ordinance, 1980	Do.	Do.	Do.	..
14.	The Chhota Nagpur Tenancy (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
15.	The Santhal Pargana Civil Court (Order-Validation and Protection) Second Ordinance, 1980	Do.	Do.	Do.	..
16.	The Bihar State Housing Board Second Ordinance, 1980	Do.	Do.	Do.	..
17.	The Bihar State Water and Sewage Carry Board. Second Ordinance, 1980	Do.	Do.	Do.	..
18.	The Bihar Agriculture Credit Operating and Miscellaneous Provisions (Banks) Second Ordinance.	Do.	Do.	Do.	..

19.	The Chhota Nagpur and Santhal Pargana Autonomous Development Authority (Second Amendment) Ordinance, 1980.	21-4-80	30-6-80	13-8-80
20.	The Bihar Prohibition of Intoxicating Materials Second Ordinance, 1980.	Do.	Do.	Do.
21.	The Bihar Excise (Second Amendment and Validation) Ordinance, 1980	Do.	Do.	Do.
22.	The Bihar Irrigation Law (Second Amendment) Ordinance, 1980	Do.	Do.	Do.
23.	The Bihar Irrigation Regional Command (Second Amendment) Ordinance, 1980.	Do.	Do.	Do.
24.	The Bihar Children Second Ordinance, 1980	Do.	Do.	Do.
25.	The Bihar Forest Produce (Regulation of Trade) Second Ordinance, 1980.	Do.	Do.	Do.
26.	The Bihar Sugar Cane (Supply and Purchase Regulation) Second Ordinance, 1980	Do.	Do.	Do.
27.	The Sugar Undertakings (Acquisition) Second Amendment, Ordinance, 1980.	Do.	Do.	Do.
28.	The Patna University (Second Amendment) Ordinance, 1980	Do.	Do.	Do.
29.	The Bihar State Universities (Second Amendment) Ordinance, 1980	Do.	Do.	Do.
30.	The Bihar Secondary Education Board (Second Amendment) Ordinance, 1980	Do.	Do.	Do.
31.	The Bihar Madrasa Education Board, Second Ordinance, 1980	Do.	Do.	Do.
32.	The Bihar Sanskrit Education Board, Second Ordinance, 1980	Do.	Do.	Do.
33.	The Bihar University Service Commission (Second Amendment) Ordinance, 1980	Do.	Do.	Do.
34.	The Bihar Intermediate Education Council Second Ordinance, 1980	Do.	Do.	Do.
35.	The Bihar Non-Government Physical Training College and Non-Physical Teachers Training College and Non-Primary Physical Teacher Education College (Control and Regulation) Second Ordinance, 1980	Do.	Do.	Do.
36.	The Bihar Inter University Board Second Ordinance, 1980	Do.	Do.	Do.
37.	The Bihar Panchayat Raj (Second Amendment & Validation) Ordinance, 1980.	Do.	Do.	Do.

1	2	3	4	5	6
38.	The Bihar Panchayat Samitti and Zila Parishad (Second Amendment and Validation) Ordinance, 1980	21-4-80	30-6-80	13-8-80	..
39.	The Bihar Panchayat Election Rules and Supplementary Voters List (Second Validation) Ordinance, 1980	Do.	Do.	Do.	..
40.	The Bihar Municipal Corporation (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
41.	The Bihar Essential Services Maintenance (Second Amendment) Ordinance, 1980.	Do.	Do.	Do.	..
42.	The Bihar Legislature (Member's Salaries, Allowances and Pension) (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
43.	The Bihar Medical Educational Institutions (Regulations and Control) Second Ordinance, 1980	Do.	Do.	Do.	..
44.	The Bihar Regional Development Authority Second Ordinance, 1980	Do.	Do.	Do.	..
45.	The Bihar Agriculture Income-Tax (Repeal) Second Ordinance, 1980	Do.	Do.	Do.	..
46.	The Bihar Co-operative Society (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
47.	The Bihar Municipal and Patna Municipal Corporation (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
48.	The Bihar Cinema (Regulation) (Second Amendment and Validation) Ordinance, 1980.	Do.	Do.	Do.	..
49.	The Bihar Municipal Corporation (Second Amendment and Validation) Ordinance, 1980	Do.	Do.	Do.	..
50.	The Patna Corporation (Second Amendment) Ordinance, 1980	Do.	Do.	Do.	..
51.	The Bihar Sale-Tax Second Ordinance, 1980	Do.	Do.	Do.	..
52.	The Bihar Contingency Fund (Amendment) Ordinance, 1980	Do.	Do.	Do.	..
53.	The Bihar District Board and Local Board (Control & Management) Amendment Ordinance, 1980	Do.	Do.	Do.	..

