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Addresses and Speeches

TWENTY-FIFTH ANNIVERSARY OF THE INDEPENDENCE OF INDIA

*[The 25th Anniversary of Independence of India was celebrated in the Central Hall of Parliament House, New Delhi on the 14th-15th August, 1972 (i.e. night between 14th and 15th August). The President, Vice-President, Speaker of Lok Sabha and the Prime Minister addressed the Members of Parliament. Two minutes' silence was observed in the memory of martyrs who laid down their lives for Independence.**

We publish below the Addresses delivered on the occasion by the President, Vice-President, the Speaker, Lok Sabha and the Prime Minister.

—Editor]

ADDRESS BY SHRI V. V. GIRI, PRESIDENT OF INDIA

Mr. Vice-President, Madam Prime Minister, Members of Parliament
Comrades and Friends,—

Twenty-five years ago this day, almost at this hour, the Constituent Assembly met in this Hall to herald India's freedom. That was an event which was unique in world history and which had no parallel in the political annals of any country, ancient or modern. A mighty Empire had bowed down to the indomitable will of an unarmed nation whose sole strength lay in the abiding faith of her people in the power of spirit and of peaceful persuasion. Truth and non-violence, the Father of our Nation had insisted, were strong and sufficient weapons

*The function was attended by the Chief Justice of India, Union Ministers, Members of Parliament and some ex-Members of the Constituent Assembly of India. Among those who witnessed the function from the Lobbies of the Central Hall were the Prime Minister of Yemen, Speaker of the House of Representatives, Fiji, Lieutenant-Governor of Delhi, Heads of Foreign Missions in Delhi, Attorney-General of India, Chief of Air Staff, Comptroller and Auditor General of India, Chairman, U.P.S.C., Secretaries to the Government of India and Freedom Fighters.

for a backward, poor and unorganized people to win them their birth-right of freedom, both political and economic. This firm foundation prepared us for a life of dedication and hard work so that India may rediscover her greatness and march towards her manifest destiny of a peaceful, prosperous and progressive existence in the comity of nations. We can claim, in all humility, that despite periods of extreme stress and strain, we have emerged today as a stable, well-knit and self-reliant nation.

New Social and Political Order

When India got the right and the power to govern herself, we inherited an administration which had no direct relevance to the enormous task of bringing about a rapid transformation of an economically backward and industrially undeveloped country into a modern state. Independent India's Constitution laid great emphasis on the promotion of the welfare of the people by securing and protecting effectively a social order in which justice, social, economic and political, shall inform all the institutions of national life. In elections to our Legislatures, adult franchise was deliberately introduced so that the Governments formed would have the widest possible representative character. It also meant that the people's needs and the people's voice should be the dominant consideration in all affairs of State. Our parliamentary system provides the necessary means and machinery for a process of orderly change and a revolution by general consent.

A Mature Nation

Politically we have proved ourselves a mature nation. All external threats to our national integrity, and attempts at internal disruption, have been dealt with firmly by the united will of our people. Our strict adherence to the rule of law and the preservation of a judicial system capable of responding to the needs of a changing social order are manifestations of good government. In the making of laws concerning the well-being of the people, we have rightly emphasized that considerations of the general welfare should prevail over the rights of individuals.

Problems of Reconstruction

In a country as large as India with its social diversities and with a growing population, the problems of reconstruction are bound to be colossal and the needs whether in the spread of education, growing of

sufficient food, provision of housing or other basic amenities to the people, are continuous and ever-increasing. But in meeting these needs our unshakeable aim is the building of an equitable society and an economic system in which there will be no exploitation of man by man.

Removal of Poverty

We have yet a long way to traverse before we can make any claim to success. We have resources in land, water and minerals such as very few countries have. Even making allowance for the vagaries of the weather, the country is capable of achieving self-sufficiency in regard to the basic requirements of our people. An integrated service-oriented programme is an essential pre-condition for this. I have always advocated that planning for development, to be realistic, has to start from the village level. I am glad that there is today an increasing realisation of the need for this. Plans and programmes are not intended to be mere assessment charts or arithmetical projections of national resources. Our commitment to the gigantic but inescapable task of the removal of poverty is a mandate from our people, and it has to be fulfilled in the quickest possible time and in the smoothest possible manner. The task must be tackled on a war-footing and this calls for collective effort and collective wisdom on the part of every group and every individual in the country.

Equitable Distribution of Resources

The resources of the country, whether at the disposal of the States or at the disposal of the Union, are the common assets of the nation. Whether in the matter of sharing inter-State waters or power, or in the equitable distribution of essential commodities including food supplies, or in the distribution of cement and steel for construction activities, to cite only a few examples, the guiding principle should be that we do the maximum good to our people as a whole. The prosperity and progress of every part of India is the concern of the whole nation. Every Indian born in this country has a right and a claim to an equal share in that prosperity and progress. The State has a duty to take special care of the weaker sections of the community and the backward areas in different parts of the country. In helping to build them up, the approach should be not one of continuing patronage or conferment of special privilege but a positive programme by which they will come up to the level of the rest of the community and will no longer be dependent upon any favoured treatment.

Role of the Worker

In industry, it is now well understood that to ensure better production, both qualitatively and quantitatively, the worker and the technician should receive not only their due share but also their due place in management and decision-making. The worker can no longer be looked upon as a mere wage earner but as a free citizen rendering his best for the reconstruction of the nation. I would urge upon my trade union comrades that it is they who hold the key in a large measure for India becoming self-sufficient in industrial goods of all kinds, and creating, in the process, wider employment opportunities.

Unemployment Problem

The problem of unemployment has been a continuing sore in our body politic. The youth of the country is understandably impatient. The State and private enterprise have both a definite duty here. Putting all available land to agricultural activity and the organisation of a vast net-work of cottage and small scale industries will help in enabling a considerable section of the people to be self-employed. The basis for the programme has essentially to be co-operative community effort backed by State support and guided by specialized knowledge.

Goodwill for India

The attainment of India's freedom in 1947 was the beginning of the end of the colonial rule in different parts of the world. In my tours abroad I have been greatly touched by the amount of goodwill and the fund of affection shown towards our country. There is today a better appreciation and a closer understanding of our problems and our point of view in international affairs.

Peace in the Sub-Continent

In our relations with countries and peoples we have steadfastly sought friendly association and mutual respect. We recognize that the problems of man wherever he may be situated are alike in all parts of the world; and we believe in upholding human dignity and human freedom. It is in this spirit that we have striven, and shall continue to strive, to establish lasting peace between India, Bangla Desh and Pakistan acting together as joint partners in the common endeavour to raise the standard of living of all the peoples in this sub-continent.

Tributes to Freedom Fighters

On this solemn occasion, I would like to pay my humble tribute and homage to all those who suffered or laid down their lives in the cause of our freedom movement and also those members of the armed forces who have made the supreme sacrifice so that India's honour and integrity may be protected and preserved.

India's Onward March

India is on her onward march. A clear purpose and a sense of urgency must govern all our actions. Let us on this day rededicate ourselves to the service of the people of our great country.

**ADDRESS BY SHRI G. S. PATHAK, VICE-PRESIDENT OF INDIA
AND CHAIRMAN OF RAJYA SABHA**

Esteemed Rashtrapatiji, Madam Prime Minister, Mr. Speaker and Hon'ble Members of Parliament,—

This is a unique occasion. At this hour twenty-five year ago our nation was reborn with new hopes, new faith and new confidence, amidst nation-wide jubilation. Our people experienced the thrill of the new-found freedom. This hall witnessed the historic ceremony which will be a vivid memory for long long years to come. Jawaharlal Nehru's words spoken on that occasion are still reverberating. It may be easy to recall the scene but it may perhaps not be quite so easy to recapture the high spirits of that magic moment and the unprecedented enthusiasm which prevailed. The future presented a long vista of promises. But there were difficult and complex problems also demanding the exercise of uncommon skill and energy. The nation expressed its determination to accept the challenge and a solemn pledge of dedication to the service of the Motherland and to the cause of humanity was taken in this hall.

Tributes to the Freedom-Fighters

At that time commanding figures bestrode the national scene. They were patriotic leaders who had made tremendous sacrifices in the service of the nation. They had kindled new light and galvanized new forces among the people and, indeed, altered the course of history. Towering above them all was the Father of the Nation. Then there was his political heir, Jawaharlal Nehru. There was also a veritable galaxy of

shining stars who were staunch followers of Mahatmaji and valiant soldiers of freedom. Besides these there were many among the people of this land who followed the leaders and took part in the freedom fight enduring untold hardships in the service of the country. It is but meet and proper that we should, on this occasion, pay our humble tribute and respectful homage to all those to whom we owe our freedom and the blessings of independence.

Vision of India's Destiny

Mahatmaji and Jawaharlal Nehru had a clear vision of India's destiny. We may recall Jawaharlal Nehru's words uttered in 1946: "My vision of a free India involves something bigger, more magnificent than just political freedom. It is a freedom in which four hundred million people can live the life which man should live, in which every individual . . . shall have the door of opportunity open to him; in which every person will be provided with the necessities of life, and those who have leisure can explore the regions of science and the mind and start again on the great field of adventure which was embarked upon in this country so many thousand years ago." He declared that he stood for socialism. It was obvious that there could be no democracy without socialism.

Socialist Democracy

In the year 1947 India was at the cross-roads of history. A new era had just dawned; the nation had to make a choice and it chose a socialist democracy. Our Constitution was based upon the principle that the people were sovereign. It was so framed as to secure political, social and economic justice to each and all. It also provided a democratic machinery through which the ideal of justice could be achieved. Jawaharlal Nehru nurtured and developed the parliamentary form of Government with assiduous care so that this system might be firmly rooted in the hearts and minds of the people. The heavy burden of fulfilment of the high purposes and magnificent ideals set out in the Constitution fell upon Jawaharlal Nehru and his dedicated colleagues. Shastriji followed his policies loyally and served the nation with unflinching devotion till the last breath of his life. Inspired and informed by a pervasive sense of national destiny, our people have evinced a remarkable will to change and shown an admirable capacity to absorb new ideas and adapt themselves to new conditions. They have demonstrated great political acumen and the determination to remove the ills of society.

Eradication of Inequalities

It is a matter of great pride and satisfaction that during these twenty-five years we have progressed in many directions. We have effected notable changes in our society. Liberalism, freedom of religion, equality before the law, socialism and secularism have exerted and are exerting profound influence on our mode of life. But a great deal still remains to be done. Poverty and illiteracy must be eradicated. Social inequalities and economic disparities must go. Harijans must be fully accorded the position of respect and dignity which is their birthright. Tribals must be completely absorbed in the unified nation.

Building-up the Future

The year 1972 is another turning point in the history of our country. We have emerged into an era of multiple revolutions and great transformations. Speed is a special mark of the times. The tempo of progress has not only to be maintained but also accelerated. It is essential for us to come abreast of the most highly developed nations. We have to build the future on the foundations of our past through modern techniques and innovations. Our cherished ideals and values will provide us with the right direction and purpose. The claims of the peremptory present are very exacting. We have to develop the capability and dynamism to match the needs of the day. We have to remember Gandhiji's exhortation: "... In progress towards the goal we can see more and more enchanting scenery... Satisfaction lies in the effort... Full effort is full victory." An abiding faith in the great destiny of our nation is the perennial source of our strength. Let us on this historic occasion recapture the high spirits and the enthusiasm which marked the dawn of freedom twenty-five years ago and dedicate ourselves to complete the unfinished tasks and to reach the promised land.

ADDRESS BY DR. G. S. DHILLON, SPEAKER, LOK SABHA

Esteemed Rashtrapatiji, Mr. Vice-President, Madam Prime Minister and Hon'ble Members of Parliament,—

It was at the stroke of the mid-night hour on the 14th-15th August, 1947 that the Constituent Assembly of India, meeting in this historic Hall of Parliament, assumed power for the governance of the country,

on behalf of our people. It was here that we framed our Constitution and declared ourselves a sovereign democratic Republic.

Architects of Freedom

As we celebrate this happy event to-night, our thoughts naturally go to the architect of our freedom, the Father of our Nation, Mahatma Gandhi who was our beacon-light, our guide and philosopher for several decades during our struggle for Independence. Let us pay our respectful homage to this great soul, whose message of truth, non-violence, love, tolerance and peace is as relevant today as it was in those eventful years of struggle.

Let us also on this occasion bow our heads in gratitude to all those myriads of men and women, known and unknown, who, by their heroic sacrifices and sufferings, brought the dream of freedom into the realm of reality and bequeathed it to us as our most cherished heritage.

We are at this hour reminded of our great leaders like Dr. Rajendra Prasad, under whose inspiring stewardship our Constitution was framed and who was rightly our first President, Shri Rajaji, our last Governor-General, Sardar Patel and a host of others, whose courage, dedication and sacrifice shall always kindle and sustain in us a spirit of service to our country.

Prime Ministers : Persons of Vision and Dedication

We were indeed fortunate that during the momentous period following the dawn of our freedom we had at the helm of affairs a man of vision, Pandit Jawaharlal Nehru. He laid firm the foundations of our democracy, initiated social change and guided our steps towards industrial and economic development.

He was succeeded by a worthy successor, Lal Bahadur Shastri, a man of peace and high integrity.

Our present Prime Minister Shrimati Indira Gandhi, has been hailed throughout the country and the world as a statesman dedicated to the cause of peace and progress, a person of rare qualities who understands intuitively the feelings of the masses and provides dynamic leadership.

Our Achievements

As we look back, our achievements during the two and a half decades of our Independence have been substantial and encouraging

We have without doubt progressed in all directions—political, economic, industrial and social—and there is very reason to think that we are poised for accelerated progress.

Inherent Strength of Indian Democracy

We have held five general elections involving hundreds of millions of people—all in a free and peaceful atmosphere. This experiment with an electorate, which is perhaps the largest in any democracy, has proved beyond doubt not only the political maturity of our people but also their confidence in themselves and faith in democratic processes.

The Parliamentary form of Government at the Central and State levels has enabled us not only to give expression to the wishes and aspirations of our people but also to translate them into living realities. The basic soundness, stability and vitality of our democratic system has been amply proved in many a moment of crisis. It was the inherent strength of the Indian democracy, that enabled the Nation to stand like a rock during the critical days of the Chinese invasion in 1962, and later during the Indo-Pakistan conflicts in 1965 and 1971. We have during all the years of our Independence stood for righteous causes in international forums and our stand has always been for peace, amity and friendly cooperation among nations.

Achievements in Economic Sphere

Our achievements in the economic field have also been considerable and noteworthy. We have implemented almost four Five Year Plans and are formulating the Fifth. From a country depending on imports for her food, we have reached the stage where we could be practically self-sufficient, given the normal weather and rains. We have also advanced significantly in the industrial field, having well laid out the infra-structure for heavy, medium and small-scale industry, thus paving the way for accelerated development and diversification. All this has been possible because of the hard work put in by our peasantry and the industrial workers—the toiling masses who form the backbone of our country.

In the social sphere, we have taken several measures, legislative and others, to remove the manifold ills and inequities afflicting our society and uplift the weaker and down-trodden sections thereof.

Faith in Youth

Much has thus been accomplished, though much admittedly remains. We have still many miles to go, many promises to keep. Our hope lies in the rising generation—the youth of our country, who have to shoulder the responsibilities of carrying the nation forward to its cherished goal in the days ahead.

Removal of Disparities

Let us all work together to make India a home worth living. Let us dedicate ourselves to remove social disparities, bring up Harijans and backward classes to full and equal economic and social status and make our democracy truly socialist and secular—above casteism and social barriers.

Building India of Common Man's Dreams

Let us, on this historic occasion, dedicate ourselves to the challenging tasks ahead. Let us resolve in the words of Mahatma Gandhi that we "shall work for an India in which the poorest shall feel that it is their country in whose making they have an effective voice, an India in which there shall be no high and low class of people, an India in which all communities shall live in perfect harmony". Let us remember the words of Pandit Jawaharlal Nehru that the "future is not one of ease or resting, but incessant striving so that we may fulfil the pledges we have so often taken. . . . The service of India means the service of the millions who suffer". Let us, therefore, at this sacred hour, pledge ourselves to serve these millions, "wipe out every tear from every eye" and build the India of the common man's dreams.

**ADDRESS BY SHRIMATI INDIRA GANDHI, PRIME MINISTER
OF INDIA***The Father of the Nation*

We have gathered from all parts of the country to live again a moment of history when out of the long gloom of feudalism and foreign rule, India awoke to freedom and democracy. We have come to remember with gratitude the long succession of those who have gone before us. The Father of the Nation reinterpreted our ancient values and traditions and transformed ideals that seemed unattainable into powerful instruments of political action. His message reached out to village and town, inspired the educated, brought

understanding to the simplest and awakened long suppressed aspirations.

The Freedom Movement

Our movement was a non-violent one. It released unthought of qualities in our people and revealed the many faces of courage. By participating in a cause larger than himself, every Indian grew in stature. Some groups followed the more familiar path of armed confrontation. Many were the instances of individual daring and self-sacrifice. I recall also the work of the Indian National Army away from our shores.

A Remarkable Century

My mind goes still further back, beyond personal memory, to the great rising of 1857. The immediate cause does not matter. Perhaps deep in the subconscious, underlying sentiments of caste and religion was another stirring, the search for identity.

It was a remarkable century. The darkness of oppression was illumined by great intellects. Men of religion were also revolutionaries. Poets, scientists, indeed people of all professions, were one in a great objective—the resurgence of the nation.

Ultimately, success was achieved by the countless men and women, unknown and unsung who served our cause by their numbers no less than their dedication.

Our Faith and Strength

What was our strength? Oppressed and humiliated as we were, our leaders raised us above fear and hate. Transcending all hardship, we focussed our gaze on a vision of the future. We had faith that a people who moved with dignity and courage could not be cowed; that India awakened could never again be subdued.

Indivisibility of Freedom

We have always believed that freedom is indivisible. We have been in touch with movements for liberation everywhere and have contributed to them. Today we reaffirm our solidarity with the many Asian and African countries which became free with us or soon after,

the latest of whom is Bangladesh and with all those who are still struggling for freedom or development.

A Quarter Century of Achievements

At the moment of independence, our energies turned from the tension of struggle to the immediate problems of partition and the vast new responsibilities which we had assumed. That night, Jawaharlal Nehru said in a mood of prophecy: "The future is not one of ease or resting but of incessant striving so that we may fulfil the pledges that we have so often taken". A quarter of a century has since elapsed, during which we have had our share of failure and success, of tragedy and triumph. And yet we can take pride in the undeniable fact that despite the long sequence of challenges, we are today stronger—politically, economically and socially. Our national unity, democracy, secularism and socialism remain strong and firm.

Emancipation of Society

Our quest has been friendship with all, submission to none. Our fight was not for ourselves alone but for all mankind. Nor was it merely for political independence in its narrow sense. We were determined to change the old order, to eradicate poverty, to emancipate society from rigid stratification, evil customs and superstition.

The struggle for freedom began when the first man was enslaved and it will continue until the last man is freed not merely of visible bondage but of the concepts of inferiority due to race, colour, caste or sex. Only those who are free in spirit can be the torch bearers of freedom and pioneers of the future.

Goal : World Peace and Human Welfare

The greatness for which we strive is not the arrogance of military power or the avarice of economic exploitation. It is the true greatness of the spirit which India has cherished through the millennia. Man in the nuclear age stands at a crucial crossroad in his destiny. Let us rededicate ourselves not only to the service of India and her great people, but beyond to the broader goals of world peace and human welfare so that generations yet unborn can live with dignity and fulfilment, as part of the great world family.

Articles

GOVERNOR'S POWER TO APPOINT THE CHIEF MINISTER

M. S. Dahiya

Department of Political Science, Kurukshetra University

Article 164 (i) of the Constitution of India provides that the Chief Minister shall be appointed by the Governor. It is not necessary that the Chief Minister should be a member of either House of the State Legislature at the time of his appointment. The principal consideration governing the choice of the Chief Minister is that—

- (1) He shall be a person most likely to command a stable majority in the Legislative Assembly of the State;
- (2) He shall secure a seat in either House of the State Legislature within a period of six months from the date of his appointment as Chief Minister.

Chief Minister from Lower House

As we have adopted the system of parliamentary democracy obtaining in Great Britain, the practice prevailing in the States in India for the selection of a Chief Minister is the same as in England. According to the convention prevailing in England, the Prime Minister should belong to the House of Commons. The convention was established in 1923, when the King appointed Mr. Baldwin instead of Lord Curzon who was a member of the House of Lords.¹ Since 1923, this convention has been followed except in 1963, when after the resignation of Mr. Harold Mac-Millan, the Queen appointed Earl of Home who was a member of the House of Lords. But soon after his appointment, Lord Home resigned his seat in the House of Lords and

¹James Harvey and Katherine Hood, *The British State* (London, Lawrence & Wishart), 1958, p. 70.

got himself elected to the House of Commons, in a by-election held in November 1963, from Kinross and West Perthshire Parliamentary Constituency.² Ivor Jennings supports this convention on the ground that "the Prime Minister is not merely Chairman of the Cabinet, he is also responsible for the party organization. That organization matters in the House of Commons and does not matter in the House of Lords"³ According to William Harcourt, "the House of Commons makes and unmake a Government and has a right to expect that its Chief representative should be within its sphere of influence and personally accountable to it."⁴ The choice in 1923 of Mr. Baldwin established a precedent, which was followed in 1940 when Sir Winston Churchill was preferred to Lord Halifax as the Prime Minister.⁵

Chief Minister from Upper House

Keeping in view the principles and the spirit of the Parliamentary form of government, it appears very sound to observe that the Prime Minister or the Chief Minister should belong to the lower House. In India, both in the States and at the Centre, the Chief Ministers and the Prime Minister have in some instances come from the Upper Houses. For example, after the demise of the late Lal Bahadur Shastri, Shrimati Indira Gandhi was appointed as the Prime Minister when she was a member of the Rajya Sabha. After the General Election in 1952, Shri Morarji Desai was brought to the Legislative Council and was appointed as the Chief Minister of Bombay.⁶ In Madras, in 1952, Shri C. Rajagopalachari, a nominated member in the Council, was appointed as the Chief Minister. A case was filed in Madras High Court, which was, however, dismissed.⁷ In Bihar, Shri B. P. Mandal was appointed as the Chief Minister after he was nominated to the Council on the advice of the *interim* Chief Minister Shri S. P. Singh.⁸ It is clear from the instances cited above that the Chief Minister can be appointed from the Upper Houses in India.

²R. N. Misra, *The President of the Indian Republic* (Vora and Co. Pvt., Ltd., Bombay), First Ed., 1965, pp. 170-71.

³Cabinet Government (Cambridge), 3rd Ed., 1969, p. 24.

⁴'Life of William Harcourt, II,' p. 271, cited in *ibid.*, p. 22.

⁵M. R. Curtis, *Central Government—An Introduction to the British System* (London, 1958), p. 69.

⁶R. N. Misra, *op. cit.*, p. 171.

⁷K. V. Rao, "The Governor at Work", *Journal of the Society for the Study of State Governments*, Vol. I, July—September 1968, p. 95.

⁸*The Statesman*, February 1, 1968, p. 1.

Chief Minister from outside

Another question is: Can a person be appointed as the Chief Minister, who is not a member of either House of the State Legislature? The Allahabad High Court has decided that the term "Minister" in Article 164 (1) applies to the Chief Minister also. Under Article 164(4), the appointment of a person, who is not a member of the State Legislature, as Chief Minister is neither restricted by the Constitution nor does it violate the Principles of the Parliamentary form of government.⁹ The Supreme Court has confirmed it in the case of Shri T. N. Singh.¹⁰ There have been several cases where the Chief Ministers have been appointed from outside.¹¹

Clear majority and recognized leader

So long as one of the political parties has a clear majority in the legislature and also a recognised leader, the Governor has no discretion and he is bound to appoint him as the Chief Minister. In England, in 1841, the Conservatives had a clear majority and recognized Sir Robert Peel as their leader; thus Queen Victoria had no choice at all¹² In this case, an incident occurred which is of great importance. When Sir Robert Peel was sent for to form a Ministry by Queen Victoria, he told the Queen that the ladies of the Court appointed by the previous Government must be changed. She objected strongly and said: "They are my personal friends, and not party politicians. Why should I be required to part with them?" The Queen thus refused to give way, and Sir Robert Peel left Buckingham Palace without having been commissioned to form a government. Thereafter, recourse was had to the Duke of Wellington. The Duke, who did not like the job, could make no impression whatever upon the Queen.¹³ Ultimately, it so happened that she had to appoint Robert Peel as the Prime Minister of Great Britain.

When there is no recognised Party leader

If there is no clearly recognized leader, the Governor may get a chance to use his discretion. Such a situation prevailed in England in 1923, when the Prime Minister resigned. The Conservative Party,

⁹H. S. Varma vs. B. Gupta, A.I.R., 1962, All.301 (213).

¹⁰H. S. Varma vs. T. N. Singh, A.I.R. 1971, S.C. 1331 (1333).

¹¹Sarvashri K. N. Katju in Madhya Pradesh, K. Kamraj in Madras, Giani Gurmukh Singh Musafir in Punjab and C. B. Gupta and T. N. Singh in U.P.

¹²Ivor Jennings, *Cabinet Government*, 3rd ed., 1969, p. 25.

¹³Newman Bertram, Lord Melbourne, p. 268, Cited in Sir Charles Petric. *The Modern British Monarchy* (Eyre and Spottiswoode, London, 1961), pp. 33-34.

which had a clear-cut majority was prepared to support both Lord Curzon and Mr. Baldwin. King George V exercised his discretion and appointed Mr. Baldwin as the Prime Minister.¹⁴ Here the Monarch is said to have acted according to the advice of Balfour and others. In 1957, when Sir Anthony Eden tendered his resignation on account of ill health, it was generally thought that Eden would be succeeded by R. A. Butler, who had presided over Cabinet meetings in his absence. The Queen made her own enquiries, and eventually sent for Mr. Harold Mac-Millan.¹⁵ Some Labour Party members thought that the Queen should have waited until the Conservative Party had elected a leader, on the ground that Mr. Bonar Law refused office in 1922 until he was elected leader.¹⁶ In 1894, on the retirement of Gladstone, it was expected that the Chancellor of the Exchequer, Sir William Harcourt, who had in point of service undeniable claims, would be chosen as the Prime Minister. Gladstone had some reason to expect that his advice as the out-going Prime Minister would be taken. He had intended, if consulted, to advise the queen to appoint Lord Spencer. But Queen Victoria, on her own responsibility and without consulting the Prime Minister, as had been usual in doubtful cases, sent for Lord Roseberg, the Secretary for Foreign Affairs, and entrusted him with the formation of the new Ministry.¹⁷ In 1859 when Lord Derby resigned, Queen Victoria passed over the claims of Palmerston and Russell, and asked Granville to be the Prime Minister. But he did not form the Government and Palmerston was eventually appointed.¹⁸ In 1940, King George VI wanted to appoint Lord Halifax as the Prime Minister but Chamberlain advised him that Churchill would be a better choice. This the King accepted, though with some reluctance.¹⁹

An unusual event occurred in Australia in July 1945 when on the death of the Prime Minister, the Governor-General chose Mr. Francis Forde, the leader of the Labour Party as the next Prime Minister. Within a few days, the Labour Party caucus met and somewhat unexpectedly chose Mr. J. B. Chifley as their new leader, an act which

¹⁴Ivor Jennings, *op. cit.*, p. 23.

¹⁵J. Harvey and L. Bather, *The British Constitution* (Mac-Millan & Co. Ltd., London, 1964), pp. 196-97.

¹⁶Jennings, *op. cit.*, p. 28.

¹⁷Cecil S. Emden, *The People and the Constitution* (The Clarendon Press, Oxford), Second Ed., 1956, pp. 150-51. See also James Harvey and Katherine Hood, *op. cit.* p. 70.

¹⁸Harold Plaskitt and Percy Jordan, *Government of Britain* (University Tutorial Press, London, 1958), Sixth Ed., p. 51.

¹⁹N. H. Brasher, *Studies in British Government* (Mac-Millan and Co. Ltd., London, 1967), p. 15.

culminated in Mr. Forde's resignation and the Governor General requesting Mr. Chiefley to assume Office."

In Canada, there will be no question of the successor if the party has had time to make its own selection. Thus, in 1948, the Governor-General asked Mr. L. S. St. Laurent, the newly-elected leader of the Liberal Party, to become the Prime Minister in place of Mr. Mackenzie King, who had resigned.²¹

In India, there was no difficulty so far as the Centre was concerned. After the death of Pt. Jawaharlal Nehru in 1964, the Congress Legislature Party unanimously chose the late Lal Bahadur Shastri as its leader and the President Dr. Radhakrishnan appointed him as the Prime Minister. After the death of Shri Lal Bahadur Shastri, the Congress Legislature Party by a secret ballot chose Shrimati Indira Gandhi as its leader and the President appointed her as the Prime Minister.

When no party is in majority

The Governor can play a great role if none of the political parties secures an absolute majority in the Legislative Assembly. Such an eventuality has occurred many a time. For instance, after the general election in 1952 in Madras, in a House of 375 the Congress Party got 155 seats and emerged as the largest single party. Shri T. Prakasam, the leader of the United Front formed against the Congress, sent a list of 167 members to the Governor expecting an invitation to form the Government." The Governor said that he "cannot recognize a new party which is formed after the election and before the legislature meets. I must go by the nomenclatures that the different parties gave to themselves at election time. If the new party defeats the Government I formed then I could give it the consideration that would then be its due."²² Ultimately, the Governor nominated Rajaji of the Congress party as a member of the Council and gave him the mandate to form the government.²⁴

²⁰Cited in R. M. Dawson, *The Government of Canada* (The University of Toronto Press, 1954), Second Ed., p. 180.

²¹R. M. Dawson, *Democratic Government in Canada* (University of Toronto Press, 1949), p. 38.

²²Sri Prakasa, *State Governors in India* (Meenakshi Prakashan, Meerut), pp. 36—38.

²³*Ibid.*, p. 42.

²⁴Vishnu Sahay, "Governor's Role in Administration", *Indian Journal of Public Administration*, Vol. XVI, No. 3 July—September 1970 (Special Number), p. 285.

A somewhat similar situation occurred in Rajasthan after the general election in 1967. None of the political parties secured an absolute majority and the Congress Party secured 88 seats²⁸ and the strength of the United Opposition was 93 in a House of 183.²⁹ The Governor of the State invited Shri Sukhadia, the leader of the Congress Party, to form the Government and said: "I had left the reported views of the 15 independent M.L.As. (in the United Opposition) out of reckoning, as they had no policy and no party or group." Thus, according to his calculations, the Congress with 88 members against 78 of the Opposition parties, emerged as the largest single Party on the basis of the verdict of the electorate.³⁰ The Jana Sangh leader Shri Vajpayee stated in the Lok Sabha that in 1962 the Congress Government came into existence in Rajasthan with the support of Independents and that the rule which was implemented in 1962 had found no place in 1967.³¹ While replying to the charges of the Opposition, the then Home Minister, Shri Y. B. Chavan said that in exercising his discretion the Governor was guided by the Madras precedent of 1952.³² Shri Vajpayee said that if the Governor was to invite the Congress, which was the largest single party in the Rajasthan Assembly, he could have done so just after the election.³³

When the situation continued to deteriorate due to the atmosphere created by demonstrations, the leader of the Congress Party, Shri Sukhadia, refused to form the Government,³⁴ and the President's Rule was imposed in the State.³⁵

At the same time in Punjab, Shri Gurnam Singh, the leader of the United Front, was sworn in, when after meeting the Governor, Shri Gian Singh Rarewala of the Congress Party announced that he was not going to form the Government.³⁶ He said that the Congress had been counting on the support of the Republicans and at least three independents to give it a majority. But since three Republicans and 6 out

²⁸The Hindustan Times, March 5, 1967.

²⁹The Statesman, March 5, 1967, p. 1. See also Lok Sabha Debates, Vol. I, 1967, cols. 133-34; The Hindustan Times, March 5, 1967.

³⁰The Statesman, March 6, 1967, p. 7.

³¹Lok Sabha Debates, Vol. I, 1967, col. 134.

³²Rajya Sabha Debates, Vol. LVIV, 1967, col. 124.

³³Lok Sabha Debates, Vol. I, March 18, 1967, col. 143.

³⁴The Statesman, March 15, 1967, p. 7; See also Rajya Sabha Debates, Vol. LVIV, 1967, col. 125.

³⁵The Statesman, March 15, 1967, p. 1.

³⁶The Hindustan Times, March 16, 1967.

of the nine independents were with the United Front, he accepted that the Congress was in minority.⁸⁴

According to Shri Kamraj, the Governor is constitutionally required to first call upon the leader of the largest single group to form a government in the event of no party gaining an absolute majority in the State Legislature.⁸⁵ Keeping in view the spirit of the Constitution and the principles of parliamentary form of government, it appears very sound. But in fact, this rule is not being pursued everywhere. For instance, in West Bengal and Bihar after the general elections in 1967, the Congress was the single largest party, but it was not asked to form the government.⁸⁶ Sarvashri A. K. Sarkar, P. B. Gajendra-gadkar, M. C. Setalvad and late Mehr Chand Mahajan were of the view that the Governor should take a sound view of the party position and then make endeavours to call upon a leader who is mostly likely to command a stable majority to form the Ministry.⁸⁷

As in Rajasthan, in U.P., the Congress Party secured 198 seats in a House of 425 and emerged as the single largest party after the general elections in 1967.⁸⁸ The Opposition leaders met the Governor and informed him that all the opposition parties were agreed on the formation of a non-Congress Government and the combined opposition strength including the independents was more than that of the Congress. So, the Opposition should be invited to form the Government and not the Congress.⁸⁹ The Governor Shri Shri Bishwanath Das, after getting the opinion of the Advocate-General,⁹⁰ invited Shri C. B. Gupta, leader of the Congress Party, to form the Government.⁹¹

Even before 1967, the practice of forming the government had not been similar. In Kerala, in the mid-term poll on March 4, 1965, none of the political parties secured absolute majority and the C. P. (M) emerged as the single largest party with 40 seats in a House

⁸⁴The Statesman, March 8, 1967, p. 1.

⁸⁵The Indian Express, March 9, 1967.

⁸⁶Lok Sabha Debates, Vol. I, 1967, col. 174.

⁸⁷Amrit Bazar Patrika, March 18, 1970. See also The Hindu, March 19, 1970.

⁸⁸Lok Sabha Debates, Vol. I, 1967, col. 144.

⁸⁹The Hindustan Times, March 2, 1967.

⁹⁰The Statesman, March 11, 1967, p. 1.

⁹¹Ibid., March 12, 1967, p. 1.

of 133." Shri E.M.S. Namboodripad was prepared to form the government with the support of S.S.P., C.P.I., R.S.P. and others.⁴³ But, the Governor reported to the President that no stable Ministry could be formed under the prevailing circumstances." The Governor did not invite Shri Namboodripad to form the Government in spite of the fact that some opposition parties had openly declared their support to him." Justice Subha Rao says that the Governor, following the Parliamentary tradition, should have given the opportunity to the party that secured the largest number of seats to form the Ministry, especially when its leader was asserting that he could form one and then asked him to face the legislature. "This correct procedure, if the Governor's assessment was right, would have demonstrated that the constitutional machinery had failed and would have exonerated him from the infamy that he had adopted a partisan attitude."⁴⁴

There are other cases where the Governor invited the leader of the single largest party. In 1952, in Travancore-Cochin, the Congress Party with 45 seats in a House of 109 formed the government and remained in office from March, 1952 to September 1953, when a vote of no-confidence, moved at the instance of the T.T.N.C. party, was passed by 56 votes against 51.⁴⁵ In the same State, in February 1954, after the mid-term poll, P.S.P., with only 19 seats, was installed in office with the support of the Congress. The total strength of the Assembly was 117."

In 1957, in Orissa, the Congress secured 56 seats in a House of 140 and emerged as the single largest party. The Governor of the State, Shri Bhim Sen Sachar invited the leader of the Congress Legislature Party, Shri Hare Krishna Mehtab, to form the Government.⁴⁶ Similarly in Pepsu in 1952, the Congress, being the single largest Party, was invited to form the Government, when it had only 26 seats in a House of 60."

⁴²Lok Sabha Debates, Vol. XLIII, 1965, col. 13516.

⁴³Lok Sabha Debates, Vol. XLIII, 1965, col. 13549.

⁴⁴C. P. Bhambhri, "The Governor and the Emergency", *Union-State Relations in India*, Edited by S.A.M., Haqqi (Meenakshi Prakashan, Meerut), p. 79.

⁴⁵Lok Sabha Debates, Vol. XLIII, 1965, col. 13517.

⁴⁶Conflict in Indian Polity (S. Chand and Co. Pvt. Ltd., New Delhi), undated, p. 79.

⁴⁷Rajya Sabha Debates, Vol. XIII, 1956, cols. 43-44.

⁴⁸Sisir Gupta, "Political Instability in Kerala", *Indian Affairs Record*, Vol. 1, March 1956, pp. 7-8.

⁴⁹K. V. Rao *op. cit.*

⁵⁰Council of States Debates Vol. III, 1953, cols. 2148-49.

Keeping in view the said facts, it appears right to observe that since the Constitution came into existence, there has been no set convention in appointing the Chief Minister. The practice of inviting the leader of the largest single Party has been violated in the Commonwealth countries also. In 1923 in England, the Conservative Party emerged as the largest one with 261 seats but the King invited Ramsay MacDonald, the leader of the Labour Party, to form the government. The Labour Party had only 191 seats in a House of 615. But the Liberal Party extended its support to the government.⁵¹

After the general elections in 1960 in Kerala, the Governor invited the leader of the United Front, because it was in consonance with the principles of inviting the leader of the largest party. This is so because the United Front came into existence before the election. Sri Prakasa says that the leader of the United Front was asked to form the government "regardless of what group was actually the largest after the election".⁵²

Again in Kerala, such a kind of United Front came into existence before the mid-term poll in 1970. Although the constituent parties—Congress, Muslim League, C.P.I. (R) fought the election under the symbols of their own organizations, yet the Front was recognized by the Governor and Mr. Achyut Menon [C.P.I. (R)] was appointed as the Chief Minister." Similarly, in Punjab, the non Congress Opposition parties merged themselves into the United Front before the mid-term poll in February 1969 and its leader Shri Gurnam Singh was sworn in as the Chief Minister." In Bengal, after the mid-term poll in February 1969, Shri Ajoy Kumar Mukherjee, the leader of the United Front of leftist parties, was invited to form the Government."

When Government is defeated or reduced to minority through defections

The problem arises when there occur defections in the ranks of the ruling party or if the government is defeated on the floor of the Assembly. For instance, after a vote of no-confidence motion was

⁵¹Sydney D. Bailey, *British Parliamentary Democracy* (George G. Harrap and Co. Ltd., London, 1958) p. 23.

⁵²Shri Prakasa, "Constitutional Conundrums", *The Indian Express*, March 30, 1967.

⁵³*The Tribune*, October 5, 1970 p. 1.

⁵⁴*The Statesman*, February 26, 1969, p. 1.

⁵⁵*The Statesman*, February 26 1969, p. 1.

passed against the Congress Government in Andhra Pradesh on November 6, 1954, the opposition groups approached the Governor for a mandate to form a new Ministry, but they were denied the right to form an alternative ministry on the ground that it was not possible for the heterogeneous groups to join together in the formation of a new Ministry.⁵⁸ Similarly, in Travancore-Cochin, the Congress Government was ousted from office in September 1953. The Rajpramukh did not invite the leader of the Opposition and the Assembly was dissolved.⁵⁹

In 1958, in Orissa, the Congress Government headed by Shri H. K. Mehtab was defeated on the Budget issue. The Ministry tendered its resignation and advised the Governor to dissolve the Assembly. But the Governor, Shri Y. N. Sukthanker, did not dissolve the Assembly and requested the Chief Minister to withdraw his resignation.⁶⁰

In U.P. just after the general election in 1967, after the defeat of the Congress Government, headed by Shri C. B. Gupta on the Governor's address,⁶¹ Shri Charan Singh, the then leader of the Jana Congress, one of the constituent parties of the Samyukta Vidhayak Dal, was invited to form the government.⁶² Shri Charan Singh tendered his resignation on February 17, 1968 on account of the rift in the S.V.D. and advised the Governor for a mid-term poll in case the S.V.D. failed to elect any other leader.⁶³ But the Governor did not invite the new leader of some of the Constituents of the S.V.D., and recommended President's Rule with suspension of the Assembly.⁶⁴ The Governor, Dr. B. Gopala Reddy, in his report to the President said:

In my judgment the Samyukta Vidhayak Dal is not in a position to give a stable government... I have... no convincing proof to satisfy me that the Samyukta Vidayak Dal would be able to command a stable majority. On the other hand, the uncertainty is clear. If it was possible to reach a conclusion that the Samyukta Vidayak Dal

⁵⁸M. V. Pylee, "The States under Constitutional Emergency", *Union-State Relations*, Edited by S. A. H. Haqqi (Meenakshi Prakashan, 1967), p. 79.

⁵⁹*Rajya Sabha Debates*, Vol. XIII, 1956, cols. 44-45.

⁶⁰K. V. Rao, *Parliamentary Democracy in India* (Asia Publishing House, 1965), p. 71.

⁶¹*The Hindustan Times*, April 2, 1967.

⁶²*The Statesman*, April 3, 1967, p. 1.

⁶³*Ibid*, February 18, 1968, p. 1.

⁶⁴*Rajya Sabha Debates*, Vol. LXIII, 1968, col. 2160.

was in minority and the Congress Party commanded a clear majority. I would have unhesitatingly called upon the leader of the Congress Party to form the government."

Keeping in view the contents of the report, one is bound to draw the inference that the Governor was satisfied about the majority of the S.V.D. He had doubted its stability only. Moreover, according to his report, he would have certainly invited the leader of the Congress Party had he commanded a clear majority.

In Punjab, the Chief Minister, Shri Gurnam Singh (Akali Dal) tendered his resignation on November 22, 1967, following defections under the leadership of Shri Lachhman Singh Gill, the leader of the newly formed Janta Party.⁶⁵ Shri Gian Singh Rarewala, the then leader of the Congress Legislature Party, pledged to support a government if it was formed by Shri Lachman Singh Gill.⁶⁶ On November 24, 1967, Shri Gurnam Singh declared that he was prepared to form a government in response to an invitation from the Governor.⁶⁷ Shri Gurnam Singh was given a moratorium of two days and he was allowed to form the government by November 25, 1967.⁶⁸ The Governor, Dr. Pavate stated :

It appeared there were three major parties in the legislature. Mr. Gurnam Singh was the Chief Minister for a long time. It was not desirable that the ruling party should not be given a chance to reform the government. It was open to Mr. Gurnam Singh to reconstitute his government in such a way that it would be in a position to enjoy the confidence of the legislature. All the three Parties were now similarly circumstanced in the sense that not a single party could form the government by itself. There is no point in not giving a chance to the ruling party. I have given in two days. This was made known to other parties.⁶⁹

Shri Gurnam Singh wrote a letter to the Governor that he would see him on November 26, 1967,⁷⁰ but the Governor Dr. D. C. Pavate, invited Shri Lachhman Singh Gill and appointed him as the Chief Minister on November 25, 1967.⁷¹ In this case, the Governor gave

⁶⁵Ibid., Vol. LXIV, 1968, cols. 1834-35.