	Do.	Do.	Do.	Do.
54. The Bihar Ministers, Deputy Ministers and State Legislature Officers Salaries and Allowances Law (Amendment) Ordinance, 1980.	Do.	Do.	Do.	Do.
GUJARAT				
1. The Gujarat Local Authorities Laws (Second Amendment) Ordinance, 1980	18-7-80	18-8-80	..	Replaced by Legislation
2. The Gujarat State Guarantees (Amendment) Ordinance, 1980	21-7-80	18-8-80	..	Do.
3. The Gujarat Panchayats (Third Amendment) Ordinance, 1980.	21-7-80	18-8-80	..	Do.
4. Gujarat Nagar Panchayats (Extension of Term) (Second Amendment) Ordinance, 1980.	21-7-80	18-8-80	..	Do.
5. The Gujarat Disturbed Areas (Maintenance of Public Order) Ordinance 1980.	15-8-80	18-8-80	29-9-80	Do.
HARYANA				
1 The Haryana State Legislature (Pension of Disqualification) Amendment Ordinance, 1980	17-4-80	8-7-80	..	..
2 The Punjab Agricultural Produce Market (Haryana Second Amendment and Validation) Ordinance, 1980	15-5-80	8-7-80	..	..
The Punjab Town Improvement (Amendment Ordinance) 1980	11-9-80	Not yet laid	..	..
KARNATAKA				
1 The Karnataka Land Revenue (Amendment) Ordinance, 1980	10-9-80	..	..	..
2 The Karnataka Inams Abolition Laws (Amendment) Ordinance, 1980	10-9-80	..	..	..
3 The Karnataka Stamp (Second Amendment) Ordinance, 1980	10-9-80	..	..	..
4 The Karnataka Public Premises (Eviction of unauthorised occupants) (Amendment) Ordinance, 1980	30-9-80
5 The Karnataka Municipalities (Amendment) Ordinance, 1980	30-9-80

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4

3

2

1

KERALA

1 The Kerala Municipalities (Amendment) Ordinance, 1980

MADHYA PRADESH

1 The Madhya Pradesh Audyogik Sambandh (Samshodhan) Adhyadesh, 1980

RAJASTHAN

1 The Rajasthan Agriculture Produce Markets (Amendment) Ordinance, 1980

SIKKIM

1 The Sikkim Public Premises Ordinance 1980

TAMIL NADU

1 The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) (Amendment) Ordinance, 1980

2 The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) (Second Amendment) Ordinance, 1980

3 The Tamil Nadu Hindu Religious and Charitable Endowments (Amendment and Special Provisions) Amendment Ordinance, 1980

4 The Madras City Municipal Corporation (Amendment) Ordinance, 1980

UTTAR PRADESH

1 Uttar Pradesh Lok Seva (Adhikaran) (Samshodhan) Adhyadesh, 1980

19-8-80

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9-7-80

9-5-80

9-9-80

22-8-80

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1

23-6-80

Do.

Do.

Do.

4-8-80

Replaced by Legislation.

Replaced by Legislation.

Replaced by the Sikkim Public Premises (Eviction of unauthorised Occupants and Rent Recovery) Bill, 1980.

Replaced by Legislation.

Do.

Do.

Do.

Replaced by Legislation

2	Uttar Pradesh Rajya Vishwavidyalaya (Triptiya Sanshodhan) Adhyadesh, 1980	31-7-80	4-8-80	4-8-80	Do.
3	Uttar Pradesh Samaj Virodhi Tatva Nivaran Adhyadesh, 1980	16-8-80	27-8-80	27-8-80	Do.
4	Uttar Pradesh Rajya Vishwavidyalaya (Chaturth Sanshodhan) Adhyadesh, 1980	22-8-80	Do.	Do.	Do.
5	Uttar Pradesh Nagar Sawayat Shaashan Vidhi (Sanshodhan) Adhyadesh, 1980	27-9-80	29-9-80	29-9-80	Do.
WEST BENGAL					
1	The Calcutta Thika Tenapcy Stay of Proceedings (temporary) Provisions (Amendment) Ordinance, 1980	17-7-80	19-8-80	30-9-80	Replaced by Legislation.
2	The West Bengal Taxes on Entry of Goods on Local Area (Amendment) Ordinance, 1980	17-7-80	19-8-80	30-9-80	Do.
3	The West Bengal College Service Commission (Amendment) Ordinance, 1980	26-7-80	19-8-80	30-9-80	Do.
4	The Bengal Municipal (Amendment) Ordinance, 1980	11-8-80	19-8-80	30-9-80	Do.

*Both the Ordinances at Sl. 2 and 4 were replaced by one Bill.

19	Tamil Nadu	.	.	.	.	.	.	39	20	..	16	3(l)	..	..	39	..
20	Tripura	.	.	.	.	.	.	2	..	2	..	..	..	..	2	..
21	Uttar Pradesh	.	.	.	.	.	.	85	43	24	..	13(m)	..	..	80	5
22	West Bengal	.	.	.	.	.	.	42	4	..	..	10(n)	..	..	41	1
(ii) Union Territory																	
23	Andaman & Nicobar	.	.	.	.	.	.	1	1	..	..	..	..	..	1	..
24	Arunachal Pradesh	.	.	.	.	.	.	2	2	..	..	..	..	..	2	..
25	Chandigarh	.	.	.	.	.	.	1	1	..	..	..	..	..	1	..
26	Dadra & Nagar Haveli	.	.	.	.	.	.	1	1	..	..	..	..	..	1	..
27	Delhi	.	.	.	.	.	.	7	6	..	..	1(o)	..	..	7	..
28	Goa, Daman & Diu	.	.	.	.	.	.	2	2	..	..	..	..	..	2	..
29	Lakshadweep	.	.	.	.	.	.	1	1	..	..	..	..	..	1	..
30	Mizoram	.	.	.	.	.	.	1	..	..	..	..	..	..	1	..
31	Pondichery	.	.	.	.	.	.	1	1	..	..	..	..	..	1	..
32	Nominated	.	.	.	.	.	.	2	..	..	..	..	..	..	2	..
								544	348	35	35	76	12	16	522**	21	

**Excluding the Speaker

- (a) Congress (U)-1
- (b) Congress (U)-5, CPI-5, BJP-2, Janata-2
- (c) Janata-1
- (d) BJP-1, Janata-S(R)-1
- (e) National Conference-3
- (f) Janata-1
- (g) Congress (U)-3, CPI-2, ML-2, DSF-1
- (h) BJP-4
- (i) Congress (U)-1, BJP-2, Janata-6
- (j) CPI-1
- (k) Congress (U)-1, BJP-3, Janata-1
- (l) AIADMK-2, Muslim League-1
- (m) CPI-1, Janata-S(R)-2, BJP-1, DSF-7, Congress(U)-1, Janata-1
- (n) RSP-4, Forward Bloc-3, CPI-3
- (o) BJP-1