⁶⁶The Statesman, November 23, 1967, p. 1.

⁶⁷Ibid., November 24, 1967, p. 1.

⁶⁸Ibid., November 24, 1967, p. 1.

⁶⁹Ibid., p. 12.

⁷⁰Ibid., November 26, 1967, p. 16.

⁷¹The Statesman, November 26, 1967.

⁷²The Tribune, November 26, 1967, p. 1.

two days to the outgoing Chief Minister to reconstitute his Cabinet but a noteworthy fact was that when the Ministry of Shri Gurnam Singh fell on March 25, 1970,¹¹ on the Appropriation Bill, the same Governor did not give him a chance to reconstitute his Ministry, simply because the leader of the parallel Akali Dal, Shri Prakash Singh Badal, demonstrated his majority before the Governor in the Raj Bhawan. Ultimately, a three-member Akali-Jana Sangh Ministry headed by Shri Badal was sworn in on March 27, 1970.¹²

In Bihar in June 1968, the Ministry of the United Front headed by Shri Bholu Paswan Sastri tendered its resignation and advised the Governor to dissolve the Assembly.¹³ The Governor asked the leader of the Congress Legislature Party to form the government but the latter wanted four days to explore the possibilities.¹⁴ The outgoing Chief Minister, Shri Sastri, wanted another opportunity to form the government.¹⁵ But the Governor recommended President's Rule followed by dissolution of the Assembly.¹⁶ The Governor seemed to have taken this step in view of the conflict among the constituent parties of the United Front.

In Australia in 1952 in the State of Victoria, the labour Government was defeated on a vote of no-confidence. There were two parties in the Opposition. The party consisting of a coalition of the Liberal and Country Groups was the bigger one. The leader of the Labour Party advised the Governor to invite Mr. T. T. Hallay, the leader of another party namely Rebel Liberal Party, and he was asked to form the government because the Labour Party was prepared to support him. But after less than three days in Office the Government was defeated on a motion of no confidence.¹⁷

In Canada, according to R. M. Dawson, after the defeat of a government "the finding of a successor will be nothing more than routine, for the Governor-General will simply send for the Leader of the Opposition."¹⁸ The same is the position in England. But this

¹¹Ibid., March 26, 1970, p. 1.

¹²Ibid., March 28, 1970, p. 1.

¹³The Statesman, June 26, 1968, p. 1.

¹⁴Ibid., June 27, 1968, p. 1.

¹⁵The Tribune, July 26, 1968, p. 2.

¹⁶The Tribune, July 26, 1968, p. 2.

¹⁷S. Encel, *Cabinet Government in Australia* (Melbourne University Press), First Published 1962, p. 213.

¹⁸R. M. Dawson, *op. cit.*, p. 38.

cannot be applied in a country like India, where the leaders on the Opposition benches happen to be six or seven or more instead of one.

Death of a Chief Minister

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What should the Governor do if a Chief Minister dies while in Office? In Bihar, after the death of the Chief Minister, Dr. Sri Krishna Sinha the controversy arose as to what should be done in these circumstances? Dr. Zakir Hussain, the then Governor of Bihar, asked the senior-most Minister to form a caretaken government and carry on the administration." Similarly, after the death of the Chief Minister, Dr. B. C. Roy on July 1, 1962, the Governor of West Bengal, Kumari Padmaja Naidu, is reported to have asked the senior-most member of the Cabinet to be the acting Chief Minister till a permanent incumbent was appointed." Such eventualities have occurred at the Centre twice. At both the times, Dr. S. Radhakrishnan was the President. After the demise of Prime Minister Nehru, the President invited the senior-most Minister, Shri Gulzari Lal Nanda. Shri Nanda functioned as Prime Minister till the Congress Party chose Shri Shastri as its leader. Similarly, after the death of Shri Shastri in 1966, Shri Nanda was again asked by the President to function as the Prime Minister. He did so until Shrimati Indira Gandhi was elected leader of the Congress Parliamentary Party.

After a careful study of the role of the Governors with regard to the appointment of the Chief Minister, it seems that they adopted different criteria in the same situation in various States. This is so, because we have not established some set conventions as in England. For the smooth functioning of Parliamentary democracy, it is essential that we should develop certain conventions in regard to these matters. Since it is generally observed that parliamentary democracy is not made of written provisions only but the conventions of the Constitution also, and since Parliamentarianism is not a static concept, the development of some set conventions would prove a panacea for our infant democracy.

¹¹Sri Prakasa, *op. cit.*, pp. 33-34.

¹²*Ibid.*

PARLIAMENT AND GOVERNMENT'S PRICE POLICY FOR JUTE

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

—Editor]

The problem of jute prices is of basic importance to both the agricultural and industrial sectors of the jute economy. For the millions of growers engaged in the cultivation of jute, it is a question of a remunerative price being paid to them, which alone can provide and sustain the incentive to improve the quality and to increase the unit yield of jute. The jute industry, on the other hand, faces a real difficulty in maintaining its competitive position in the world market, if raw material of acceptable quality is not available at reasonable and stable prices. The problem of jute prices is, therefore, one of balancing competing interests and maintaining a price level which is remunerative to the cultivator and, at the same time, reasonable to the industry to maintain exports.

Jute is a predominantly an export product. Prices of raw jute exert an influence on the prices of jute goods, but since the latter are influenced by the competitive forces in the export markets, in the ultimate analysis, it is the price of jute goods that largely determines the price of raw jute.

However, it has been observed that during the past few years, the prices of raw jute have been subject to much wider fluctuation than those of jute goods. This is partly because of the fact that while the supply of jute goods can be adjusted quickly to changes in demand, the same is not possible for raw jute. The greater instability in the prices of raw jute stems from the fact that no change in its supply is possible during a season in response to changes in demand.

The sharp price swings in jute may be traced primarily to the responsiveness of supply to price changes. A high level of prices in

one season is followed by an increase in acreage and production in the next season. With the increase in production, prices decline, inducing a shrinkage in area, lower production and consequential rise in prices again in the subsequent season, thus setting a cyclical pattern of instability.

The jute price policy in India during the Fifties followed more or less an *ad hoc* course and was designed to meet a particular situation caused by increased production and falling prices or reduced production and rising prices. There was no co-ordinated long term policy aimed at stabilising the prices. In fact, the abandonment of the measures immediately after the recovery of the market was an evidence of the absence of any producer price policy, which is of fundamental importance in improving the quality and quantity of jute. It was not until the early Sixties when it was realised that a sound price policy for jute demanded that the minimum prices ought to be fixed and declared well in advance of the sowing season.

However, fixation of minimum remunerative prices has to take into account a number of factors which are peculiar to jute. First, there is the question of maintaining a normal parity between the prices of raw jute and paddy in order to avoid any undesirable diversion of acreage from one crop to another. Secondly, a fair relationship has to be maintained between the prices of raw jute and jute goods so that the cost of the raw material which forms about 60 per cent of the cost of production of jute goods, does not impair the competitive position of the Indian jute industry in the world market. Thirdly, the cultivators have to be assured of an adequate return for additional efforts and investment needed to step up the production.

A system of operational minimum price for raw jute was introduced during the 1960-61 season for the first time and the price was fixed at Rs. 30 per maund (Rs. 80.39 per quintal) for the bottom grade of Assam variety of Jute delivered at Calcutta. Setting up of a Jute Buffer Stock Association by the jute mills and the decision of the Government to supplement the Association's purchases by authorising the State Trading Corporation to undertake purchase operations with a view to ensuring against any fall in jute prices below the minimum levels were two of the important measures to provide price support.

The minimum support price, which continued unchanged at Rs. 30 per maund from 1960-61 was raised to Rs. 35 per maund (Rs. 93.77 per quintal) for the 1966-67 season, having regard to the general increase in price levels.

For the 1967-68 season, the minimum support price for jute was fixed at Rs. 40 per maund (Rs. 107.17 per quintal) for the bottom grade of Assam variety. Minimum prices were also fixed for the main varieties, besides Assam Bottom, in accordance with certain stipulated grade differentials. The higher price for the 1967-68 seasons was decided upon with a view to assuring a remunerative price to the jute grower in the context of the need to step up raw jute production in the country. The increase in the support price was also influenced by the fact that throughout the preceding season, the market prices had ruled well above the minimum support price of Rs. 35 per maund.

On June 6, 1967 answering a question (S. O. No. 327) in Lok Sabha by Sarvashri Madhu Limaye, D. C. Sharma and K. N. Pandey in regard to the raw jute prices for the 1967-68 season, the then Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation, Shri A. P. Shinde, said that the new support price announced by the Government had taken into account the cost of production of raw jute incurred by the farmer. He said that the minimum support price, which had been fixed at a higher level in comparison with that of the preceding season, was expected to have a favourable impact on food production and procurement as well.

On August 10, 1967, making a statement in Lok Sabha regarding the problems of the jute industry, the then Minister of Commerce, Shri Dinesh Singh, said :

"Jute industry is one of our major industries and is the single largest foreign exchange earner for the country. Almost 70 per cent of the raw jute produced is consumed in the manufacture of jute goods for export, balance being used in producing goods for the domestic market."

"Over the recent years, the Indian jute economy has, for one reason or the other, been under strain. In particular, in consequence of the shortage of fibre, production of jute goods had to be curtailed during some parts of 1966, especially during the month of May when a block closure had to be observed for one week. Export of jute

goods during 1966-67, as compared to 1965-66, declined from 895,000 tons to 734,000 tons in quantity and from 383 million dollars to 334 million dollars in value."

"I have consulted the representatives of the interests concerned in the health of the jute industry. They are unanimous in their view that steps should be taken to secure an economic price for the grower as well as the manufacturer. I am also convinced that the overseas buyers of our products would prefer to see stable conditions emerge in the market so that they are able to enter it with a sense of confidence. I would like to assure the House that Government proposes to make every effort to bring about stability, on a long term basis, in the market for both raw jute and jute manufacturers."

".....We raised the support price for raw jute in 1967 from Rs. 35 to Rs. 40 per maund for Assam Bottom delivered in Calcutta. Government are committed to provide minimum support for raw jute at this price. I would like to assure the House that steps have been taken to ensure that this commitment is fulfilled. Should raw jute come under further pressure, the jute Buffer Stock Association, and, if necessary, the State Trading Corporation, will enter the market, purchase the quantities offered for sale and prevent the prices from falling below the minimum level."

"So far as the question of providing stability to jute products is concerned, I propose to rely upon the creation of a buffer stock for jute goods, of standard constructions as the chief instrument for securing stability in trading conditions for jute goods. Purchases for and sales from such a stock will help to absorb shocks stemming from fluctuations in demand and to impart steadiness to both production and trade in this important item. Government have accordingly decided to give such assistance and support as may be required for bringing into being, without loss of time, a Jute Goods Buffer Stock Association on the lines of the Jute Buffer Stock Association which has been in existence for some time."

"Government do not consider that fixation of a minimum price for jute goods on a statutory basis is called for. We expect that the existence of the Jute Goods Buffer Stock Association will make it easier for the industry to take such reasonable steps, by way of voluntary discipline, as may be found to be necessary to stabilise the price level in the long term interests of producers, sellers and buyers."

"It is my belief that the measures I have outlined will succeed in imparting the necessary tone to the markets for jute and jute goods and encourage production and export at economic prices and at optimum levels."

On December 1, 1967, the following question (U.S.Q. No. 2655) was asked in Lok Sabha by Sarvashri Mohammed Ismail, P. Ramamurti, Ganesh Ghosh, Bhagaban Das and Raghbir Singh Shastri:—

"(a) whether Government's attention has been drawn to the concern expressed by the jute growers regarding the fall in prices of raw jute;

(b) if so, the reasons for the fall in the prices of raw jute; and

(c) whether Government are considering any proposal that raw jute may be purchased by the State Trading Corporation?"

Replying to the question, the then Deputy Minister in the Ministry of Commerce, Shri Mohd. Shafi Qureshi, admitted that the raw jute prices had fallen below the support price and attributed it to the large-scale arrivals of jute in the market as also to the depressed conditions in the jute goods market. In regard to the purchase of raw jute by the State Trading Corporation, Shri Qureshi said:

"The State Trading Corporation has already entered to jute market and purchased nearly one lakh maunds of jute. Urgent measures have been taken by the Corporation to step up purchases at the minimum support price with a view to imparting a better tone to the raw jute market."

On December 15, 1967, replying to another question in Lok Sabha by Sarvashri Indrajit Gupta and B. N. Shastri (S. Q. No. 717) regarding the fall in raw jute prices below the minimum level of Rs. 40 per maund and the steps taken by the Government to save the jute cultivators from heavy losses, the then Minister of Commerce, Shri Dinesh Singh, said:

"The prices of raw jute have been at times quoted below the minimum price fixed owing to the depressed conditions of the jute market."

"The State Trading Corporation has stepped up its jute purchases. Government are now examining the feasibility of allowing export of a limited quantity of jute."

Reply to another question (S. Q. No. 718) on the same day by Sarvashri D. N. Patodida, M. Sudarsanam, Y. A. Prasad, N. K. Sanghi, R. R. Singh Deo and Yogendra Sharma, on the purchase of raw jute by the Government at the minimum support price, Shri Dinesh Singh said;

"In accordance with the Government's announcement of a minimum price for raw jute, the State Trading Corporation has been authorised to conduct purchase operations with a view to maintaining minimum support price fixed for the current season. The Corporation is accordingly making purchases of jute. In this context, Government have also under consideration the feasibility of allowing exports of a limited quantity of raw jute of varieties/qualities in which there is surplus production this season. The Indian Jute Mills Association have naturally been averse to any jute being allowed for export as in their view there will be practically no exportable surplus. All aspects of the matter are being examined so that the interests of the grower of jute as well as of the mill industry are adequately protected."

On April 30, 1968, a question (S. Q. No. 1529) was asked in Lok Sabha by Sarvashri Nambiar, P. Ramamurti, P. Gopalan and Smt. Suseela Gopalan enquiring whether Government had taken a decision regarding the creation of a permanent official machinery for price support operations in raw jute.

Replying to the question, the then Minister of Commerce, Shri Dinesh Singh, said:—

"A Committee has been set up to suggest machinery for permanent buffer stock operations for raw jute. The Committee will, among other things, also examine the need for a buffer stock, the permanent agency which should undertake buffer stock operations—such a commodity Corporation which would keep in view price support, marketing and other relevant problems. The Committee is expected to submit its report shortly."

The minimum support price for raw jute for the 1968-69 season was announced on August 6, 1968. It was fixed at the same level as in the preceding season, *i.e.* Rs. 40 per maund (Rs. 107.17 per quintal) for the Assam Bottom variety delivered at Calcutta. The existing grade differentials were also maintained at the same level. Under the new policy, it was decided that the support price should be announced before the commencement of the sowing season.

On November 12, 1968, Shri Hem Barua asked the following question (S. Q. No. 58) in Lok Sabha in regard to the prices of raw jute :

(a) whether it is a fact that the prices of raw jute and jute goods have risen abnormally;

(b) if so, whether Government have evaluated the causes for this sudden spurt in prices;

(c)the measures taken to check this rise in price; and

(d) how far these measures have met with success?"

Replying to the question, the then Deputy Minister in the Ministry of Commerce, Shri Mohd. Shafi Qureshi, admitted that the prices of jute had risen abnormally. He attributed the phenomenon to the exceptionally short crop of jute during that season.

Outlining the measures taken to check the rise in prices, Shri Qureshi said:—

"(a) Ceilings and margins for future trading in respect of November delivery of hessions and sacking were fixed.

(b) A Committee consisting of the Jute Commissioner, Jute industry and other interests was formed to scrutinise applications made to it by the Jute Goods and Jute Buffer Stock Association for import of raw jute. Till 26th October, 1968, import of 1,90,580 bales of jute was allowed on the recommendation of this Committee.

(c) It has been decided to relate production of finished goods on planned basis to the availability of raw material and the needs and requirements of both domestic and overseas consumption.

(d) The total quantity of jute earmarked for distribution among the mills during the month of November, 1968 is being allocated to the mills by the Jute Commissioner in proportion to their production of jute goods during the period 1st July, 1967 to 30th June, 1968.

(e) The Jute Commissioner has been delegated powers to regulate production of jute goods on the basis of the allotment of raw jute and he is issuing orders to the mills for this purpose.

(f) Under the Jute (Licensing and Control) Order, 1961, the statutory maximum selling prices for B. Twills Sacking have been fixed at Rs. 200 for 100 bags.

(g) It has been decided to exercise some restraint on domestic consumption of jute goods during the period of shortage."

On November 26, 1968, the following question (U.S.Q. No. 2168) was asked by Shri Deorao Patil in Lok Sabha regarding price support operations for raw jute:—

"(a) whether Government have since taken a decision regarding the creation of a permanent official machinery for price support operations inraw jute, and;

(b) if no, when the decision is likely to be taken and the reasons for the delay?"

Replying to the question, the then Deputy Minister in the Ministry of Commerce, Shri Mohd. Shafi Qureshi, said:—

"Proposals for setting up a Corporation|buffer stock agency for...
.....jute are under active consideration."

On July 30, 1969, an half-an-hour discussion was raised in Lok Sabha by Shri Beni Shanker Sharma on the question of the 'crisis in the Jute industry' in view of the threatened strike by the jute workers. Shri Sharma said that because of the stiff competition it was facing in the export market, the jute industry was not in a position to meet the various demands upon it from the jute grower for a remunerative price for raw jute, from the jute workers for increased wages and from the Government in the shape of excise and export duties. Shri Sharma said that while the claims of the former two categories could not be ignored, Government could make concessions by way of reducing the excise duty and abolishing the export duty altogether in order to help the industry.

Replying to the discussion, the then Minister of Foreign Trade and Supply, Shri B. R. Bhagat, said:

".....the crisis that is facing this industry is the supply of raw jute, that is, fibre. Last year, we knew it because there was a shortage and there were high prices, ruling upto Rs. 75 a maund for raw jute.....The result is that the over-all export has fallen. Therefore, the point is, the growers must get a price which is remunerative, which is a good enough incentive. As a result of the fluctuations in the price from year to year—a good crop this year and the price touching the rock-bottom and the growers giving up the cultivation of jute, and then there is shortage and then the prices going sky-high—the industry is facing this crisis both in the year of glut and in the year of shortage. Therefore we must insulate the industry from this; the price should be stable and should be such that the jute goods have their place from the industrial point of view..... Therefore, we have taken an important decision..... We have taken over the trading in jute for price support operation through the S.T.C.....The Agricultural Prices Commission recommended a price of Rs. 107.17 per quintal which comes to Rs. 40 per maund. The Cabinet has accepted this price. This is the support price. At the moment, the ruling price is high—it is about Rs. 64.....We do not expect the price to go below Rs. 40. But, as I said, the S.T.C. is ready with all the machinery and they will open as many purchase centres in the interior everywhere so that they are able to buy all the jute if the price goes down below Rs. 40."

On the recommendation of the Agricultural Prices Commission, the minimum support prices for raw jute for the 1969-70 and 1970-71 seasons were continued undisturbed at the level of 1968-69, i.e. Rs. 107.17 per quintal (Rs. 40 per maund) for the Assam Bottom variety delivered at Calcutta. It was also decided to work out the derivative minimum prices for upcountry markets in such a manner as to ensure that the differential on account of freight and other charges as between Calcutta and any upcountry market did not exceed Rs. 6.50 per maund. In keeping with this decision, the derivative prices for different upcountry markets were also announced. These prices were expected to assure for the jute growers in distant areas a fair return, and stimulate them to make a bigger contribution towards the production of raw jute.

Government also decided that the State Trading Corporation should continue to be exclusively responsible for conducting price support operations during the 1970-71 season.

On December 16, 1970, speaking during the course of the discussion on a motion, moved by Shri S. N. Dwivedi, regarding setting up of a jute mill in Orissa, a Member, Shri Jyotirmoy Bosu, said that the jute farmer was a much exploited person. The farmer, he said, never got the true cost of production of jute and had, in fact, to sell the commodity at a much lower price. Shri Bosu said that the Government had all along been watching the situation silently because of its fondness for the jute monopolists.

Another Member, Shri S. Kundu, speaking on the 'miserable condition' of the jute growers, said that they did not get a fair price but were robbed and fleeced by the middlemen. The State Trading Corporation, which was supposed to buy jute direct from the producers in the villages, had signally failed in this direction, he said.

Replying to the criticism, the Minister of Foreign Trade, Shri L. N. Mishra, said:

".....I know the said plight of the jute growers. The jute growers have been exploited in this country, there is no doubt about it.....There is a long chain of middlemen who exploit the growers and they never get a fair price, because of the difference between the primary and the secondary market and the mill price."

I have been thinking how to ensure a fair price to the jute grower. With this end in view, very shortly I will be coming up with a proposal to set up a Jute Corporation in the public sector which will look into the grievances of the jute growers and will primarily look to the following aspects;

- (i) conducting price support operations to ensure a fair return to the grower;
- (ii) purchasing raw jute for building up buffer stocks;
- (iii) importing raw jute when necessary; and
- (iv) undertaking export of jute goods.

Pending the setting up of this Corporation, the functions relating to price support and buffer stock operations were entrusted to the State Trading Corporation.

"The State Trading Corporation has been doing it but not to our satisfaction and it has not been able to meet the needs of the times."

On February 25, 1971, the Government announced its decision to set up a Jute Corporation in the public sector to conduct price support as well as buffer stock operations to help ensure a fair price to the jute grower. The Corporation, as the chief buyer of raw jute at support prices, was intended to eliminate the many tiers of middlemen. It was entrusted with the following main functions :

- (i) to conduct purchase operations to ensure the maintenance of support prices;
- (ii) to procure and maintain a buffer stock of jute (including imported fibre, if necessary);
- (iii) to conduct commercial operations in a judicious manner;
- (iv) to import jute as and when necessary to supplement indigenous availability;
- (v) to export jute (to the extent authorised by the Government);
- (vi) to process and export jute goods; and
- (vii) to undertake export promotion measures for jute goods.

In pursuance of the recommendations of the Agricultural Prices Commission, the Government decided, on August 31, 1971, to fix the minimum support price for raw jute for the Assam Bottom Variety delivered at Calcutta at Rs. 113.87 per quintal (Rs. 42.50 per maund)

for the 1971-72 season as against Rs. 107 17 per quintal (Rs. 40 per maund) for the 1970-71 season. This meant an increase of Rs. 6.70 per quintal over the 1970-71 level.

On December 1, 1971, a call attention motion on the 'reported piling up of raw jute stocks in Bihar', was raised by Shri Bibhuti Mishra in Lok Sabha. Shri Mishra said that large stocks of jute had accumulated with the growers in Bihar because of the lack of transport facilities to take it to the manufacturing centre, viz. Calcutta. He said that the big traders in Calcutta were purchasing raw jute from the growers at very low prices because of the unsold stocks lying with the growers. He asked the Government to intensify its purchase operations in order to provide relief to the jute growers.

Replying to Shri Bibhuti Mishra, the Minister of Foreign Trade, Shri L. N. Mishra, admitted that the growers had not received a fair price for raw jute. He said that the Government had agreed to a policy of price support on the recommendation of the Agricultural Prices Commission, but the Government's view was that this policy would not work in the case of jute. Government was, therefore, thinking in terms of statutory price control for jute by fixing a minimum price. Any violation of this minimum price would be made punishable under the Essential Commodities Act, he said.

Replying to a supplementary by Shri Hari Kishore Singh as to whether the Government would consider increasing the support price of raw jute from Rs. 42.50 to Rs. 50 per maund, the Minister said:—

".....the Agricultural Prices Commission has calculated the cost of production of raw jute and on that basis it recommended last year Rs. 40 a maund. But it is also a fact that there should be a more economic price for the growers and that is why I want to have a statutory floor price, and we will look into the matter of the cost of production of jute."

About the demand for increase in the support prices, Shri Mishra said:

".....I am going to examine it and when we have a statutory price, it is just possible that we may be in a position to offer higher prices and see that export is not affected; otherwise it becomes costly, and there are substitutes for it (jute goods)....."

Another Member, Shri Indrajit Gupta, putting a supplementary, said that the actual price received in the primary market by the jute

growers was much lower than the national support price. He said it was the duty of the Jute Corporation, whose principal objective was to see that the support price was maintained, to purchase raw jute on a sufficiently large scale if prices fell below the support price. He suggested that the price of raw jute in the primary markets should be raised further and should be maintained so that the raw jute cultivators could get an economic return.

Replying to Shri Indrajit Gupta, the Minister of Foreign Trade (Shri L. N. Mishra) stated:

".....It is a fact that the jute growers have been exploited by a long chain of middlemen and the mill owners.That is why I brought the Jute Corporation into being.....It has not yet been able to have its own warehouses to go on purchasing. It is trying to appoint agents in the secondary and primary jute markets.....It will be one of our endeavours to see that the prices are fixed for the primary and secondary markets first and then at the main port, and it will be our endeavour to see that the jute growers do not suffer....."

"The other suggestion was to fix the price for primary markets. We will do so. The price of jute will be fixed on a statutory basis in the primary and secondary markets. Price support policy alone will not be there. There will be statutory price control of raw jute."

On May 24, 1972, an half-an-hour discussion was raised in Lok Sabha by Shri B. K. Daschowdhury regarding 'Increase in the support price for jute'. Initiating the discussion, Shri Daschowdhury said that jute was the largest foreign exchange earner in the country but those engaged in its cultivation were not getting the price to cover even the costs. He said that while the Government had taken steps to ensure minimum remunerative prices to cotton and wheat growers under pressure from interested quarters, the interests of the poor jute-growers were being ignored in the absence of a strong lobby to champion their cause. He urged the Government to fix the minimum price of jute at least at Rs. 200 per quintal, in view of the general rise in prices, in order to give a fair deal to the jute-growers in different parts of the country.

Another Member, Shri Indrajit Gupta, asked whether there was any proposal under the consideration of the Government to replace the present practice of enhancing the minimum support price every year by a statutory minimum price and, if so, whether the statutory minimum price would have any realistic relation to the actual cost of production of raw jute. He also wanted to know how the statutory minimum price would be enforced in the absence of a suitable machinery with the State

Trading Corporation or the Jute Corporation which were entrusted with the task of purchasing jute.

Replying to the points raised by the Members, the Minister of Foreign Trade, Shri L. N. Mishra, said:

"It is a fact that the jute-growers in this country have suffered very much.....It is a fact that the jute-growers in this country have no lobby....."

"When there was a crisis in cotton, there were voices raised here and the cotton-growers got their due. But the jute-growers have been denied of their dues for nearly 200 or 150 years. But it is good that hon. Members of Parliament, in the Lok Sabha as well as the Rajya Sabha, have risen to the occasion and they have started championing the cause of jute-growers, who have been exploited by a long chain of middlemen so far."

"At the outset, I must make it clear that it is the intention of Government and also mine to see that the jute-growers got their due. Shri Indrajit Gupta had raised this question and asked whether Government would take over the entire trade in jute, and my answer is 'Yes'. I want to take over all the domestic trade in jute. But I am making a beginning at this stage. First, the Jute Corporation is entering into the market. For the first time, this year, the Jute Corporation will be entering into the secondary and primary markets and the proposal is to make purchases of about six lakhs bales this year as against a few thousand bales purchased last year and the year before last."

"It is a fact that today the prices are fixed for the mill-gate by the Agricultural Prices Commission and the growers in the primary and secondary markets do not get, according to my information, even the cost of cultivation. Even the cost of cultivation has been denied to them. So, we have not only proposed but we have decided to take a few steps to help the growers, and I shall detail point by point presently what we propose to do to help the growers....."

".....Government have decided to fix a statutory minimum support price for jute. The prices will be fixed even for the secondary and primary markets and for all the varieties and not only for the Assam bottom. The Jute Corporation of India is taking a number of steps for organising purchase operations in the coming year.....It would be the endeavour of the Jute Corporation to see that larger arrivals of jute do not have any depressing effects on the prices and excess supplies are siphoned off.....The purchases would be made through departmental purchase centres, cooperative societies where viable ones are functioning, and also through private agents where these agencies are not available, where they do not exist.....Adequate Warehousing arrangements would also be made for storing jute.....Buffer-stock operations are also expected to be undertaken by the Corporation

.....We have also a proposal before us to set up new jute mills in different States and the dispersal of the jute mills will assure better price to the growers in Bihar, Assam, Orissa, Tripura and Andhra.....I am confident of the fact that all these operations would serve the larger objective of protecting the interest of the long neglected jute-growers."

Pursuant to the declared policy of the Government to have statutory price control over raw jute, the Government announced, on June 27, 1972, for the first time, a statutory minimum price for raw jute of Rs. 115 per quintal for 1972-73. Under the new price control scheme, it was made obligatory on the part of all buyers to pay the producer the minimum fixed.

The Government announcement said that the Jute Corporation would determine the differential between the minimum prices in Calcutta and up-country markets after taking into account the interests of the jute-growers.

The announcement further said that the Corporation would extend its operations immediately to all secondary markets and, later, primary markets in the jute-growing areas. Purchases by the Corporation would be made through departmental purchase centres, cooperative societies and through private agencies, it added.

IMPACT OF FINANCIAL COMMITTEES' RECOMMENDATIONS ON ADMINISTRATION

[A series of articles highlighting the impact of recommendations of the Financial Committees of Parliament on the Administration was started with the April, 1970 issue of the Journal. Continuing the series, we publish in this issue an article on "Bokaro Steel Limited" based on the reports of the Committee on Public undertakings.

—Editor]

BOKARO STEEL LTD.

The Bokaro Steel Ltd. was incorporated on January 29, 1964 as a private limited company under the Indian Companies Act, 1956. The Company has undertaken the setting up of the Bokaro Steel Plant, including the development of ancillary facilities, namely, the township, water and power facilities, development of sources of supply of raw materials, including opening of lime-stone mines at Bhavanathpur in the Palamau district of Bihar and at Quteswar in Madhya Pradesh. Before the formation of the Company, the affairs of the Bokaro Steel Project were being handled by the Hindustan Steel Ltd.

Consultancy and Collaboration

M/s. M. N. Dastur & Co. prepared a Preliminary Project Report and also a Detailed Project Report for the Bokaro Steel Plant. In April, 1964, a draft agreement was initiated with M/s. Dastur & Co. for their engineering and consultancy services for the setting up of Bokaro Steel Plant for a period of six years at a total fee of Rs. 68 million. But on 3rd May, 1966 an agreement was signed with M/s. Tiazhpromexport of USSR for supply of equipment and materials, rendering of technical assistance in the construction and erection of the plant and deputation of Soviet Specialists to Bokaro.

On February 25, 1967, a contract was signed with M/s. M. N. Dastur and Company under which they were engaged to work as 'Indian Consulting Engineers' in respect of the 1.7 million tonne stage of Bokaro for a period of 7 years from January 1, 1966 at a fee of Rs. 18.35 million.

Role Envisaged for Dastur and Co.

The Committee on Public Undertakings noticed¹ that Dr. M. N. Dastur was encouraged by the Government to set up a consultancy service. He was also entrusted with the assignment of preparing a preliminary project report and also later a Detailed Project Report (D.P.R.) at a total cost of Rs. 63 lakhs. The D.P.R. was also made use of by the Russian collaborators. In short, M/s. Dastur and Co. were the consultants on steel as was stated in the Lok Sabha. The Committee found² that M/s. DASTURCO were not associated in the discussions which Government/Bokaro Steel Ltd. (BSL) had with the Soviet collaborators after July, 1964 and were completely side-tracked while technical details were settled for the drawing up of the D.P.R. for the Bokaro Steel Project. The Committee were anxious³ to find out as to why M/s. DASTURCO were kept out of the negotiations. The Chairman of the BSL and the Secretary of the Ministry explained to the Committee that the Russians were not willing to accept M/s. DASTURCO as the principal consultants. The Chairman, BSL further explained that the matter was discussed for several days and unfortunately they were not able to persuade the Russians to give a large share to Dasturs.

Services of Dastur and Co. not put to good use

The Committee felt⁴ that the Chairman of BSL, who was also the Secretary of the Steel Ministry at that time, reversed the whole position of M/s. DASTURCO as the principal steel consultant as was reported to the Lok Sabha on April 9, 1964. According to the Committee, the important point was not to secure enough work for M/s. DASTURCO: but it was far more important that M/s. DASTURCO's knowledge and experience ought to have been fully utilised for the establishment of a technically sound and economic steel project to suit the Indian conditions. The whole purpose of getting the design consultancy set up by M/s. DASTURCO with Government initiative at the earlier stages was lost sight of and it was not put to good use in setting up the Bokaro Steel Plant for which purpose alone the firm of M/s. DASTURCO was brought to India.

¹Committee on Public Undertakings, 68th Report (1969-70), para 2.23.

²Committee on Public Undertakings, 68th Report (1969-70), para 2.24.

³Ibid., para 2.25.

⁴Ibid., para 2.26.

Government's Reply

The Government stated in their reply^a that the important thing was to ensure the establishment of a technically sound plant by utilising the assistance offered by the Russians rather than to safeguard the position of M/s. DASTURCO as the principal consultants. M/s. DASTURCO had, however, been assigned adequate and useful role in the construction of the project and their knowledge and experience had been utilised. The establishment of the firm in India was encouraged not only for the setting up of the project but with a view to developing indigenous technical know-how for steel technology in the country. The services of the firm had been utilised in various ways, including an important and major role in the establishment of the Alloy Steel Project at Durgapur. Sometime back, they had been assigned the task of preparing feasibility reports on the two new steel plants at Visakhapatnam and Salem.

On receipt of D.P.R. from the Russians, a Technical Committee including two representatives of M/s. DASTURCO was constituted to examine the D.P.R. The Technical Committee submitted its Report towards the end of January, 1966 making certain suggestions as to how the Report ought to be modified. The Government also requested M/s. DASTURCO on 29th March, 1966 to suggest concrete proposals for cost reduction within seven weeks. But without waiting for their Report, on that very day Government communicated to the Soviets the acceptance of their D.P.R.

Memorandum of Acceptance of DPR

The Memorandum of acceptance of the Detailed Project Report provided that the Soviet Consultants would give due consideration to concrete technical suggestions for cost reduction which might be made to them by the Indian side within three months. M/s. DASTURCO were asked to give concrete proposals for cost reduction within seven weeks. The Committee were informed that the report submitted by M/s. DASTURCO 'lacked detailed technical design basis, detailed cost calculations and break-up of cost savings'. As those details were not readily forthcoming, Government had to send a delegation to Moscow for discussing the proposals with the Russians without the study of the details of the suggestions made by M/s. DASTURCO. The delegation was not in a position to argue fully and convince the Soviet Consultants with the proposals. According to the Committee, it was admitted by

^aCommittee on Public Undertakings, 14th Report (19671-72), p. 28.

the Bokaro Steel Ltd. (BSL) that the discussions (at Moscow) were no doubt handicapped by the Bokaro Steel representatives not being fully conversant with the details of the design data and the cost reduction basis by M/s. DASTURCO. The Committee, felt⁶ that all the discussions with M/s. DASTURCO ought to have taken place in India and all the points should have been sorted out before going to Moscow. They did not quite appreciate Government's contention that proper consideration of the whole matter was not feasible as the agreement had to be signed in a short time on a particular date. In their opinion, 'Government ought to have insisted on having enough time for the consideration of the report and other connected matters before signing the agreement'.

Government's Reply

The Government in their reply⁷ accepted the position that all the discussions with M/s. DASTURCO ought to have taken place in India and that all the points should have been settled before going to Moscow. M/s. DASTURCO were given seven weeks' time for the submission of their proposals. Although their report was submitted within the prescribed time-limit, the proper and immediate examination of their proposals became difficult in the absence of the detailed break-up of the savings suggested. It was only in Moscow that the working papers and supporting data on some of their suggestions were made available. As any decision to delay further discussions with the Soviet side on M/s. DASTURCO'S proposals might have held up detailed designing work, it was decided by Government to let M/s. DASTURCO have full opportunity to present their points of view in Moscow.

Revision of Estimates

Referring to the reply⁸ by the Minister of State in the Ministry of Steel and Heavy Engineering in the Rajya Sabha on March 2, 1970, the Committee on Public Undertakings observed⁹ that there was likely to be an increase of about Rs. 90 crores over the sanctioned capital estimates of Rs. 670 crores for the Bokaro Steel Plant. They were surprised to note that the management of the Bokaro Steel Plant was not aware of the extent of the likely increase in the capital estimates-

⁶Committee on Public Undertakings, 68th Report (1969-70), para 3.32 (ii).

⁷Committee on Public Undertakings, 14th Report (1971-72), p. 37, Item (ii).

⁸Rajya Sabha, USQ No. 429, dt. 2-3-1970.

⁹Committee on Public Undertakings, 68th Report (1969-70), paras 3.38 to 3.40.

They were informed as late as September, 1969 that the fact whether the original estimates could be adhered to or not would be known only after the review of the project estimates undertaken by the Management was completed. Considering the fact that BOKARO had a Finance Division whose primary function was to keep a track of the financial provisions, progress of expenditure, revised estimates etc., the Committee were unable to appreciate why the company could not assess in time the ultimate cost of the project and variation from the original estimates. The Committee deprecated the complacent attitude of Government towards the escalation of estimates to such a magnitude of Rs. 90 crores and recommended that in future, earliest opportunity should be taken to inform Parliament about major increases in the estimates of a project.

Government's Reply

The Government stated in their reply¹⁰ that the project estimates of the company were approved by Government on November 17, 1966. While considering increase in the authorised capital of the company, the Board of Directors at its 36th meeting held on April 9, 1969, directed that a detailed exercise to review the project estimates should be undertaken and completed within a few months' time. The revised estimates amounting to Rs. 7,080 million as against the sanctioned estimates amounting to Rs. 6,206.27 million for the main plant were forwarded to Government for approval on January 10, 1970. The revised estimates were under the consideration of Government in the light of consultation with the Ministry of Finance on an appropriate equity-debt ratio for the project and the formal sanction in regard to the revision of the project estimates had not been issued. The Government assured¹¹ the Committee that an early opportunity would be taken to inform Parliament about the final revision made in the project estimates.

The reply added that Parliament had been kept informed about the likely revision in the cost estimates of the Bokaro Steel Ltd. In that connection references to some replies furnished to Questions¹² in the Lok Sabha and the Rajya Sabha were cited.

¹⁰Committee on Public Undertakings, 14th Report (1971-72), p. 39.

¹¹Committee on Public Undertakings, 14th Report (1971-72), Chapter I, para 2.

¹²R.S. Unstarred Question No. 429, dated 2-3-1970 L.S. Starred Question No. 708, dated 31-3-70 and Unstarred Question No. 5450, dated 7-4-1970.

In their 14th Report (1971-72), the Committee regretted¹³ to note that the revised estimates of the Bokaro Steel Ltd. which were forwarded to Government for approval on January 10, 1970 had not been approved by Government till that date. Pointing out that delay of about 2 years in sanctioning the revised estimates could hardly be justified, the Committee desired that the revised estimates should be sanctioned early. They apprehended that in case of any further delay in sanctioning the revised estimates, Government might be constrained to revise the estimates further in view of the progressive escalation of the costs.

The Committee were also not satisfied with the plea of the Ministry that Parliament had been kept informed about the likely revision in the cost estimates of the project through replies to questions in the Lok Sabha and the Rajya Sabha. Observing that it was hardly a method to keep Parliament informed, the Committee asked Government to follow a regular method of keeping Parliament informed about the major revisions in the project estimates of the public undertakings through a statement in Parliament *suo motu* and not wait for some Members of Parliament to put questions to elicit such information.

Delays in Construction

The Committee were distressed¹⁴ to note that the date of completion of the Bokaro Steel Plant had been revised twice and as a result of the revision, the completion of construction programme had been delayed by 27 months from the date of the original schedule of completion of the construction programme. It had been stated that stage I was expected to be completed according to the revised schedule by June, 1973. Even that date was not likely to be adhered to because of various uncertain factors pointed out to the Committee. The Committee, therefore, recommended that the matter should be properly examined and a firm date of completion of Stage I should be reported to them. They also desired that other public undertakings which had to supply machinery and equipment to BSL should adhere to the time schedule and that they should not keep on escalating the prices which would inflate the cost of the product and upset the economics of the project.

¹³Committee on Public Undertakings, 14th Report (1971-72), Chapter I, paras 3 and 4.

¹⁴Committee on Public Undertakings, 68th Report (1969-70), para 4.7 and 4.10.

Government's Reply

The Government stated in their reply¹⁵ that every effort was being made to undertake the construction and erection work on the project as per schedule, which envisaged the completion of erection of the first blast furnace complex by December, 1971 and the entire Stage I of the plant by March, 1973. The rate of work had been significantly stepped up and it was hoped to complete stage I on time. However, various constraints imposed by the limits of industrial and technological developments within the country and the prevalent labour situation could lead to unexpected developments which were difficult to take into account. As regards the supplies expected to be made by the public undertakings, contracts had been finalised which included the delivery schedule and the prices. The deliveries of equipment and materials by the public sector undertakings were reviewed at frequent intervals not only by BSL but also at Government level. Wherever necessary, orders were sub-contracted to suitable Indian production agencies, or were allowed to be imported. Defaulting firms were pressed by senior officers in the Ministry to keep to their schedules. The Government were fully conscious of the importance of ensuring timely supplies of machinery and equipment to Bokaro by the public sector undertakings. It was for better co-ordination that heavy engineering units, including the Heavy Engineering Corporation and the Mining and Allied Machinery Corporation were transferred in March 1969 from the Ministry of Industrial Development to the Steel Ministry.

Losses in Production

The Committee pointed out¹⁶ that as a result of delay in the completion of stage I of the Bokaro Steel Project by 27 months, losses amounting to Rs. 32 crores on account of production and Rs. 6.75 crores on account of establishment cost had become unavoidable. If the target date of completion of June, 1973 was not adhered to, the loss would be still more. The main reasons for the losses were primarily due to the belated submission of technical data and drawings, delay in the supply of cranes, in civil engineering work, and in supplies from the private and public undertakings. Apart from those reasons, the Secretary of the Ministry had admitted during evidence that "there have been some organisational failures on the part of BSL." The Committee were informed that steps had been taken to remedy those organisational failures by adopting a system of network analysis by M/s.

¹⁵Committee on Public Undertakings, 14th Report (1971-72), p. 42 and Chapter II, p. 10.

¹⁶Committee on Public Undertakings, 68th Report (1969-70), para 4.8.

DASTURCO which would show up the deficiencies at various points and which would also show how particular deficiencies could be by-passed, if necessary. In spite of the fact that M/s. DASTURCO advocated the adoption of modern techniques of planning by BSL as early as 1966, the Committee regretted to note that the management at that stage, had ignored their advice and the avoidable organisational failures had crept into the management of BSL.

Government's Reply

In reply, the Ministry stated¹⁷ that M/s. M. N. Dastur and Co. (P) Ltd. had not specifically proposed the adoption of a system of network analysis as claimed by them but had proposed the inclusion in their contract of a general clause conferring on them the responsibility to check the progress and to point out if the progress did not appear to be satisfactory. Such a clause would have virtually made them the principal consultants. That position could not be accepted as the Soviets were the principal consultants in accordance with the Inter-Government Agreement. The Bokaro Steel Ltd. itself had taken the initiative as early as 1967 to devise means for the application of network planning and scheduling to the construction of Bokaro Steel Plant. As the work developed, the need for further expanding the set-up was recognised and it was also realised that updating of the networks had to be computerised to keep the networks upto-date. It was also felt that for the increased work, the assistance of an outside agency could also be usefully employed. It was in this context that the services of M/s. DASTURCO were secured under a contract entered into with them in February, 1970.

Delay in Construction due to Organisational Failures

The Committee in their 14th Report (1971-72), expressed¹⁸ dissatisfaction with the reply furnished by the Ministry. They pointed out that it was admitted by the Secretary of the Ministry, during the course of his evidence, that there had been some organisational failures on the part of BSL. He also informed the Committee that they had decided to adopt a system of network analysis by M/s. DASTURCO which would show up the deficiencies at various points and would also show how particular deficiencies could be by-passed, if necessary. In view of this, the Committee found it difficult to agree with the view of the Mi-

¹⁷Committee on Public Undertakings, 14th Report (1971-72), Chapter I, para 6.

¹⁸*Ibid*, Chapter I, para 8.

nistry that 'a general clause in the contract with M/s. DASTURCO conferring on them the responsibility to check the progress of work and to point out if the progress did not appear satisfactory would have virtually made them the principal consultants and this could not be accepted as the Soviets were the principal consultants.' They reiterated their earlier observation that delays in construction had been to some extent due to organisational failures on the part of Bokaro Steel Ltd. as admitted by the Secretary of the Ministry in his evidence before the Committee.

Establishment of New Projects in Future

The Committee pointed out¹⁹ that the Bokaro Steel Plant was conceived in 1957 when Government asked Hindustan Steel Ltd. to take preliminary steps for the installation of the new steel works at Bokaro and it would not be before June, 1973 that the construction of the 1st stage of the plant was expected to be completed. This it would take Government more than 15 years to establish a new steel plant with a capacity of 1.7 million tonnes. The Committee desired that Government should give serious consideration to this matter to reduce the time-lag in establishing new projects in future.

Government's Reply

In their reply, Government stated²⁰ that the benefits of experience gained in implementing Bokaro stage-I were not only to be utilized for implementing the second stage of the project, but also in the three new steel plants which the Government had decided to set up so as to reduce the period required for implementing such projects.

A decision had already been taken by Government to complete the erection of an intermediate stage of 2.5 million ingot tonnes by March, 1974, in the course of the expansion of Bokaro to 4 million tonnes stage. A crash programme had been launched to achieve this objective in time. Strict schedules for delivery of individual items of equipment had been laid down and decision for import of certain items had been taken on the basis of realistic estimates of the time required for their supplies from indigenous sources. Advance planning had also been done to procure essential supplies of imports such as steel of various categories and specifications. Organisation and expertise developed by public sector agencies such as Hindustan Steel Works Construction Ltd. were being fully utilised.

¹⁹Committee on Public Undertakings, 68th Report (1969-70), para 7.1.

²⁰Committee on Public Undertakings, 14th Report (1971-72), chapter II, pp. 21-22.

The proposals for the setting up of new Steel Plant were being considered, and implemented with pronounced emphasis on adherence to firm dates and phased programme for the completion of various stages, beginning with the preparation of feasibility Reports and Detailed Project Reports, involved in the construction of these large and complex projects.

Civil Engineering Works

On 3rd August, 1966 the Bokaro Steel Ltd. awarded to M/s Hindustan Steel Works Construction Ltd. the contract for Civil Engineering Works at a cost of Rs. 1064.54 million.

The Committee found²¹ that the Bokaro Steel Ltd. were very unhappy at the imposition of the contracting firm the Hindustan Steel Works Construction Ltd. on them. They felt that there had been unnecessary duplication of supervision work and consequent employment of duplicate supervisory staff resulting in delay in the execution of work according to the time-schedule. The Committee found that the Hindustan Steel Works Construction Ltd. had mostly sub-contracted the work and were not doing the work themselves. They felt that the experiment had not worked well and the Bokaro Steel Ltd. should have freedom to get their work done in the most expeditious and economic manner.

Government's Reply

The Government stated in their reply²² that it was the common practice even among well-organised construction contractors in the private sector to engage sub-contractors. However, the Hindustan Steel Works Construction Ltd. had stepped into several areas such as cooling pond and underground communication work where its sub-contractors had failed. Furthermore, HSCL had sometime back taken up works departmentally, particularly in the erection of mechanical equipment. As a result it had definitely helped in the speedier construction of Bokaro and the Bokaro management itself had transferred the erection of equipment from other contractors, who had failed, and employed HSCL increasingly as a specialised agency for the execution of erection work. To a certain extent duplication of supervision was inevitable, as the Bokaro management had to own and discharge their direct responsibility for completion of work in accordance with the

²¹Committee on Public Undertakings, 68th Report (1969-70), para 4.22.

²²Committee on Public Undertakings, 14th Report (1971-72), Chapter III, pp. 43-44.

prescribed specifications. However, the extent of such duplication is confined to very limited and essential areas.

Plant and Equipment

The Committee pointed²³ out that there had been delays in the supply of drawings and equipment by the foreign collaborators. The inordinate delay in the supply of drawings had caused serious delays and upset the civil engineering programme and also in the manufacture of machinery and equipment in India. It was also surprising that in respect of the supply of equipment, the contract with the USSR stipulated only an overall period of 50 months for the supply of equipment from the date of signing the contract and did not include a phased delivery schedule. The result was that while on the one hand the supplies were deficient to the extent of 10,000 tonnes for the first blast furnace complex, a large number of items of rolling mills, required much later, had been supplied. The Committee recommended that this should invariably be borne in mind while entering into contracts in future with the suppliers of plant and machinery.

Government's Reply

The Government stated in their reply²⁴ that at the time when the contract with the Soviet suppliers for the supply of equipment and materials was concluded in May, 1966, the detailed construction schedule had not been finalised except the broad decision that stage I of the plant, including the cold rolling mills would be completed by the end of 1970. A detailed construction schedule providing for the commissioning of the different units of the plant was finalised only in January, 1967. Accordingly, the component-wise delivery schedule in the contract with the USSR could not be indicated in May, 1966. However, that was not considered very important as the Soviets were themselves the principal consultants and were equally responsible for ensuring that the supplies from their side were made in time to make it possible for the plant to be commissioned as per schedule.

The Committee in their 14th Report (1971-72)²⁵ were unable to agree with the above views of the Ministry. Since in the absence of proper delivery schedule in a contract, it becomes difficult to take any action against the suppliers for any default in making supply of equipment in time and in proper sequence in accordance with the needs

²³Committee on Public Undertakings, 68th Report (1969-70), para 4.33.

²⁴Committee on Public Undertakings, 14th Report (1971-72), pp. 61-62.

²⁵*Ibid.*, Chapter I, paras 12 and 13.

of the projects, the Committee recommended that such delivery schedules should invariably be included in all the contracts with the suppliers of plant and machinery. They also desired that due vigilance should be exercised and efforts made to ensure that supplies were made in accordance with the stipulated delivery schedule irrespective of the fact whether such a schedule forms a part of the contract or not.

Supplies by Heavy Engineering Corporation

A letter of intent for supply of 99445.81 tonnes of equipment was received by the Heavy Engineering Corporation in July, 1967. However, the delivery schedule indicating details of deliveries to be effected quarter-wise for each year was finalised in November, 1968.

The Committee pointed out²⁶ that it took B.S.L. and H.E.C. a period of 18 months from the date of placing of the letter of intent to clarify the specifications, to give the working drawings and to settle the delivery schedules. They failed to get a satisfactory answer from the Bokaro Steel Company and the Heavy Engineering Corporation for the inordinate delay.

Government's Reply

The Government stated in their reply²⁷ that the Heavy Engineering Corporation were unable to finalise the delivery schedules earlier, mainly due to the fact that the manufacturing drawings, which had to be received from the USSR, came in bulk at different points of time in 1967 and 1968 and it took considerable time in sorting out those drawings in the proper sequence and in translating them in terms of Indian norms etc. According to Government, 'the process of finalisation of the delivery schedule could have been completed more expeditiously; but half of the detailed drawings for equipment were received by the Heavy Engineering Corporation by June, 1968 and a realistic estimate of workload could not be made in the absence of such detailed drawings.' The Heavy Engineering Corporation had since been placed under the Ministry of Steel and Heavy Engineering to provide for better and closer co-ordination between the two undertakings.

Supplies by Mining and Allied Machinery Corporation

As per contract signed with M.A.M.C. in December, 1968, they were to supply about 10,484 tonnes as per schedule, envisaging sup-

²⁶Committee on Public Undertakings, 68th Report (1969-70), para 4.47.

²⁷Committee on Public Undertakings, 14th Report (1971-72), p. 46.

ply of about 9,100 tonnes by the first quarter of 1970. Later at M.A. M.C.'s request this schedule was revised in July and the revised schedule laid down a target supply of about 4,650 tonnes of equipment by the first quarter of 1970.

The Committee noted²⁸ with concern that the Mining and Allied Machinery Corporation had failed to adhere to their revised and scaled down delivery schedule. As against 4,650 tonnes to be supplied by the first quarter of 1970, they had supplied only 700 tonnes upto February, 1970. After examining the working and performance of the Mining and Allied Machinery Corporation, the Committee had formed the impression that the Corporation would not be able to make supplies in accordance with their commitments.

Government's Reply

Government admitted²⁹ that there had been initial failure on the part of the Mining and Allied Machinery Corporation. The management of the Corporation had since been strengthened. The Corporation had also taken steps to off-load some of the items which were not likely to be available in time from their own production. It was felt that seeking alternative sources of supplies would not improve the situation. In the circumstances, the only remedy thought of by Government was to tone up the management of the Corporation in spite of all the limitations of a troubled situation on the labour front.

Supplies from Private Sector

The Committee found³⁰ that deliveries from the private sector suppliers were also not according to schedule. The Bokaro Steel Limited had generally explained that it was due to non-availability of steel and other imported components. The Committee suggested that the Bokaro Steel Ltd. and the Ministry should ensure that the private sector companies, who were to supply the equipment/material, got timely releases of the import licences so that the programme of construction of Bokaro might not be held up.

²⁸Committee on Public Undertakings, 68th Report (1969-70), para 4.50.

²⁹Committee on Public Undertakings, 14th Report (1971-72), p. 47.

³⁰Committee on Public Undertakings, 68th Report (1969-70), para 4.54.

Government's Reply

Government stated in their reply⁸¹ that steps had been taken to assist the private sector companies in getting timely supply of steel and in obtaining licences for the imported components. Besides rendering assistance in the procurement of steel and other imported components, effective follow-up by the company's Inspection and Progress Department was also yielding good results.

Supply of Refractories

The Committee desired⁸² that the Ministry concerned with development of the refractory industry should take note of the complaints and the observations made by the Bokaro Steel Ltd. in the matter of certain shortcomings and failures on the part of the refractory manufacturers. The technical wing of the concerned Ministry should appoint a committee to look into those aspects and suggest necessary remedial measures, so that the needs of the steel industry are fully and adequately met through indigenous sources of supply.

Government's Reply

Government stated in their reply that the complaints and observations made by the Bokaro Steel Ltd. in regard to shortcomings and failures on the part of the indigenous manufacturers in meeting the requirements of refractories, had been taken note of. Furthermore, in order to plan the production of refractories to fit in with the steel development programme, Government had appointed a committee to examine the problem in all its aspects and make suitable recommendations. This committee was expected to submit an *interim* report followed by a full report later.

The Committee had already submitted a Report (Part I) to the Department of Steel in November, 1971 covering an analysis of demand, availability, surplus/deficit of various qualities of refractories for the period 1971 to 1985. This Report was under examination. The Committee would submit further reports covering an analysis of availability of raw materials for the refractory industry, standardization of refractories and the equipment requirements of the industry.

⁸¹. Committee on Public Undertakings, 14th Report (1971-72), p. 11.

⁸². Committee on Public Undertakings, 68th Report (1969-70), para 4.67.

⁸³. Committee on Public Undertakings, 14th Report (1971-72), pp. 12-13.

Board of Directors

The Committee were surprised³⁴ to note that although Government had spent nearly Rs. 3,500 crores on public enterprises and even after a lapse of 20 years a clear concept about the constitution and composition of the Board of Directors for Public Enterprises had not been evolved. In the opinion of the Committee, the Board of Directors of a project of the dimensions of Bokaro should include a team of functional Directors, which might be jointly held responsible for the proper execution of the project. Besides that, there should be an element of hierarchy in the functional team of the Board of Directors, so that Government does not get at the loose-end whenever the Chief Executive of the project (Managing Director and/or Chairman) retires or resigns. The Board of Directors should be so constituted that if the top man goes for any reason, a person from within the project, who has the necessary experience and background of the project and who is conversant with the problems, steps in to take the place.

The Committee also pointed out³⁵ that the Directors, except the Managing Director, had no responsibilities of execution and the career of none of them was dependent upon the success or the failure of the project. They considered that the concepts of:

I. making the fortunes (career) of Directors fully identified with the failure or success of a project;

II. including in the Board a team of the top functionaries of the project instead of having only the Managing Director; and

III. importing an element of hierarchy in the functional team, should be properly examined and given effect to in the constitution of the Board of Directors for the public enterprises.

Government's Reply

Government stated in their reply³⁶ that the Board of Directors of the Bokaro Steel Ltd. had been constituted carefully and consisted of persons having long experience in the industry. Their competent advice had been of assistance to the Board in tackling various complex problems. The Directors representing the Ministry of Steel & Heavy Engineering, Ministry of Finance, the State Government of Bihar and the

³⁴Committee on Public Undertakings, 68th Report (1969-70), paras 5.8 to 5.10.

³⁵Committee on Public Undertakings, 68th Report (1969-70), para 5.11.

³⁶Committee on Public Undertakings, 14th Report (1971-72), pp. 51-52.

South-Eastern Railway had been chosen in order to ensure that advice and co-operation of all concerned Government agencies were available for the administration and the progress of construction of the company.

A general decision had been taken by Government that the constitution of the Board of Directors of Public Sector Companies should be thoroughly reviewed each year in the light of their performance. Necessary changes were, therefore, made at the time of reconstitution of the Board at the end of each Annual General Meeting.

On the recommendation of the Administrative Reforms Commission, Government had decided that in larger units, full-time functional Directors might be appointed, who would be executive heads of their Departments. The pattern of working would be somewhat on the lines of the Railway Board. Government recognised that there should be suitable decentralisation of powers not only between Government and the Board of Directors, but within the undertaking itself.

The Bokaro Steel Plant was still in the construction stage. There was a whole time Chairman-cum-Managing Director for the Company. The appointment of Functional Directors as Executive heads of departments would be considered when the plant goes into operation and its field of activities expands to cover sizeable functional areas.

Non-official Directors

The Committee found²⁷ that the number of non-official Directors on the Board of the Bokaro Steel Ltd. was 3 out of a total number of 8. The representation had been further reduced to one in the Board of Directors of ten. Since the Memorandum of Association provided for 12 Directors on the Board, the Committee felt that it would be useful to have a fairly good proportion of the members of the Board from among non-officials.

Government's Reply

The Government accepted²⁸ the recommendation for compliance and intimated that the Board of Directors for 1970-71, as reconstituted, included 5 non-official Directors including 2 from HSL and one from HEC out of the total number of 10.

²⁷. Committee on Public Undertakings, 68th Report (1969-70), para 5.12.

²⁸. Committee on Public Undertakings, 14th Report (1971-72), p. 15.

Appointment of Chairman

The Committee regretted³⁹ to note that the Secretary of the Ministry of Iron and Steel (Shri N. N. Wanchoo) was appointed as the Chairman of the Bokaro Steel Ltd. in February, 1964 contrary to the decision of Government taken as early as November, 1961 and in disregard to their earlier recommendation⁴⁰ which was duly accepted by Government. He continued as Chairman even after his transfer as Secretary of the Ministry of Industrial Development and Company Affairs.

Government's Reply

The Government stated in their reply⁴¹ that at the time when it was proposed to appoint the former Secretary to the then Department of Iron and Steel as the Chairman of the Bokaro Steel Ltd., it was considered advantageous to have the Secretary as Chairman of the new company in its initial stages, though following the recommendations of the Krishna Menon Committee, Government's policy was to dissociate the office of Secretary of a Ministry/Department from the directorship of a government-owned company. However, considering that Bokaro would be the largest and one of the most complex projects to be undertaken by Government, there appeared considerable advantage in Government officials being directly associated with it and in establishing identity of interest between Government and the company. In negotiating credits and other consultancy agreements, the association of the Secretary of the Department as the Chairman of the company had avoided duplication of effort, and vested in such negotiation: considerable authority. The Government further stated⁴² that even after the transfer of Shri Wanchoo to the Ministry of Industrial Development and Company Affairs, it was not considered advisable to relieve him of his appointment as Chairman of BSL, particularly, when the project was in its crucial stage of construction.

Ministry officials not to become Chairman of Boards of Management of Public Undertakings

The Committee in their 14th Report (1971-72), were not satisfied with the replies furnished by the Ministry as most of the points men-

³⁹. Committee on Public Undertakings, 68th Report (1969-70), para 5.23.

⁴⁰. Estimates Committee, 52nd Report (1963-64).

⁴¹. Committee on Public Undertakings, 14th Report (1971-72), p. 63.

⁴². *Ibid.*, chapter I, para 15.

tioned in the reply had been taken into consideration by them before coming to the conclusion. They reiterated⁴³ their recommendation and desired that the following recommendation of the Administrative Reforms Commission, which had been accepted by Government in respect of the industrial undertakings, should be strictly followed:—

"No officer of a Ministry should be made Chairman of a public undertaking nor should the Secretary of the Ministry be included in its Board of Management."

Economies of Scale

The Committee were informed that in order to take advantage of the economies of scale, Government decided to instal at Bokaro a steel plant with a capacity of 4 million tonnes. The Committee were perturbed⁴⁴ to find that the benefits of the scale of production would not be available to the country even at 4 million tonnes production. The cost of production at Bokaro was likely to be higher than Rourkela whose capacity is only 1.8 million tonnes. They recommended that a thorough techno-economic study should be made in order to remedy the situation and to derive full advantage of the scale of production as compared to Rourkela.

Government's Reply

The Government stated in their reply⁴⁵ that the comparative costs of production of the 4 million tonne stage of Bokaro and 1.8 million tonne stage of Rourkela were tentative. However, the Central Engineering and Design Bureau (CE & DB) of the Hindustan Steel Ltd., who have been appointed as the principal consultants for Bokaro Stage II, had undertaken the profitability analysis on the basis of the revised project estimates, and the current costs of raw materials, services, labour etc. A clear picture would emerge after the study was completed.

Results of Study made by CEDB to be placed before Parliament

The Committee in their 14th Report (1971-72), desired⁴⁶ that the study undertaken by the Central Engineering and Design Bureau of the Hindustan Steel Ltd. should be completed early, so that a clear picture

⁴³. *Ibid*, chapter I, para 16.

⁴⁴. Committee on Public Undertakings, 68th Report (1969-70), para 6.12.

⁴⁵. Committee on Public Undertakings, 14th Report (1971-72), p. 66.

⁴⁶. Committee on Public Undertakings, 14th Report (1971-72), chapter I, para 19.

might be available about the economics of the project. They felt that such a study should have in fact preceded any decision about expansion of the size of the plant to 4 million tonnes. The Committee urged that the result of the study and Government's conclusion thereon should be specially placed before Parliament so that the Members had a chance of scrutinising the implications and raising a discussion on the subject, if necessary.

Profitability

The Committee were informed that the 1.7 million tonne production stage of the Bokaro Steel Ltd. would continue to incur losses on account of built-in capacity with a capital cost of Rs. 4000 per tonne on the basis of the total estimated cost of Rs. 670 crores. They were perturbed⁴⁷ to learn that the company would continue to incur losses amounting to Rs. 20 crores per annum during the first stage of production till it reached the 4 million tonne stage of production. They re-emphasised the need for undertaking a proper techno-economic reappraisal, in order that the 4 million tonne stage really became a profitable venture.

Government's Reply

The Government stated in their reply⁴⁸ that the project had been conceived as a 4 million tonne plant with a provision for further expansion. From the point of view of availability of financial and technical resources, an intermediate stage with a capacity of 1.7 million tonnes of ingot steel and 8,80,000 tonnes of pig iron was considered. A decision had been taken to concurrently expand the plant to 4 million tonne capacity. In implementing the expansion scheme, Government would make every effort to narrow down the gap in the dates of completion of the intermediate stage and the expanded capacity. The principal consultants of the company had been asked to make a profitability study at the 4 million tonne stage, and a final decision on the product-mix etc., would be taken after a careful analysis of the economics of the project at the 4 million tonne stage.

⁴⁷ Committee on Public Undertakings, 68th Report (1969-70), para 6.14.

⁴⁸ Committee on Public Undertakings, 14th Report (1971-72), p. 17.

Parliament to be kept apprised about financial implications of big Plants.

The Committee felt⁴⁹ that Parliament ought to have been kept informed about the economics of the Bokaro in the first stage, and Government ought to have taken Parliament into confidence about the losses that were likely to be suffered during the first stage. They suggested that in future, whenever big plants were set up in stages, the financial implications about profit/loss in each stage should be brought to the notice of Parliament while obtaining their approval for setting up such plants.

The Government stated in reply⁵⁰ that for the intermediate stage, the cost estimates of the products were not initially worked out, as the plant was essentially conceived as a 4 million tonne plant. The Bokaro Steel Ltd. had since worked out tentative profitability estimates for Stage I. The Government assured the Committee that as soon as the position regarding some of the basic assumptions were clarified, Parliament would be suitably informed.

White Paper on New Steel Plants

The Committee observed⁵¹ that Government had announced a decision to set up three more steel plants at Viskhapatnam, Hospet and Salem in the public Sector. Comprehensive details about the proposed steel plants had not been made public. The Committee recommended that Government should without delay bring out a comprehensive White Paper containing essential information about the size of the plants, the Capital investment involved, the product-mix and the rationale thereof, and in particular, the economics and profitability of each of the plants. The Committee stressed that the White Paper should be prepared most carefully so as to give precise and realistic estimates of vital factors which had a bearing on the working of the steel plants, so that Parliament and public had clear idea of the resources which were being committed to those plants and the benefit which would accrue to the country therefrom. The Committee expected Government to take specific approval of Parliament to the setting up of the steel plants, which were expected to play a crucial role in the development of the economy of the country.

⁴⁹. Committee on Public Undertakings, 68th Report (1969-70), para 6.17.

⁵⁰. Committee on Public Undertakings, 14th Report (1971-72), pp. 19-20.

⁵¹. Committee on Public Undertakings, 68th Report (1969-70), para 7.18.

Government's Reply

The Government stated in their reply⁵² that their decision on the setting up of a special steel plant at Salem in Tamil Nadu and an integrated steel plant each at Hospet in Mysore and at Visakhapatnam in Andhra Pradesh was announced by the Prime Minister in the Lok Sabha on April 17, 1970. Following that decision, a number of Committees were set up for the selection of the project sites and supply of raw materials to all the three projects. The raw material sources had been identified for each project. The Government had accepted the recommendations of the Site Selection Committee in respect of all the three projects—Toranagalu for the Hospet project, Balachoruvu for the Visakhapatnam project and a site in the northern flanks of Kanjamalia Hill for the Salem project. A Steering Committee under the Chairmanship of Secretary, Steel and Heavy Engineering had also been constituted to keep a close watch over the progress of work in respect of the three new steel plants.

The Government were fully in agreement with the recommendation of the Committee that specific approval of Parliament should be obtained for the setting up the new steel plants. They stated in their reply that in the case of the three new steel plants in the Southern Region, such a specific approval of Parliament was obtained through a token supplementary grant obtained in November, 1970. Expenditure of small magnitude on preliminary items such as land development, water and power connections was explained in the Notes on Important Projects and Schemes circulated as Supplement to the Demands for Grants for 1971-72. Fuller information in regard to capital cost, product-mix, financial and economic returns on the investments etc. in respect of each of the plants would be furnished to Parliament in due course and substantial expenditure on the factory premises, equipment and machinery etc. would be incurred only with the specific approval of Parliament.

As regards the recommendation of the Committee to bring out a White Paper in respect of the three Steel Plants, Government stated in their reply that all relevant details in respect of the three new Steel Plants would be incorporated in the Annual Report of the Ministry of Steel and Mines (Department of Steel) for the year 1971-72.

⁵² Committee on Public Undertakings, 14th Report (1971-72), chapter I, paras 21 to 24.

The Government, however, accepted the recommendation of the Committee for the preparation of a White Paper in respect of new projects to be taken up in the Fifth Plan period.

The Committee in their 14th Report (1971-72), were unable to agree with the suggestion of the Government. They reiterated⁵³ their early recommendation that after the receipt of the techno-economic feasibility reports in respect of the three new Steel Plants at Salem, Hospet, and Visakhapatnam, Government should bring out without delay a comprehensive White Paper containing all essential information in respect of those plants.

⁵³. Committee on Public Undertakings, 14th Report (1971-72), chapter I, para 25.

Short Notice

I. PARLIAMENTARY EVENTS AND ACTIVITIES

Visit of Hon'ble R. D. Patel, Speaker of the House of Representatives of Fiji

In response to an invitation by India, Hon'ble R. D. Patel, Speaker of the House of Representatives of Fiji and Mrs. Patel visited India in August, 1972. Besides Delhi, they were taken to some places of cultural interest viz. Madras, Bangalore, Hyderabad, Agra, Udaipur and Ahmedabad.

They attended the celebration of the 25th Anniversary of Independence of India at Parliament House on the midnight of August 14-15, 1972.

They also watched the proceedings of Lok Sabha on the 14th and 16th August, 1972 and of Rajya Sabha on the 14th August, 1972.

The Speaker, Lok Sabha hosted a lunch in their honour on August 17, 1972.

II. PRIVILEGE ISSUES

LOK SABHA

(i) **Misrepresentation of a Member's party affiliation by a newspaper**

On April 17, 1972, Shri Ishwar Chaudhry, a member belonging to the Jan Sangh party, raised¹ a question of privilege alleging that the *Patriot*, New Delhi, in its issue dated the 14th April, 1972, had published a report of the proceedings of Lok Sabha, labelling him as a member of the Communist Party of India and had, thus, misrepresented his party affiliation.

The Speaker observed² that the Editor of the *Patriot*, who was asked to state what he had to say in the matter, had in his reply stated that the report in question was a news agency report which they had published in good faith and without any intention to misrepresent Shri Ishwar Chaudhry's political affiliation. The Editor has also expressed his willingness to publish the necessary correction in his newspaper.

The Speaker added that he would ask the Editor of the newspaper to publish the necessary correction in his newspaper.

The Editor of the *Patriot* was, accordingly, asked to publish prominently the necessary correction in the matter in the next issue of the newspaper, which he did in the *Patriot*, dated the 18th April, 1972.

Thereafter, the matter was treated as closed.

(ii) **Alleged misreporting of proceedings of the House by a newspaper**

On April 10, 1972, Shri Atal Bihari Vajpayee, a member, raised³ a question of privilege regarding a news report circulated by the United News of India, a news agency and published in the *Times of India*, Bombay, of April 5, 1972, which purported to report certain remarks stated to have been made by the Prime Minister in the House on April 4, 1972, but which were not contained in the Lok Sabha Debates of that date.

¹. L.S. Deb., April 17, 1972 (original in Hindi)

². *Ibid.*

³. L.S. Deb., April 10, 1972.

The Speaker observed¹ as follows:—

"I will see the proceedings, but in the meanwhile I will send it to the paper for verification and comments, according to the practice that we have been following in the House."

On April 21, 1972, the Speaker informed² the House as follows:—

"The Editor of the *Times of India*, Bombay, has informed me that 'the story in question was a UNI news item and we used the item along with many other papers in good faith.' I have also received a letter from the General Manager of the *UNI*, which reads *inter alia* as follows:—

'It appears that the correspondent misheard the speech in the laughter and applause interspersing her (Prime Minister's) speech. I regret that this error had crept in. May I assure you that there had been no deliberate attempt to damage the cause or reputation of any individual or party. I hope that this inadvertent lapse would be condoned.'

In view of the above explanation and regret, the matter may be dropped. I take it that the House agrees."

The House agreed and the matter was closed.

(iii) Publication of news items based on proceedings of the House without making reference thereto

Shri N. K. Sanghi, a member, in a letter dated the 2nd April, 1972 addressed to the Speaker, Lok Sabha, complained that the *Financial Express*, Bombay, in its issue dated the 1st April, 1972, had published two news items attributing them to the "Financial Express Bureau", although they were based on the information contained in answers to certain questions in the House. Shri Sanghi had contended that the said newspaper should have made a reference to the relevant Lok Sabha proceedings as the source of those news items.

On May 11, 1972, the Speaker informed³ the House that the Editor of the *Financial Express*, Bombay, who was asked to state what he had to say in the matter, had in his reply stated *inter alia* as follows:—

"We admit that the said news items were based on the written replies to questions raised in Parliament. Since we were not reporting the supplementaries or the discussion on the question, we did not think it necessary to bring in the forum of Parliament. On many occasions, we supplement the written replies with information collected from other sources....."

¹. *Ibid.*

². L.S. Deb., April 21, 1972.

³. L.S. Deb., May 11, 1972.

Whenever the *Financial Express* reports discussions or supplementaries to questions we make it a point to identify the source, namely, Parliament. I would like to assure you that it is far from our intention to 'belittle the importance' of Parliament.....

The *Financial Express* has no intention of committing any breach of privilege of Parliament".

"I would only say that it would have been better if, in this case, the newspaper had also given a reference to the relevant proceedings of Lok Sabha instead of claiming it as emanating from its own Bureau. I hope that the Press will take note of it. The matter is now closed."

(iv) Alleged ill-treatment of Members by police

On November 17, 1971, Shri Saradish Roy, a Member, sought to raise¹ a question of privilege on the ground that on November 9, 1971, when he went to Kashipur village, District Birbhum (West Bengal), where 23 families were reported to have been driven out after the looting and burning of their huts, a group of Gujarat State Reserve Police abused him. He added that he was forcibly brought to the police camp at Sultanpur and prohibited from going to Kashipur. When he again went to that village, another batch of police personnel approached him menacingly and he had to leave that village.

On the same day, Shri Bhan Singh Bharura, another Member, also sought to raise² a question of privilege against the Deputy Superintendent and Inspector of Police, Muktsar, District Ferozepur (Punjab), on the ground that on August 27, 1971, when he went to the Government College, Muktsar, to enquire into the reported police excesses and firing on students, the police misbehaved with him, forcibly dragged students from his car, broke his car's door handle and threatened him, even after knowing his identity.

The Speaker, Dr.G.S. Dhillon, observed³ that according to the practice followed in such cases, these cases would first be referred to the Government for their comments and after getting a report from the Government, he would give his ruling thereon.

1. L.S. Deb., November 17, 1971. cc. 186-87.

2. *Ibid.*, cc. 187-88.

3. *Ibid.*, c. 187.

On December 22, 1971, when Shri Saradish Roy again raised¹ the matter in the House, the Speaker, while reserving his ruling, observed as follows:—

"Everyday there are so many things happening in the country involving people including MPs. But the privileges of MPs. extend only to matters concerning the House. But in spite of that, whenever any such thing happens, I take that representation and send it to Government even if it concerns a matter unconnected with the functioning of the House as such. When that version comes, I give it to the Member."²

Ruling by the Speaker

On December 23, disallowing both the above questions of privilege, the Speaker ruled as follows:—

"When there are matters not connected with the House, even though the happening of such things is unfortunate, the remedy is at the official level. So far as the rights of this House are concerned, the difference between one MP and a citizen is very narrow, so far as incidents outside the House are concerned. We have settled.... that the member could mention it, I could send it to the Minister and the reply could come. But if he thinks that it is a matter of privilege, I do not think it is a matter of privilege.... the MPs are not above law.... An M.P. outside the House is just an ordinary citizen like any other citizen. If he is prevented from performing his duties of the House, that is a different matter. If he is moving outside, he is subject to the law and subject to other remedies available. He can have the same remedies as are available to an ordinary citizen. If I am insulted outside and I say, 'I am the Speaker and I can punch anybody' I do not think I have that privilege."³

(v) Alleged ill-treatment and arrest of a member and non-intimation thereof to Speaker

On December 17, 1969, Shri Tulmohan Ram, a Member raised⁴ a question of privilege regarding his alleged arrest on November 28, 1969, and non-intimation thereof to the Speaker, and ill-treatment by Shri Chandrika Prasad, then Sub-Inspector of Police, Mahishi (Bihar).

After some discussion, the matter was referred to the Committee of Privileges by the House.

¹ L.S. Deb., December, 22, 1971, cc. 3-5.

² *Ibid.*, c-4.

³ L.S. Deb., December 12, 1971, cc. 1-3.

⁴ L.S. Deb., December 17, 1969, cc. 369-76.

The brief facts of the case, as stated by Shri Tulmohan Ram in his notice of question of privilege, were as follows:—

"On the 28th November, 1969, the Sub-Inspector Shri Chandrika Prasad met me in the afternoon outside the village. He was coming from my paddy field after getting the paddy crops looted. On my questioning him as to why my paddy crop was looted and that too under the protection of police, the said Sub-Inspector asked me to get down from the back of the horse and rebuked me. . . . I reached my house. The Sub-Inspector accompanied by persons hostile to me reached my house and entered my family apartments. I told the Sub-Inspector that only ladies and children were in the House. On this the said Sub-Inspector got me arrested. The Sub-Inspector began to rebuke me again:—

'I have seen many M.Ps. like you. It has become the profession of M.Ps. to tell lies. Even the *Chamar*, *Dusadh* boasts of being an M.P.'

I remained in the police custody (under arrest) for more than half an hour. I was set free on the request of hundreds of persons of my village-Sarauni.

The said Sub-Inspector arrested me while the session of Lok Sabha was going on and did not inform the Hon'ble Speaker of the House."

The Committee of Privileges called for a written explanation from Shri Chandrika Prasad, the concerned Sub-Inspector of Police, and the factual comments of the Government of Bihar on the incident and also examined in person both Shri Tulmohan Ram, M. P., and Shri Chandrika Prasad as well as three witnesses of each of them on oath.

However, the matter lapsed on the dissolution of the Fourth Lok Sabha on December 27, 1971, before the Committee could present their report to the House.

On June 8, 1971, Shri Tulmohan Ram, M.P., again raised² the matter in the Fifth Lok Sabha and moved the following motion, which was adopted by the House:

"That the question of privilege regarding the alleged arrest of Shri Tulmohan Ram, M.P., on the 28th November, 1969, by Shri Chandrika Prasad, then Sub-Inspector of Police, Mahishi (Bihar) and non-intimation thereof to the Speaker, Fourth Lok Sabha, be re-referred to the Committee of Privileges of this Lok Sabha."

¹ Original in Hindi.

² L.S. Deb., June 3, 1971, cc. 140—42.

The Committee of Privileges of Fifth Lok Sabha decided that as the Committee of Privileges of Fourth Lok Sabha had concluded the evidence in the matter, it was not necessary to hear evidence *de novo*. The Committee, therefore, decided to consider the matter on the basis of the evidence and documents produced before the Committee of Privileges of Fourth Lok Sabha.

The Committee, after calling Shri Chandrika Prasad, the concerned Sub-Inspector of Police, before the Committee in person, in their First Report, presented to the House on December 10, 1971, reported *inter alia* as follows:—

(i) The main issue for consideration by the Committee in the present case is whether Shri Tulmohan Ram, M.P., was in fact arrested on the 28th November, 1969, by Shri Chandrika Prasad, Sub-Inspector of Police, as alleged by Shri Tulmohan Ram, M.P., which fact is denied by Shri Chandrika Prasad. The question of breach of privilege for not intimating the Speaker, Lok Sabha, about the alleged arrest of Shri Tulmohan Ram, by Shri Chandrika Prasad, will arise only if the factum of arrest, of Shri Tulmohan Ram, M.P., is satisfactorily established. As is well known, in the case of arrest of a Member on a criminal charge, the only privilege of the House is the right to receive immediate information about the fact of arrest of the Member concerned together with the place of his detention and the reasons for his arrest (*vide* Rule 229 of the Rules of Procedure of Lok Sabha).

(ii) After a careful consideration of the evidence given before and the documents made available to the Committee, the Committee are of the opinion that there is conflicting and contradictory evidence on the factum of alleged arrest of Shri Tulmohan Ram, M.P., on the 28th November, 1969. The Committee are of the view that since the fact of arrest of Shri Tulmohan Ram, M.P., on the 28th November, 1969, has not been conclusively proved, it could not be said that Shri Chandrika Prasad, Sub-Inspector of Police, had committed a breach of privilege in not sending intimation of the alleged arrest to the Speaker, Fourth Lok Sabha.

(iii) The Committee, however, feel that, taking into consideration the totality of the circumstances of the case, Shri Tulmohan Ram, M.P., has been ill-treated and abused by the Sub-Inspector, Shri Chandrika Prasad.

(iv) When Shri Chandrika Prasad, Sub-Inspector of Police, appeared before the Committee on the 10th November, 1971, he was apprised of the findings of the Committee that Shri Tulmohan Ram, M.P., had been ill-treated and abused by him. Thereupon, Shri Chandrika Prasad expressed his unqualified regret in the following words:

‘Sir, I did not misbehave with Mr. Tulmohan Ram, M.P., in any manner or used any abusive language. I have got high regard

for the Hon. Members of Parliament, I have also not uttered any undignified word against any Hon. Member of Parliament. But if the Committee or any Member of the Committee have any feeling that I might have made any remarks or uttered any undignified words towards them, I express my unqualified regret.¹

(v) In view of the unqualified regret expressed by Shri Chandrika Prasad, Sub-Inspector of Police, the Committee feel that no further action need be taken in the matter."

The Committee recommend that the matter be dropped.

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

RAJYA SABHA

Eviction of a member from the Parliament House Estate

On August 28, 1972, Shri Sita Ram Singh, a member, who was on a hunger strike within the Parliament House Estate was evicted after 22.00 hours in the night by the Watch and Ward Staff of the Rajya Sabha Secretariat, under orders of the Chairman.

On August 29, 1972, when some member sought to raise¹ the question of eviction of Shri Sita Ram Singh from the Parliament House Estate, the Chairman, Shri G. S. Pathak, observed as follows:

"I want to make it quite clear that Parliament is not intended for Members of Parliament to remain here during the night or to make demonstrations or *Bhuk Hartals* or for any such activities. There was one Member of Lok Sabha and one Member of this House. They did not want to leave the Parliament's precincts and the Parliament's Estate because they said that they wanted to stay here for the night and they wanted to have some political demonstration or *Bhuk Hartal*. Now, under my orders when they refused to leave, they were made to leave. I want to make it clear that this has never happened in the history of Parliament, that anyone was allowed to remain here during the night. This Parliament, the Parliament's precincts and Estate are intended for parliamentary work and Members are entitled to remain here when the work is going on. After that they have no right to remain here."²

When it was stated by some members that Shri Sita Ram Singh was shifted from the Lobby to Gate No. 1 after a compromise with

¹. R.S. Deb., August 29, 1972.

². *Ibid.*

the Minister of Parliamentary Affairs on the understanding that he would be permitted to remain there and would be allowed to make use of the necessary facilities available there, the Chairman observed:

"No such compromise was brought to my notice. There cannot be any such compromise even at the instance of the Government."

When Shri Sasankasekhar Sanyal, member, stated that the member had a right to come to Parliament House and to remain there for a reasonable time, the Chairman observed:

"I am the judge of what is a reasonable time."

The matter was, thereafter closed.

ANDHRA PRADESH LEGISLATIVE COUNCIL

(i) Delay by a Minister and Officials in taking action on the option of a Member of the Legislative Council for the membership of a Panchayat Samiti

On July 31, 1970, Shri J. Yegnanarayana, a member, raised a question of privilege against the Minister for Panchayati Raj, his Private Secretary and the Director of Samities and Parishads, regarding the manner in which he was treated while exercising his option for the membership of Panchayat Samiti of Gurazala, of which he was entitled to become a member by virtue of his membership of the Legislative Council. Shri J. Yegnanarayana stated that he communicated his option, as required under the relevant rules, to the District Collector, Guntur, on June 26, 1970. The Secretary, Zila Parishad, Guntur, referred the case to the Panchayati Raj Department for further necessary action. As no communication was received by Shri J. Yegnanarayana till July 16, 1970, and as the Panchayat Samiti of Gurazala had to meet at 10.30 A.M. on July 18, 1970 for co-opting Members and also electing the President of the Samiti, he reached Hyderabad to obtain the orders personally. In spite of his best efforts, however, the necessary orders were issued only at 9.45 a.m. on July 18, 1970.

The Chairman referred the matter to the Committee of privileges.

The Committee of Privileges, after calling for the written explanations of the Minister for Panchayati Raj, his Private Secretary and

1. *Ibid.*

2. *Ibid.*

the Director of Samitis and Parishads and after taking oral evidence of the Director of Samities and Parishads, Private Secretary to the Minister for Panchayati Raj and the Personal Assistant to the Secretary to Government, Panchayati Raj Department in their Fourth Report, presented to the House on April 4, 1972, reported *inter alia* as follows:

"This is a case where action should have been taken immediately on receipt of the communication from the Secretary, Zila Parishad, Guntur; but it took a week's time in the Secretariat for examining and putting it up to the Special Secretary to Government, Panchayati Raj Department. This shows that proper care was not taken by the concerned officials in dealing with the case.

Even though the file was received at the residence of the Minister for Panchayati Raj by 1.00 p.m. on 16th July, 1970, it was put up to the Minister only on the next day at 3.15 p.m., which delay could have been easily avoided and orders could have been issued in time, if the *pesbi* office of the Minister had gone through the files and obtained Minister's orders on this urgent file on 16th July, 1970 itself.

While appreciating the circumstances explained by the Special Secretary, the Committee still feels that he could have passed on the file for issue of orders on the 17th July, 1970 itself.

The Committee further observes that in such urgent matters officers should bestow greater care and attention and see that action is taken without any delay. However in view of the fact that elections to Gurazala Panchayati Samiti did not take place on 18th July, 1970 and were postponed, the Member's right to exercise his franchise was not affected. The Committee, therefore, decides not to probe further into the issue whether there was breach of privilege or not. The Committee therefore recommends that the matter may be closed."

The House adopted the Report of the Committee on April 6, 1972.

(ii) Alleged imputation of motives to members for their speeches in the House

On December 19, 1970, Shri V. Rama Rao, a member, raised¹ a question of privilege against one Shri Thakur V. Hari Prasad, Hon. Secretary, Andhra Pradesh Welfare Fund, Hyderabad, for issuing a press statement on December 17, 1970, imputing motives to him and

¹ A.P. Leg. Council Deb., January 18, 1970.

other member for their speeches in the House. The impugned press statement¹ read, *inter alia* as follows:—

"I am very much pained to read in the Press, allegations made against me and also against the activities of the Andhra Pradesh Welfare Fund.

What has amazed me, was the allegations in the Honourable House of Legislature. I have not been given an opportunity to defend myself against these charges, which I most respectfully submit, are baseless, unfounded, malicious and slanderous.