C. PARTY POSITION IN STATE LEGISLATURES

STATE/UNION TERRITORY	Seats	Cong. (I)	Janata (S)-(GS)	Cong. (U)	B.J.P.	CPI (M)	CPI	Other Parties	Ind.	Total	Vacancies	
	2	3	4	5	6	7	8	9	10	11	12	13
Andhra Pradesh L.C. (As on 15-10-80)	90	96	..	1	2	5	..	2	6(a)	6	59	31
Andhra Pradesh L.A. (As on 15-10-80)	295	255	4	7	3	3	8	6	9(b)	5(c)	294	1
Assam L.A. (As on ..)												
Bihar L.C. (As on 15-10-80)	96	42	6	6	3	2	..	5	2(d)	6	72	24
Bihar L.A. (As on 1-9-80)	325	179	12	42	12	18	6	23	14(c)	4	320*	4
Gujarat L.A. (As on 15-10-80)	182	139	21	1	..	..	..	..	9(f)	10	180	2
Haryana L.A. (As on 9-12-80)	90	48	4	23	..	11	..	..	..	..	86	3
Himachal Pradesh L.A. (As on 15-6-80)	68	34	1	1	..	24	1	..	..	4	65*	2
Jammu & Kashmir L.C. (As on 15-6-80)	96	6	1	..	..	..	..	..	27(g)	..	34	2
Jammu & Kashmir L.A. (As on 15-6-80)	78	7	11	2	..	1	..	..	54(h)	1	76	2
Karnataka L.G. (As on 30-10-80)	63	22	3		13	5	..	..	..	5	48*	14
Karnataka L.A. (As on 15-10-80)	225	165	14		28	4	3	2(i)	6	222	3	

	1	2	3	4	5	6	7	8	9	10	11	12	13
Gos, Daman & Diu L.A. (As on 15-10-80)		30	27	..	..	..	..	..	..	2(x)	1	30	..
Mizoram L.A. (As on 15-10-80)		33	..	2	..	..	..	..	..	31(y)	..	33	..
Pondicherry L.A. (As on 15-10-80)		30	10	3	..	..	..	1	..	16(z)	..	30	[..

*Excluding the Speaker/Chairman who is not a member of the either party.

- (a) Progressive Democratic Front-4; National Democratic Front-2.
- (b) Majlis-Ittehad-Ul-Muslimeen-3.
- (c) Including one Nominated.
- (d) Teacher-1; Janata-S (RN)-1.
- (e) Janata-S (RN)-1; Forward Block-1; Jharkhand Mukti Morcha-11; Nominated-1.
- (f) Indian National Janata Party-9.
- (g) National Conference-26; others-1.
- (h) National Conference-50; Jamaiti Islami-1; Peoples' Conference-1; Inquilabi National Conference-2.
- (i) RPI-1; Muslim League-1.
- (ii) Muslim League-14; Kerala Congress-8; R.S.P.-6; Kerala Congress (J)-6; All India Muslim League-5; Janta-5; and National Democratic Party-3.
- (j) RPI-1; Nominated-1.
- (k) M.P.P.-15
- (l) United Meghalaya Parliamentary Democratic Forum-34; APHLC-20; PDIC-2.
- (m) Shiromani Akali Dal.
- (n) Pragatisheel Vidhayak Dal.

- (o) Sikkim Janata Parishad-22; Sikkim Congress (Revolutionary)-8; Sikkim Prajatantra Congress-1.
- (p) AIADMK-15; DMK-5; Teachers-Graduates [Progressive Front-4; Indian Union Muslim League-1; United Party-1; and Gandhi Kamraj National Congress-1
- (q) AIADMK-129; DMK-36; Gandhi Kamraj National Congress-6; All India Forward Bloc-3; Tamil Nadu Kamraj Congress-3; and Nominated-1.
- (r) RSP-2; Forward Block-1; Tripura Upajati Jula Samiti-4.
- (s) Janata-S (R)-18; Shikshak Dal-5; Rashtrawadi Dal-1.
- (t) Janata-S (RN)-3; Shoshit Samaj Dal-1; Nominated-1.
- (u) Includes one Nominated Member supported by CPI (M).
- (v) Forward Bloc-27; RSP-20; RCPI-3; Forward Bloc (Marxist)-2; Biplabi Bangla Congress-1; SICF-4; CPI (M)-1; Muslim League-1 Nominated under Art. 333 of the Constitution-1.
- (w) PPA-7.
- (x) MGP-2.
- (y) Peoples Conference Party-22; Mizoram Congress Group-5; Peoples Conference 197-4.
- (z) DMK-15; Indian Union Muslim League-1.

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