From the newspaper reports I find that I have been made a target of personal attack. If these allegations were made outside the House I could have a reasonable opportunity to prove my *bona fides* in a Court of Law, and challenge these allegations.

.....I leave it to the public to judge how I have been wronged and how a myth is being created to discredit me."

The Chairman reserved his ruling.

On March 18, 1971, the Chairman referred the matter to the Committee of Privileges for consideration and report.

The Committee of Privileges, after calling for the written explanation of Shri Thakur V. Hari Prasad, in their Third Report, presented to the House on March 28, 1972, reported, *inter alia*, as follows:

"The Committee is unanimously of opinion that the language of the press statement issued can reasonably be understood as conveying a charge of improper motives and conduct in respect of the parliamentary action against members of the House and so constitutes a breach of privilege of the House.

The Honorary Secretary, Andhra Pradesh Welfare, Fund, in his letter explained in the following terms:

'..(ii) The Honourable Committee of Privileges, in its wisdom, comes to the conclusion that Parliamentary privilege extends to and includes the making of statements such as those mentioned in para 4.... I have to submit that I was genuinely ignorant of this extraordinary legal position at the time of issuing of statement. But, in case the opinion of the Honourable Committee of Privileges happens to be as stated above, I express my regret for whatever my statement may amount to under the circumstances.'

The Committee recommends that in view of the explanation given by the Honorary Secretary, Andhra Pradesh Welfare Fund, no further action be taken in the matter".

1. Pages 15 to 19 of the 3rd Report of the Committee of Privileges.

The House adopted the Report of the Committee on April 4, 1972.

HOUSE OF COMMONS (U.K.)

(i) **Assault on a Member by another Member within the House**

On January 31, 1972, when Mr. Reginald Maudling, Home Secretary, was making a statement in the House, regarding certain incidents which had taken place in Londonderry, Northern Ireland, Miss Bernadette Devlin, a member, reportedly¹ went across the floor to Mr. Maudling and started hitting him. Miss Devlin was, thereupon, carried out of the House.

After sometime, Mr. Peter Rees, another member, sought to raise² a question of privilege regarding the conduct of Miss Bernadette Devlin in assaulting Mr. Reginald Maudling.

The Speaker, Mr. Selwyn Lloyd, thereupon observed as follows:--

"I have to be firm on these matters. I have already called on the Clerk to read the Orders of the day. I am sorry, but I cannot give the hon. and learned member for Dever (Mr. Peter Rees) permission to go on with his submission at this stage."³

¹ The following news item was published in the *Times*, London, in its issue, dated the 1st February, 1972 (P-1 C-1):

"MISS DEVLIN STRIKES MR. MAUDLING IN COMMONS
Westminister, Monday.

Miss Bernadette Devlin, arms flailing and fists flying launched herself across the House of Commons today in an attack on the Home Secretary, Mr. Maudling, as that normally unflappable minister was answering questions on the events in Northern Ireland at the weekend.

Mr. Maudling's glasses were sent flying as the diminutive mini-skirted MP for Mid-Ulster threw herself at the Government front bench.

As she leapt on the Home Secretary, one flying elbow caught Mr. Heath who was sitting beside Mr. Maudling. The latter seemed to make little attempt to defend himself, except to throw up his arms to protect his face.

Finally, Miss Devlin, her long dark tresses flying; was carried from the Chamber by MPs. To the astonishment of all, she returned a few minutes later and defiantly resumed her seat. Also see the *Indian Express*, New Delhi, February 1, 1972.

² H.C. (U.K.) Deb., January 31, 1972, c. 57.

On February 1, 1972, the Speaker observed as follows:—

"I have considered what happened yesterday. When strong feelings exist or are aroused, there are times when the Chair can appropriately be deaf or indeed blind. In my view I went to the absolute limits of tolerance yesterday, perhaps beyond them. What I now want to make clear is that if an hon. Member uses unparliamentary language or acts in an unparliamentary manner and, when ordered to, refused to withdraw or desist, I will not hesitate to act in accordance with the Standing Orders.

The reputation of the House and the position of the Chair are now at risk. That is something which I, so long as I am Speaker, cannot tolerate."⁴

Later in the day, Mr. Paget, another member on a point of order, referred⁵ to the incident which had occurred on January 31, 1972, and stated that Miss Devlin was reported to have said that she had not made any apology for her action but that on the contrary, she proposed to repeat her action.

The Speaker then observed *in er alia* as follows:—

"...If he is commenting on the conduct of another Member, it must be by substantive motion."⁶

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

(ii) Alleged impediments placed on members by a Minister in carrying out their Parliamentary duties in exercising their right of asking questions.

On December 13, 1971, the Secretary of State for the Environment, Mr. Peter Walker, made *inter alia* the following statement in the House:—

".....Supporters of successive Governments have sought to ensure that Question Time should not be monopolised by opponents of the Government of the day, and they have accordingly consulted Ministers as to what Questions they might ask to ensure a fairer presentation of the work of a particular Department.

By the same token it has been the normal practice for Ministers to instruct their officials to provide the necessary material for arranged Questions.

⁴ *Ibid.*, February 1, 1972, c. 239.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ H.C. Deb., December 13, 1971, cc. 65—73.

When my Department was first ordered for Questions on 10th March and again on 31st March there was what I can only call a concerted campaign by the Opposition to pre-empt the Order Paper with Questions on housing and construction matters. On 10th March Opposition Questions in this field which received an Oral Answer out-numbered those answered orally to Government supporters by 15 to 1. On 31st March there was similar effort by the Opposition to pre-empt the Order Paper with Questions mainly directed towards housing in London, perhaps with the impending London borough elections in mind. Opposition Questions on housing and construction which received an Oral Answer then out-numbered orally answered Questions from the Government side of the House by 15 to 5.

In response to this hon. Members on this side of the House expressed to Ministers their wish to see that this campaign was answered and asked for suggestions as to Questions they might table which would help to redress the balance and present the Government's activities in housing more fairly.

On 19th May, when the Department was again first ordered, seven Questions on the subject of housing and construction from the Government side of the House were answered orally, of which two were based upon material similarly supplied. By this time it was becoming clear that, perhaps because the local elections were over, the Opposition were discontinuing their campaign to pre-empt an unfair share of the Order Paper."

Thereupon, Mr. G. R. Strauss, a member, while raising^a a question of privilege, stated *inter alia* as follows:—

"The essence of privilege is that there should be no interference with or impediments placed on hon. Members of this House in carrying out the parliamentary responsibilities. I submit that we have a situation here in which a Minister together with his civil servants, has entered into a conspiracy to impede hon. Members of the Opposition from carrying out their responsibilities. I, therefore, ask you, Mr. Speaker, to consider this matter and, in the normal way, report to the House tomorrow."

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

On December 14, 1971, the Speaker disallowed the question of privilege and ruled^b:—

"Yesterday the right hon. Member for Vauxhall (Mr. Strauss) drew attention to the subject of Questions to Ministers and submitted that a situation had arisen in which interference with, or impediments placed on, hon. Members of this House in carrying out their Parliamentary responsibilities might amount to a breach of privilege. I promised that I would consider the matter and rule on it this afternoon.

^a Lbid., cc. 72-73.

^b H.C. Deb., December 14, 1971, cc. 272.

I have now had the opportunity of examining the precedents to which my attention was drawn yesterday and to consider all other relevant circumstances.

My decision is that the matter does not so clearly fall within the ambit of privilege as would justify me in giving it precedence over the Orders of the day."

(iii) Stoppage and arrest of constituents seeking access to Members

On November 24, 1971, some Members drew¹ the attention of the Chair to an incident which took place at the doors of the Palace of Westminster, when some constituents in a demonstration, who sought to see their Members of Parliament, were stopped and one of them was arrested by the police.

Mr. Alexander W. Lyon, a Member, then sought to raise² a question of privilege against the police authorities for their action.

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

On November 25, 1971, the Speaker disallowed³ the question of privilege and ruled:—

"Yesterday the hon. Member for York (Mr. Alexander W. Lyon) raised two issues involving possible *prima facie* breaches of privilege. These were first, the stopping of a constituent coming to see his Member at the door of the Palace of Westminster and, second, the arrest of a person, who was seeking such access.

I have considered the precedents and I have to rule that, in my view, I should not be justified in allowing a Motion arising from either of these matters to take precedence over the business set down for today.

I have, however, carefully noted the various accounts of difficulties experienced yesterday. What happened outside the precincts of the House is not for me."

(iv) Alleged publication of contents of a Report of a Government Committee before it was made available to the House

On November 16, 1971, when the Secretary of State for the Home Department, Mr. Reginald Maudling, made a statement about the

¹ H.C. Deb., November 24, 1971, cc. 1378-92.

² Ibid., c. 1392.

³ Ibid., November 25, 1971, c. 1567.

'Compton Committee's Report'¹, Mr. Arthur Lewis, a member, on a point of order, stated² that the contents of that Report had already appeared in the newspapers before they were made available to the Members. Mr. Lewis contended that this constituted a contempt of the House.

After the brief discussion on the statement of the Secretary of State was over, Mr. Arthur Lewis again stated³, *inter alia*, as follows:—

"While hon. Members were not allowed to have the Compton Report until four o'clock, other people, not Members of Parliament, had seen it and had copies of it. There are full details of the Home Secretary's statement in the midday papers. In the *Evening Standard* there is a report under the name of Robert Carvel, and I quote *inter alia*—

'In an obvious attempt to muffle the parliamentary explosion, Home Secretary Reginald Maudling arranged to make a statement to M.Ps. just before they got their hands on copies of the Compton Report.'

The report goes on to give details and to say that a Committee will be set up and that a special Cabinet meeting was held this morning at which was discussed the name of the distinguished figure who will head the new inquiry, that it was to be a judge, and so on.

Is it not a complete contempt of the House not only to refuse to allow hon. Members to have the report, but to see that members of the Press get copies, to brief them and to allow them to know that the Home Secretary would deliberately try to muzzle hon. Members?"

The Speaker reserved his ruling till the next day.

On November 17, 1971, the Speaker disallowed the question of privilege and ruled⁴:—

"I have considered the matter, and rule that it does not fall within the ambit of privilege, which includes contempt."

¹ The Committee had been set up by Government under the Chairmanship of Sir Edmund Compton to inquire into allegations against the security forces of physical brutality in Northern Ireland.

² H.C. Deb. November 16, 1971, c. 219.

³ *Ibid.*, cc. 224-225.

⁴ *Ibid.*, November 17, 1971.

(v) **Alleged disclosure of answers to questions before they were answered on the floor of the House**

On October 22, 1971, Mr. Arthur Lewis, a Member, sought to raise¹ a question of privilege against the Attorney-General and his Legal Secretary, Mr. Hetherington, for alleged disclosure by them of answers to certain questions before they were actually answered on the floor of the House. While raising the question of privilege Mr. Arthur Lewis stated² *inter alia* as follows:—

"Last Friday³, Mr. Simon Dring of the *Daily Telegraph* telephoned me and said that he had received a statement from Mr. Hetherington, the Legal Secretary to the Attorney-General, in effect giving complete answers to all my questions which were due to come up on the following Monday. . . . On the Saturday⁴ morning, I saw in the *Daily Telegraph* on page 3 a four-column article, and attributable to Mr. Hetherington, allegedly acting on behalf of the Attorney General, which was in effect, the answers to my questions."

Mr. Lewis added that in reply to a letter written by him, the Attorney General had *inter alia* stated:—

"Mr. Hetherington is the Legal Secretary and the Civil Service head of my Department. On Friday, 15th October, a representative of the Press informed him that you had made outside Parliament a public statement to the effect that I had 'twisted the law' by deciding to withdraw the prosecution against Mr. Lyall. The Press representative asked Mr. Hetherington to comment on this allegation. As your allegation had been made outside Parliament I authorised Mr. T. C. Hetherington to answer the question which the Press were putting to him."

The Speaker, Mr. Selwyn Lloyd, reserved his ruling.

On October 25, 1971, while disallowing the question of privilege, the Speaker ruled⁵ as follows:—

".....I have considered carefully the material submitted and whether these matters fall within the ambit of privilege. I now rule that privilege is not involved, and in consequence the subject cannot be given priority over the Orders of the Day. However, the hon.

¹ H.C. Deb., October 10, 1971, cc. 1089-92.

² *Ibid.*

³ October 15, 1971.

⁴ October 18, 1971.

⁵ October 16, 1971.

⁶ H.C. Deb., October 25, 1971, c. 1232.

Member is of course entitled to raise the matter in any other parliamentary way which may be open to him. But since no matter of privilege appears to arise, the matter cannot be pursued at this time."

On a suggestion by Mr. Arthur Lewis that it might be a contempt of the House, the Speaker observed⁷ as follows:—

"The hon. Member is not quite correct. The phrase I used, within the ambit of privilege, includes contempt. I have considered the matter carefully. I am not pronouncing at all on the merits of the practice, as to whether it is desirable—I am not saying that it happened in this case—that a Minister should announce publicly before hand what his answer will be. But I am satisfied that no question of privilege is involved. It is a matter of parliamentary practice. The hon. Member can pursue it in other ways, but it does not, I am satisfied and I so rule, come within the ambit of privilege, which includes contempt."

⁷Ibid c. 1233.

III. PROCEDURAL MATTERS

LOK SABHA

Consideration of a draft bill by a Standing Parliamentary Committee

At the commencement of each Lok Sabha, a Standing Parliamentary Committee, viz. the Joint Committee on Offices of Profit is constituted. The Committee holds office till the discussion of the Lok Sabha. The main function of the Committee is to examine whether, having regard to the character, composition, etc. of a Committee|Board|Council, etc. constituted by the Central Government|State Governments, its membership ought or ought not to be exempted from disqualification for membership of Parliament.

The Joint Committee on Offices of Profit presented five reports during the term of the Second Lok Sabha, five reports during the term of Third Lok Sabha and seven reports during the term of the Fourth Lok Sabha. In para 9 of their Second Report (Second Lok Sabha), presented to the Lok Sabha on September 9, 1960, the Joint Committee had urged Government to bring in early legislation to give effect to their recommendations. The Committee repeated the recommendation in their subsequent Reports.

In July, 1971, the Ministry of Law and Justice forwarded to the Lok Sabha Secretariat the draft Parliament (Prevention of Disqualification) Amendment Bill, 1971. In their forwarding letter, the Ministry requested that the draft Bill, which sought to implement the recommendations of the Joint Committee made during the Second, Third and Fourth Lok Sabhas, might be placed before the Joint Committee for consideration and report.

The procedure followed by the Joint Committee on Offices of Profit in considering the draft Bill varied somewhat from that followed by Select|Joint Committees on Bills. The officials of the Ministries concerned are present, when the Select|Joint Committees consider Bills. However, at no sitting of the Joint Committee on Offices of Profit when it considered the draft Bill, was any representative of the

Ministry concerned present. Further, the Bill, as amended by a Select Joint Committee, is appended to its Report. However, in its Report, the Joint Committee on Offices of Profit recommended that the draft Bill reported on by it may be revised by Government in the light of its observations and brought before Parliament at an early date.

As the draft Bill had been considered by the Joint Committee on Offices of Profit at the request of Government, a question arose whether the Committee should forward its views on the proposals contained in the Bill direct to Government in the form of Minutes or through a Report to be presented to the House. The Committee felt that the latter course would be more appropriate. Accordingly, it presented the Report to the House.

Quoting from Official Documents and validity thereof

On May 30, 1972, when a Member, Shri C. M. Stephen, speaking during the discussion on payment of Rs. 60 lakhs by the Chief Cashier of the State Bank of India to Shri Nagarwala, referred to certain papers contained in a file, another Member, Shri Pilloo Mody, who was sitting near his seat, interrupting Shri Stephen's speech stated that the Member was using the Home Ministry's file and demanded to see that file. Shri Stephen denied that he was having Home Ministry's file and stated that it was his file.

After some discussion Shri Stephen, on a point of order, enquired whether it was open to any Member to look into the papers of another Member and alleging their source, demand their circulation. The Speaker, thereupon, observed, that if a Member quoted from a file, another Member could ask him to lay it on the Table, but if he did not quote from it the validity of the document could not be questioned.

"Dharna" by Members inside Parliament House

On May 12, 1972 a Member Shri A. K. Gopalan, addressed a letter to the Speaker intimating his intention to start *Dharna* inside Parliament from that day evening onwards unless the Government gave an assurance that certain Kerala Acts relating to tenants would be included in the Ninth Schedule to the Constitution. Shri Gopalan was informed through a letter delivered to him in the House that it was not permissible for any one to resort to *Dharna* or any other demonstration inside the Parliament House and the Parliament House Estate. Shri Gopalan, interrupting the business before the House re-
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ferred to his above letter and the reply received thereto. Shri K. C. Pant, Minister of State for Home Affairs, then explained the Government's position in that regard.

Later, when Shri Gopalan again referred to his proposed *Dharna*, the Minister of Parliamentary Affairs, Shri Raj Bahadur, stated that the Government was already seized of the matter and necessary action would be taken before the end of the current session. In view of that assurance, Shri Gopalan said that he would not resort to his proposed *Dharna* on that day.

Ministers should make statement in the House about the outcome of their officials visits abroad

On May 5, 1972 a Member, Shri Samar Guha, raised the point that during the current session the Ministers of External Affairs and Irrigation and Power and Shri D. P. Dhar, Chairman of the Policy Planning Committee, Ministry of External Affairs, an emissary of the Prime Minister had visited some foreign countries but no statements had been made in the House about the outcome of their visits, whereas the Press was reporting every day about them. The Speaker, thereupon, observed that so far as Shri D. P. Dhar's visit was concerned, he had received Government's note about it and he was satisfied that it need not have been brought before the House. But so far as visits of other Ministers were concerned, he agreed that factual or other information, as could be given, should be shared with the Members of the House and the House should be taken into confidence.

POLITICAL AND CONSTITUTIONAL DEVELOPMENT IN THE STATES

[June 1, 1972 to August 31, 1972]

(a) General

By-Elections to Lok Sabha

Shri Arvind Patel of the Congress was declared elected to the Lok Sabha from the Rajkot constituency defeating his only rival Shri Ratilal Tanna (Congress—O) by a margin of 60,000 votes.¹

Shrimati Maya Ray defeated her nearest rival by more than 1,40,000 votes in the Lok Sabha by-election in Raiganj (West Bengal).²

Nagaland Affairs for Home Ministry

The Government has decided to entrust the affairs of Nagaland to the Ministry of Home Affairs instead of the Ministry of External Affairs. The transfer would be with effect from June 1, 1972.³

(b) States

ANDHRA PRADESH

Land Ceilings Bill

The Andhra Pradesh Chief Minister, Shri P. V. Narasimha Rao introduced in the Assembly on July 31, 1972, the Land Reforms Bill which fixes a ceiling on agricultural holdings and provides for the taking over of surplus land by payment of fixed compensation to land-

*This feature, prepared by the Library, Reference and information Service (Lok Sabha Secretariat), is based on newspaper reports and no responsibility is accepted by the Lok Sabha Secretariat for the accuracy or veracity of the information or views contained therein.

¹ *The Statesman Weekly*, June 3, 1972, p. 3.

² *Ibid*, June 10, 1972, p. 1.

³ *Hindustan Times*, June 6, 1972.

holders. The Bill known as the Land Reforms (Ceilings on Agricultural Holdings) Bill, 1972 divides the land into eight categories, the first four categories falling under wet and the rest under dry land.⁴

ASSAM

Assam-Mizoram Row over Eviction of Encroachers

The eviction of alleged encroachers from a reserved forest on the Assam-Mizoram border led to an exchange of notes between the two States. The evictions were carried out by Assam forest officials, assisted by the police on May 18, 1972 in Phaisen in the inner line reserved forest of Cachar district. The Assam view was that the encroachment had occurred during the previous year and the encroaching families had come from Mizoram. According to Mizoram sources, the evicted families had been permitted to carry on cultivation in the aforesaid area and had been doing so since 1958.⁵

New Capital

The Chief Minister Shri S. C. Sinha announced on June 7, 1972 in the State Legislative Assembly that the capital of Assam would be shifted to Gauhati 'as a purely temporary measure' before March 1973. He said that the ultimate choice between Chandrapur (Gauhati) and Silghat (Nowgong district) would be made in due course. He added that an agency of the "highest competence and suitable standing" would be asked to prepare detailed project reports on the two "basically suitable" sites.⁶

Land Ceiling Bill

The Assam State Assembly passed on July 10, 1972 the Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 1972. The Bill seeks to lower the ceiling of agricultural land from the existing 25 acres (75 bighas) to 16.6 acres (50 bighas) and orchard land from 10 acres (30 bighas) to five acres (15 bighas). The financial memorandum of the Bill said that in order to acquire the excess land available after lowering the ceiling, a sum of Rs. 1 crore would be needed to pay the compensation.⁷

⁴. *The Hindu*, August 1, 1972.

⁵. *The Statesman Weekly*, June 3, 1972, p. 3.

⁶. *Indian Express*, June 8, 1972.

⁷. *Hindustan Times*, July 11, 1972.

BIHAR

No-Confidence Motion against Ministry

The first no-confidence motion against the three-month old Congress Ministry in Bihar was rejected on June, 26, 1972 by an overwhelming majority with only 36 members voting in favour and 172 against. A significant feature of the voting was that apart from the 35-member CPI Group, which supported the Government, the Congress (O), the Jana Sangh, and Swatantra members remained neutral by abstaining from the voting. The PSP group (four members) voted against the motion. Only the 33 members of the Socialist Party and three Independents voted in favour of the motion.⁸

Three Bihar MLAs Resign from Congress(O)

Three Congress (O) MLAs in Bihar, Dr. Faiyazul Azam, Shri Aziz Nuruddin and Shri Mohammed Ayub resigned from the party. They requested the Speaker of the State Vidhan Sabha to treat them as Independent members.⁹

Land Ceiling Bill

The Bihar Land Refrom (Fixation of Ceilings and Acquisition of Surplus Land) (Amendment) Bill, 1972, envisaging lowering of the ceiling on land was introduced in the Bihar Legislative Council by the Revenue Minister on June 13, 1972. The ceiling fixed in the Bill for each family of five is 15 acres of irrigated land, 18 acres of land irrigated by private sources, 30 acres of unirrigated land, 37.5 acres of dairy land and 45 acres of hilly, sandy and other types of land. The Bill was passed on June 17, 1972 with some minor amendments.¹⁰

The Bihar Assembly passed the above Bill on June 18, 1972 after a 13-hour marathon session with some amendments.¹¹

JAMMU AND KASHMIR

Ban on Sheikh Abdullah

The Kashmir Government lifted on June 5, 1972 the ban on the entry of Sheikh Abdullah into the State. The restrictions on Sheikh

⁸ *The Statesman Weekly*, July 1, 1972, p. 3.

⁹ *The Hindu*, July, 29, 1972.

¹⁰ *Hindustan Times*, June 14, 1972, and June 17, 1972.

¹¹ *The Hindu*, June 29, 1972.

Abdullah and his associates were placed in January 1971 on the eve of the mid-term poll to Parliament. Explaining the Government's decision, the Chief Minister' Syed Mir Qasim said that it was not a sudden development but a continuation of the policy of normalisation with a view to allowing all sections in the State to play a constructive role.¹²

MADHYA PRADESH

Election of M. P. Assembly Deputy Speaker

Shri Narayan Prasad Shukla of Congress was elected Deputy Speaker of the Madhya Pradesh Assembly on July 28, 1972 defeating his only rival Shri Shaligram Shrivastava, an independent candidate by 141 votes.¹³

Increase in Congress Strength in Assembly

Three independent MLAs—Shri Kamala Prasad, Shri Dalbir Singh and Shrimati Jagwa Devi joined the Congress party of the Madhya Pradesh Legislative Assembly on July 24, 1972 as announced by Shri P. C. Sethi, Chief Minister. Another legislator admitted to the 219-strong ruling party was Shri S. S. Singh Netam (JS).

The strength of the Congress party in the 296-member House went up to 223 with the admission of the four members¹⁴.

Expansion of Cabinet

The Chief Minister, Shri P. C. Sethi submitted a list of 11 new Ministers to the Governor on August 14, 1972. Of the new entrants, five were Cabinet members, three Ministers of State and three Deputy Ministers.¹⁵

Speaker's Election

Shri Gulsher Ahmed, Congress nominee was formally declared elected Speaker of the Madhya Pradesh Vidhan Sabha on August 14, 1972. Shri Ahmed's election was unopposed, as two other candidates withdrew their nominations. The new Speaker, immediately after

¹² *Hindustan Times*, June 6, 1972.

¹³ *Madhya Pradesh Chronicle*, July 29, 1972.

¹⁴ *Hindustan Times*, July 25, 1972.

¹⁵ *Times of India*, August 15, 1972.

taking over, announced his resignation from the active membership of the Congress party. Shri Ahmed succeeded Shri Tejlal Tembhare who resigned to join the State Cabinet.¹⁶

MAHARASHTRA

Land Ceiling Bill

A Bill to lower the ceiling on agricultural land in the State was introduced in the State Assembly by the Revenue Minister, Shri H. G. Vartak.

While the limit of 18 acres on the perennially irrigated land provided in the present Act was retained, the ceiling for the second category had been reduced from 48 acres to 27 acres. According to the Bill, a family consisting of five members, including minor children will be the unit for fixing the ceiling.¹⁷ The Bill was passed with two amendments on August 19, 1972.¹⁸

MANIPUR

Resignation by Minister

The crisis in the four-month old United Legislature Party Ministry of Manipur deepened with the resignation of Shri K. Envey, Minister of State for Industries on a directive by his party, the United Naga Integration Council (U.N.I.C.).

The withdrawal of the UNIC which had six members in the State Assembly, posed a major threat to the ULP which got as many as 40 votes in the 60-member House in the last trial of strength with the Congress led opposition during the Speaker's election.

MEGHALAYA

Four Legislators join APHLC

Four Independent MLAs, joined the ruling All-party Hill Leaders' Conference in Meghalaya on July 7, 1972. They were Shri P. G. Momin, Shri Mylliem Gap, Shri D. D. Lapang and Shri Samshul Haq.

¹⁶. *The Hindu*, August 18, 1972.

¹⁷. *Statesman*, August 8, 1972.

¹⁸. *The Hindu*, August 19, 1972.

¹⁹. *Ibid.*, August 2, 1972.

with this, the strength of the APHLC in the 60-member Assembly had risen to 36, including the Speaker, Shri R. S. Lyngodh.²⁰

MYSORE

Mysore Renamed Karnataka

The Mysore Legislative Assembly unanimously adopted on July 27, 1972 the Chief Minister, Shri D. Devraj Urs' resolution seeking to rename the State as "Karnataka". The unanimous decision came at the end of a three-day debate. The resolution requires the Government to take appropriate action towards getting the Constitution amended to give effect to the decision of the House.

The Mysore Legislative Council passed the resolution unanimously on August 5, 1972.²¹

Land Ceiling Bill

The Mysore Land Reforms (Amendment) Bill introduced in the Mysore Assembly on August 5, 1972 seeks to fix the ceiling of 10 acres for a family for first class land yielding two paddy crops a year. According to the financial memorandum appended to the Bill, the amount payable to the landowners would be recovered from the grantees in instalments. The scheme of payment and recovery was proposed to be made self-financing. Hence there was no likelihood of any net additional expenditure by Government.²²

ORISSA

PSP Merger with Congress

The Orissa Praja Socialist Party formally merged in the Congress when a special convention of the party held at Bhubaneswar on May 28, 1972 adopted a resolution ratifying the merger decision taken earlier by the party's executive committee. It said that the merger decision was taken to radicalise the country's politics; to fight back all reactionary forces and to fulfil the aspirations of the people." Shri Surendra Nath Dwivedi, supported the merger as he felt that it "would strengthen and consolidate the forces of progress and would be significant in the present politics of Orissa." Shrimati Gandhi in a message

²⁰. *Hindustan Times*, July 8, 1972.

²¹. *The Hindu*, July 28, 1972 and August 6, 1972.

²². *Ibid.*, August 6, 1972.

welcomed the merger and said: "I have no doubt that the State and the nation will benefit from this development."²³

United Front Ministry

After eight MLAs, including a Swatantra Minister and Deputy Minister withdrew their support, the Orissa United Front Cabinet decided on June 6, 1972 to advise the Governor to call a special session of the State Assembly on June 23 to test its majority.²⁴

New Orissa Cabinet Sworn in

On June 9, 1972, Shri Biswanath Das sent in his resignation and that of his Ministry to the State Governor, Sardar Jogendra Singh. Shri Das's move followed a decision by the Utkal Congress meeting in Bhubaneswar on the same evening to rejoin the Indian National Congress with immediate effect "to strengthen the hands of the Prime Minister to carry out her declared objective of socialistic growth and to bring up backward areas like Orissa to the national minimum level". The Utkal Congress also passed a resolution at the meeting to withdraw forthwith from the United Front Legislature Party and the Government and authorised the Legislature Party leader Shri Nilmony Routray "to communicate the decision at the proper level and take necessary action in that regard".

A seven-member Cabinet, headed by Shrimati Nandini Satpathy, was sworn in at Raj Bhawan on June 14, 1972. The Governor, Sardar Jogendra Singh, administered the oath of office and secrecy to Shrimati Satpathy and her six colleagues. After the swearing-in-ceremony was over, the Chief Minister said that the first task of her Government would be "to embark Orissa into the national mainstream" and attend to its basic and immediate task "with fairness, justice and equality to all". Earlier, Shrimati Satpathy resigned from the Union Council of Ministers and her resignation was accepted by the President.²⁵

Resignation by Speaker from Swatantra Party

Shri Nand Kishore Misra, Speaker of the Orissa Assembly announced on June 17, 1972 that he had resigned from the Swatantra Party. Shri Misra, former President of the Ganatantra Parishad,

²³. *The Statesman Weekly*, June 3, 1972, p. 3.

²⁴. *Ibid.*, June 10, 1972, p. 1.

²⁵. *Ibid.*, June 17, 1972, pp. 7 and 13.

which in 1962 merged with the Swatantra Party, had been a Member of the Assembly since 1952 from Bolangir district.²⁶

Land Reforms

The Orissa Cabinet decided to fix the agricultural land ceiling at 10 standard acres per family in place of the existing ceiling of 20. The Chief Minister, Shrimati Nandini Satpathy told newsmen after the Cabinet meeting on July 27, 1972 that the new ceiling law would be given retrospective effect from September 26, 1970.²⁷

Congress Strength in Orissa Assembly

The Congress party had a strength of 94 in the 140—member Orissa Assembly, the Speaker (Shri Nand Kishore Misra) announced in the House on August 21, 1972. Swatantra party,—the main Opposition, had a strength of 26 members, CPI 6, CPM 2 and Jana Congress 1. There were 11 Independents, including the Speaker.²⁸

RAJASTHAN

No land for non-tillers

The Rajasthan Government was determined to see that those who did not till their own land were not allowed to retain their agricultural holdings. This was declared by Shri Barkatullah Khan, Chief Minister while addressing a Kisan Rally at Asind in Bhilwara district on June 13, 1972. Shri Khan said that this would apply to all including high officials, Ministers and other influential people. Referring to the ceiling law on urban property, Shri Khan said that steps to implement it were already under way.²⁹

TAMIL NADU

Statewide Bandh call by Farmers

Fourteen people were killed in police firing and lathi-charge in Tamil Nadu during the 24-hour Statewide *bandh* on July 5, 1972. The *Bandh*, which had been called by the Action Committee of the State agriculturists in support of their agitation for reduction of power

²⁶. *The Hindu*, June 17, 1972.

²⁷. *Hindustan Times*, July 28, 1972.

²⁸. *The Hindu*, August 22, 1972.

²⁹. *Indian Express*, June 15, 1972.

tariff and postponement of loan recovery, evoked wide response in Vellore, Tiruvannamalai, Tiruchi and Srirangam. Shri M. Karunanidhi, Tamil Nadu Chief Minister in a statement blamed the agriculturists and their political supporters for the tragedy. He said that the 'Bandh' had not been a success.³⁰

Tamil Nadu Farmers End Agitation

The representatives of the Tamil Nadu Farmers' Action Committee, who met the Chief Minister, Shri M. Karunanidhi on July 13, 1972, agreed to discontinue their agitation. They agreed to find a peaceful settlement of their demands—mainly reduction in the agricultural power rates and deferment of loan repayment—through negotiations with the Government. A brief statement to that effect was read out to the Press by the Chief Minister in the presence of the representatives of the Action Committee.³¹

Land Ceiling Bill

A Bill to reduce from 40 to 30 standard acres the maximum extent of land that a family consisting of more than five members can hold, was introduced in the Tamil Nadu Assembly by the Revenue Minister, (Shri P. U. Shanmugham) on August 12, 1972 and passed by the Assembly on August 19, 1972. The maximum allowed for a family of five or less will remain 15 acres. According to the financial memorandum, the Bill provided for acquisition of surplus lands due to the deletion of exemption in respect of lands used for dairy farming or livestock breeding and due to the reduction of the ceiling area from 40 to 30 standard acres. The Act will take effect from March 1, 1972.³²

No-Confidence Motion

The no-confidence motion against the DMK Ministry headed by Shri M. Karunanidhi was defeated in the Tamil Nadu Assembly on August 13, 1972 by 179 members voting against and 27 for it. The House also rejected a motion expressing disapproval of the Ministry's policy in dealing with the farmers' agitation. Members of the Forward Bloc, Muslim League and Tamil Arasu Kazagam voted against

³⁰ *The Statesman Weekly*, July 8, 1972, p. 7.

³¹ *Hindustan Times*, July 14, 1972.

³² *The Hindu*, August 13, 1972.

the motions while the four Opposition parties—Congress, Congress (O), Swatantra and CPI, who sponsored the motions, voted for them.⁸³

UTTAR PRADESH

Two U.P. MLAs quit Congress

Shri Ramapati Tewari, a Congress MLA of Uttar Pradesh, resigned from the party on June 24, 1972. Shri Tewari was elected to the Assembly in a by-election from the Soraon constituency last year.

Shri Ganga Singh Yadav, MLA from Etah resigned from the Congress and joined the Bharatiya Kranti Dal.⁸⁴

U.P. Land Bill

The U.P. Government has referred to the Centre the question of the legality of the provisions of its Land Ceilings Bill giving retrospective effect to it in the light of the Supreme Court ruling striking down certain provisions of the Kerala Land Reforms Act. Disclosing this to newsmen, the Revenue Minister, Shri Udit Narayan Sharma said that the Centre had been asked to examine in this perspective the U.P. Bill which had already been introduced and would be considered in detail at the next session of the State Legislature.⁸⁵

No-Confidence Motion Defeated

After two days of debate on the no-confidence motion against the Tripathi Government, the Uttar Pradesh Assembly on August 3, 1972 rejected the Opposition motion by 257 votes to 115. The four members CPI group which had been supporting the Government in the past abstained.⁸⁶

WEST BENGAL

The West Bengal Chief Minister, Shri Siddhartha Sankar Ray, was elected to the State Assembly by a margin of 37,544 votes over his sole opponent in the by-election in the Malda constituency on June 4, 1972.⁸⁷

⁸³. *The Hindu*, August 13, 1972.

⁸⁴. *Hindustan Times*, June 25, 1972, and *the Hindu*, August 2 1972.

⁸⁵. *Ibid.*, July 13, 1972.

⁸⁶. *The Hindu*, August 4, 1972.

⁸⁷. *The Statesman Weekly*, June 10, 1972, p. 1.

Sessional Review

FIFTH LOK SABHA—FIFTH SESSION

The Fifth Session of the Fifth Lok Sabha commenced on July 31, 1972. After holding 25 sittings, aggregating to 156 hours and 31 minutes, the House adjourned *sine die* on September 4, 1972. A brief review of some of the important discussions held during the session is given below.

Agreement on Bilateral Relations between India and Pakistan

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[Laying a copy of the Agreement between the Government of India and the Government of Pakistan signed at Simla by the Prime Minister of India and the President of Pakistan on ~~the 2nd~~ July, 1972, the Minister of External Affairs, Shri Swaran Singh said on July 31, 1972 on the Agreement was a first step towards establishing durable peace on the sub-continent. It provided a framework which, if faithfully worked out, could bring about an altogether new relationship between India and Pakistan. The experience of the past 25 years showed that outside agencies and third party involvement had made the solution of problems between India and Pakistan extremely difficult. Recognising this, it was agreed by both sides that they would settle their differences by peaceful means through bilateral negotiations or any other peaceful means mutually agreed upon between the parties.

Another important feature of the Agreement was that both sides had agreed that the basic issues and causes of conflict which had bedevilled relations between the two countries during the last 25 years would be resolved by peaceful means. Both sides had further agreed that they would refrain from the threat or use of force against the territorial integrity and political independence of each other. Both Governments had agreed that pending the final settlement of any of the problems between the two countries neither side would unilaterally alter the situation. They had further undertaken that both sides would prevent the organisation, assistance or encouragement of any acts detrimental to the maintenance of peaceful and harmonious relations

A number of steps had been proposed for the normalisation of relations under the Agreement. They included communications,

travel facilities, trade, cooperation in economic and other agreed fields and exchange in the fields of science and culture.

Once these principles for the establishment of durable peace were accepted by Pakistan and Pakistan further agreed that in Jammu and Kashmir, the line of control resulting from the cease-fire of December 17, 1971, would be respected by both sides without prejudice to the recognised position of either side, the Governments of both the countries agreed to the withdrawal of their respective forces to their side of the international border. Action regarding withdrawals to the international border and delineation of the line of control in Jammu and Kashmir would have to be taken simultaneously. A smooth implementation of this would generate the necessary confidence for the growth of friendly and peaceful relations between the two countries.

The Agreement had come after a long period of conflict and confrontation between the two countries and opened up the possibility of establishing normal and cooperative relations in the sub-continent. The Agreement was based on the principle of equality of sovereign nations and not in the spirit of a victor dictating his terms to the vanquished. The Agreement was only a first step, a beginning in the process of establishing peace, friendship and cooperation.

The Minister then moved that the statement made by him be taken into consideration by the House.

The discussion on the Motion continued for two days in which as many as 23 Members participated.⁴⁾

Initiating the discussion, Shri Atal Bihari Vajpayee (JS) stated that the Simla Agreement amounted to betrayal of the nation and India had lost a golden opportunity for securing a durable peace. The Prime Minister had assured the country before her departure to Simla that the disputed issues between the two countries would not be settled piecemeal and there would be a package deal this time. But the Simla Agreement did not conform to her professions.

⁴⁾The Members who participated in the debate were Sarvashri Atal Bihari Vajpayee, Chandrajit Yadav, Samar Mukherjee, N. K. P. Salve, Frank Anthony, S. A. Kader, Dr. Govind Das, K. D. Malaviya, Indrajit Gupta, B. R. Bhagat, Krishnan Manoharan, B. P. Maurya, V. K. Krishna Menon, R. K. Sinha, C. M. Stephen, Shyamnandan Mishra, H. K. L. Bhagat, Ebrahim Sulaiman Sait, P. K. Deo, Chintamani Panigrahi, Samar Guha, Dr. H. P. Sharma and S. A. Shamim.

The Prime Minister had declared a number of times that Kashmir's accession to India was final and that the issue could not be reopened. But in the Simla Agreement, the Kashmir issue had been made a point of dispute.)

He alleged that India had accepted the Simla Agreement under the direct intervention of Russia and indirect intervention of America and urged that an all-party Parliamentary Committee should be appointed to find out the facts of third party intervention.)

Intervening in the discussion, the Prime Minister Shrimati Indira Gandhi, said:—

".....I must repudiate very strongly this constant contention that the Government of India is acting at the behest of some outside power.....

.....I make no tall claims. All I say is that, it is a beginning; it is a small beginning perhaps, but is a good beginning.....Pakistan and India have to decide, whether the interests of these two countries are complementary or they are always going to be conflicting. This is a major issue to decide. If we think that they are conflicting interests, then you can have one agreement or a hundred agreements and you will not have peace. But, if we believe as India has believed and India does believe to-day, our interests are the same, the major problems that we face are the problems of the poverty of our people, of the economic backwardness of the country and the effort at pressurisation of the foreign powers. We have had enough of falling into the trap of others. Today we must see what is in our real interests. And I think there is no doubt that the real interests of this country, as of Pakistan, lie in peace between the two countries.

.....In a situation like this, when we obviously have the upper hand, we are in a position to guide things.As some historian said, had the countries of Europe treated Germany with the understanding that India has shown to Pakistan, there would not have been a Hitler and there would not have been a Second World War.....A situation has been created whereby it is, I am not saying impossible, but difficult for Pakistan to do very much against us. It is for us by our action, by our behaviour, to see that this situation is maintained. It is not done by taking up some hard attitude or soft attitude, but by shaping things in such a way that the situation is such whereby the capacity for doing something against us is minimised.

.....The time has come when Asia must wake up to its destiny, must wake up to the real needs of its people, must stop fighting amongst themselves, no matter what their quarrels were before, no matter what the hatred and the bitterness were before.....If we

get involved in petty quarrels then we have to say good-bye to such a future and we will always be involved in conflicts. That is why we must now look not to the past, but to the future."

Replying to the discussion on August 1, 1972, the Minister of External Affairs, Shri Swaran Singh said that the Simla Agreement had received massive support not only from the people of India, but had been uniformly applauded by the entire international community. Even those countries which took a definite attitude hostile to India even at the time of the conflict, had praised the Indian initiative.

One favourable argument that was attempted was that a package deal had not been achieved. If one looked at the Agreement, it would be found that it was a good package. There were several important points on which there was an agreement. At the same time, agreement was also reached upon a method by which the other differences were to be resolved.

There should be no doubt in the mind of anybody that it was in Pakistan's interest to have peace, so that the type of programmes on the basis of which President Bhutto had won the election could be implemented. President Bhutto had given expression to such feelings in the National Assembly.

As regards Kashmir, India's position was clear. Kashmir had acceded to India and it was part of India. So, the sovereignty over Kashmir was not negotiable. The accession was complete and final. There was nothing in the agreement which in any way derogated from that position which had been consistently adopted. In view of the fact that part of Kashmir was still under the illegal occupation of Pakistan and there were still some U.N. Observers there, ruling out talks on Kashmir would be going away from the reality. So, what the Government had done was to safeguard her position and also to get Pakistan's agreement that all such matters would be solved bilaterally.

The argument that the territory which was under military occupation was territory for the vacation of which a constitutional amendment was required was internationally dangerous, apart from being absurd in law. It was something which was totally untenable.

A point had been raised that the ratification should have been approved by Parliament. Under the Constitution, it was the obligation of the Executive to ratify the Agreement. In fact, by ratifying it

and by not involving Parliament in it, the Government had shown the highest respect for Parliament.

After the speech of the Minister, the following substitute motion moved by Shri Chintamani Panigrahi was adopted.

"This House having considered the statement made by the Minister of External Affairs in Lok Sabha on the 31st July, 1972, regarding the Agreement on Bilateral Relations between India and Pakistan signed at Simla on the 2nd July, 1972, places on record its deep appreciation of the initiative which the Prime Minister and the Government of India have taken by concluding the Simla Agreement for preparing the ground for durable peace in the sub-continent".

Meeting of the Representatives of India and Pakistan

Making a statement regarding the meeting of the representatives of India and Pakistan, the Minister of External Affairs, Shri Swaran Singh on August 30, 1972 said that frank and comprehensive discussions were held between the Pakistani delegation headed by Mr. Aziz Ahmed, Special Envoy of President of Pakistan and the Indian delegation led by Shri P. N. Haksar, Principal Secretary to the Prime Minister from August 25 to 29, 1972 on the developments since the Simla Agreement, with a view to resolving any doubts that might have arisen.

Some differences had arisen in the discussions between the Indian military commander and the Pakistani military commander regarding the delineation of the line of control in Jammu and Kashmir resulting from the ceasefire of December 17, 1971. The discussions held between the Indian and Pakistani delegations had resolved the differences and it had been agreed that the line of control in Jammu and Kashmir would be delineated along its entire length and maps showing that line would be exchanged by both sides. The delineation of the line would be completed by September 4, 1972. The inviolability of this line would be ensured by both sides in terms of the Simla Agreement. Withdrawals in terms of the Simla Agreement would be completed by September 15, 1972 as mutually agreed by the two delegations.

As for the question of return of prisoners of war and civilians internees, the Indian delegation had reiterated to the Pakistan Delegation that this question could not be settled without the participation and agreement of the Government of Bangladesh. It was also

impressed on the Government of Pakistan that any delay in the recognition of Bangladesh by them would hamper the process of durable peace and normalisation of relations and delay the achievement of the objectives set out in the Simla Agreement. It was earnestly hoped that Pakistan would not further delay the recognition of the realities of the new situation on the sub-continent.

Regarding the need to ensure the safety of the person and property of the Pakistani nationals, who had been affected by the war and who had remained in the territories of Pakistan occupied by the Indian forces in Sind or crossed into the territory of India, Pakistan had decided to send Rana Chandar Singh, a member of the Sind Provincial Assembly and two Members of Parliament from Thaparkar to visit the area, even while it was under the occupation of the Indian Army, to reassure the people who were still residing there. The President of Pakistan had also assured the Prime Minister in his letter that all those affected persons would not only be welcome to return to their homes but would be assured of safety of life and dignity as Pakistani nationals. The Government of India had agreed to the suggestion.

Normalisation of Relations with China

Raising an Half-an-Hour discussion regarding "normalisation of relations with China" on August 16, 1972, Shri Samar Guha said that it was disappointing to know that China had blocked the entry of Bangladesh into U.N.O.

A radical change was visible in the internal politics of China and she was trying to normalise her relations with other powers. Similarly her attitude towards India was also changing. China was no longer encouraging Naxalites. India should, therefore, take initiative to normalise relations with China, as that was essential for making the Indian sub-continent a base of peace.

Replying, the Minister of External Affairs, Sardar Swaran Singh said that so far as the broad policy of the Government towards China was concerned, it had always been of the view that whatever might be the differences or disputes between the two countries, there could not be any escape from the ultimate emergence of a situation where the people of India and the people of China would live in peace and as good neighbours. While keeping the objective to do everything possible to improve relations, the main effort of the Government had been

not to do anything, which unnecessarily exacerbated relations between the two countries. At the same time, a realistic view of the situation as it was today had to be taken.

The Government had made several statements outside and inside the House expressing her desire to improve relations with China. Notwithstanding India's willingness to improve relations, there was not at the present moment any clear response from the Chinese side.

There had been no effort made by any third country to take any initiative for bringing about improvement of relations between India and China. The relations between these two great countries could improve only by bilateral effort.

The question of sending an Ambassador or raising the diplomatic representation to ambassadorial level was only a question of raising the level of representation. Either country on any occasion could notify the other that it had decided to upgrade the level of representation. No important principle was involved in it. If it was found that by upgrading the level of representation India's contacts there would be established at a higher level to some useful purpose, it would be done without any hesitation. The Government was prepared to have trade relations with China. If they were prepared to buy anything, India might be prepared to sell it to them and *vice versa*.

The attitude of China was well-known on the question of Bangladesh. Their attitude was tilted in favour of Pakistan, and, unfortunately, in favour of a military regime which had unleashed terror and violence against the people of Bangladesh. Even today, when Bangladesh had been recognised by four out of the five permanent members of the Security Council and also by over 80 members of the United Nations, the Chinese attitude in the U.N. appeared to be to block its entry. It was all the more tragic that a country like China, whose own entry to the United Nations had been blocked by others was now adopting an attitude against the majority view of the UN members and threatening to exercise the exceptional right, which permanent members of the Security Council had, to veto entry of Bangladesh into the United Nations. The power of veto was a power which was very sparingly exercised when issues relating to peace and war were involved. To keep a country of 75 million out and to threaten the use of veto was certainly not a very encouraging features.

Asians in Uganda

Making a statement regarding "Asians in Uganda" on September 4, 1972. the Minister of External Affairs, Sardar Swaran Singh said that after President Amin's speech of August 9, 1972 announcing the expulsion of Asians of foreign citizenship within 90 days, a decree was issued on the same day cancelling entry permits and certificates of residence of all persons of Asian origin, who were citizens of U.K., India, Pakistan or Bangladesh. Some categories of persons such as those in the employment of Government, international organisations and para governmental organisations and professionals such as teachers, school-owners, lawyers, medical practitioners, auditors, etc., were exempted. The Uganda Government were now preparing lists of exempted persons, who would shortly be notified.

On August 19, President Amin declared that citizens of Uganda of Asian origin would be required to quit as a second phase operation. However, on August 22, President Amin announced that citizens of Uganda of Asian origin would not come within his order of expulsion within 90 days, but that citizenship document would be carefully scrutinized.

There were four categories of people of Asian origin in Uganda: Ugandan citizens, British passport holders, Indian nationals and stateless persons. India had accepted responsibility for Indian citizens in Uganda. The Government had written to Uganda's Minister for Foreign Affairs pointing out that while it recognised the Uganda Government's right to regulate their internal affairs according to their best judgment, it would expect that Indian nationals who were required to leave their country were enabled to do so under conditions conforming to humane and equitable standards under international law and usage. It had also been impressed on the Government of Uganda that they should announce urgently their regulations in respect of sale of properties, realisation of assets, transfer of assets out of the country and administration of residual assets.

There are about 4500 Indian Nationals in Uganda who had notified themselves to the Indian High Commission there. Of these, India had collected detailed statistics regarding 3863 persons and information about the remainder would be completed within the next few days. As far as these persons were concerned, arrangements had already been initiated for their shipping and airlifting and for extending Customs and Imports Control concessions. The Government were also concerned at the repatriation of their assets and the present

facilities for the repatriation of cash and movables were wholly inadequate in relation to their long residence in Uganda as well as for starting a new life. It had, therefore, been urged upon the Government of Uganda that the Indian nationals should be allowed to bring all their personal belongings, while the repatriation of their residual assets should be on a fair and equitable basis.

As the House was already aware, the Government of U.K. had accepted full responsibility for persons of Asian origin in Uganda holding British passports. The Government had noted with satisfaction the clear and forth-right approach of the U.K. Government to this problem.

Answering questions, the Minister said that the Government was trying to tackle the matter both at the political level and at the administrative level. It attached the highest importance to finding a satisfactory solution so that the suffering and hardship of the people concerned might be reduced as much as possible.

As regards taking up the matter in the international forum, there were certain limitations. This matter would have to be settled bilaterally with the Government concerned.

In the matter of bringing properties, particularly movable properties, certain restrictions had been imposed by the Government of Uganda. At the present moment, the restrictions were that the movable personal effects of the value of about 9,000 shillings were allowed plus another 1000 shillings by way of cash. India had been urging that this limit should be more liberalized.

Drought Situation in the Country

A discussion under Rule 193 on a matter of urgent public importance on "Drought Situation in various parts of the country" was raised in the House on August 3, 1972 by Shri Jyotirmoy Bosu.

Initiating the discussion, Shri Jyotirmoy Bosu said that the country was faced with a serious crisis. There were drought, unprecedented famine and unemployment, and 12 States had been affected, involving 75 million people.

The Government must accept a large part of the responsibility for lulling the country into unjustified complacency regarding foodgrains production in the last crop year ending June 30. They had not made

any mark in the matter of providing irrigation. There was a shortfall of two million tonnes of foodgrains.

There was an utter failure on the part of the Government to use the surface, subsoil and rainwater through major, medium and minor irrigation. Upto the Fourth Plan only one-third of the surface water resources had been harnessed. The average annual surface water resources of the country had been placed at a total of about 168 million hectare-metres. Out of this only about 56 million hectare-metres could be used for irrigation.

The discussion continued for about 5 hours in which as many as 43 Members took part.*

Replying to the discussion, the Minister of Agriculture, Shri F. A. Ahmed said that it was a fact that the country was in the grip of a very severe drought. Last year there were droughts and floods in many parts of the country. The drought was continuing in three States—Maharashtra, Mysore and Andhra Pradesh. The new States which had been experiencing drought were Uttar Pradesh, Bihar, Rajasthan, Madhya Pradesh, Tripura and Manipur. Some other parts of the country had been affected by the floods. The present condition was, therefore, of a very serious nature. The Government was taking the necessary steps to overcome them. It had been decided to tackle this problem on a war basis. Certain measures had been suggested and the Government would try to see that those measures were implemented by the States as early as possible. The underlying objectives in taking those measures was to reduce the loss to the minimum extent possible and to make up during the *Rabi* season whatever loss had occurred during *Kharif*.

The Government contemplated a massive programme of supplying pump-sets for lifting water from nearby rivers, streams, ponds,

*The Members who participated in the discussion were Sarvashri Bhagwat Jha Azad, M. Kalyanasundaram, Anadi Charan Das, J. M. Gowder, Dinesh Singh, Atal Bihari Vajpayee, Shanker Rao Savant, P. K. Deo, D. N. Tiwary, S. N. Singh, Rana Bahadur Singh, Shyamnandan Mishra, N. Tombi Singh, M. C. Daga, K. M. "Madhukar", Balakrishna Venkanna Naik, Shiv Kumar Shastri, D. D. Desai, C. D. Gautam, Natwarlal Patel, Sukhdeo Prasad Verma, Vasant Sathe, K. Suryanarayana, Md. Jamilurrahman, N. K. Sanghi, Biren Dutta, Chandrika Prasad, M. R. Gopal Reddy, Ram Shekhar Prasad Singh, R. D. Bhandare, Sat Pal Kapur, Janaki Ballav Patnaik, K. Ramakrishna Reddy, R. P. Yadav, Bishwanath Roy, Shankar Dayal Singh, Nathu Ram Ahirwar, N. P. Yadav, Shibban Lal Saksena, Chhatrapat Ambesh, Ramkanwar, Nageshwar Dwivedi and Shrimati Sahodrabhai Rao.

lakes, etc. All States would be advised that electric power for tubewells and pump sets should be made available round the clock so that maximum irrigation supply was mobilised. Wherever necessary, rigs might be used to deepen the wells for increasing the water output. All tubewells, dugwells etc., in an advanced stage of construction should be completed expeditiously to provide irrigation in the current season. On canals, more outlets should be allowed for irrigation to irrigate crops in concentrated areas. Immediate coordination could be organised between Irrigation and Agriculture Departments so as to enable maximum use of water to save the crops from the effects of drought.

It was proposed to set up a Committee which would supervise the work undertaken in various States and it was hoped the States would be in a position to appreciate the cooperation and help which the Centre wanted to give them in this direction.

Some of the Members criticised the Government for not taking any action during the past few years for improving irrigation in the country. The position was that as against a total irrigated area of 30.8 million hectares in 1965-66, the corresponding figure for the year 1971-72 was 42.2 million hectares. Government had taken action to provide increased irrigation facilities and whatever was possible had been done.

The Government had taken up programmes of work in 54 drought-prone areas. That had been taken as a pilot project during the present Plan period. This programme would be extended in the next Plan period so that the drought-prone areas were covered not only in those 54 districts but practically all over country.

Working of Food Corporation of India

A discussion under Rule 193 on a matter of urgent public importance on the "working of Food Corporation of India" was raised in the House on September 4, 1972 by Shri Piloo Mody (Swan.)

Initiating the discussion, Shri Mody stated that the Food Corporation of India had perhaps the largest turnover in the whole of Asia, i.e. Rs. 2000 crores. Out of the said amount, several crores of rupees had disappeared. The fraud having come to light, the Chairman of the Corporation had been trying in one way or the other to whitewash his own image.

On the pretext of streamlining the administration and eradicating the corruption, the Chairman had centralized the commercial transactions under him. There was centralisation of tender enquiries and opening of global tenders in which all manner of finagling went on by allowing some tenders to be opened earlier and other tenders being allowed to be submitted later, so that juggling of one sort or another could go on. In short, there was no conceivable activity in the Food Corporation in which the fullest use of exploitation had not been made for the purpose of draining that organisation of its vitality and efficacy.

He demanded that the Minister should disclose the facts which had emerged from the enquiry conducted through the CBI. The Government should also state the reasons for not removing the Chairman of the Corporation from the office, as he was tempering with the records in order to do whatever he could to whitewash his action.

Ten Members participated in the discussion.*

Intervening in the debate, the Minister of State in the Ministry of Steel and Mines, Shri Shahnawaz Khan** maintained that the Food Corporation of India had done a magnificent service to the farmers as also to consumers all over the country. About 90 lakhs of refugees came from Bangladesh and they came at a time when there were heavy rains, floods, etc. Due to the FCI, the Government was able to feed all those people. It was said that foodgrains were rushed to Assam. In fact, it was the responsibility of the FCI to store foodgrains in strategic places so that they were available at the time when they were required. If there had been any mal-practice or anything like that, it was always open to the Government to have that inquired into.

Replying to the discussion, the Minister of Agriculture Shri Fakhruddin Ali Ahmed said that certain allegations had been made against the Chairman and the Officers of the Food Corporation. All these matters were under examination and, whatever action was called for, would be taken by the Government after the matter had been carefully examined.

*The Members who took part in discussion were Sarvashri Shyam Sunder Mohapatra, Jyotirmoy Bosu, Darbara Singh, Jharkhande Rai, R. N. Sharma, Era Sezhiyan, Sadhu Ram, Jagannathrao Josh, Shri Prasannbhai Mehta and Samar Guha.

**Shri Shah Nawaz Khan was Chairman of F.C.I. from December, 1968 to January, 1971.

It had been demanded that the Chairman should be suspended before taking any action. It would be very unfortunate to punish a person without knowing his guilt. The Chairman was asked to explain and his reply was received on August 5, 1972, which was under examination. Some of the points mentioned therein required verification from various documents and various books in the possession of the departments concerned.

It would be very unfair on the part of anyone to say that the F.C.I. had not served the purpose for which it was established. Whichever direction one might look to, it would be found that the work of the F.C.I. had multiplied five or six times ever since it was established. The total turnover of the Food Corporation was Rs. 1600 crores and not Rs. 2000 crores.

A point was raised that some rice was taken in an aeroplane to Assam and for that the responsibility of the Food Corporation had been alleged. There was no such transshipment of rice by the Food Corporation or the Food Department by plane. What actually happened was that some of the aeroplanes which were bringing refugees from Assam to Madhya Pradesh and other areas were going back empty and in those empty planes, it was very likely that some foodgrains had been sent. The Agriculture Department had utilised that vacant space for the purpose of taking foodgrains to Assam and other difficult border areas.

It would be very unfair to place certain facts or the views of the Government without the matter being examined by the judicial body or by some other body. Whatever allegations had been levelled, whether they were against the Chairman or the officers, or the employees, they would be looked into very carefully and after the report was available, it would be placed before the House.

Flood situation in various parts of the Country

A discussion Under Rule 193 on a matter of urgent public importance relating to the "flood situation in various parts of the country" was raised on August 8, 1972 by Shri D. K. Panda.

Initiating the discussion, Shri D. K. Panda said that in West Bengal, Assam, Orissa and Bihar, specifically in the eastern zone, floods had brought about severe damages affecting hundreds and thousands of people. Immediate relief measures were not rushing in, rescue of persons about to be drowned was not being done and those

who were rendered homeless were not being provided shelter. In the present circumstances when quick decisions to implement relief measures expeditiously were necessary, Government machinery was not functioning properly.

The total loss on account of flood and drought in the country had been estimated to be Rs. 24,000 crores from 1953 to 1971. When this was the position, what was the Government going to do about the permanent measures to be taken up? The Government was actually not taking any effective measures. There was no integrated scheme to control the floods and to harness Nature. Concrete measures had to be taken immediately to save the lives of hundreds of people who were dying in Orissa, West Bengal, Bihar and Assam. So, a coordinated plan between the different Ministries had to be taken up and implemented.

The discussion continued for about four hours in which as many as 23 Members participated* in the debate.

Replying to the discussion, the Minister of Irrigation and Power, Shri K. L. Rao informed the House that out of a total area of 200 million acres of land prone to the flood havoc, about 60 million acres had been protected since 1954, when the national plan was introduced. The Government aimed at completing protection for another forty million acres from the flood havoc so that by 1981 atleast fifty per cent of the area was free from flood havoc.

In the whole country, there was practically no flood problem except in the Gangetic basin, Orissa and Brahmaputra. As regards Orissa, the Mahanadi had been controlled by the Hirakud dam and a number of embankments. There were three more rivers troubling Orissa viz., Brahmini, Baitarini and Subarnarekha. These three rivers systems could not be controlled unless certain projects were constructed.

The Ganga basin was very important because 40 per cent of the country's population was there. The Government had been trying to

*The Members who participated in the discussion were Savashri L. D. Kotoki, Shyama Prasanna Bhattacharyya, Chandrika Prasad, J. Mehta Gowder, Arjun Sethi, G. P. Yadav, Hari Kishore Singh, P. K. Deo, A. K. M. Ishaque, Samar Guha, Dinesh Chandra Goswami, Kumar Majhi, B. K. Daschowdhury, Chintamani Panigrahi, Biren Engti, Dharnidhar Das, N. Tombi Singh, Balakrishna Venkanna Naik, M. C. Daga, Shyam Sunder Mohapatra, N. P. Yadav, Mulki Raj Saini and Shrimati Sheela Kaul.

identify some areas urgently where the work should be done. The Ganga Flood Control Commission had been set up and it was hoped that good results would emerge out of it.

Brahmaputra was the most difficult problem in the whole world from the point of floods. Coming from Tibet, it carried much less water and all the water was added within the territory of Assam. Therefore, the tributaries were not only important, but they required to be controlled properly. The only way of controlling the tributaries was by construction of dams and with this idea, the Brahmaputra Flood Control Commission was established. The North Bengal rivers like the Tista and all others which formed tributaries of the Brahmaputra would be taken up together along with the Brahmaputra. Government agreed that more and more efforts should be put to tackle the problem.

The main point was that the flood control work and the irrigation projects were all part of the State plan. It was not so only for West Bengal but for every State. Every State had got to make adjustment accordingly. Money was given as block grant or block loan, and out of that, each State had to meet the flood problem, unless the National Development Council decided otherwise.

Delay in the completion of Farakka Barrage Project

A Calling Attention Notice on the reported "failure of the Government to complete Farakka Barrage Project as scheduled and assuring discharge of adequate quantum of Ganga water through the feeder canal into the river Hooghly" was tabled by Sarvashri Samar Guha, B. K. Daschowdhury, Ranen Sen, Jharkhande Rai and S. M. Banerjee. The matter was raised in the House on August 16, 1972 by Shri Samar Guha.

Replying, the Deputy Minister in the Ministry of Irrigation and Power, Shri B. N. Kureel said that the main objective of the Farakka Barrage Project was to provide regulated upland discharges into the Bhagirathi-Hooghly system in order to bring about improvement in the navigability of the Hooghly for the preservation of the Port of Calcutta. For this a barrage across Ganga and a Feeder Canal to carry the waters to Bhagirathi and other ancillary works were sanctioned in 1960. Expenditure sanction was given in 1962. The barrage work was started early in 1963. Barrage and Canal works were originally scheduled to be completed by June, 1971. The present position was that Farakka Barrage and most of the ancillary works were completed by July, 1971. The rail-cum-road bridge over it had also been completed and it had provided rail and road links to North Bengal.

The Feeder Canal was one of the largest and difficult constructions in the world, having a bed width greater than even the International Suez Canal in Egypt. The work on the canal was started in 1965 and has spread over a number of working seasons, some of which were short owing to early rains and sustained prolonged floods. There was a great labour unrest since 1969, both in contractors' organisations as well as in departmental work, affecting the pace of work. Notwithstanding the above, more than 80 per cent of the work of the Feeder Canal had been done and the balance was expected to be completed by December, 1973. It would be possible to let down the Ganga water through the Feeder Canal early in 1974.

Answering questions, the Minister of Irrigation and Power, Dr. K. L. Rao said that the repair of the port of Calcutta was the major objective of the Government and they would do all in their power to save that port. The whole trouble was in the lean months when the discharge of water was very little. Therefore, the Government were already thinking of various alternatives. One of the alternatives being thought of was the exploitation of ground water in the Gangetic basin.

The Ganga-Brahmaputra canal project had also been engaging the attention of the Government. Its execution had to be delayed because some problems of the Bangladesh region, through which the canal passed, had to be sorted out.

The Government wanted to connect not only two rivers but it was her object to link up the waters, so that the rivers with surplus water could be linked up with rivers with less water, and there could be exchange of water from one river to the other.

Power crisis in different parts of the Country

A discussion under Rule 193 on a matter of urgent public importance regarding the "power crisis in different parts of the country" was raised on August 22, 1972 by Shri Samar Guha.

Initiating the discussion, Shri Samar Guha said that the present power crisis in the country was extremely alarming in view of its effect on the national economy. Power crisis was not a sudden phenomenon, it was a continuous process going on for the last several years, the reason being faulty planning in regard to the power requirements of the country. The production in all spheres was being cut as a result of power shortage. When there was loss in production, it resulted in unemployment, price rise, and eventually in inflation. Therefore, the

power crisis in many aspects had been leading to a pernicious cycle of the economic crisis in the country.

There was duplication of organisations. Instead of three different organisations, viz. the Irrigation & Power Ministry, the Planning Commission and the Central Water & Power Commission, dealing with the assessment of power requirements for the country, there should be a Central Power Production & Distribution Authority. The State Electricity Boards had also failed to tackle the problem of power in the States. The Centre should, therefore, take over the subject from them.

Some regional grids could be set up to meet the crisis on a short-term basis. Sixteen per cent of electricity was lost in the process of transmission of electricity. The Government should give serious attention to this matter with a view to reducing it to half.

The Government might not rationalise power supply in the case of industry or agriculture, but drastic rationalisation of power supply was necessary in the domestic and other spheres.

The discussion continued for four hours in which as many as 28 Members participated*

Replying to the discussion, the Minister of Irrigation and Power Dr. K. L. Rao stated that it was wrong to infer that there was no planning and that the shortage remained unnoticed. It had been extremely well planned for the last ten years. The planning was based upon 'annual load surveys'. Load survey was conducted every year by members representing not only the technical people but also industry. Accordingly, when the Fourth Plan was under consideration, the Ministry of Irrigation and Power pressed for 26 million Kilowatts. But, unfortunately, because of the financial resources and other considerations, Government could not adopt it and only planned for 23 million kilowatts. At the moment there was shortage of power in Punjab, Haryana and U.P. in the northern region, Gujarat in the Western region, Calcutta in the eastern region and Andhra Pradesh in the southern region.

*The Members who took Part in the discussion were Sarvasbri Darbara Singh, Dinen Bhattacharyya, Bibhuti Mishra, Ranen Sen, P. Venkatasubbaiah, C. Chittibabu, Nawal Kishore Sinha, Phool Chand Verma, Kushok Bakula, Khemchandbhai Chavda, Paripoornanand Painuli, Ramsahal Pandey, D. D. Desai, Govind Das Richhariya, P. Gangadeb, Pratap Singh Negi, Nathu Ram Ahirwar, Sadhu Ram, K. D. Malaviya, N. N. Kallas, Sat Pal Kapur, M. C. Daga, K. Ramakrishna Reddy, Balakrishna Venkanna Naik, Shiva Chandika, Jyotirmoy Bosu, Chandrika Prasad and Shrimati Sahodrabhai Rai.

The shortage in Haryana and Punjab was due to the fact that the Bhakra reservoir, the only source of water supply to Bhakra Dam had not been filling up. Added to that, there was the difficulty of the diversion of Beas. If Beas was diverted into Bhakra, Bhakra could have got filled up easily. The only solution lay in the completion of that project. It was expected that by June 1973, the project would be completed and there would be diversion of water into Sutlej soon.

Delhi had got some surplus power. The Government was trying to pass on that surplus power to Haryana. The Government were also trying to get power from Satpura.

In Uttar Pradesh also the main trouble was inadequacy of power and during the last 3 or 4 years the Government had been trying to raise it up. Some machines were being imported to quicken up the pace of construction there.

So far as Andhra Pradesh was concerned, just like U.P. it was highly short of power. Somehow the Andhra Government had not given sufficient importance to power generation. They had got large amount of coal in their own State; they had got other resources, yet, they had not developed the power resources, though it was a deficit State in power.

In the eastern zone, in Bihar, Orissa and West Bengal, the total amount of installed capacity was 4.5 million KW. That meant that they must not only be able to meet their own demands, but they must have even some surplus. But in spite of that, complaint of shortage of power was being received from Calcutta. There were other places like Jamshedpur etc., but there it was a question of power failure, breakdowns. That was an area which had got to be looked into.

The only way in which the Government could try to meet the situation was to set up and sanction some more projects and try to expedite the things as quickly as possible. Even then it took about four to five years for a power station to be commissioned. Sanction had been received from the Planning Commission for adding one more unit to the Bandel power station, and the Chandrapura power station. Also the Dalkora power station was being taken up as a Central generation project, so that neither West Bengal nor Bihar need pay for it. A power station has also been sanctioned for Muzaffarpur to meet the power requirements of North Bihar and North Bengal.

In Andhra Pradesh, there was a chronic power shortage. The only way in which it could be met was by sanctioning a number of projects.

Kothagudam was practically sanctioned. There was another one near Vijjawada. The Government was thinking of putting up a coal pit-head project at Ramgundam. These schemes were all under consideration and would be taken up shortly.

With regard to Gujarat, there would not have been shortage but for what had been happening at Tarapore. Besides, in the case of the Ukai Hydro-power project, unfortunately there had been a slippage in the matter of delivery of equipment which was being made locally. That explained the delay. Otherwise, in North Gujarat, the power station at Gandhinagar had all but been sanctioned.

The Government planned to add 20 million KW in the next five years. In that context, some steps had to be taken and a new approach had to be adopted. The most important thing in the new approach was to have an organisation at the Centre—a Central controlling Organisation to control the regions.

Steep rise in Prices of Essential Commodities

A Calling Attention Notice on the "reported steep rise in the cost of living index and prices of essential commodities including food articles and the steps taken by the Government in this regard" was tabled by Sarvashri S. M. Banerjee, Vikram Mahajan, Atal Bihari Vajpayee, Ranen Sen and Shashi Bhushan. The matter was raised in the House on July 31, 1972 by Shri S. M. Banerjee.

Replying, the Minister of Finance, Shri Y. B. Chavan stated that the Government shared the anxiety of the House at the rise in the prices of essential consumer goods, particularly food articles, and the consequent hardship caused especially to the lower and middle income groups. The All-India Industrial Worker Consumer Price Index (base 1949-100) for May 1972 had increased by 6.3 per cent to 238 from its levels of 224 for May 1971. The Consumer Price Index had remained fairly steady between June 1970 and May, 1971, but rose thereafter and reached 239 in November 1971; in the following three months there was a downward trend and for February, 1972 the index stood at 235. From March, 1972 there was again an upward trend and in May 1972 the Index had slightly crossed the level of December 1971. As the wholesale prices, particularly of food articles, since May 1972 had been increasing, the Consumer Price Index for June and July (when available) was likely to reflect a similar trend.

While some pressure on food articles was a usual phenomenon, the seasonal factors had accentuated it because of the delay in the onset

of the monsoon and the dry spell. Contrary to earlier expectations, the output of foodgrains in 1971-72 had failed to rise; in particular the production of coarse grains appeared to have declined significantly as a result of the damage caused by floods and drought during 1971-72.

Further there had been a substantial increase in money supply in the preceding years because of the refugees from Bangladesh and the confrontation with Pakistan. The impact of such monetary expansion had to be felt sooner or later. On the other hand, the imports of foodgrains had been declining from year to year and concessional imports had ceased from January, 1972.

A fairly restrictive monetary policy was being pursued since January, 1970. In order to keep monetary demand within reasonable limits, the Government had been effecting economy in non-plan expenditure, and the State Governments had been told not to resort to overdrafts from the Reserve Bank of India and to clear the outstanding ones according to a phased programme. In January, 1972 the Food Corporation of India had been directed to undertake open market sales of wheat to check the rise in its prices. The Corporation had also been opening sales centres in important places for sale of foodgrains (including pulses). Similarly, the Government had made arrangements with the sugar mills in January, 1972 for distribution of 60 per cent of the sugar production to the consumers through fair price shops at fixed prices; this arrangement had been put on a statutory basis from July 1, 1972.

As regards ensuring adequate supply of cereals to the weaker sections of the society, the Government had been operating a public distribution system which operated through a net-work of over 1,25,000 fair-price shops. Stocks of foodgrains with the Government at present were over 9 million tonnes and instructions had been issued to the State Governments to extend the coverage of the public distribution system both in the urban and rural areas.

The economy had been operating on a fine balancing of demand and supply in several key sectors. The ultimate solution lay in increasing production, both in the agricultural and industrial sectors; this was being attempted through planned development.

The question of steep rise in prices was again raised on August 10, 1972, when Shri Prasannbhai Mehta moved the following motion:—

“That this House do consider the unprecedented rise in the prices of essential commodities and the Government's inability to check the rising trend”.

Initiating the discussion, Shri Mehta said that the rise in the prices of essential commodities was a matter of serious concern. The prices of all essential commodities had gone skyhigh and in spite of promise given every time, the Government had failed to arrest the rising trend of prices. The result was that it had become impossible for the common man to meet the bare needs of life today. The Government employees, the fixed salary groups, employees of local Governments, teachers of schools, colleges and universities and the huge labour force employed in small factories had become the direct victims of the rise in prices.

The Government's plea was that the rise in prices, especially of the foodgrains, was due to seasonal factors, but it was not so. The economy of the country had considerably deteriorated by the wrong economic policy of the Government. Deficit financing had played a role in raising the prices of essential commodities. A disproportionate supply of money had adversely affected the economy and there had been a failure to bring to book the blackmarketeers.

The debate continued for more than six hours in which as many as 17 Members participated*

Speaking on the Motion, the Minister of State in the Ministry of Finance, Shri K. R. Ganesh stated that the Government had made a pledge to the people that prices would be kept at constant position and it was necessary to save the vulnerable sections of society so that there was no erosion of the income that they were having.

To tackle the immediate problems at the highest level, the Prime Minister called a meeting of the Opposition Leaders. The Government had also been discussing it. Certain very vital decisions had been taken by the Food Ministry in terms of public distribution and in terms of release of more stock—already the Government had released some 6 to 7 lakhs tonnes of foodgrains for the vulnerable sections of the society.

An element of deficit financing which Government never envisaged had to be resorted to due to Bangladesh crisis, drought, flood condi-

*The Members who took part in the discussion were Sarvashri R. D. Bhandare, S. M. Banerjee, B. R. Bhagat, Era Sezhlyan, Narsingh Narain Pandey, Jyotirmoy Bosu, Amrit Nahata, Jagannathrao Joshi, Surendra Mohanty, Bhagwat Jha Azad, D. D. Desai, Madhu Dandavate, Dinesh Chandra Goswami, P. Ranganath Shenoy, T. Sohan Lal, C. M. Stephen and Shrimati Gayatri Devi of Jalpur.

tions etc. The shortage of industrial raw materials and various other factors had also contributed to the present spurt in prices.

The Essential Commodities Act had got to be implemented by the State Governments. The recent raids by the Delhi Administration had resulted in bringing down the prices of certain commodities. If there were more raids, with basic adherence to the policies of production and investment, with correct doses of deficit financing, with proper control and squeezing of money supply and credit by the banks, Government could march forward in the direction of its long-term basic aims. The Indian economy was sound and had been built upon sound foundation and it would be able to stand up to the crisis.

Intervøning in the discussion, the Minister of State in the Ministry of Agriculture, Shri Annasaheb P. Shinde said that there was nothing wrong with Government's approach to the strategy in agriculture. The problem of price rise should be viewed in a wider perspective. Many people had an impression that last year was a very normal year. But it was not so. Not only the Government had to feed to 10 million refugees, but there was a very serious drought in Andhra Pradesh, in some parts of Mysore, Maharashtra and Rajasthan. Added to that, there was a very severe flood situation in Bihar, West Bengal and eastern Uttar Pradesh. These factors had naturally affected very severely the production of rice, coarse grains and maize. Despite this set-back, agricultural production, though it had not come upto expectations, had not fallen down substantially. The fall was only marginal.

Despite great difficulties, the Government had undertaken a number of measures to add to production. It was an extremely dry summer. The Government attached great value to self-reliance and instead of resorting to imports, it had an ambitious production programme to meet the crisis.

As for the buffer stock, it was 6.5 million tonnes in wheat, 2.5 million tonnes in rice and half a million tonne of coarse grains. It was true that in many States the public distribution system was not functioning properly. Except for West Bengal, Kerala and also Maharashtra, in the rest of the country arrangements were not satisfactory and that was why there were certain distortions in the economy even though sufficient stocks were available.

Previously the Food Corporation was selling foodgrains in the open market. But when prices started moving up and anti-social elements

were taking advantage of it, the Government had issued firm orders that all the open sales would be stopped and every single grain would be distributed only through the public distribution system. Secondly, out of the 5 or 6 million tonnes that were distributed through the public distribution system, half of it was going to roller flour mills because in many parts of the country *atta* was consumed instead of wheat and this was heavily subsidised to the extent of Rs. 20 to 25 crores.

A public sector organisation like the Food Corporation must have a command over a number of essential commodities, as far as agricultural production was concerned, so that as and when any need arose the Government were in a position to meet the requirements of the poorer sections and the fixed income group.

Replying to the discussion, the Minister of Finance, Shri Yeshwantrao Chavan admitted that there had been unusually steep rise in prices and it was affecting the lives of common people.

The price rise was a problem which could not be explained away by one single factor. The price condition was the result of many economic factors. Mainly it was the factor of production. It was also the result of fiscal policies of Government, the administrative and financial disciplines which had been introduced. The price condition was thus the result of complex forces working in the economy at different times.

The real pressure on the prices was coming mainly from food articles and allied commodities. The largest pressure on the rise of prices was from coarse grains, *Bajra* and *Jowar*, etc. In some cases, it was 25 per cent; in other cases, it was 28 per cent and in some cases it was 40 per cent.

The buffer-stocks of wheat and rice meant that the scheme of public procurement had been accepted. The scheme of public procurement was not enough, unless there was a well-established system of public distribution. The States would have also to be brought in line in this particular matter so as to ensure that the public distribution system functioned properly. Public procurement was a new concept that had been accepted to give a new boost to the economy in the country, particularly in the field of agricultural production.

Fiscal policies, certainly, meant credit at proper time. For the whole of last year as far as the credit facilities for sensitive commodities were concerned, the banks were very selective. The Reserve

Bank's policy and the nationalist Banks' policy had also been very selective in this matter.

After the speech of the Minister, Shri Prasambhai Mehta replied to the debate. Two substitute Motions moved by Sarvashri Jyotirmoy Bosu and Surendra Mohanty were put to vote and negatived.

Sugar Situation

Making a statement on "sugar situation", the Minister of State in the Ministry of Agriculture, Prof. Sher Singh stated on August 9, 1972 that the control on the prices and distribution of sugar was removed with effect from May 25, 1971. For about two months after the decontrol, the prices of sugar remained fairly easy all over the country. Thereafter, the news about there having been about 3 per cent reduction in the acreage under sugarcane for the season 1971-72 and also of the standing sugarcane crop having suffered damage by flood etc., which would result in a decline in sugar production during 1971-72, got round. Consequently, the sugar prices started showing a steadily rising trend. Action taken by the Government succeeded to some extent in checking this trend. However, towards the end of 1971, in the context of the mounting emergency arising out of the influx of Bangladesh refugees and the conflict with Pakistan, the Government succeeded in arriving at an informal agreement with the industry, whereby the industry made available with effect from the 1st January, 1972, 60 per cent of the monthly releases of sugar at a fixed price of Rs. 150 per quintal ex-factory, exclusive of excise duty, for meeting certain emergent requirements and for distribution to domestic consumers through fair price shops.

Though the emergency still continued and prices of sugar in the open market had been steadily rising, the Indian Sugar Mills Association informed the Government on June 13, 1972 that some factories were unwilling to continue the informal arrangements beyond June 30, 1972, and that it had not been possible for it to recommend any other scheme either. In these circumstances, the Government found themselves left with no option but to continue the existing arrangements under the provisions of the Essential Commodities Act with effect from July 1, 1972, in order to ensure that the domestic consumers were not put to any hardship.

Representations were received that the levy prices notified by the Government were highly unrealistic, unscientific and wrong and would be a great disincentive to the efforts for increasing sugar

production. The Government having been compelled to take recourse to the Essential Commodities Act for continuing beyond June 30, 1972 the system of partial control of sugar, which was in force on an informal basis till then, the levy prices had, in accordance with the Essential Commodities Act, to be fixed having regard to the notified statutory minimum price of sugarcane for 1971-72 and the recommendations of the Tariff Commission as accepted by the Government. In notifying the levy prices, the Government had taken into account all the escalations recommended by the Tariff Commission since 1969. No doubt, except for 2 or 3 zones, the notified prices in other zones were less than Rs. 150 per quintal, in some cases by as much as about Rs. 25 per quintal. Even so, detailed calculations made in the Ministry had shown that the factories could afford to sell the free quota of sugar at the same or, even less than the then level of ruling prices without incurring any loss in the overall. The Minister of Agriculture, therefore, appealed to the industry not to raise the factory delivery prices of free sale sugar on the plea that the levy prices were lower than the one agreed to under the voluntary scheme.

Nevertheless quite a number of mills, particularly in Uttar Pradesh, Mysore and Andhra Pradesh filed writ petitions in the Supreme Court and the various High Courts and obtained interim orders restraining the Government from enforcing the Sugar (Price Determination) Order, 1972, subject to the factories concerned providing bank guarantees for the difference between the notified prices and the prices at which sugar was actually sold by them. This development not only disturbed the smooth working of the levy system of distribution of sugar, but also helped the open market prices of sugar to rise further steeply day-by-day. The lull in the monsoon for over a fortnight had contributed further to the spurt in sugar prices based on market sentiments.

The remedies to the existing unsatisfactory situation lay in:—

- (a) improving and streamlining the existing system of distribution of levy sugar by State Governments;
- (b) taking effective anti-hoarding measures and awarding exemplary punishment to persons found guilty;
- (c) evolving a proper sugar and sugarcane policy for 1972-73; and
- (d) persuading the public to observe austerity and avoid wastage during the current period of acute scarcity."

The Government of India had already initiated measures accordingly and subject to the full and active co-operation of all the State Governments, it was hoped that the present situation would be got over as early as possible.

Making a statement on "Sugar and Sugarcane policy", the Minister of Agriculture, Shri Fakhruddin Ali Ahmed on August 29, 1972, said that having due regard to the imperative need for augmenting the sugar production during the ensuing years and the need for maintaining a balance between the price of sugarcane and the prices of other agricultural produce, and also keeping in view the recommendations made by the Agricultural Prices Commission, the State Governments and other interested organisation, the Government had decided that the minimum price of sugarcane for 1972-73 season should be Rs. 8.00 per quintal linked to a recovery of 8.5 per cent, with a premium of 9.4 paise per quintal for every 0.1 per cent increase in recovery above 8.5 per cent in accordance with the principle of full proportionality.

The Government had further decided that the existing policy of statutory partial control of sugar should continue during 1972-73 season, but that the percentage of levy sugar should be 70 instead of 63.5 as at present. The requirements of sugar for meeting the export commitments during 1972-73 would also be met out of this levy. It had been further decided that the issue price of levy sugar should be the same throughout the country and that a scheme for the pooling of rates should be worked out urgently by the Department of Food.

As part of a long-range policy to bring about a balance between the supply and demand of sugar within the next few years, the Government would aim at achieving an adequate sugarcane production to meet the requirements of sugar, gur and Khandsari manufacturers, and the creation of a sufficient buffer-stock of sugar to provide against fluctuations in production. The Government considered that it was essential to plan for a qualitative and quantitative improvement in sugarcane production combined with modernisation and expansion of capacity for production of sugar. The imposition of a small extra Central cess on sugar specifically intended for sugarcane development would be considered.

Central scheme for Development of Backward Areas

On August, 16, 1972 Shri Nathu Ram Ahirwar moved the following Motion:—

"That this House is of opinion that separate development Central Schemes be undertaken for backward areas in the country, such as

Eastern U.P., Bundelkhand in Madhya Pradesh, Chhota Nagpur in Bihar so that these areas may not lag behind other developing areas".

Initiating the discussion, Shri Nathu Ram Ahirwar said that if separate development schemes were undertaken at the Central level for the backward regions, the people of those regions would feel a sense of participation in the development of the country. The region of Bundelkhand was a backward hilly area and there were no adequate means of irrigation. There were large deposits of iron, uranium, lead and copper at places like Surajpur, Chitrakoot etc. but those natural resources had not been fully exploited. That accounted for the backwardness of this region.

The Government should give licences to those persons who offered to set up industries in backward areas. The Government of Madhya Pradesh had declared concessions in Sales Tax and power rates, but still no industrialist came forward. Schemes should also be made for the development of Chhota Nagpur, Santhal Pargana and other backward areas of U.P. and Bihar.

A railway line should be constructed between Lalitpur to Banda via Tikamgarh, Chatarpur and Khajuraho. Similarly, the scheme of Chatarpur-Patna-Satna should also be implemented. It would help to bring about speedier development of this region.

In the discussion, which was held on two days as many as 32 Members participated.*

Intervening in the discussion on August 23, 1972, the Minister of Planning, Shri D. P. Dhar conceded that there had been imbalances in the matter of growth and development in the country, both intra-State and inter-State. It was also true that because of historical reasons or facilities which geography might have provided to certain areas, development had taken place in those areas at a faster speed and at an earlier date.

*The Members who took part in the discussion were Sarvashri Jyotirmoy Bosu, P. Venkatasubbaiah, P. K. Deo, Limesh Chandra Goswami, Jharkhande Rai, K. D. Malaviya, B. K. Daschowdhury, D. N. Tiwary, R. R. Sharma, Chintamani Panigrahi, D. Deb, Balakrishna Venkanna Nalk, Biren Engti, Murasoli Maran, Narendra Singh Bisht, Panna Lal Barupal, K. M. "Madhukar", Paripoornanand Painuli, Laxminarayan Pandeya, Kushok Bakula, Jagdish Narain Mandal, Nathuram Mirdha, Darbara Singh, Tulsi-ram Dashreth Kamble, Shambhu Nath, K. Mallanna, Rajdeo Singh, Chiranjib Jha, K. Ramakrishna Reddy, Narain Chand Parashar, Chhatrapati Ambesh and Vasant Sathé.

The Government was fully aware of the fact that in march of development, some areas had been left farther behind, not only areas but some sections of the society had also stayed as back-numbers in the race for development. This awareness on the part of the Government had been translated into appropriate terms in the Fourth Plan, and in the Fifth Plan, certainly, this was going to be one of the basic guiding factors in development.

The Planning Commission had evolved a formula in the matter of allocation of funds by which after the allotment of fund was completed, 10 per cent of the total plan outlay was made available to the backward areas and some of the States where such backward areas had been identified. The amount was sizeable; it came to 10 per cent of Rs. 3,100 crores. It did not have sufficient impact on the situation because the size of the country was much more impressive than the amount in question.

Some of the States such as Assam, Nagaland, Jammu and Kashmir etc. had been given special consideration and the total allocation for these States was about Rs. 400 crores. Besides, the entire expenditure for facing certain problems like floods and drought was being paid by the Centre and the total provision for that alone amounted to about Rs. 307 crores. The entire expenditure on the development programme of hill and border areas was met by the Government of India. Ninety per cent of such expenditure in Meghalaya, Assam, Nagaland, Ladakh in Jammu and Kashmir, Lahaul and Spiti in Himachal Pradesh and Dinajpur district in East Bengal was met by way of grants. Only 10 per cent had to be met by the States. The pattern of Central assistance to the hilly and border districts of UP, Darjeeling of West Bengal and Nilgiris of Tamilnadu was 50 per cent grant and 50 per cent loan.

The financial institutions, namely, the Industrial Development Bank of India, the Industrial Finance Corporation of India, the Industrial Credit and Investment Corporation of India, and the nationalised banks had been specially instructed to make available at concessional rates finances for the development of backward areas and efforts at industrialisation of those areas.

Over and above this, ten per cent subsidy had been provided for two districts each in nine States for any investment up to Rs. 50 lakhs and for investment which went beyond Rs. 50 lakhs, the element of subsidy in a lumpsum up to a maximum of Rs. 5 lakhs was available.

The question of rural electrification had been taken up as a special subject and the Rural Electrification Corporation had been set up for financing loans for electrification projects in backward areas. Loans were given at concessional rates in backward areas. Out of 132 schemes, 52 schemes had already been approved for those areas.

That was why in the Fifth Plan, it was proposed to begin the process of planning from below. The smallest manageable rural unit could be taken as the basic foundation, on which the total edifice of a Plan could be built.

After Shri Nathu Ram Ahirwar had replied to the debate, the motion was withdrawn by the leave of the House.

Constitution (Thirtieth Amendment) Bill, 1972

Moving that the Bill be taken into consideration on August 17, 1972, the Minister of Law and Justice and Petroleum and Chemicals, Shri H. R. Gokhale said that the present legislation proposed to amend Article 133 (1) of the Constitution in order to do away with the value of the subject matter of dispute as a criterion for exercise of the appellate jurisdiction of the Supreme Court in civil matters. The minimum limit of Rs. 20,000 mentioned in clause (a) of that Article was fixed in 1950 at the time of passing of the Constitution. In 1969, it was felt that in view of the change in the value of the rupee, the limit was too low and the jurisdiction of the Supreme Court should not be invoked unless a larger amount was involved. A Bill proposing to raise the limit to Rs. 1 lakh was passed by Rajya Sabha in 1970. But the Bill lapsed as the Lok Sabha was then dissolved.

On reconsideration of the matter it was thought fit to refer the question to the newly constituted Law Commission, under the Chairmanship of Dr. P. B. Gajendragadkar. The new Law Commission had recommended that the right of appeal should be available only in cases where the High Court certified that the case involved a substantial question of law of general importance and that in the opinion of the High Court the said question needed to be decided by the Supreme Court. The Chief Justice of India was also consulted by the Law Commission and the Commission had stated in their Report that the Chief Justice personally approved the changes proposed.

According to the proposed amendment, if the case really involved a substantial question of law of general importance, then the High Court could certify the same irrespective of the value consideration

and no case could be prejudiced if the valuation test was completely done away with.

The object of the proposed amendment thus was to remove the obnoxious discrimination based merely on the value of the property and to give to the rich and the poor litigant an equal change of going to the Supreme Court in appeal; to remove the unnecessary burden on the highest Court of appeal caused on account of appeals coming to it merely on the value of the property, irrespective of whether the appeal had merit in it or not and to give finality to the judgments of the High Court in matters which did not involve substantial questions of law of general importance and which questions, in the opinion of the High Court, need not be decided by the Supreme Court.

In the brief discussion which ensued, 8 Members participated.*

Replying to the discussion, the Minister said that it was generally agreed that the basis on which the present right of appeal rested, namely, the valuation of property, had always been a basis which led to discrimination between the poor litigant and the rich litigant, which could never be justified. There could, therefore, be no dispute that the measure in question was overdue.

There was no doubt that there was a great accumulation of cases in the Supreme Court. It could not be claimed that the present amendment was the be-all-and-end-all of what the Government wanted to do for curtailing accumulation or the backlog of cases there. An integrated approach had to be made to the problem. This question was being attacked at several levels. This was only one small step which would touch only the burden in the Supreme Court in respect of the appeals.

In fact, the Civil Procedure Code was really the basis for dilatory procedure in civil cases and for undue cost. The same was under close examination. The Government proposed to bring a basic and radical change in procedure so that the procedural delays were minimised and the costs were reduced. Apart from that, even the necessity of increasing the strength of judges had been engaging the attention of the Government for the last few months.

*The Members who took part in discussion were Sarvashri R. V. Bade, Jagannath Rao, A. K. Sen, D. K. Panda, R. D. Bhandare, Shyamnandan Mishra, Dinesh Chandra Goswami and G. Vishwanathan.

In addition a comprehensive scheme for legal aid starting from the lower courts, where most of the litigation is fought out, right up to the Supreme Court, was at present being worked out by the Government.

Some might say that the powers of the Supreme Court were being curtailed because of the amendment. The previous and the present Law Commissions consulted the Chief Justice as this was a matter which affected the jurisdiction of the Supreme Court. The Chief Justice personally expressed his opinion that this measure was very necessary.

The Bill was later on passed by the House with the requisite majority.

Taxation Laws (Amendment) Bill, 1971*

Moving that the Bill as reported by the Select Committee be taken into consideration, the Minister of Finance, Shri Y. B. Chavan said on August 17, 1972 that the Bill constituted a significant step forward to fight against tax evasion. The device of understating the sale price of immovable properties in sale deeds was being widely used for evading taxes. The consideration paid in 'white money' was recorded in the transfer deed and 'black money' was passed in cash under the counter. One of the principal objects of the Bill was to counteract tax evasion through this device by empowering the Central Government to acquire immovable properties, including agricultural lands, at prices which corresponded to those in sale deeds. The Bill also contained provisions for improving the administrative set-up and arrangements for valuation of buildings, lands and other assets for purposes of the direct tax laws and for bringing about better regulation and discipline over non-official valuers. Finally, in order to discourage *benami* holdings of property with a view to evade tax the Bill sought to make a provision in the Income Tax Act debarring persons from enforcing their claim in a court of law to any property held in a *benami* name, unless they had disclosed the same before tax authorities.

Replying to the brief discussion in which only 8 Members** participated, the Minister of Finance on August 18, 1972 stated that a

*The Bill was introduced on August 12, 1971 and referred to the Select Committee on November 17, 1971.

**The Members who participated in discussion were Sarvashri Virendra Agarwala, B. R. Shukla, D. Deb., G. Vishwanathan, K. Baladhandayutham, K. Narayana Rao, C. M. Stephen and Sat Pal Kapur.

point made was that acquisition of immovable property would give a setback to building activities. The proposed measure was meant to check the evasion of tax, under-valuation and under-estimation of properties. It was not intended against any honest house-builder or construction activity as such.

Another point made was that in cases where properties, which were the subject matter of transfer, were not acquired under the proposed provisions for any reason, the difference between the fair market value of the transferred property and the apparent consideration should be treated as the undisclosed income and wealth of the transferee. Under an existing provision in section 52(2) of the Income-tax Act, in a case where the fair market value of a capital asset transferred by a taxpayer exceeded the consideration declared by him by more than 15 per cent, the Income-tax officer was empowered to levy capital gains tax on the basis that the consideration received was equal to the fair market value. This provision took care of the point made.

As regards the transferee, if the Income Tax Officer found that the investment actually made by him in purchasing an immovable property exceeded the consideration declared in the transfer deed, and he offered no explanation about such excess or the explanation offered by him was considered by the Income-Tax Officer to be unsatisfactory, the excess amount could be assessed as the income of the transferee for the relevant financial year. If this fact was established by proper and cogent evidence, it would be permissible to assess the amount of such unaccounted for investment as the concealed income of transferee. This took care of the argument made about transferee.

Some Members made a point that the condition that the provisions for acquisition of property could be invoked only in cases where the fair market value of the transferred property exceeded Rs. 25,000 should be deleted. But it would not be a feasible proposition. Looking to the number of transactions which were registered, it would be very difficult to go into them.

A suggestion was made that provision should be made in the Bill to make the buyer and the seller of the properties to get an advance ruling from the Income Tax Department as to the fair market value of the property proposed to be transferred. But to get an advance ruling from the Income Tax Department as regards the fair market value of the property would amount to delaying the process. It would certainly be a negative approach as far as the objective of the Bill was concerned.

Thereafter, the motion was adopted and the Bill as reported by the Select Committee was passed.

General Insurance (Nationalization) Bill

Moving that the Bill be taken into consideration, the Minister of Finance, Shri Yeshwantrao Chavan on August 28, 1972 said that the legislation in question was introduced in pursuance of the declared decision of Government to nationalise general insurance business. It would be recalled that life insurance business was nationalised in 1956 and the present Bill by nationalising general insurance business completed the process of nationalisation of all classes insurance business.

The Bill visualised the setting up of a Government company called the General Insurance Corporation of India and four companies subsidiary to it. The functions of the Corporation broadly included, apart from carrying on general insurance business on its own, aiding, assisting and advising its subsidiary companies and also exercising supervision and control over their functioning by issuing directions to them wherever necessary. In issuing directions, the Corporation was expected to keep in mind the desirability of encouraging competition amongst the companies.

In taking over the ownership under this Bill, two different procedures had been adopted in the case of various categories of insurers. In the case of each Indian insurance company, the shares were proposed to be acquired. In the case of other insurers which included, apart from foreign insurers, cooperative societies, mutual insurers and LIC, what was proposed to be acquired was the undertaking of the insurer relating to general insurance business. On the "appointed day" the undertakings of all the latter group of insurers would be transferred to the Central Government and immediately thereafter to one or the other of the Indian Insurance companies. Thereafter, the Central Government could frame one or more schemes providing for the merger of the Indian Insurance companies between themselves, so that ultimately there were only four companies (in addition to the General Insurance Corporation) in existence and that they were so situated as to render their combined services effective in all parts of India.

An important feature of the Bill was that although under the General Insurance (Emergency Provisions) Act, 1971 the management of the general insurance business of LIC was not taken over, the present Bill provided for acquiring that undertaking (in so far as it related to general insurance business) also.

Another important thing about this Bill was that some State Governments, which were at present carrying on general insurance business, would be allowed to continue the business to a restricted extent.

All the employees of the existing insurers whose shares or undertakings were taken over, would be transferred to the companies under the new set-up and they would continue on the same terms and conditions with regard to pay scales, service conditions etc., until and unless those were changed. The Government had already set up a committee to examine the existing organisational and administrative set-up in all the insurers and to make suitable recommendations for an integrated and rationalised set-up in the future.

The total amount payable to Indian insurers had gone up from Rs. 26.68 crores to Rs. 30.70 crores.

13 Members participated in the discussion.*

Replying to the discussion, the Minister said that the debate generally concentrated on three or four important points. One was about compensation. It should be understood that it was not compensation; it was 'amount' that was being paid according to the Constitution. But, if the idea was that nothing should be given, certainly Government could not accept the position.

Those who compared the compensation paid in the case of the life insurance companies with that in the case of the general insurance companies forgot the fundamental difference between life insurance business and the general insurance business. The profit or benefit in the case of life insurance went to the policy holders. In the case of general insurance, the ownership vested in the shareholders. Most of the people who had shares of Rs. 5,000 or less were middle class people. So, if the Government was paying some reasonable amount to them, there was nothing wrong about it.

While fixing a certain "amount" for payment, all the relevant factors such as dividend, assets minus liabilities, profitability etc. were taken into account.

*The Members who took part in the discussion were Sarvashri Somnath Chatterjee, N. K. P. Salve, Indrajit Gupta, C. M. Stephen, P. A. Saminathan, Ramsingh Bhai Varma, Virendra Agarwal, Shankar Dayal Singh, H. M. Patel, Vasant Sathe, Madhu Dandavate, D. D. Desai and Prasannabhai Mehta.

Mere nationalisation did not mean improvement in the service to the consumer. There should be competition in giving better service to the people. Further the Government would not confine its activities merely to the field in which the present general insurance was operating, but it would have to go to some new areas of social service.

Thereafter, the motion was adopted and the Bill as reported by the Select Committee was passed.

Declaration of Naga National Council etc. as Unlawful Associations

Making a statement on September, 1, 1972, the Minister of State in the Ministry of Home Affairs, Shri K. C. Pant informed the House that the Central Government had issued a notification declaring the Naga National Council and certain other associations describing themselves as the Naga Federal Government and the Naga Army, etc., as unlawful associations, with immediate effect, under section 3 of the Unlawful Activities (Prevention) Act.

It had also been decided that in the changed circumstances, further periodical extensive of the suspension of operations order would be neither logical nor in the interest of peace and normalcy in the State. The House was fully aware of the recent cowardly attempt to ambush and assassinate the Chief Minister of Nagaland. The efforts made during all these years in Nagaland and the overwhelming desire of the people to pursue their peaceful avocations had isolated the underground and created confusion in their ranks. Out of frustration, small groups of fanatic individuals had been trying to create obstacles in the way of the development and prosperity of Nagaland. The Government of Nagaland were determined that lawlessness should be put down with a firm hand and the law and order agencies of the State would take all necessary action to maintain peace and prevent the commission of offences according to the normal laws of the land.

Decentralisation of Geological Survey of India

Raising an Half-an-Hour discussion on August 21, 1972 regarding "decentralization of Geological Survey of India", Shri Samar Guha said that the decision to dismember this oldest Central Organisation was unscientific, arbitrary, irregular, detrimental to the cause of many other Ministries and even against the convention and parliamentary practice.

The Geological Survey of India was providing data, facts, statistics to various Ministries and Departments. For agricultural purposes

the data was required only for drilling tubewells. For that there was a special organisation *i.e.*, the exploratory tube-well organisation for drilling purposes. Therefore, if the whole of the function of survey and mapping of the hydrological structure of the country was given to Agriculture Ministry, the other Ministries would suffer because biased priority would be given to Agriculture Ministry.

He demanded that the Government should stop the decentralization of this organisation and appoint a fresh reviewing committee to go into the reports of all the expert committees and then make a final recommendation.

Replying, the Minister of Steel and Mines, Shri S. Mohan Kumaramangalam said that for some time past, the Government had been considering the question of reorganization of the Geological Survey of India so as to make it more efficient. By and large the progress made by it towards completing the mapping of the geological areas in the country had been at a rather slow rate. That was why "the decision had been taken by Government not merely to take away, as it were, from the Geological Survey of India the functions which are now going to be transferred to the Central Ground Water Board but also to set up a Mineral Exploration Corporation which will do, what may be called, the intermediate work between surveying and mapping, which is to be continued in the Geological Survey of India and the work of actual exploitation, which would be done by the public sector mining corporation". The decision in relation to the Central Ground Water Board and transferring to the Central Water Board the work of hydrological investigation, as distinct from mapping, was taken really in line with the same principle.

Some years ago the Cabinet Secretariat had set up a committee to examine the working of the different scientific committees of the Government of India. This committee was known as COSR (Committee on Organisation of Scientific Research). It was this Committee that first examined the functions and organisational structure etc., of the Geological Survey of India. This Committee, however, was wound up in December 1970 and the work was transferred to the Committee of Science and Technology, known as COST. COST set up a sub-committee to look into the draft report that was originally drafted by COSR.

The real basis for the recommendations that were made by the COST was that it was an urgent question so far as the Government and the country were concerned, to formulate in precise and detailed

terms as to what were the operations involved before starting exploration and assessment of the mineral resources of the country in an area and assumption of responsibility for the commissioning operation by an exploiting agency. The Committee itself felt that it would be proper to spread the actual mapping. It was really a question of investigation in depth of the resources which the country possessed and ultimately the decision arrived at was that it could better be carried on by the Central Ground Water Board. The Government after giving its most anxious consideration to the matter had come to this conclusion and therefore it had been decided to implement it.

Payment of Bonus

A discussion under Rule 193 on a matter of urgent public importance relating to the "payment of bonus" was raised on August 30, 1972 by Shri S. M. Banerjee.

Initiating the discussion, Shri S. M. Banerjee said that the question of raising the minimum bonus from 4 per cent to 8.33 per cent was agitating the minds of all workers and there was going to be a wave of strike shortly, if no decision was taken by the Government to raise the quantum of bonus. Every section of the working class had demanded that the minimum bonus should be raised to 8.33 per cent. It was not known when the Review Committee was going to submit its report.

The Railway employees, the Defence employees, the P. & T. employees, those who were working in the departmentally run establishments etc., had been demanding that the Bonus Act should be made applicable to them. But this demand of theirs was being rejected by the Government on the plea that the 'terms of reference' did not cover those employees who were working under Government-run establishments.

He demanded an assurance from the Government to the effect that the Committee would be asked to submit its report at least an interim report, immediately.

In a brief discussion which ensued 5 Members participated.*

*The Members who took part in the discussion were Sarvashri Madhu Dandavate, Dinen Bhattacharyya, Hukam Chand Kachwal, Raja Kulkarni and Ram Singh Bhal.

Replying, the Minister of Labour and Rehabilitation, Shri R. K. Khadilkar stated that in pursuance of the demand voiced from time to time in and outside Parliament to increase the quantum of payment, a Committee had been constituted to review the operation of the Payment of Bonus Act. One specific term of reference of the Committee was whether there was a case for raising the minimum bonus of 4 per cent, and if so, to what extent. About either raising the quantum of bonus or determining its character the whole matter would have to be examined by Government on receipt of the Bonus Review Committee's report, in the context of national economy, before decisions could be announced.

A question was raised about the Government employees and employees in the Government undertakings and Government establishments, Railways, P. & T., Defence establishments etc. All these categories of staff were at the present juncture covered by the Pay Commission. While deciding about the increment in their emoluments, they would keep in view the general demand also. If the Pay Commission did not do anything, the Government would consider it at the appropriate time.

Demand of Cement Workers for Interim Relief

A Calling Attention Notice regarding "reported demand of cement workers for interim relief and government's reaction thereto" was tabled by Sarvashri Shyam Sunder Mohapatra, S. M. Banerjee, Henry Austin, Raja Kulkarni and Jagannath Mishra. The matter was raised in the House on August 21, 1972 by Shri Shyam Sunder Mohapatra.

Replying, the Minister of Labour and Rehabilitation, Shri R. K. Khadilkar stated that as a result of the recommendations of First Wage Board which was set up in 1958, a standardised wage structure came into existence. It resulted in a substantial increase over the then prevailing wages and in some cases it exceeded Rs. 250 per month. Besides, payment of dearness allowance was linked to the cost of living index. A Second Wage Board for the Cement Industry was set up in September, 1964. As a result of its recommendations, the workers were to get a guaranteed increase ranging from Rs. 10 to Rs. 32.50 per month for different categories of workers.

Though the present wage structure, based on the recommendations of the Second Wage Board was to be operative upto the 12th February, 1973, the cement workers started making demands from March,

1972 for a further wage revision and payment of interim relief. The workers' demand was that their wages be raised to the same level as that of the steel workers who got a minimum wage of Rs. 240 p.m. from September 1, 1970 as a result of the bilateral negotiations with the employers. The employers' contention was that any increase in wages must be accompanied by an increase in the retention price of cement. On April 28, 1972, Government had made a reference to the Tariff Commission for a comprehensive review of the cement industry, including the question of fair ex-works price payable to the producers. The question of wage-increase was discussed between the parties and in this process they were assisted by the Chief Labour Commissioner (Central). No agreement could, however, be reached and a notice of a strike from 12th July, 1972 was served by the Unions. The strike had been postponed at the instance of the Minister, who had given an assurance that meeting would be held with the representatives of employers and workers to discuss the issues involved.

The Negotiating Committee consisting of representatives of employers and workers, which met at Bombay on July 27, 1972 to consider the question of interim relief as well as the final wage structure for the industry, failed to reach any settlement. The various workers' organisations represented on the Negotiating Committee thereupon decided to go ahead with the general strike in the industry with effect from August 17, 1972. The Minister then himself held discussions with the Presidents of Cement Manufacturers' Association and Indian National Cement and Allied Workers' Federation on August 16, 1972. After the discussion and in consultation with the Minister of Industrial Development, payment of interim relief of Rs. 120 to workers from July 1, 1972 and a five-year wage settlement on the basis of Rs. 230 per month payable from February 1, 1973 were proposed. Despite this, the strike in the Cement Industry commenced on August 17, 1972 as scheduled. The talks were, however, being continued with the representatives of both employers and workers. It was hoped that a mutually acceptable solution would be found and that the strike would be called off soon.

Answering questions, the Minister stated that the Government were considering the issues relating to interim and final relief and their linking up with the price index. So far as the interim relief was concerned, it was being insisted that the cement industry should meet expenditure in this behalf from their own resources instead of taxing the consumer.

The question of the ex-factory price was before the Tariff Commission. So there was no increase in the ex-factory price and it did not figure in these negotiations.

Final Report of the Direct Taxes Enquiry Committee

On August 26, 1972, Shri Jyotirmoy Bosu moved the following motion:—

"That this House do consider the Final Report of the Direct Taxes Enquiry Committee, laid on the Table of the House on the 20th March, 1972".

Initiating the discussion, Shri Bosu pointed out that while the Government in 1956-57 had been talking of tax evasion to the tune of Rs. 20—30 crores, Prof. Kaldor in his book "The Indian Tax Reform—Report of the Survey" had reckoned it at Rs. 200—300 crores. According to the final Report of the Wanchoo Committee "the money value of deals involving black income may, therefore, be not less than Rs. 7,000 crores for 1968-69". For 1965-66, the estimate of "black money" was of the order of Rs. 2,350 crores as against Rs. 1,216 crores mentioned in the Report.

The final Report of the Wanchoo Committee was a dictated Report. Many of the things that they had said were not acceptable. The interim Report which was written *suo moto* without pressure was the real Report.

In the interim Report, the Committee recommended (1) Demonetisation, (2) Ceiling on cash holdings and (3) Acquisition of immovable property in cases of understatement of purchase consideration. The Government not only not implemented the Report but suppressed it for a year and a half.

The demand of the country, at this juncture, was that the interim Report of the Wanchoo Committee be implemented in toto; there should be ceiling on possession of cash, jewellery and other precious items. There should be screening of lockers and vaults and each bank account, where there was more than a certain amount of money, should be tagged with the income-tax number that had been given to the assessee. The entire operation should be simultaneously conducted on one single day.

The debate continued for two days in which as many as 12 Members participated.*

Intervening in the discussion, the Minister of State in the Ministry of Finance, Shri K. R. Ganesh on September 4, 1972 said that the final Report of the Wanchoo Committee containing 396 recommendations was submitted to the Government on December 24, 1971. Some of the recommendations of the Committee had already been implemented by the Finance Act of 1972. A cell had been constituted for the expeditious processing of the remaining recommendations. Such of those recommendations as would be accepted by the Government would be brought in the form of comprehensive legislation and at that time, the Government would take the opportunity of introducing some other important changes that were necessary in view of the socio-economic conditions in the country.

Some of the salient recommendations of the Wanchoo Committee were the introduction of any general scheme of disclosure; use of power of search by the income-tax department as a deterrent and also pursuing a policy of rigorous prosecution in order to instil fear and wholesome respect for the tax laws in the minds of tax-evaders; denial of credit facilities by banks to the tax-evaders and also debarring them for holding public offices or becoming Directors of Companies for a period of years; setting up of a high-powered body for deciding cases of write-off of tax arrears; and raising of the status of the Direct Taxes Board.

It was not the case of Government that there was no black money in the country. The very fact that the Wanchoo Committee was set up, which was a high powered body presided over by a former Chief Justice of the Supreme Court, was positive proof of the concern of Government about this menace of black money. There was no doubt that black money was playing havoc not only with the economy but with the social life of the country. The only difference of opinion could be about its extent but not about its existence. When there was such a large amount in unauthorised channel, a sort of parallel economy, it would have its impact on various aspects of life.

*The Members who participated in the discussion were Sarvashri V. K. R. Varadaraaja Rao, K. Baladhandayutham, N. K. P. Salve, Murasoli Maran, D. D. Desai, Virendra Agarwala, C. M. Stephen, Pilloo Mody, N. K. Sanghi, Shyam nandan Mishra, Surendra Mohanty and Madhu Dandavate.

The origin of black money was not from the start of Congress rule. It dated back to the Second World War when there was a spurt in business, construction work and there was also hoarding, anticipating shortage of commodities. The generation of black money started right from that time and it was a continuous process. The opportunities created by planned development in the past two decades were also used by some unscrupulous businessmen for tax evasion. The anti-social elements used controls to amass wealth.

The problem of black money was the problem of national concern and it was also a problem of immense magnitude with very extensive ramifications. To tackle it, an integrated approach was necessary. The Government were determined to push through a comprehensive legislation on this subject.

There was nothing secret about the Interim Report. It had been referred to in the House many a time. Even before the final report was placed before the House, the Government did not consider that demonetization provided a plausible solution to the problem of black money.

Even before the Wanchoo Committee recommendations were made public, the Government had taken various steps to make a frontal attack on the evil of tax evasion, tax avoidance and black money. A cell had been set up to go into the cases of large business houses.

Pension to Freedom Fighters

Raising Half-an-Hour discussion regarding the "grant of pension to freedom fighters" on August 11, 1972, Shri Samar Guha said that the freedom fighters still felt that the decision taken by the Government in this behalf was half-hearted and it had not recognised all those who had contributed their mite and their best to the freedom of the country. It was painful to note that not a single officer of Azad Hind Fauj, which had played almost a decisive role in the last phases of freedom struggle and had created a saga of martyrdom and military exploits, had been included in the list of persons to whom *Tamra-Patras* would be offered. He urged that the Government should recognise them as freedom fighters. They should also be entitled to pension and to national honour by offering *Tamra-Patras*.

While scrutinizing the applications received by the Government, a certain priority should be accorded to old freedom fighters and also

to those who were sick and ailing and those who had no employment and were in a wretched condition. It should also be ensured that the freedom fighters falling under those categories get the pension due to them quickly.

Since many of the freedom fighters were not getting their documents, the receipt of application should not be stopped. It should rather be a continuous process.

The freedom fighters from West Bengal were facing difficulties in procuring certificates owing to all the relevant documents having been destroyed. The Government should devise some other means so that those freedom fighters could obtain the requisite certificates.

Replying, the Minister of State in the Ministry of Home Affairs, Shri K. C. Pant stated that the intention of distributing *Tamra-Patra* was to honour the freedom fighters regardless of their income and other factors. The pension scheme was to help those who might be in economic difficulties. The States were asked to send only the names of those persons who were not in office. The Government had not been rigid in this respect and had tried to accommodate individual views also. The lists received from States were enlarged so as to include some deserving names, which had been left out. In choosing a certain number, people were selected from each State with a view to giving a sense of participating to all the States. In order to enlist persons from NEFA and Nagaland, the conditions that were applied to the rest of the country, had to be relaxed.

The pension scheme was a different scheme. All those who were eligible would get it. Eligibility had been defined very carefully. There was no time limit also. Those who had applied before the 15th August would get their pension from the 15th August. If their applications were processed later and sanctions were given later, then they would get their pensions retrospectively from 15th August.

The Government had recognised INA men as freedom fighters as far back as May, 1961. They were thus eligible for relief in the matter of employment to public service, financial assistance, education concessions to their children etc. as admissible to political sufferers. As regards pension, it was stipulated that ex-INA personnel would also be eligible provided they fulfilled the other conditions. So there was no question of not treating them as freedom fighters. For the purpose of grant of pension to them, it had to be established that they fought against the British.

As regards certificates from freedom fighters, the Government had since agreed to accept the State Government's certificates without insisting on jail certificates. It had also been decided if any MLA or MP, who had been in jail with the person concerned, certified, his certificate also would be accepted.

The other point was regarding priority being given to old and ailing persons. There were 75,000 applications. These were being processed on the basis of first come, first processed. If the Government did it on the basis of age or on the basis of poverty, it would result in delaying the whole matter.

Those involved in the RIN mutiny and in the Garhwal mutiny would also be eligible for pension etc.

Prohibition Policy

A Calling Attention Notice on the "recent moves to systematically undo the policy of prohibition enshrined in the Directive Principles of State Policy in the Constitution of India" was tabled and raised in the House on August 28, 1972 by Shri Shyamnandan Mishra.

Replying, the Deputy Minister in the Ministry of Education and Social Welfare, Prof. D. P. Yadav said that prohibition was a Directive Principle of State Policy and the Union Government had been urging the States to take positive steps for its implementation.

The Union Government had not given approval to any Act of any State which would have the effect of scrapping prohibition. On the contrary, it had offered financial assistance to the States to bring about prohibition, and had suggested guidelines for implementing that policy. The Five Year Plans had incorporated programmes to promote prohibition. A Central Prohibition Committee had been set up to review the progress of prohibition programmes. The Central Government was also giving assistance to the All-India Prohibition Council, which was carrying on propaganda in favour of prohibition. Educational programmes and mass media had also been used to create a climate in the country in favour of prohibition.

Production, manufacture, possession, transport, purchase and sale of intoxicating liquor is a State subject. A number of States which had adopted varying measures of prohibition during the first two decades of Independence had been reviewing the position and relaxing the laws for various reasons. The spread of illicit distillation had resulted in the death of many persons and proved to be a great hazard to health. That had been one of the main factors influencing the

States to rationalise the implementation of their prohibition policy and to work out an arrangement which, in their opinion, would be both practicable and consistent with the Directive Principles.

The Administration of the Union Territory of Delhi had made no change in the basic policy regarding prohibition. They had only rationalised their excise arrangements. By controlling, pricing, distribution, and sale of liquor they hoped to combat illicit distillation and smuggling.

Answering questions, the Minister said that so far as the question of implementation of Prohibition Policy was concerned, the Centre's role was advisory. The Centre had definitely suggested to State Governments that they should stick to the prohibition policy to the maximum extent. The Government would be coming forward with all kinds of help in its jurisdiction and power to ensure that prohibition was implemented.

Lowering of Voting Age

Raising Half-an-Hour discussion on the "lowering of voting age" on September 2, 1972, Shri C. K. Chandrappan pleaded that the voting age should be reduced from 21 years to 18 years. The young people today were well-informed about day-to-day political developments and were better educated. They could, therefore, form mature judgments. If the voting age was reduced, it would change the composition of the electorate. It would also bring in more radicalism. It would change the very face of the House. It would bring in more revolutionary ideas and would take the country forward.

The Petitions Committee of the Fourth Lok Sabha, while disposing of a petition presented to it on behalf of Youth Federation had recommended that Article 326 of the Constitution should be amended and voting age reduced from 21 years to 18 years. Similarly the Joint Committee on Amendments to Election Law which went into the matter recently held the same view.

Replying, the Minister of State in the Ministry of Law and Justice, Shri Nitiraj Singh Chaudhury conceded that it was a vital question and had been raised in the past. A Commission known as the Latey Commission went into it in Britain in 1960. The British Government took a decision during the last election*. Countries like Australia, Belgium, Cameroon, Canada, Ethiopia, the Federal Republic of

*The voting age in U.K. was lowered from 21 to 18 in January, 1970.

Germany, Finland, France, Ghana, Greece, Iceland, Ireland, Italy, Lebanon, Libya, Luxembourg, Morocco, Nigeria, Norway, New Zealand, Pakistan, the Netherlands, the Philippines, Sweden, Turkey etc., were having 21 years as the voting age. There were countries which had the voting age at 23. Countries like Austria, Iran, Japan, Switzerland had the voting age of 20.

Sometime back, a Conference of Speakers had considered this matter and they had decided that the voting age should be 20. All these matters were under consideration of Government and a decision would be taken by Government thereon.

The Question Hour

Total Number of Questions

During the Fifth Session of Fifth Lok Sabha, 14,476 notices of questions (13,538 Starred, 730 Unstarred and 208 Short Notice) were received. Out of these 440 were admitted as Starred, 4,379 as Unstarred and 6 as Short Notice Questions. After the Lists of Questions were printed 4 Starred Questions and 103 Unstarred Questions were deleted from the Lists of Starred and Unstarred Questions respectively, on account of their being withdrawn by the Members concerned or transferred from one Ministry to another.

Daily Average of Questions included in the Lists of Questions and orally Answered

Each Starred List contained 20 Questions whereas the average number of questions in the Unstarred Lists came to 199 as against the maximum limit of 200 questions prescribed for the purpose. On an average 9 questions were orally answered on the floor of the House on each day when there was Question Hour—the minimum number orally answered being 3 on the 31st July, 1972 and the maximum being 13 on the 25th August, 1972.

Half-an-Hour Discussions

Of the 68 notices of Half-an-Hour Discussions received during the Session, 10 were put down on the Order Paper, but only 8 Half-an-Hour Discussions were actually discussed during the Session.

Obituary References

On July 31, 1972, references were made to the passing away of his Majesty the King Jigme Dorji Wangchuk of Bhutan; Shri Indulal Yagnik, a sitting Member of Lok Sabha; Shri Ghulam Mohamad Bakshi, a Member of Fourth Lok Sabha and Shri Ramananda Das, a Member of the First Lok Sabha.

Later during the Session, references were made to the passing away of three sitting Members, viz. Shri Ishwar Marandi, Shrimati Minimata Agamdas Guru and Dr. A. G. Sonar; three ex-Members of Lok Sabha—Shri J. K. Choudhary, Shri M. Suryanarayana Murti, Shri M. Shankariya; one Member of the Central Legislative Assembly, Major Harinder Singh and two Members of the Constituent Assembly—Dr. Dharam Prakash and Shri N. Madhava Rau. As a mark of respect to the memory of the deceased, the Members stood in silence for a short while.

On August 7 and 14, 1972, the House adjourned as a mark of respect to the memory of Shri Ishwar Marandi and Shrimati Minimata Agamdas Guru respectively.

RAJYA SABHA—EIGHTY-FIRST SESSION

The Eighty-first Session of the Rajya Sabha which commenced on July 31, 1972 adjourned *sine die* on September 4, 1972. During the Session, the House held 25 sittings aggregating to 148 hours and 16 minutes. Some of the important discussions held and other business transacted by the House during the Session are briefly mentioned below.

Simla Agreement on Bilateral Relations between India and Pakistan

Intervening in the debate on the Motion for consideration of the Agreement on bilateral relations between India and Pakistan signed at Simla on July 2, 1972, the Prime Minister, Shrimati Indira Gandhi said that there was tremendous enthusiasm in all the countries of the world for that Agreement and for the new spirit it had awakened in the sub-continent.

She said that the Simla Agreement was in pursuance of the domestic and the international policies followed by India all the years. There was no reason why India should change her policy when the rest of the world was coming round to her way of thinking. If, however, it was found that that policy would no longer serve the country's interests then they would not stick to it. Non-alignment meant that regardless of the political system of the attitude of a country, one could build bridges with that country.

Replying to the debate, Shri Swaran Singh, said that as regards Jammu and Kashmir, the words used in the Agreement were 'final settlement of Jammu and Kashmir.' He said that many things had to be settled about Jammu and Kashmir. The Agreement was in the best interest of peace and it should be given a trial.

Meeting of the representatives of India and Pakistan held in New Delhi

On August 30, 1972, the Minister of External Affairs, Shri Swaran Singh, made a statement on the meeting of the representatives of India and Pakistan held in New Delhi from August 25 to 29, 1972. He said that the Prime Minister had sent a letter to the President of Pakistan on August 19, 1972 suggesting that representatives of the two

Governments might meet to exchange views on the developments since the signing of the Simla Agreement and to resolve any doubts about the future prospects of settling the outstanding problems in the spirit of mutual confidence as contemplated in the Simla Agreement. In response the President of Pakistan had sent a reply on August 22, 1972 that Pakistan was determined to ensure that the Simla Agreement was implemented in its letter and spirit and that the Agreement should constitute the basis of future relationship between the two countries.

The Pakistani Delegation held frank and comprehensive discussions with the Indian Delegation on the developments since the signing of the Simla Agreement with the view to resolving any doubts that might have arisen.

As for the question of return of prisoners of war and civilian internees, India had reiterated to the Pakistan Delegation that this question could not be settled without the participation and agreement of the Government of Bangla Desh. India had impressed on the Government of Pakistan that any delay in the recognition of Bangla Desh by them would hamper the process of durable peace and normalisation of relations and delay the achievement of the objectives set out in the Simla Agreement.

Clarifying the points raised by hon. Members on the statement made by him, Shri Swaran Singh, said on September 1, 1972 that the officials taking part in the recent talks between the two countries were representatives of the Government and therefore they had adopted the usual form and had made recommendations to the two Governments. No difficulty was anticipated in those recommendations being accepted by the two Governments. As a matter of fact, the representatives of Pakistan returned to their country three days back, and if those recommendations were not acceptable to Pakistan, the Government would have got a word from them. The form was such that they could not themselves act as a Government and, therefore, the expression "recommendation to the Government" was used.

The Minister added that the essence of the Simla Agreement was bilateralism. If there were any difficulties in its interpretation, they would have to be resolved bilaterally. If there was any dissatisfaction on either side about its implementation, that also would have to be resolved bilaterally by mutual discussion.

Final Report of the Direct Taxes Enquiry Committee

On September 1, 1972, Shri Bhupesh Gupta, initiating a discussion on the Final Report of the Direct Taxes Enquiry Committee said that the *interim* report of the Wanchoo Committee was different from its final report. In the *interim* report the Committee had recommended demonetisation. Somehow or other, the Government was totally opposed to demonetisation and hence the Government thought that they should withhold from the public the Wanchoo Committee finding on the question of black money, in so far as they had convincingly made out a case for demonetisation of currency. The Wanchoo Committee came to the conclusion that the rates of taxation, especially in the highest income brackets, should be reduced, as if the evasion of taxes was due to the high rates of taxation. It was a wrong way of looking at the problem.

According to the Wanchoo Committee, the non-salary assessable income that escaped taxation in 1968-69 amounted to Rs. 1,400 crores, and the tax so evaded amounted to Rs. 470 crores. That was an understatement. It was more or less agreed by all economists that the amount would be much higher than what had been stated in the Report. The parallel economy of Rs. 1400 crores, which was created through tax evasion, involved financial transactions worth Rs. 7000 crores which was just equal to one-fourth of the total National Income.

Demonetisation was absolutely essential to unearth black money. Political patronage of the monopolists was responsible for black money. The maximum individual income should be fixed. The Government had done nothing for tapping the income which was generated additionally in the agrarian sector in the country amongst the capitalist farmers. The Government had a policy which encouraged black money at the cost of the nation and at the cost of the masses.

The Minister of State in the Ministry of Finance, Shri K. R. Ganesh, replying to the discussion, said that some of the recommendations contained in the Final Report of the Wanchoo Committee had already been implemented through the Finance Act of 1971.

The Final Report of the Committee consisted of about 396 recommendations out of which 213, if accepted by Government, would require legislative action. A cell consisting of a Joint Secretary and a Deputy Secretary was already processing the report, and many of the recommendations had already been processed by them, by the Direct Taxes Board and by the Committee of Secretaries.

The Minister further added that the Wanchoo Committee was appointed with the sole objective of finding out remedies and suggesting measures, so that the menace of black money could be ended. There could not be any finality about the amount of tax being evaded. But it was a fact that black money was playing havoc with the social life and the national economy. All that the Government was concerned with and was determined to do was to enact the various recommendations accepted by them into law.

Steep rise in prices of Essential Commodities and Steps taken by Government to meet the Situation

On August 8, 1972, Shri Loknath Misra, raising a discussion on the subject, said that the Government had failed in their duty to curb the rising prices. That showed how callous the Government had been regarding the price rise in the country and the resultant inconvenience caused to consumers. Heavy deficit financing was a great contributing factor to inflation and rising prices. Besides deficit financing the decline in the industrial growth and the overdrafts by the States had also considerably contributed to the rising prices. Short-fall in the supply of foodgrains had a direct impact on the price rise. The quantum of foodgrains distributed by the Food Corporation of India through fair price shops had declined over the years. Again, two-thirds of such shops were in the urban areas, and there was no satisfactory distribution system in the rural areas. All this had resulted in rise in prices of essential commodities. The people should mobilise resistance to price rise. Otherwise this Government would not be able to do anything.

The Minister of Finance, Shri Y. B. Chavan, replying to the discussion said that though after May 1971 there had been a rise in the prices, in October-November, 1971, there had been a decline in the prices. So, it was not correct to say that the prices were continuously rising. There was certainly some sort of erratic behaviour of the prices, depending on certain conditions in the country, viz., production in agricultural and industrial sectors, the credit policy, money supply and the other supplies which were very essential for the vulnerable sections of the society.

Deficit financing in the country had to be resorted to, but it would have to be related to productive efforts. Deficit financing was necessary because of certain economic and political compulsions and also because

of certain natural compulsions. In the event of drought the Government had to resort to deficit financing because it had to go in for relief works and grants and doles to the people.

Physical control of essential commodities was necessary to tide over the difficulties. The decision of the Food Corporation to sell food-grains by open auction had been taken advantage of by the hoarders and this also led to the price rise. The Government had since taken the decision to stop further auction.

Annual Reports of University Grants Commission for 1969-70 and 1970-71

On August 10, 1972 the Minister of Education, Social Welfare and Culture, Prof. S. Nurul Hasan moved the Motion for consideration of the Annual Reports of the University Grants Commission for the years 1969-70 and 1970-71.* Speaking on the Motion, he said that throughout the period under review there had been, on an average, 8.3 per cent. increase in the student population. There were demands from practically every part of the country for establishing new colleges and new universities. But the resources at the disposal of the Commission were extremely limited and, therefore, the University Grants Commission had to function within a very serious constraint. The Commission had, however, made an attempt to take steps which would lead to the raising of standards of education and research, and had also taken due note of the basic needs of the teachers and the students.

Replying to the points raised by the Members, the Minister agreed that there should be a uniform educational policy. Probably, a decision was taken that the pattern of the structure of education would be ten plus two and three years for the first degree. That was now gradually finding acceptance in the States and the Minister was making a fervent appeal to the Central Advisory Board of Education not only to accept this decision but also to implement it.

On the question of medium of instruction, the national policy had already been stated that the medium would have to be the mother tongue.

The causes of student indiscipline were deeper than which lay in the power either of the U.G.C. or of the Universities. Unless steps were

*Laid on the Table of the Rajya Sabha on June 24, 1971, and June 2, 1972 respectively.

taken to bring about a broad social change, the problem of indiscipline would remain. It would certainly be minimized, and it was hoped that every effort would be made to minimise it.

Report of the Commissioner for Scheduled Castes and Scheduled Tribes (1969-70)

On August 17, 1972 The Minister of Education, Social Welfare and Culture Prof. S. Nurul Hasan, moved a Motion for consideration of the Nineteenth Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1969-70.*

Replying to the debate, the Minister said that he joined the Members in paying a tribute to the Commissioner for Scheduled Castes and Scheduled Tribes, Prof. Nirmal Kumar Bose, who had written his famous first paragraph because he had felt so strongly. Shri Bose had paid special attention to the problems of the Scheduled Tribes.

Vacancies reserved for these communities could not be filled on the basis of the general standard; they could be recommended by the U.P.S.C. or other recruiting authority by relaxing the standard to make up for the deficiency in the reserved quota. In the same manner instructions had been issued that, merit being equal, preference was to be given to the Harijans in the selection of High Court Judges.

The attention of the University Grants Commission had been drawn to ensure that the seats reserved for admissions were filled in by candidates belonging to the Scheduled Castes and Scheduled Tribes.

On the question of alienation of land, there was general agreement, and the State Ministers had assured that they would be taking immediate and appropriate steps in this regard.

The Necessity of Evolving a National Industrial Policy

On August 18, 1972, Shri A. G. Kulkarni raising a half-an-hour discussion regarding the necessity of evolving a national industrial policy said that between 1951 and 1968 the industrial production rose by about 6 to 6.5 per cent, but the paradoxical side of the situation was that employment grew by only 3 per cent. That meant that an indiscriminate use of foreign exchange had been made to import capital equipment which was not commensurate with the technology which was to be adopted in this country for creating more employment and for the generation of economic growth.

*Laid on the Table of the Rajya Sabha on December 22, 1971.

Replying to the points raised by the Members, Shri Siddheshwar Prasad, Deputy Minister in the Ministry of Industrial Development, said that under the framework of the Constitution and the Industrial Policy Resolution of 1956, the Government had broadly laid down very clear guidelines. The Industrial Development and Regulation Act, the Monopolies and Restrictive Trade Practices Act, the Companies Act, etc. were being administered as a part of an integrated policy for the growth of industrial development for accelerating the pace of industrial growth.

As and when the Government decided to take a decision to revise the Industrial Policy Resolution, it would come before the House.

Legislative Business

Some of the important Bills that were passed in the Session were as follows:—

The Diplomatic Relations (Vienna Convention) Bill, 1972*

On August 14, 1972, the Deputy Minister in the Ministry of External Affairs, Shri Surendra Pal Singh, moving the motion for consideration of the Bill, said that the Bill purported to give effect to the provisions of the Vienna Convention on Diplomatic Relations, 1961 which India had accepted on October 15, 1965, particularly those provisions which should be given effect to under the Indian law. So far, the provisions of the Vienna Convention on Diplomatic Relations dealing with matters like exemption from dues and taxes had been implemented by action being taken under different existing laws. The intention now was to provide in a single statute a statement of the relevant rules on the subject in terms of the Articles of the Vienna Convention itself.

The Vienna Convention on Diplomatic Relations was adopted by a plenipotentiary conference convened by the United Nations in 1961. India had participated in that conference and was a party to the Convention since October, 1965. For the greater part, the Convention restated in concise form the well-organised rules of international law and practice, which had been there from time immemorial, but on some points on which State practice was not quite uniform, it removed doubts, developed the law, and provided uniform rules. The Vienna

*The Bill as passed by the Lok Sabha, was laid on the Table on August 11, 1972.

Convention of 1961 in its 53 Articles comprehensively covered the subject of diplomatic relations. Most of these Articles did not require legislation for implementation. The Articles which required legislation, for implementation, in all 18 in number, had been included in the Schedule to the present Bill.

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

The Income-Tax (Amendment) Bill, 1972*

On August 21, 1972, Shri K. R. Ganesh, Minister of State in the Ministry of Finance, moving the Motion for consideration of the Bill, said that the Bill sought to replace the Income-tax (Amendment) Ordinance, 1972, which had been promulgated by the President on July 15, 1972.

In the case of *Indian Aluminium Company Ltd. vs. Commissioner of Income-tax*, the Supreme Court had held that wealth tax paid by an assessee in respect of his business assets was deductible as business expenditure in computing his taxable income.

The Bill sought to amend the Income-tax Act, 1961 to secure that amounts paid by way of Wealth-tax would not be allowed as deduction in computing the income chargeable under the head "Profits and gains of business or profession or Income from other sources."

The Motion for consideration of the Bill was adopted by the House and the Bill was returned to the Lok Sabha on August 21, 1972.

The Constitution (Thirtieth Amendment) Bill, 1972**

On August 22, 1972, Shri H. R. Gokhale, the Minister of Law and Justice, moving the motion for consideration of the Bill, said that the Bill proposed to amend Article 133(1) of the Constitution in order to do away with the value of the subject-matter of the dispute and give importance to involvement of substantial questions of law and that the amendment would apply to any judgment, decree or final order which had been pronounced or passed before or after the date of commencement of the amendment if it had arisen in civil proceeding commenced in the High Court or any lower court before the said date.

*The Bill as passed by the Lok Sabha was laid on the Table on August 20, 1972.

**The Bill as passed by the Lok Sabha was laid on the Table on August 18, 1972.

The motion was adopted by the House and the Bill was passed by the requisite majority on the same day.

The Taxation Laws (Amendment) Bill, 1972*

On August 23, 1972, Shri Y. B. Chavan, the Minister of Finance, moving the motion for consideration of the Bill, said that the Select Committee of the other House had made several modifications in the Bill. Those modifications constituted a distinct improvement in the provisions of the Bill as originally introduced. The Bill had been passed by the Lok Sabha to insert a new Chapter—XXA in the Income Tax Act, with a view to empowering the Central Government to acquire any immovable property, including agricultural land, having a fair market value exceeding Rs. 25,000 in cases where the consideration declared in the transfer deed was less than the fair market value of the property. This power would be available only in cases where there was reason to believe that the consideration as agreed to between the parties had not been truly stated in the transfer deed, with a view to facilitating tax evasion.

The Motion was adopted by the House and the Bill was returned to Lok Sabha on the same day.

The Delhi University (Amendment) Bill, 1972**

On August 28, 1972, the Minister of Education, Social Welfare and Culture, Prof. S. Nurul Hasan, moving the Motion for consideration of the Bill said that it was agreed on all hands that ordinances should not ordinarily be issued. However, the ordinance on the subject was a measure of urgency. There was a situation in which, if administrative decentralisation, as conceived of by the University, took place, it would facilitate better arrangements for regulating the rush of new entrants to the University and also for their instruction.

The Act was very clear on the point that 'teachers of the University' included teachers whether appointed by the University or recognised by the University or those teaching in the colleges. Therefore, the Academic Council was intended to be a body exclusively of teachers. In terms of statutes, delegation of power by the Academic Council would have been possible. Since that was arousing apprehensions, the

*The Bill as passed by Lok Sabha was laid on the Table on August 21, 1972.

**The Bill was introduced in the Rajya Sabha on August 3, 1972.

Executive Council had recommended to the Government to change the nomenclature from "College Councils" to "College Administrative Councils", which meant that the delegation of authority by the Academic Councils would no longer be possible. It would now be possible only by the Executive Council.

The Bill would not create a situation in which the college teachers would be dissociated from the post-graduate teaching. Under section 7 of the Delhi University Act, it was the power of the Academic Council, and it would, therefore, not be proper for the House to give any directive in the matter, because the House had given academic autonomy to the University. The participation of college teachers in post-graduate teaching should continue and it should increase. The Vice-Chancellor had every intention of involving more college teachers with post-graduate teaching and the research work of the University.

In academic matters, no statute would be added, amended or deleted without the concurrence of the Academic Council and the Visitor.

The motion was adopted and the Bill passed by the House on August 28, 1972.

The Rulers of Indian States (Abolition of Privileges) Bill, 1972*

On August 29, 1972, the Minister of Law and Justice and Petroleum and Chemicals, Shri H. R. Gokhale, moving the motion for consideration of the Bill, said that consequent upon the enactment of the Constitution (Twenty-sixth Amendment) Bill, 1971, various administrative steps had been taken to withdraw the privileges which were attached to the former Rulers by virtue of executive orders and statutory notifications. The Bill before the House sought to complete that process. The Bill took into account the human problem which had resulted from the enactment of the Constitution (Twenty-sixth Amendment) Bill, 1972. As a transitional measure, to avoid undue hardship to the individuals concerned, certain concessions were sought to be given or continued to the ex-Rulers by the Bill. Those concessions however, were extremely limited in their scope and would apply only to those who were Rulers prior to the commencement of the Constitution (Twenty-sixth Amendment) Act.

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

*The Bill as passed by the Lok Sabha was laid on Table on August 28, 1972.

The General Insurance Business (Nationalisation) Bill, 1972*

On August 30, 1972, the Minister of Finance Shri Y. B. Chavan, moving the motion for consideration of the Bill, said that the Bill visualised the setting up of a Government company called the General Insurance Corporation of India and four companies subsidiary to it. The functions of the main Corporation included, apart from carrying on general insurance business on its own, aiding assisting and advising the subsidiary companies. The four subsidiary companies would be so situated as to render their services effectively in all parts of India and to ensure that there was healthy competition amongst them.

The Bill provided that all existing employees of the insurer companies whose shares or undertakings were acquired would become employees under the new set-up on the same terms and conditions with regard to pay scales, service conditions, etc. until and unless they were changed. The Government was already considering the question of having uniform service conditions for the employees, and for that purpose, a Committee had been set up for examining the existing organisational and administrative set-up in all the insurer companies and to make suitable recommendations for integrated and rationalised set-up in the future.

The Schedule to the Bill set out the amounts payable by Government for acquiring the shares of the undertakings, as the case may be, of the existing insurer companies. Keeping in view the evidence taken by the Joint Committee and the arguments in the Select Committee, the amounts mentioned in the schedule were reviewed and increased for 31 Indian insurers. The total amount payable to Indian insurer companies was increased from Rs. 25.68 crores to Rs. 30.70 crores.

The motion was adopted and the Bill was passed on September 2, 1972.

OBITUARY REFERENCES

The Chairman made references to the passing away of King Jigme Dorji Wangchuk of Bhutan, King of Bhutan; and three ex-Members viz. Shri S. Sambhu Prasad, Shri Lavji Lakhamsii, and Dr. Dharam Prakash.

The House observed one minute's silence, all Members standing, as a mark of respect to the memory of the deceased.

*The Bill as passed by the Lok Sabha was laid on the Table on August 29, 1972.

STATE LEGISLATURES

HARYANA

A session of the Haryana Vidhan Sabha was held from April 3, 1972 to April 7, 1972. Altogether four sittings, excluding the day on which the Governor addressed the Assembly, were held.

Protection of Wild Animals

On April 7, 1972 the House adopted the following official Resolution:—

“Whereas this Assembly considers that it is desirable to have a uniform law throughout India for the protection of Wild Animals and Birds and for all matters connected therewith or ancillary and incidental thereto;

And whereas the subject matter of such a law is relatable mainly to entry 20 (Protection of wild animal and birds) of List II of the Seventh Schedule to the Constitution of India;

And whereas Parliament has no power to make laws for the States with respect to the matters aforesaid except as provided in Articles 249 and 250 of the Constitution of India;

And whereas it appears to this Assembly to be desirable that the aforesaid matters should be regulated in the State of Haryana by Parliament by law;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 252 of the Constitution of India, this Assembly hereby resolves that the protection of wild animals and birds and all matters connected therewith or ancillary and incidental thereto should be regulated in the State of Haryana by Parliament by law”.

HIMACHAL PRADESH

The second Session of the Himachal Pradesh Vidhan Sabha was held from June 5, 1972 to June 12, 1972. Altogether there were 7 sittings.

Protection of Wild Animals and Birds

On June 7, 1972, the Vidhan Sabha discussed and adopted a Resolution seeking to empower Parliament to enact legislation for the protection of wild animals and birds.*

*For text of a similar resolution see under 'Haryana' supra.

KERALA

The fifth session of the Fourth Kerala Legislative Assembly commenced at 5 p.m. on February 18, 1972 and adjourned *sine die* at 10.05 a.m. on April 5, 1972. There were altogether thirty sittings.

Governor's Address

The Governor addressed the Members of the Legislative Assembly at 5 p.m. on Friday, February 18, 1972. When the Governor began to deliver his address, Members belonging to the Socialist Party wanted the Address to be delivered in Malayalam and in protest staged a walk-out.

The discussion on the Governor's Address lasted for three days, viz., February 21, 22 and 23, 1972. The Motion of Thanks was adopted on February 23, 1972.

Financial Business

On February 25 1972, Shri K. T. George, Minister for Finance presented the Final Supplementary Financial Statement for the year 1971-72. The Minister also presented the Budget for the Financial year 1972-73 on the same day.

On March 2, 1972 the Assembly voted Supplementary Grants for 1971-72 amounting in the aggregate to Rs. 31,41,77,900. The Kerala Appropriation Bill, 1972 was introduced taken into consideration and was passed on March 10, 1972.

The discussion and voting on Demands for Grants in the Budget for the financial year 1972-73 commenced on March 6, 1972 and lasted for ten days.

The Kerala Appropriation (No. 2) Bill, 1972 in respect of the Demands for Grants in the Budget for 1972-73 was introduced taken into consideration and was passed on March 27, 1972.

Statutory Resolution

On February 24, 1972 Shri K. T. George, Minister for Finance moved the following resolution under Article 368 of the Constitution:

"That this House ratifies the amendments to the Constitution of India falling within the purview of the proviso to clause (2) of Arti-

cle 368 thereof proposed to be made by the Constitution (Twenty-fifth Amendment) Bill, 1971,* as passed by the two Houses of Parliament".

After discussion and reply by the Minister for Finance, the resolution was unanimously adopted.

NAGALAND

A session of the Nagaland Legislative Assembly was held from June 29, to July 3, 1972. Altogether there were 4 sittings.

On June 29, 1972, Shri Hokishe Sema, Chief Minister moved a Resolution seeking to ratify the Constitution (Twenty-eighth Amendment) Bill, 1972. The resolution was adopted unanimously.

On the same day, another Resolution was also moved by the Chief Minister against the transfer of Nagaland Affairs from the Ministry of External Affairs to the Home Ministry. The Resolution was adopted unanimously.

PUNJAB

The first session of the Punjab Vidhan Sabha which commenced on March 21, 1972 continued upto May 17, 1972, when the House adjourned *sine die*. In all, 29 sittings were held (including 8 held upto March 31, 1972).

Motions and Resolutions

On April 8, 1972 the Assembly passed a Government resolution seeking to ratify the Constitution (Twenty-fifth Amendment) Bill, 1971, as passed by the two Houses of Parliament.*

On the same day, *i.e.* April 8, 1972, the House also adopted another resolution moved by the Government, seeking to empower Parliament to enact legislation for the protection of wild animals and birds.†

*The Constitution (25th Amendment) Bill seeks to amend Article 31 and add a new Article 31-C relating to compulsory acquisition of property and payment of compensation therefor.

†For text of a similar resolution *see* under 'Haryana' *supra*.

On April 27, 1972, the Assembly adopted the following Government resolution:

This House—

(i) places on record its deep anguish at the escalation of war in Vietnam by the American occupation forces under the direction of Nixon Administration;

(ii) condemns the unprecedented barbaric terror and bombing of North Vietnam by the U.S. Air Force and the reported threat of using nuclear weapons;

(iii) hails the heroic people of Vietnam who led by the People's Liberation Front and their Provisional Revolutionary Government through their stout resistance have defeated times and again the aggressive armies of United States and congratulates them on the liberation of vast areas of their mother land;

(iv) fervently hopes that the Liberation Forces will soon win final victory;

(v) deeply appreciates the stand of the Prime Minister and the Foreign Minister of India and the Government of India for their solidarity with the people of Vietnam, endorses their demand for the forthwith ending of bombing of North Vietnam, withdrawal of U.S. occupation forces and immediate resumption of peace negotiations;

(vi) expresses the hope that the Government of India will find it possible to accord recognition to the Provisional Revolutionary Government of South Vietnam at the earliest."

RAJASTHAN

A session of the Rajasthan Legislative Assembly was held from March 20 to May 27, 1972. In all 26 sittings were held.

Committee for the Welfare of Scheduled Castes and Scheduled Tribes

On May 25, 1972 a motion was moved by the Minister for Social Welfare Department for the constitution of a Committee for the welfare of Scheduled Castes and Scheduled Tribes and the same was adopted by the House unanimously. Later, a Committee consisting of 15 Members was accordingly nominated by the Speaker.

Protection of Wild Animals and Birds

On May 24, 1972 the Assembly discussed and passed a Government Resolution seeking to empower Parliament to make laws with respect to the protection of wild animals and birds.*

*for text of a similar resolution see under 'Haryana', *supra*.

U.S. Air Raids on North Vietnam

On May 15, 1972 the House discussed a Private Member's Motion and passed it in a modified form on the same day. The text of the Motion as adopted by the House is as follows:—

"This House strongly condemns the barbaric air raids on North Vietnam by the U.S. Government of President Nixon. This House feels that the order of the U.S. President for laying of mines with a view to preventing the entry of goods into that country has made the situation even more explosive, which can erupt into world war and which has endangered peace in our country, Asia and the entire world.

This House feels that the People of South Vietnam are justified to carry on their struggle for achieving independence and that the interference by the United States of America therein is an indication of her imperialistic designs.

This House, therefore, supports the demand that the American imperialists should immediately stop bombing of North Vietnam and withdraw all her troops from Vietnam."*

TRIPURA

The Tripura Legislative Assembly held its session from June 23, to July 14, 1972. In all 16 sittings were held.

Ceiling on Urban Property

On July 11, 1972 the Assembly discussed and passed the following Government Resolution:—

Whereas this Assembly considered that there should be a ceiling on urban immovable property;

And whereas the imposition of such ceiling and acquisition or holding of urban immovable property in excess of that ceiling are matters with respect to which Parliament has no power to make laws for the States except as provided in Articles 249 and 250 thereof;

And whereas it appears to this Assembly to be desirable that the aforesaid matters should be regulated in the State of Tripura by Parliament by law;

Now, therefore, in pursuance of clause (1) of Article 252 of the Constitution, this Assembly hereby resolves that the imposition of a ceiling on urban immovable property and acquisition and holding of

*Original in Hindi.

such property in excess of the ceiling and all matters connected therewith or ancillary and incidental thereto should be regulated in the State of Tripura by Parliament by law.

The Constitution (Twenty-eighth Amendment) Bill, 1972

On July 12, 1972 the Assembly discussed and passed a Government Resolution seeking to ratify the Constitution (Twenty-eighth Amendment) Bill, 1972* as passed by both Houses of Parliament.

Protection of Wild Animals

On July 13, 1972 the Assembly discussed and passed a Government Resolution seeking to empower Parliament to make laws with respect to the protection of wild animals and birds.**

*The Bill provides for the deletion of Article 314 relating to the special conditions of service of the Officers of the former Secretary of State Services, i.e. the Indian Civil Service and inclusion of a new Article 312-A which conferred on Parliament the power to vary or revoke by law the conditions of service of these Officers.

**For text of a similar resolution see under 'Haryana', *supra*.

Book Reviews

SOCIAL CHANGE IN INDIA by B. Kuppaswamy (Vikas Publications, 1972, Price Rs. 40)

This book is by a distinguished academician who has sought in these pages to make a comprehensive study of social change in India.

There is a good deal of material culled from various sources and compressed in this volume. A short bibliography at the end of every chapter enhances the value of the book to serious students. Unfortunately, however, there is a text-bookish flavour to much of the discussion. The names of eminent Western sociologists are generously strewn in its pages and drastic summaries, necessarily inadequate, are attempted of their views. Perceptive readers may thread their way through the maze with some effort in order to get at what is in the mind of the author, but it is a pity that a scholar of stature, drawing on more than two decades of advanced study and rumination of sociological problems, gives an impression of being somewhat unnecessarily derivative (and to that extent intellectually pedestrian) in his conclusions. It is a good thing that Professor Kuppaswamy has spread his net wide—to 'Harijans' and 'Girijans'—he allots separate chapters; his discussion of such themes as "educational expansion" and "urbanization and social mobility" is highly informative. But, it is a pity that his conclusions, in so far as they are more than tentative, do not show a firm comprehension of the social forces at work in India to-day and do not make any but the usually humdrum recommendations for the acceptance and assimilation by our people of "secularism, rationalism, empiricism and constitutionalism" (whatever the resonant combination of virtues might concretely imply). How the consummation devoutly to be wished for is to come about is, of course, also left unclear.

Professor Kuppaswamy is, doubtless, a thoughtful reader of wide-ranging literature on many themes, and is drawn, as most of us Indian, are prone to be, towards such concepts as a new society based on "the ancient conception of *Lokasangraha* as enunciated by the *Gita* and the modern conception of *Sarvodaya* as formulated by Gandhiji". This

is a fascinating concept well worth working out in tenably concrete sociological terms, but, Professor Kuppuswamy, again like most of us Indians, leaves it in mid-air as little more than a visionary beam in the void. He makes the usual noises, again, about "a rational and empirical outlook" being essential for India. He asks eloquently for "a secular outlook not only towards the other religious groups but also towards socio-economic problems". But, from a sociologist, one expects more tangible lessons.

Perhaps, with an eye on our still considerably backward University students of sociology, the writer clutters the earlier pages with excessive references to names—Comte, Spencer, Marx, Hobhouse, Spengler, Toynbee, Sorokin, Pareto, Mac Iver *et al*, more than a trifle arbitrarily summarised and placed in uneasy and unclear juxtaposition. One notices such things also as a sudden, quasi-journalistic averment (p. 31) that round about 1885, when the Indian National Congress was founded, "the most dominant social value was national independence". One wishes to heaven it was, but it wasn't. If, however, such is the author's conviction, the arguments must be there, which, alas, are not. How does one react, again, to a drastic assertion (p. 43) that "the only way that is open to human society to check rapid multiplicity of population is by using what Malthus called 'preventive checks'". A well thoughtout sociological study of India to-day should have no room for such careless and shallow formulations.

Wherever the author discusses empirical data, his scholarship and powers of exposition are admirably evident; wherever he steps into the region of creative thinking—which he does rarely and in spite of himself—he disappoints. This is a pity, for high expectations are warranted in the case of a book by a person with the writer's credentials.

—H. N. MUKERJEE, M.P.

SOCIALISM IN INDIA by B. R. Nanda, (Vikas Publication, Delhi, 1972, 299 p. Rs. 35)

"Socialism in India" is a collection of papers presented in the Seminar organised by the Nehru Memorial Museum and Library in Delhi on the theme "Socialism in India, 1919—39".

The Book edited by Shri B. R. Nanda has both the strength as well as the weakness emanating from contributions made by different scholars with varying attitudes and outlooks. Because the problem has been viewed by different scholars through different angles, the

picture of socialism presented has acquired the merit of a multi-dimensional form. For the very same reason the book suffers from the weakness of lack of an integrated and coherent analysis, which could have been possible only if the same author were to deal with different facets of socialism in India.

The period of inter-War years selected for the theme of the book was a period of intense nationalist movement in India. Obviously in this period the most dominant aspect of the socialist movement has been the interaction between nationalism and socialism. In this period, the relationship between international communist movement and various schools of socialism in India was also of great significance. These aspects and their analyses have naturally found appropriate place in the book edited by Shri Nanda.

The book opens with a small chapter "Socialism in India 1919—39: A Retrospect" written by Shri B. R. Nanda. This chapter provides the backdrop for the theme spread over the entire book, sorting out various problems like political climate in the country during the period under review, the role of Gandhiji in the freedom struggle, the relatively imperceptible impact of the Russian revolution on India at the earlier stages in view of the fact that India was deeply involved in stormy events like Home Rule Movement, Anti-Rowlatt Act stir, Khilafat Movement and Gandhiji's non-cooperation and satyagraha movements.

Though the masses were not much affected by the Russian Revolution in the midst of these political storms, the Left-oriented intellectuals were inspired by the Russian revolution and varying shades of Marxists tried to raise the voice of leftism in India from various forums and platforms.

To men like Shri M. N. Roy who tried to look at Gandhiji through the telescope of Communist International, Gandhiji looked "a petty bourgeoisie reactionary" but to the masses who were close to Gandhiji and needed no telescope to look at him, Gandhiji appeared a brave and courageous man who stirred the nation's soul and made men out of the dust who struggled for nation's freedom.

The Socialists in the Congress had fully realised the imperative need to preserve the link between nationalism and the socialist movement and they therefore chose to remain as a ginger group within the Congress in the form of the Congress Socialist Party constantly striving to reorient the policies of the Congress along socialist lines and lending

a more radical touch to the nationalist movement. The Communist took a sectarian line and as a result for a long time they remained out of the mainstream of the nation's political life during the turbulent days of the freedom struggle.

All these events have been briefly presented in Shri Nanda's Introductory Chapter.

The two papers presented by Shri Vijaya Sen Budhraj and Shri Zafar Imam on the subjects "The Communist International and Indian Politics" and "The rise of Soviet Russia and Socialism in India, 1917—1929" discuss in some depth the impact of the International Communist movement and the attitudes of Soviet Russia both on the British Government in India as well as the people and political parties. The advice given by the Communist International to the Indian Communists to denounce the Congress as an organ of "counter revolution", to isolate themselves from the Civil Disobedience movement and to organise the workers and the peasants independently and its impact on the Communist movement have been briefly analysed by Mr. Budhraj. Mr. Zafar Imam has sharply brought out as to how the Bolshevik Revolution and the rise of Soviet Russia introduced an explosive new factor in Indian politics and affected the policies of the British Government, both internally and externally. Internally, it created a deep-rooted suspicion of the bonafides of the nationalist movement, partly because of the apparent community of interest between the Indian nationalists and Soviet Russia—a concurrence which was largely accidental rather than design. In the external field as a result of the Bolshevik revolution a new power had arisen on the borders of British India with the declared purpose of liquidating imperialist interests all over the world.

In his elaborately written paper, Shri Partha Sarathi Gupta has traced the relationship between the British Labour Movement and the Indian Labour and Socialist movements with special reference to different institutions. He has particularly dealt with the attitude of the Labour Party and other independent groups towards the question of India's independence and also the labour movement and labour organisations in India.

Mr. P. C. Joshi and Mr. Bimal Prasad have analysed Nehru's contribution to encouraging socialist forces in India and also his role in giving a definite orientation to the foreign policy issue. One does not miss the contrast which Pandit Jawaharlal Nehru struck in later

years with his emphasis on "Pragmatism" quite distinct from his earlier pronouncements and judgments in the inter-War years.

The Kisan movement in India has played the most significant role during the freedom struggle as well as in the struggle for Socialism. Mr. Binay Bhushan Chaudhuri has vividly traced in his paper "Agrarian Movements in Bengal and Bihar, 1919—1939" their deep seated impact on the social-economic and political life of the country.

The concluding papers by Shri Prabhakar Padhye and Shri D. Anjaneyulu assess the impact of socialism on Marathi and Telugu literature. With an objectivity of mind they have drawn the inference giving concrete illustrations, that at the initial stages of the left movement in India the impact of Marxism or socialism on the literatures was more of a dogmatic nature; but with the rising tide of the nationalist movement under the leadership of Gandhiji the humanistic appeal of Gandhiji exerted a deeper impact on the literature in Marathi and Telugu.

Though considerable material is available regarding the growth of socialist movement in post-war India, adequate literature was not available for the period of the inter-War years. To some extent the book edited by Shri B. R. Nanda has fulfilled the long-felt need of the Socialist literature. If the book provokes among the readers a keen desire to probe into the problems of the socialist movement in the inter-war years the book will have served its purpose.

—MADHU DANDAVATE, M.P.

CONGRESS, THE EXECUTIVE AND FOREIGN POLICY By
Francis O. Willcox (Harper and Row, New York, 1971)

Under the United States' Constitution, the executive and the legislative branches of government are co-equal. It is necessary for the two to work in an atmosphere of mutual trust and consensus so that a viable policy for the long run can be framed and executed. It is also necessary for the American public to be a party to the consensus so that any policy may be fruitful.

Soon after the World War II; there was perfect harmony between the executive and the American Congress. This honeymoon period of executive-legislative co-operation lasted for full two decades up till the middle Sixties. One should say this was a fairly long period of smooth working when one takes into account that difference and

friction in the relationship between the President and the Congress are in-built in the American system of government.

It was during this period that overwhelming Congressional approval was given to the United Nations Charter, peace treaties with Italy and the satellite States, regional security treaties like NATO, SEATO, etc., the Marshall Plan, the Point Four Programme, U.S. participation in a wide variety of U.N. specialised agencies and several other important measures. The Congress even supported the Korean War—a war fought entirely by executive fiat—by appropriations.

All this was possible because both the executive and the Congress did not want to return to post-World War I isolationism and there was general consensus about the basic elements of American policy and the process by which the policy should be developed. This general consensus was also shared by the American public and embraced, in broad terms, both the means and the ends of foreign policy.

Unfortunately, this happy state of affairs is a thing of the past today. In place of mutual trust between the two branches, deep distrust reigns supreme. Ironically, it had its beginning during President Johnson's time who was the cleverest of operators in the Congress and who had the best possible rapport with that body. Senator Fullbright, Senate Foreign Relations Committee Chairman and President Johnson, who were personal friends, fell out after the American intervention in the Dominican Republic. Senator Fullbright accused the administration publicly for lack of candour. This is the beginning of what has come to be called the 'credibility gap'. It went on widening during the early years of Vietnam War. There was a brief respite when President Johnson announced his withdrawal from the Presidential election of 1968.

President Nixon took office in January 1969 with a pledge to end the war. The new President was given the benefit of doubt but it did not take long for disillusionment to set in. Though American boys were withdrawn, the war increased in intensity day by day resulting in the credibility gap reaching yawning proportions. It is this traumatic experience of the Vietnam war that has induced Congress to sit up and reassert its role in the making of the foreign policy. Some say that the balance has already shifted too far in the direction of the Congress.

The author describes the American system in the following words:

"In short, under our system of government the relationship between the President and the Congress is not supposed to be one of peace and harmony, of sweetness and light. On the contrary, it is a relationship in which friction, within proper limits, can be a creative factor; in which tension, up to a point, can be a positive element; in which jockeying for power, within reasonable bounds, is a normal development. But one of the characteristics of our government is that each branch can sabotage the other if it chooses to do so. It follows that a reasonable degree of cooperation and teamwork between the two branches is essential if our system is to function effectively in the interests of the nation."

Now, what are the steps that should be taken to repair the damage that has occurred in the executive-legislative relationship and restore it to a position which will ensure that while mutual trust and confidence will be the essential elements in American foreign policy neither independence of judgment will be forsaken nor creativity and innovation in the American system will be sacrificed.

Towards this end, the author makes various proposals such as consultation with Congress, supply of more adequate information to the Congress, Congressional participation by Members of the Congress in the diplomatic process as advisers or as members of delegations to international conferences, etc. and examines them in detail.

One of his suggestions is interesting. In order to build up the Congress as a forum for foreign policy debate, he desires that the Secretary of State and the Secretary of Defence should appear at regular intervals on the floor of the House and Senate to answer questions on the country's foreign relations, which would smack of the "Question Hour" in Parliament under the Parliamentary system of government. He also suggests the creation of a Joint Executive-Legislative Committee on National Security Affairs consisting of the President, Vice-President, some of their senior officials (including the Secretaries of State, Defence and Treasury, the Chairman of the Joint Chiefs of Staff, the Director of the CIA, the Chairman of the Atomic Energy Commission, and the President's Special Assistant for National Security Affairs) as well as leading Members of the House and the Senate (including Majority and Minority Leaders, the Whips, and the Chairmen and ranking Members of the Committees on Foreign Relations, Armed Services, and Appropriations), some twenty in all. This is perhaps the author's substitute for the Cabinet under the Parliamentary system of government. In other words, he wants to make the American President responsible to the Congress as the Prime Minister is to the Parliament under the Parliamentary system without

altering the American system which provides for separation of powers.

One is led to reflect how democracies tend to think when faced with a crisis—a baffling crisis. If it is a Presidential system, they think that the remedy lies in taking on the features of a Parliamentary system and if it is a Parliamentary system, the thinking tends to look to the features of the Presidential system for a possible solution. Now and then, we hear voices in our own country also pleading for a change-over to the Presidential system as it obtains in America.

On the whole, the book is interesting and avoids boring details. The author is well qualified to treat a subject like this, as he has inside knowledge of the functioning of both the legislative and executive branches of government. He was the Chief of Staff on Senate Foreign Relations Committee and also served later as Assistant Secretary of State.

—O. V. ALAGESAN, M.P.

THE GREEN REVOLUTION by Stanley Johnson [Hamish Hamilton, London 1972]

The book is a travelogue as the author rightly claims, but a travelogue with a special eye towards agricultural and allied developments in the third world. Green Revolution as it is commonly understood refers to break-through achieved in the agricultural output, specially as a consequence of high yielding variety of seeds developed in the yeastier years. This in author's view forms only a part of the Green Revolution. The Green Revolution in its entirety also includes the white revolution, breakthrough in plantation output, malnutrition and anything that concerns food. In effect the author has tried to review not only the efforts to bring about food|population equation in the world but also cultural and social customs and superstitions of the people of the third world conflicting with the development activities there. A speciality of the book lies in introducing such a vital but insipid subject with a touch of humour and knock to absorb the reader from start to finish. Conflict between the tradition and the (green) revolution is shown with subtlety. Untiring efforts of dedicated men bent upon solving the world food problem and the contribution of the United Nations Organisation and other charitable organisations for this cause have been highlighted inconspicuously.

The author toured Latin America, Africa and Asia. In Latin America some of the countries he toured are Mexico—the seat of

development in wheat, El Salvador whose main crop is coffee, Colombia which grows bananas, Amazon as the rubber rich state. In Africa he visited Ghana where people are not keen on development, Dahomey of topless women, Tanzania with the problem of perennial draught and emaciated cattle. In Asia, he saw Turkey, Punjab the bread-basket of India, rice-rich Phillippines and Thailand and lastly Burma.

The author has given an historic account of development programmes in the agricultural and allied sectors taking place in the countries he toured.

—P. ANTONY REDDI, M.P.

Summaries of Books

SOCIAL CHANGE IN INDIA by B. Kuppaswamy (Vikas Publications, Delhi; 1972)

This book attempts to assess the social changes in the country during the last quarter of a century. In the first Part (covering Chapters 1 and 2) an attempt is made to define the concept of social change and indicate its scope, and to describe social values—traditional and modern—which are the basis of social change. The Second Part (covering Chapters 3 to 9) indicates the influence of various factors—technological, economic, and cultural, which are significant in inducing social change. The influence of planning and legislative factors has been especially highlighted. The third and last Part (covering Chapters 10 to 18) is descriptive, dealing with the various areas in which social change has taken place. The author has tried to show the value of empirical studies in each area to understand the problems and to assess the scope of the change, and the resistance offered to such a change.

Definition of 'Social Change'

"Social change" may be defined as the process in which is discernible significant alteration in the structure and functioning of a particular social system. The term "change" itself is wholly neutral. It only implies that there is some difference through time in the object to which it is applied. When we speak of social change we simply assert that there is some change in social behaviour and in the social structure. We do not indicate the direction in which the change takes place, nor even assume any continuity.

Significant Features

One of the most significant features of contemporary India is not only the tremendous social change that is taking place but also a deliberate attempt by the State to change its social structure. Of course, this is not a new phenomenon. Right from the beginning of the nineteenth century there have been efforts by enlightened Indians such as

Ram Mohan Roy, Ramakrishna Paramahansa, and Vivekananda and also by the colonial government to bring about social change. So in one sense we may say that the process which was started at the beginning of the nineteenth century received an added impetus in the decades before and after the attainment of Independence by India in 1947.

The tempo has gradually increased since Independence with the ambition of Jawaharlal Nehru (1889—1964) to industrialize India and the efforts of the Planning Commission on the one hand, and the Community Development and National Extension Projects on the other, to bring about in a deliberate way vast changes in the social structure as well in the beliefs, attitudes, and the behaviour of the Indian people.

Assimilation of New Social Values

One can see the difficulty of assimilating the new values in the context of the old values. Many of the old values are vital and active. Many of the new values are also vital and of immense significance to the development of the individual as well as of the nation. But society is struggling to retain the old values while assimilating the new values.

This is the urgent task facing the society. It cannot be left to circumstances. It must be deliberately tackled. There is need to set up study groups and discussion groups to enable people to understand the implications of the traditional values as well as the modern values and the limitations of both these sets of values. The main problem facing Indian society is the assimilation of the new social values so that society can march forward to social equality, social justice and an improvement in the standard of living.

Increase in Population—an inhibiting factor

The demographic trend in India has shown that because of the increase in population out of proportion to the increase in economy and in social services, there has been no change whatever as far as the poverty of the masses is concerned. In other words, increase in population has served as an inhibiting factor and has prevented social change in the country.

Impact of Technological Developments

Technological developments have brought about many changes in attitudes, beliefs and even in traditions.

One great affect of the progress of technology is the high specialization of the tasks involved in production. Even in contemporary India, we are seeing in the midst of poverty some slight improvement in the standard of living of the masses because of mass production. Even the villagers and the urban slum-dwellers today own bicycles, watches and transistor radios etc. which would have been unthinkable before Independence, because all these articles had to be imported from the West.

However, the progress in technology has also brought in its train increased state controls.

The contemporary situation in the developing countries clearly shows the influence of the cultural factor on social change. New techniques are available but they cannot be imported because of the low availability of the capital, which in turn is due to cultural factors which are in favour of expenditure of vast amounts on marriage ceremonies, rites- rituals etc.

Social change could never be brought about by unaided social legislation. Social legislation could become effective only when there is organized voluntary effort to make the people understand the new values embodied in the new law. Even more important is the task of the parents in every individual home to help the child to adopt the new legal norm as a social norm.

Barriers of Caste System

Though social life in India has been revolutionized, still one cannot say with any confidence that caste is not with us. It is there and probably will continue to be there in the foreseeable future. The only net result of these agitations and upheavals and legislative action is that no caste council can condemn a man for having broken a caste rule. Though caste may continue to operate in the field of social relations within the homes and the principle of endogamy persists, the Hindu as a citizen is not hampered by these limitations. At home as well as in his work place, the Hindu behaves like a citizen of the world. However, the caste taboos and discrimination do operate to a considerable extent in the rural areas. Further, it must be recognized that the caste system appears to persist in spite of all the changes in it and in the social system. Neither modern education, nor modern economics, nor

modern politics appear to have the strength to destroy it. Caste is a social institution which is an extension of the family and so it caters to the needs of a people who are not yet politically integrated. It provides the sense of security and fulfilment which the individual requires to bear the burdens of life and its responsibilities.

A big social change has come among the Harijans on the basis of the temple entry legislation, the reservation of seats in Parliament and the State Legislatures, the provision of educational facilities and employment opportunities.

Still, it must be recognised that the stigma of caste is there. But, this stigma of caste is there because the Caste system is prevalent with the same rigidity among the Harijans as among the Brahmins. Further, the Government has taken caste as the basis for the upliftment programme. So caste consciousness among the Harijans has been consolidated rather than been erased. On the other hand, the practice of untouchability is in its virulent form in the villages which constitute 80 per cent of the population. Caste is the most important dimension in the social structure of the village and the members of the Harijan castes are too few in the village to fight for their rights and too divided among themselves to consolidate their limited strength to fight for their rights.

Women's Participation in Free Democracy

With the removal of legal disabilities and by availing themselves of the opportunities in the field of education, women are now taking their rightful place as citizens in a free democracy. It must, however, be noted, that most women in the rural as well as in the urban areas are not fully participating in the economic, political and social fields since they are not being educated and since the old social values are continuing to operate, inhibiting them.

Media of Mass Communication

In all the four areas of mass communication, namely, newspapers, the movie, the radio, and television, the great defect is the lack of expansion to the rural areas where 80 per cent of the people live. As regards newspapers, one of the immediate needs is to help the starting of local newspapers in the districts so that apart from national and international news, local news is published in the regional languages for the literate people. This will also help the industries by making use of the local newspapers as the media for advertising the necessities of life which will improve the standard of living of the people in the rural areas. Similarly, it has been noted that there is a great need to establish permanent theatres in the rural areas so that the rural folk could

sit with comfort and see the pictures produced in the regional languages in large numbers. As the research survey in Hassan district has shown there is need to give local news through the AIR network for the people of each district. One should think that it is possible to prepare news reports of five minutes duration for each district. This will help in mobilizing the people in each district and enable them to feel that their actions and the incidents in their districts are being studied and broadcast. This will develop a sense of participation among the people living in the district areas. Finally, even if the T.V. stations are established in the big cities of India, the village people in the surrounding areas will be able to improve their agricultural, health and other practices. The unity of the country and its integration, the preservation of freedom, the promotion of the democratic process of government by discussion, the progress of the nation on modern lines in the fields of agriculture, industry, family planning, etc., all these depend on mass media which not only keep the people informed of the government policies but also enable the people to discuss the policies and make the government aware of their opinions through the mass media.

THE GREEN REVOLUTION by Stanley Johnson [Hamish Hamilton, London, 1972]

This book by a former official of the World Bank, is an account of the author's travels in Latin America, Africa and Asia to study the progress of agriculture in some of the under-developed countries of the three continents, called the Third World. The author began his journey a few weeks after attending the FAO Conference in Rome in November, 1969 and calls it a journey in search of the 'green revolution'. He takes the phrase 'green revolution' in its broadcast sense to include not only the development and propagation of new high-yielding varieties of wheat and rice, but also many other aspects of agricultural development, including field and forest, fish, flesh and fowl.

High Yielding Cereals and Production breakthrough

The author observes that in 1985 the high-yielding cereals would be grown on one-third of the area planted for cereals compared with around five per cent in 1968. With the new varieties would come a 'whole package of complementary inputs'—fertilizers, pesticides, credit, land-reform, seed agricultural extension and, above all, irrigation. An assured water supply was vital, if farmers were to be persuaded to adopt the new varieties on a large scale and if cropping intensities were to increase at the projected rate.

Closing the 'calorie' gap, *i.e.* quantity of diet, in turn made it possible to close the 'protein gap' *i.e.* quality of diet. With increased per acre yields of cereals, more and more land should be turned over to other crops.

The prospects for agriculture in the future are expected to be as follows:—1970—1975 : increasing supply of vegetable protein on land released from cereals production *e.g.* beans and peas and pulses. Also increased emphasis on production of meat from animals with a fast reproductive cycle, *e.g.* pigs and poultry. Need for massive transfers of processed milk from developed to developing world, if widespread malnutrition is to be avoided. 1975—80 : transitional period. By holding down the slaughtering of 'offtake' rate for cattle (except in India) there is hope for a steady build-up of 'bovines and other ruminants' 1980—1985 : 'Vertically integrated production' from contented cows should lead to a tapering-off of food-aid in the form of processed milk. 'Action in the field of fish' (especially pond culture) together with the development of semi and unconventional protein foods (*e.g.* petroleum molasses) would add variety to a diet which should now include beet as well as pork, chicken and cereals.

Wheat Revolution in India

In India, the area under the new wheats increased from about three quarters of a million hectares in 1966-67 to nearly three million in 1967-68. In 1969-70, out of a total wheat area of 16 or 17 million hectares, dwarf wheats occupied over 10 million hectares. In 1964, the best year till then, the wheat harvest had been 12.3 million tons. In 1965 and 1966, when the monsoon failed, the harvest had fallen to 10.4 and 11.4 million tons respectively. But by the harvest of 1967-68 it had built up to 16.5 million tons which was 40 per cent higher than the previous record. In 1968-69, production increased to 18.7 million tons. The following years, as the acreage under dwarf wheats rose, production exceeded 20 million tons. The author says that underlying the success that has been achieved, the three factors that stand out are the increased supply of fertilizers, the decision of the Government to keep a floor price for wheats and the availability of credit.

Criticism of Green Revolution in India

Journalists have amused themselves in recent years by attacking the 'green revolution'. They have pointed to social and political by-products

of the new agriculture, and sometimes, have seemed to argue that these by-products are so serious that it might have been better if the 'green revolution' had not taken place at all. This, frankly, is rubbish. Of course there are second and third generation problems. Some of them are important and need to be taken into account by politicians and agricultural strategists and aid-giving agencies. But these second and third generation problems would not exist if the first generation problems are solved, or near solution. A sense of perspective is required.

Inequality of land ownership, inadequacy of credit facilities for the small farmer, insecurity of tenure on the part of tenants and sharecroppers, landlessness, the growing disparity between irrigated and rain-fed areas—all these are subjects which demand the urgent attention of the Centre and the States. India cannot afford the displacement of her rural population through mechanization of agriculture or amalgamation of holdings, at rates which exceed the ability of the urban centres to absorb the inflow. Journalists have made great play of the 'green revolution turning into a red revolution'. It would be tragic if an emotive slogan were taken as an expression of the inevitable.

Another subject of criticism has been the relative lack of progress in rice, as compared to wheat. Rice comprises about 40 per cent of the total food-grain crop in India and perhaps 80 per cent of the rice crop is grown under monsoon conditions. The vital need^a is to develop a 'package of agricultural practices' for increasing rice production and profitability under monsoon conditions (progress is greater with rabi-grown rice).

Those who follow these things, like the Ford and Rockefeller foundations in India, believe that today a revolution in research is taking place which can in the course of time transform the outlook for rice. They believe that there is a good chance of evolving 'dwarf, profuse-tillering, erect, dark green varieties of medium to short duration which are not season-bound, and which have good fertilizer response and pest resistance'. If, to these new varieties, a new agronomy can be added and a new marketing structure evolved for what remains at the moment a predominantly subsistence crop, we may hope to see a genuine rice revolution in India. At that point the target of 'self-sufficiency in food-grain' (which effectively means a harvest of 130 million tons in 1973-74 and an annual increase thereafter at least matching the 2.5 per cent growth in population) would presumably be quite firmly in the bag for a few years at least.

DIRECT TAXATION OF AGRICULTURE IN INDIA by A. C. Angrish [Somaiya Publications Pvt. Ltd., Bombay, 1972]

In this Book, the author examines the various aspects of direct agricultural taxes in the light of modern principles of taxation and the requirements of economic development of the country in order to suggest a rationalised scheme of direct agricultural taxes for the country. The author looks upon agriculture as a productive activity undertaken on the farms and confines his attention only to those taxes that fall on land or on farmers as producers—that is, to land revenue and agricultural income tax. He evaluates the imposition of these taxes on the basis of equity, productivity, administrative simplicity and economic effects.

After tracing the evolution of agricultural taxes in the opening chapter, the author proceeds to analyse the fiscal significance of land revenue and agricultural income tax in the next chapter so as to judge their productivity and elasticity.

Land Revenue

Presenting the figures of receipts of land revenue of the State Governments over the period 1951-52 to 1968-69, the author points out that they reveal "an increasing tendency in absolute amount of collections of land revenue during the planning period which should dispel the common belief that land revenue is altogether stagnant." In this connection, he observes that the growth rate of land revenue over Plan-periods indicates that land revenue increased by Rs. 128.3 crores or 39.3 per cent in the Second Plan period over the First Plan period. The increase in tax revenue in the Third Plan over the Second Plan was Rs. 115.3 crores or 25.3 per cent and this increase in the Third Plan over the First Plan was Rs. 243.6 crores or 74.6 per cent. The receipts of this tax have been quite significant during the Second and Third Five Year Plans, but have considerably fallen in the year 1966-67 owing to remissions granted to the cultivators following crop failures and drought conditions in many States. The rise in the yield since 1951 may be due to the addition or merger of territories, abolition of intermediaries and the gradual increase in the total cropped area. Attempts like imposition of surcharges on land revenue and the levy of special assessments on commercial crops made frequently by the State Governments have also contributed to the increase in the receipts. Because of the rate rigidity of land revenue and the phased programme of regular survey and settlement operations which are being conducted

in different States, the tax has, however, not proved itself to be a good-revenue-raiser. Since the land revenue is imposed on land and the tax base is not kept current from year to year or at short intervals, it introduces an element of built-in-inflexibility in the tax.

Place of land revenue in the total tax revenue and the total revenue of the State Governments

Land revenue, however, does not occupy a significant position in relation to the total tax revenue and the total revenue of the States of the Indian Union. If the place of land revenue is examined Plan-wise, it is found that the collections of land revenue during the First-Five-Year Plan period (1951-52 to 1955-56) formed 20.31 per cent of the total tax revenue, and 14.04 per cent of the total revenues of the States. In the Second Five Year Plan period (1956-57 to 1960-61), the percentage of land revenue to the total tax revenue and the total revenue of the States declined to 17.45 per cent and 11.25 per cent respectively. During the Third Five Year Plan period (1961-62 to 1965-66), the fiscal significance of land revenue in the total tax revenue and total revenue of the States declined to 12.6 per cent and 7.8 per cent respectively. The declining trend during the third Plan period was, particularly, because of crop failures, and the impact of Pakistani invasion on the country.

Land revenue in relation to other tax sources of State Governments:

The adoption of a number of new taxes and other non-tax sources during the planning period coupled with the increasing quantum of shared taxes and grants-aid as a result of the recommendations of the Finance Commissions, have, as a matter of fact, snatched away the one time top-most place of land revenue in the fiscal structure of the States. Its percentage share has fallen in relation to other taxes, particularly, Sales tax. Recently, State Excise and centrally shared taxes have also grown considerably in their relative fiscal contributions. Land revenue on the other hand has lagged conspicuously behind the sales tax and does not yield amounts considered to be adequate if compared with the growth of receipts from other tax sources.

Elasticity of land revenue

Examining the elasticity of land revenue in relation to income from agriculture during the period 1951-52 to 1965-66, the author shows that it was 1.19., which makes elasticity more than unity. In other words, one per cent increase in income from agriculture was

accompanied by more than one per cent increase in land revenue during this period. Although this indicated that land revenue has claimed a larger share in the increases in incomes from agriculture and is a flexible tax, still, it would not be proper to call land revenue a progressive and an elastic tax on the basis of this estimate, in view of the fact that land revenue is not assessed on agricultural income and is fixed for the duration of settlement ranging from 15 to 40 years. Moreover, the increases in the collections of land revenue cannot be wholly attributed to the increases in the rates and structure of land revenue.

Agricultural income-Tax

Looking at the trend of collections of agricultural income tax by the State Governments since 1951-52, it is seen to reveal "an increasing tendency in absolute collections during the planning period." Going into details, the author observes that the receipts from this tax have more than doubled during the decade 1951-52 to 1961-62, and as compared to 1951-52, have increased more than 2½ times in 1968-69. The average yield of this tax since 1966-67 to 1968-69 has been Rs. 10.8 crores and shows almost a stagnant tendency during the three-year period. The increase in the amount of collections from this tax has been mostly due to the enhancement and enforcement of rates of agricultural income-tax and detection of number of cases of evasion in the States.

If the rate of increase of agricultural income-tax over the Five Year Plan periods is calculated, it is found that the tax increased by Rs. 17.9 crores or 72.8 per cent in the Second Plan period over the First Plan period. The increase in tax revenue in the Third Plan period over the Second Plan period was Rs. 6.4 crores or 15.1 per cent, and this increase in the Third Plan period over the First Plan period was Rs. 24.3 crores or 98.7 per cent.

Place of agricultural income-tax State-wise

Agricultural income-tax, however, occupies a place of minor importance in relation to the total tax revenue and the total revenue of the State Governments. Agricultural income-tax formed 1.5 per cent of the total yield of State Taxes in 1951-52. Its contribution in relation to the total tax revenue of individual States was 15.8 per cent in Assam, 3.6 per cent in Uttar Pradesh, 2.3 per cent in West Bengal, Orissa and Bihar. In 1961-62, this tax formed 1.4 per cent of the total tax revenue of the States. The contribution of different States

in relation to the total tax revenue in that year was: Assam 14.5 per cent; Kerala 8.4 per cent; Maharashtra, Mysore and West Bengal 1 to 2 per cent and in rest of the States less than 1 per cent. At present, on the basis of 1967-68 estimates, the contribution of agricultural income-tax is 0.72 per cent of the total yield of State taxes. The highest contribution is that of Assam which is 8.04 per cent and the lowest is that of Rajasthan, which is 0.03 per cent. Excepting Kerala and Mysore where its contribution is 4.05 per cent and 2.0 per cent respectively, it is less than one per cent in the rest of the States.

Elasticity of agricultural income-tax

Calculating the elasticity of agricultural income-tax during the period 1951-52 to 1965-66, taking 1951-52 as the base year, the author states that the estimates show that the elasticity of agricultural income-tax in relation to income from agriculture of the upper class during the period 1951-52 to 1965-66 was 1.52, which makes elasticity of agricultural income-tax more than unity. This, in a way, shows that agricultural income-tax has claimed a larger share in the increases in incomes from agriculture and is a flexible tax. But it would not be proper to call agricultural income-tax a progressive and an elastic tax on the basis of this estimate, because the increase in the collection of agricultural income-tax cannot be wholly attributed to the increase in the rates and structure of agricultural income-tax. Moreover, the yield of this tax is really the yield of the plantation States, because these States contribute a lion's share of agricultural income-tax. As such, agricultural income-tax lacks the element of elasticity in it, though apparently it appears to be elastic.

Burden of Agricultural Taxes in India

The author then examines the burden of agricultural taxes in the different States from various angles such as the *per capita* and per acre burden, the levy in relation to net value of output and as a percentage of agricultural income etc. Calculating the agricultural tax burden by applying different methods of appraisal, the author gives his conclusion as follows:

These methods, with all their limitations, still provide as a guideline to suggest a discriminate enhancement of the burden of agricultural taxes. Since Andhra Pradesh, Bihar, Madhya Pradesh, Rajasthan and Uttar Pradesh (Category I) are already bearing heavy burden of direct agricultural taxes, and their *per capita* income is relatively low, there may not be much scope for additional tax burden in

these States. On the other hand, the lightly taxed States like Punjab, Mysore, Madras and Gujarat (Category II), whose *per capita* income is relatively high as compared to category I States, should step up their taxes at least to the level of category I States. The other States, like Assam, Kerala, Maharashtra and West Bengal (Category III) whose *per capita* income is relatively more than category I States, and are otherwise considered to be high-ability States, should also tone up their level of agricultural taxes. Orissa and Jammu and Kashmir which appear to be lightly taxed States can also well bear additional tax burden. Thus there seems to be much weight and justification in the usual argument regarding the enhancement of the direct agricultural tax burden in the country.

Judging land revenue and agricultural income-tax on the basis of equity, productivity, administrative simplicity and economic effects, the author is of the view that these taxes are inequitable, unproductive, and have no income or substitution effects or what is called, the distortion effects. The direct agricultural tax structure in India was never framed to generate and promote economic development in the country.

On the basis of the available data the author justifies the rationality of land revenue and, further, favours its enhancement on grounds of increase in prices, production, and income, as well as on grounds of favourable terms of trade, inter-sectoral equity and benefits of public expenditure. Such enhancement of burden is favoured particularly on the well-to-do farmers who are the main participants of the Green Revolution in the country.

With a view to reforming the direct agricultural tax structure, the author suggests a number of short-term and long-term measures, such as adoption of 'potential net income' as the basis of assessment, minor adjustments in the existing pattern and level of land revenue in different States so as to provide relief to the small cultivators, imposition of surcharges on land revenue so as to set off a part of the increase in the agricultural income resulting from high prices, and 'in-kind' collection of land revenue. The author also advances arguments to establish the fiscal soundness and administrative feasibility of the 'in-kind' mode of levy collection.

THE CENTRE AND THE STATES by Subrata Sarkar (Academic Publishers, Calcutta, 1972)

This book contains a study of the working of the Constitution in the sphere of Centre-State relations. Beginning with a survey of the
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history of constitutional developments in India from 1858 to 1950, the author goes on to quote the views of eminent jurists on the nature of the constitutional framework and brings his account up to the developments since the general elections of 1967 and the recommendations of the Rajamannar Committee. He also discusses the role of Governors, the attitude of the political parties in the matter of Centre-State relations, the Directive Principles of State Policy and regional backwardness.

National Unity

The main thesis put forward by the author is that extraordinary powers in the hands of the Centre should be used in times of national emergency only and that in normal times the Centre must not make any inroads into the State list. The need for a strong Centre is recognised by the political parties and State Governments which have been campaigning for more autonomy for the States in economic and administrative spheres. Here the question is whether the objective of a strong Centre can be realised by weakening the constituent units. Theoretically at least it is recognised by the Central Government and the ruling Congress Party that there cannot be a strong Centre without strong States and *vice versa*. But what has happened in actual practice? The working of the Constitution of India in the sphere of Centre-State relationships show that the Centre has grown stronger at the cost of the States. The dependence of the States upon the Centre has grown absolutely as well as relatively.

For the sake of consolidation and further strengthening of national unity, the State must be given what is their due. The Constitution of India, for all practical purposes, is "federal in form but unitary in content". The States have to be given more powers—fiscal, administrative and others, so as to make the idea of Federation more meaningful. Delegation of more autonomy to the States will lead to further strengthening of the Centre.

The existing provisions of the Constitution in respect of the Centre-State relations, have hampered and are hampering the effective implementation of the Directive principles of State Policy. Elimination of regional disparity in the levels of development is the declared policy of the government; the existing framework stands in the way of harmonious and integrated development of all the regions. Taking every thing into consideration, it is necessary to amend the relevant provisions of the Constitution with a view to grant genuine autonomy to the States "consistent with the unity and integrity of India."

Causes of Centre-State Conflict

The Constitution of India which was produced by the Constituent Assembly is for all practical purposes, federal in form, but unitary in content and practice. The working of the Constitution during the last 20 years has sharply revealed its unitary character, where powers—legislative, administrative, judicial and fiscal—are mainly concentrated in the hands of the Centre. And here lies the root of all conflicts, contradictions and frictions between the Centre and the States and between one State and another.

Loud talk about "Strong Centre", "National integration", etc. will not solve the problem of Centre-State relations, unless positive measures are taken to make the people of the States and regions feel that they are equal partners in the nation-building activities. A climate has to be created where the people of different States and regions with different levels of economic, political social and cultural developments, can feel that they are all soldiers of the same army, *i.e.* the Indian Union.

Linguistic Minorities

Recognition of the concept of unity in diversity demands that the linguistic minorities living in a compact area should be given "regional autonomy within the Indian Union". The Central Government, through an amendment of the Constitution, created "Meghalaya" within the State of Assam. And, it has been decided by the Centre to grant full statehood to Meghalaya. The Central Government has also decided to grant full statehood to Tripura and Manipur. Why not extend this policy in the case of other regional minorities also? Why not, for example, grant regional autonomy, within the Indian Union, to the Nepali speaking areas of Darjeeling District? Lack of positive policy decisions embolden the forces of separatism. Why not recognise some other languages like Nepali as the official languages by amending the Eighth Schedule to the Constitution? Adoption of these positive measures will go a long way in strengthening the unity of India.

Necessary Steps for Improvement of Centre-State Relations

In the author's view, the following steps can be taken for the betterment of Centre-State relations:

- (1) Constitution of a Federal Department Commission by the Central Government, to recommend measures with regard to the loans secured by the State governments. The debt burden of the State Governments now exceeds Rs. 5000 crores.

(2) Constitution of a high-powered Commission with competent persons, by the Central Government, to study the constitutional provisions in the sphere of Centre-State relations, and to recommend amendments to the relevant Articles with a view to providing for an ideal federal system of government. The recommendations of the Commission should be based on the principles of "autonomy for States consistent with the integrity of India."

(3) Inter-State Council under Article 263 of the Constitution should be constituted without delay. The composition, functions, rights and responsibilities of the Council should be determined by Parliament. The recommendations of the Rajamannar Committee in this regard should be favourable considered.

(4) Rajamannar Committee's recommendations with regard to industrial licensing and industrial development should be accepted in principle. Here it is suggested that all the industries except those listed in category (A) under the Industrial Policy Resolution of 1956, should be included in the State list. All the States should enact their own Industries (Development and Regulation) Acts, to regulate their industrial development. This step will go a long way in raising the tempo of industrial growth in the backward regions.

(5) The Planning Commission should be constituted on a statutory basis with recognised experts. The Commission should not be made another government department. It should be an expert body whose responsibility will be confined to drawing up plans and rendering expert assistance to the States and regions in implementing the Plan schemes. The Planning Commission should not be burdened with the responsibility of making recommendations for disbursing discretionary loans and grants to the States.

(6) The Finance Commission should be a permanent body with power to recommend in regard to total resources to be transferred from the Centre to the States under all the relevant Articles of the Constitution. Necessary constitutional measures have to be taken to make it obligatory for the Centre and the States concerned to accept the recommendations of the Commission.

(7) It is the considered view of some political parties and individuals that the office of the Governor is unnecessary and hence it should be abolished. This view should be seriously considered.

(8) The Rajamannar Committee is quite justified in recommending that Articles 256, 257 and 339(2) (which deal with the directives to the States by the Union), and Articles 356 and 357 (which deal with the emergency arising out of the failure of the constitutional machinery in a State) of the Constitution of India should be deleted. The Committee has rightly suggested that sufficient safeguards should be provided in the Constitution itself to secure the interest of the States against "the arbitrary and unilateral action of the ruling party and the Centre. There is no reason why this recommendation of the Committee should not be accepted.

EXTERNAL RESOURCES IN ECONOMIC DEVELOPMENT OF INDIA by Dr. D. N. Prasad [Sterling Publishers (P) Ltd., New Delhi, 1972]

This detailed study is concerned with the role of external resources in the implementation of development programmes in India. It has been written against the background of the paucity and uncertainty of external assistance, which halted the process of planning after 1966 and which resulted in the postponement of the Fourth Five Year Plan to 1969. The sudden suspension of 'aid' to India in 1965 and again in the recent 14-day Indo-Pakistan war has posed new problems and forced Indian planners to re-assess India's dependence on foreign aid.

The book has been divided into four parts. Part one deals with external resources and economic development. The second part analyses the factors affecting external resources. The third deals with foreign aid in India's development and defence, and the final part analyses the factors affecting external resources. The third part deals with foreign aid in India's development and defence, and the final part incorporates the remedial measures.

Inevitability and performance of foreign aid

As regards foreign aid which is extended to the underdeveloped countries in such form, magnitude and on such terms as to render more benefits than the costs it entails on the economy compared to other sources of such inflows, there can be little doubt about its inevitability.

Foreign aid is necessarily a temporary palliative, a 'catalyst' to start and to accelerate the development process in the economies engulfed by traps, either of 'poverty', or 'Malthusian', or both, where the process even refuses to start. In the transitional stages, until such countries acquire, in succession, the capacity for self-sustaining growth, the need for foreign aid seems to be unavoidable, given the socio-political constraints involved in the democratic process.

Quantum of foreign aid

If we take the performance during the decade 1955—1965, the overall record of achievement of foreign aid is by no means insignificant. There may be a justifiable disappointment among the developing countries at the fact that the net flow of resources from the rich to the poor countries has shown little increase for the last several years, and this is against the fact that the developed countries have continued

to enjoy unprecedented progress and prosperity. On the other hand it is still an impressive fact that what is generally—and rather euphemistically—identified with foreign aid proper, that is, the inflow of long-term capital and donations from official sources into the developing world, has increase the gross terms from just about \$ 2 billion per annum on an average during 1951—55 to \$ 7 billion during 1961—65. Another significant fact is that foreign aid is now much more broad based with practically every industrially advanced country engaged in it in a greater or small degree.

Foreign aid for the Fourth Plan

In spite of the uncertain climate for external assistance, India is determined to go ahead with its new Fourth Five Year Plan (1969—1974). Of necessity this Plan has to be 'resource-based' as against the 'need-based' earlier Plans. The need to reduce dependence on foreign aid to sustain the economy and to carry the country forward on the high road to prosperity has been stressed time and again. The Approach Paper prepared by the Planning Commission laid stress to "move towards self-reliance as speedily as possible." In order that the economy be directed towards this path, it suggested that "the attempt should, therefore, be to reduce foreign aid inclusive of food aid—and net of interest and repayment—to about half of the present level by the last year of the Fourth Plan (1969-70 to 1974-1975)."

During the Third Five Year Plan, net external assistance came to Rs. 3,500 crores approximately (at post-devaluation exchange rate). The position during the three annual plans (1966—1969) has not been very different on considerations of an average. The Fourth Five Year Plan document (1969—74) postulates aggregate external assistance net of debt-servicing charges at Rs. 1,850 crores in line with the pronounced objective of reducing aid to half the level of the previous years.

Inadequacy and uncertainty of external resources

The examination of the problem of inadequacy and uncertainty of external resources in the context of planning in India reveals that the crux of the problem in the country has not been so much of inadequacy as of its uncertainty and ineffectiveness. For its ineffectiveness the planning programmes and techniques may be blamed and suitable changes in them need to be brought about in order to make them more effective. But uncertainty is a problem for which the mood, psychology and philosophy of the donor countries is largely responsible. The

only solution seems to lie in the fact that the psychology and philosophy which has been occupying the minds of only the social thinkers and top-administrators in the advanced countries, begins to be shared, if not by the general masses, at least by those who have a hand in shaping the national policies in those countries. For this, probably, a vigorous propaganda effort needs to be launched by the underdeveloped countries clamouring for receiving assistance.

Importance of export promotion

Looking at the strategic importance of export promotion and export expansion in the present context of India's economic development, aimed at attaining self-sufficiency with speed, while it is necessary to get the best trade terms possible, it is vital to promote exports and seek new markets; it is even more important to control prices and modernise production in such a manner that Indian goods become competitive with foreign goods not only in the foreign markets but also in the internal markets. It has to be remembered that no amount of manipulation of tariffs and preferences within the present would patterns is going to enable India to balance her trade. For such a balance to be achieved there is required nothing short of revolution in the international trade nexus.

Reduction of imports

The draft outline of the Fourth Five-Year Plan (1966—1971) estimated total import requirements (including P.L. 480 imports) at Rs. 12,049 crores (post-devaluation prices) of which Rs. 3852 crores were for project imports and Rs. 8190 crores for maintenance imports against an estimated exports receipts of Rs. 8033 crores for that period. The rest was proposed to be met with by external assistance. However, the new proposals as indicated in the 'Approach Paper' place greater stress on moving towards self-reliance as speedily as possible. It aims at reducing the level of foreign aid to half the present level and for that purpose it suggests that it will require concerted efforts both in reducing imports and increasing exports. But it does not forget to point out that "reduction in imports is a difficult task and presupposes a large programme of import-substitution and elimination of non-essential imports."

The Indian economy, however, has now reached a stage where it has become a necessity to bring about a change in the character of the internal market from a sellers' market to a buyers' one. It is only then that the internal market becomes less lucrative for our exporters

and we can expect our exports to be competitive abroad. The new Planning Commission has recognised this fact. Also the Planning Commission has decided to withdraw all concessional food imports within three years. It has also recognised the necessity of curtailing the imports of long-staple cotton which does not repay the foreign exchange cost as India exports mainly coarse and medium cloth. There is also scope in the reduction of imports of fertilisers, certain varieties of steel, machineries, dispensable imports like sulphur for sugar production etc.

Thus when our imports are reduced to the minimum, commensurate with our needs of development, the task remains that of increasing exports to the maximum. And then, if any deficit remains to be covered, efforts should be made to obtain external assistance in the proper form and on proper and suitable terms and conditions. The prospects, are, however not bright in spite of efforts at the Second United Nations' Conference on Trade and Development in New Delhi in 1968. Hence, the main plank for such a programme of self-reliance with speed is acceleration in development and diversification of exports.

Tax rates

With the beginning of the year 1969, the Government of India has done a useful work by clearly identifying areas in which foreign capital can make maximum contribution to the economic development of the country. It has been designed that tax incentives should go to only those concerns which operate in such specified fields. However, in an under-developed country like India tax rates in general cannot be lowered to a great extent because if tax rates are lowered substantially they will affect the savings of the economy accruing to the public authorities. And we have seen that such savings are of utmost importance in the present stage of development of the country. If such savings are reduced on account of reduction in tax rates, the government will be forced to borrow abroad to meet its requirements of development and thus the foreign investors may be required to pay more taxes in their own countries to meet the requirements of assistance which their governments may commit to the underdeveloped countries.

Balance of Payments

India's balance of payments problem is too acute to be solved by the traditional measures of merely stimulating the items on the credit side and controlling the debits. In fact it has been brought about by the complex set-up of the economy which adheres fully neither to

market forces nor to state control and regimentation. Therefore, the solutions looked for have to be bold and even radical, may be even such in respect of which there is perhaps little in store for us in the past history of nations faced with such problems. Indeed for any long-term solutions of the problem we have to concentrate on export promotion and export expansion and import reduction and substitution to the extent that it does not affect adversely our export potentials. Recourse to further external assistance has also to be designed with this end in view. But more important perhaps are also the problems associated with black-money and a sizable amount of P.L. 480 counter-part funds which provide both actual and potential dangers by increasing the temptation of the democratic government to resort to easy money policy—deficit financing and even P.L. 480 funds. Unless these are effectively checked, inflation will keep the external value of money out of alignment with the official rate of exchange thus engendering forces leading to smuggling and such other undesirable practices which go to aggravate the balance of payments problems. A clear-cut programme of foreign debt-repayment policy through a foreign debt-repayment fund, financed out of proceeds of investments in such undertakings as use external loans is needed. Eradication of black-money problem through a bold step to allow it to come to the market without questioning the source thereof, if produced within a given time-limit, otherwise confiscating it through legislation or making it impotent through a carefully planned and secretly executed policy of demonetization, is essential. Care has also to be taken not to frustrate its emergence out of its hide-outs, be it through fear of income-tax or any other penal measure. It may be tentatively suggested that action in this respect may be taken along the following lines: (1) to allow black money to be invested in long-term loans floated by government for development without questioning the source of such funds if brought out within specified time-limit; (2) funds so invested in the time-period allowed be exempted from income and wealth taxation in order to allow an opportunity for all such funds to get accounted for; (3) after the steps in (1) and (2) above have been taken and the time allowed has passed, the government may take steps to demonetize the currency in denominations of Rs. 100 and above by a graduated system where such currency upto a maximum of Rs. 5000 be converted in new currency on par, the remaining being allowed to be converted at less than par on a progressively declining basis with the limit of, say Re. 1 for every rupee 10 surrendered. All these steps can go a long way in removing the implications created by such money into the economy, thus enabling an opportunity for the monetary policies to serve the purpose of development, for which they are designed.

Implication of defence expenditure re: external resources

National defence and development effort should not only go hand in hand, but should also be viewed as inter-dependent to a large extent. It would be unwise to counterpose defence and development—they in fact reinforce one another in many areas and activities.

As defence preparations in modern age are becoming heavily capital-intensive, investments made in defence industries are naturally enormous. It would be sheer waste of scarce capital resources in an under-developed country like India, if these resources become highly specific in character after they have once been invested. Industrial countries have devised processes to manufacture military goods with the same plants which are used to manufacture only utility products in peace time. The aim in all such cases is to collect war equipment, to make the machinery needed to manufacture it at short notice and also an adequate body of highly trained technicians.

In some countries, in which military production is undertaken in the public sector, plants for the manufacture of armaments are dual purpose plants. These plants are so designed as to manufacture washing machines, agricultural machinery, tractors and electrical refrigerators and similar other products as well. It is essential that an underdeveloped country like India has to make sure that this vitally needed flexibility is envisaged in all fabrication of productive machinery.

Augmentation of external resources

The basic problem, therefore, that now emerges before the Indian economy is one of bridging the import export gap and the associated trade-gap can be grouped as follows:—

- (1) Measures to expand and accelerate exports;
- (2) measures to increase import substitution;
- (3) efforts to obtain external assistance on convenient terms;
- (4) measures to attract private foreign capital; and
- (5) measures to reduce the savings-gap by mobilisation of domestic resources.

1

ECONOMIC AND SOCIAL CONSEQUENCES OF NUCLEAR ENERGY by Lord Sherfield [Oxford University Press, London, 1972;]

This book is one in the Science and Engineering Policy Series, which is intended to provide a medium for discussion of various aspects

of impact of scientific discovery and technological development on society.

The book contains Chapters by Professor Robert Spence, Air Chief Marshal Sir Denis Barnett, Sir Stanley Brown, the late Dr. Hans Kronberger, the Bishop of Exeter, and Lord Ritchie-Calder. The editor, Sir Roger Makins, who was Chairman of the United Kingdom Energy Authority from 1960 to 1964, contributes an Introduction.

Benefits of Nuclear Energy to Society

Enumerating the benefits of nuclear energy to society the Editor, in the Introduction to the Book, writes that the most important economic consequence of nuclear energy is that it has provided the world with another source of fuel, which in one of its forms is self-renewing. The introduction of nuclear power into the power systems of industrial countries is taking place slowly and with the circumspection required with a new fuel which could cause a major accident. But nuclear power has now passed through the phase in which it was introduced into many countries for reasons of national prestige or to learn a new technology, and is being treated on its economic merits in relation to other fuels. It is making headway everywhere, and the introduction of the fast breeder reactor to supplement the thermal reactors now in use is likely to accelerate the use of nuclear power in the next decade.

If the impact of nuclear energy has been greatest in the military and strategic sphere, and most promising in the economic field as a source of power, it has been most immediate and most beneficial in medicine, industry, and agriculture.

As a source of power, nuclear energy is well adapted for the desalination of water and therefore provides an insurance against the depletion of water resources or an alternative, if the economics can be got right, to the construction of reservoirs and dams. In the form of radioactive isotopes, nuclear energy can also provide small power resources valuable, for example, in cardiac pace-makers, in spacecraft and, more mundanely, as a source of light for marine markers. But radio isotopes find their main use in medicine, industry, and agriculture; in medicine for research, diagnosis, and therapy; in industry for process control and preservation of foodstuffs and materials; in agriculture and in mining for soil and product analysis.

Nuclear Technology—Mastery of Man over Environment

Nuclear technology has given a popular name to the age in which we live—the Nuclear Age. It has brought new benefits to society and with them new hazards; perhaps also it has increased the stresses and strains of contemporary life. It has certainly imposed new responsibilities on politicians and administrators for public security and safety, both at national and local levels.

But in a broader sense, these stresses and strains, these new responsibilities are no more than one part of the technological revolution. It would be otiose to try and apportion merit or demerit to any one aspect of this revolution, which covers the whole spectrum of science and technology. Nuclear technology marks a distinct phase in this revolution, and if it has brought with it hazards as well as benefits, there is no cause, on this account, to be afraid of it. It is rather to be welcomed as another, rather dramatic, stage in the increasing mastery of man over his environment.

Effect of Nuclear Radiation on living Organisms

Living organisms also suffer radiation damage. Heavy doses, especially if delivered all at once, cause the individual cells either to die or to suffer a loss in efficiency, and this leads to malfunctioning of the organism as a whole and possibly to death. In human beings a dose of 500 R (Rontgen) to the whole body results in death in over 50 per cent of cases. Lower doses may give rise to leukaemia, to some forms of cancer, and to various other disorders, and in addition to these somatic effects there may be damage to the germ cells. Genes in the chromosomes of germ cells, though remarkably stable, suffer occasional changes known as mutations which may lead to the appearance of detrimental genetic traits, such as haemophilia, in the progeny. These changes occur naturally and it is thought that the radiation from cosmic rays and from natural radio isotopes to which all living organisms are exposed, amounting to about 3R for human beings, is responsible for a proportion of such mutations. Information concerning human beings is very uncertain since it is based almost entirely on experiments with plants and animals, but it has been estimated that an average dose of 30-80 R over the whole population would be required to double the natural mutation rate. If the hazards of nuclear war are excluded, the probability that more than a small fraction of the population could receive a dose of this magnitude is extremely small. On the other hand, as any increase in the average dose to the population, however, small, must be assumed to lead to some increase

in the rate of mutation, it is generally accepted that this must be avoided or at least minimized. The high sensitivity and accuracy of nuclear measuring equipment permit an exceptional degree of control to be exercised and there are now internationally agreed maximum permissible doses, but constant vigilance will always be necessary.

Technological Development of Uranium and Hydrogen Bombs

The fission and fusion processes can be made to yield output of energy so great that the mind has to make a deliberate effort of re-attunement in order to begin to comprehend their significance. It is also evident that, while this scientific knowledge was unfolding to reveal possible uses for such huge potential outputs of energy, one foreseeable use would be for war; or, as has less foreseeably happened, for the prevention of war.

In the event, because Europe was already at war when the advance of scientific knowledge had disclosed these possibilities, the use toward which endeavour was directed was the warlike one—the production of a nuclear fission war-head (an 'atomic bomb') to be carried by aircraft. The first of these (a test device) was exploded from a tower at Alamogordo in New Mexico, U.S.A. in July 1945. The second and third (the only two to be used in war) were delivered upon their targets at Hiroshima and Nagasaki in early August 1945. Some seven years later (November 1952) the first fusion device ('hydrogen bomb') was tested by the United States. The U.S.S.R. and the U.K. exploded their first fission devices in September, 1949 and October 1952, followed by 'hydrogen bomb' in August, 1953 (the U.S.S.R.) and May 1957 (the U.K.). Later, in February 1960 and October 1964 respectively, France and China fired the first of their tests in the series which each has since continued.

In the Chapter entitled "The Nuclear power programme", Shri Stanley Brown gives a clear account of what is involved in estimating the comparative merits of different methods of producing electric power.

Nuclear Power Stations

He says that even if the relative merits of the competing systems of nuclear generation are not as clear as their individual proponents would wish us to believe, nuclear power is already competitive in high fuel-cost areas. Further, it is a young and rapidly developing technique and therefore its real costs can be expected to fall as techniques

progress. On the other hand, the technology of coal-fired stations after many decades of intensive development is for the moment relatively static, and the prospects of really significant reductions in the cost of mining coal are not immediately obvious. And the increasingly costly problem of controlling air pollution from the burning of fuel, and there seems little doubt that nuclear stations must make the major contribution to future power supplies.

In short, nuclear power is a development altogether timely at this stage of the world's progress, and almost wholly beneficial in its effects.

The next chapter deals with the potentialities of the development of nuclear energy for purposes other than warfare and power. In this chapter, Dr. Hans Kronherger describes first the uses to which the heat from the fission process can be put in explosions or in reactors; then uses of radioactive isotopes; and finally the applications of nuclear and radiation physics, using as typical examples those related to the exploitation of natural resources. The Chapter indicates that the impact of the discovery of fission has wider implication, and can have much more immediate benefits than the making of weapons and of power stations.

Moral Duties to develop Peaceful Uses of Nuclear Energy

In Chapter 5, the Right Revd. Robert C. Mortimer, Bishop of Exeter, expresses his belief that there is a moral duty to develop the peaceful use of nuclear energy. He observes that if there was a moral duty to develop the peaceful use of nuclear energy, there was also an equal duty to see that the risks involved were reduced to a minimum. The possibilities both for good and for evil in the use of nuclear energy demand an effective international authority. For the good purposes the establishment of such an authority should not be all that difficult, nor obedience to it reluctant. For the evil purposes, the creation of such an authority is infinitely more difficult, and obedience to it harder to obtain. Its necessity and urgency, however, is even greater.

Lord Ritchie-Calder discusses in Chapter 6 some of the consequences of the development of nuclear energy from the social standpoint.

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APPENDICES

- I. Statement showing the work transacted by the Fifth Lok Sabha during the Fifth Session.**
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- VII. Party Position in Parliament and State Legislatures.**
 - A. (i) Lok Sabha (State-wise)**
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 - C. State Legislative Assemblies.**

APPENDIX I

Statement showing the work Transacted during the Fifth Session of the Fifth Lok Sabha.

1. Period of the Session	31st July to 4th September, 1972	
2. Number of meetings held	25	
3. Total number of sitting hours	156 hours 31 minutes	
4. Number of divisions held	10	
5. GOVERNMENT BILLS :		
(i) Pending at the commencement of the Session		12
(ii) Introduced		19
(iii) Laid on the Table as passed by Rajya Sabha		7
(iv) Returned by Rajya Sabha with any amendment/recommendation and laid on the Table		Nil
(v) Referred to Select Committee		Nil
(vi) Referred to Joint Committee		5
(vii) Reported by Select Committee		1
(viii) Reported by Joint Committee		1
(ix) Discussed		31
(x) Passed		25
(xi) Withdrawn		Nil
(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		13
6. PRIVATE MEMBERS' BILLS :		
(i) Pending at the commencement of the Session		97
(ii) Introduced		7
(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		5
(vii) Passed		Nil
(viii) Withdrawn		2
(ix) Negatived		2
(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) Removed from the Register of Pending Bills	Nil
(xvi) Pending at the end of the Session	100
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 : (Matters of Urgent Public Importance)	
(i) Notices received	101
(ii) Admitted	8
(iii) Discussion held	8
8. NUMBER OF STATEMENTS MADE UNDER RULE 197 : (Calling-attention to matters of urgent public importance)	
Statements made by Ministers	12
9. Half-an-hour discussions held	8
10. STATUTORY REVOLUTIONS :	
(i) Notices received	2
(ii) Admitted	2
(iii) Moved	2
(iv) Adopted	Nil
(v) Negatived	2
(vi) Withdrawn	Nil
11. GOVERNMENT REVOLUTIONS :	
(i) Notices received	} Nil
(ii) Admitted	
(iii) Moved	
(iv) Adopted	
12. PRIVATE MEMBERS' RESOLUTIONS :	
(i) Received	6
(ii) Admitted	6
(iii) Discussed	3
(iv) Withdrawn	2
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	1
(viii) Discussion postponed	Nil
13. GOVERNMENT MOTIONS :	
(i) Notices received	4
(ii) Admitted	4
(iii) Moved	1
(iv) Adopted	1 (Sub-
(v) Discussed	stitute 1 Motion adopted)

44. PRIVATE MEMBERS' MOTIONS :

(i) Received	86
(ii) Admitted	28
(iii) Moved	3
(iv) Adopted	Nil
(v) Discussed	3
(vi) Negatived	Nil
(vii) Part-discussed	Nil
(viii) Withdrawn	1

45. MOTIONS RE: MODIFICATION OF STATUTORY RULE :

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

16. Number of Parliamentary Committees created, if any, during the session	Nil
17. Total number of Visitors' Passes issued during the session	16071
18. Maximum number of Visitors' Passes issued on any single day, and date on which issued	1010 on 16-8-1972

19. NUMBER OF ADJOURNMENT MOTIONS :

(i) Brought before the House	1
(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	45
(v) Consent given by Speaker but leave not granted by House	1

20. TOTAL NUMBERS OF QUESTIONS ADMITTED :

(i) Starred	440
(ii) Unstarred (including Starred Questions converted as Unstarred Questions)	4379
(iii) Short-notice Questions	6

21. NUMBER OF REPORTS OF VARIOUS PARLIAMENTARY COMMITTEES PRESENTED TO THE LOK SABHA :

(i) Estimates Committee	2
(ii) Public Accounts Committee	3
(iii) Committee on Public Undertakings	1
(iv) Business Advisory Committee	3
(v) Committee on Absence of Members from the sittings of the House	1
(vi) Committee on Subordinate Legislation	1
(vii) Committee on Petitions	1
(viii) Committee of Privileges	1
(ix) Committee on Private Members Bills and Resolutions	3

(x) Committee on Government Assurances	Nil
(xi) Committee on the Welfare of Scheduled Castes and Scheduled Tribes	1
(xii) Joint Committee on Offices of Profit	1
(xiii) Rules Committee	Nil
22. Numbers of Members granted leave of absence	3
23. Petitions presented	2
24. Name of new Members sworn with dates and Constituencies :	

S. No.	Names of Members sworn	Date on which sworn	Constituency
1.	Shri Ramsingh Bhai	31-7-1972	Indore—Madhya Pradesh
2.	Shrimati Maya Ray	31-7-1972	Raiganj—West Bengal

APPENDIX II

Statement showing the work transacted during the Eighty First Session of Rajya Sabha

1. Period of the Session	31st July to 4th September 1972
2. Number of meetings held	25
3. Total number of sittings hours	148 hrs 17 mts. (Excluding Lunch Break)
4. Number of divisions held	7
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	9
(ii) Introduced	3
(iii) Laid on the Table as passed by Lok Sabha	18
(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	24
(xi) Withdrawn	Nil
(xii) Negatived	Nil
(xiii) Part-Discussed	Nil
(xiv) Returned by Rajya Sabha without any recommendation	3
(xv) Discussion postponed	Nil
(xvi) Pending at the end of the Session	6
6. PRIVATE MEMBERS BILLS	
(i) Pending at the commencement of the Session	41
(ii) Introduced	8
(iii) Laid on the Table as passed by Lok Sabha	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table	Nil
(v) Reported by Joint Committee	Nil
(vi) Discussed	3
(vii) Withdrawn	3
(viii) Passed	Nil
(ix) Negatived	1
(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	46
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matters of urgent Public Importance)	
(i) Notices received	13
(ii) Admitted	3
(iii) Discussion held	3
8. NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling-attention to matter of urgent public importance)	
Statements made by Ministers	18
9. Half-an-hour discussion held	Two (2)
10. STATUTORY RESOLUTIONS	
(i) Notices received	2
(ii) Admitted	2
(iii) Moved	1
(iv) Adopted	Nil
(v) Negatived	1
(vi) Withdrawn	Nil
11. GOVERNMENT RESOLUTIONS :	
(i) Notices received	} Nil
(ii) Admitted	
(iii) Moved	
(iv) Adopted	
12. PRIVATE MEMBERS' RESOLUTIONS :	
(i) Received	14
(ii) Admitted	14
(iii) Discussed	2
(iv) Withdrawn	1
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	Nil
(viii) Discussion postponed	Nil
13. GOVERNMENT MOTIONS :	
(i) Notices received	4
(ii) Admitted	4
(iii) Moved	3
(iv) Adopted	1
(v) Part-discussed	Nil

14. PRIVATE MEMBERS' MOTIONS :

(i) Received	47
(ii) Admitted	35
(iii) Moved	} Nil
(iv) Adopted	
(v) Part-discussed	
(vi) Negative	
(vii) Withdrawn	

15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE :

(i) Received	} Nil
(ii) Admitted	
(iii) Moved	
(iv) Adopted	
(v) Negative	
(vi) Withdrawn	
(vii) Part-discussed	

16. Number of Parliamentary Committees created, if any, during the session 1 (one)

17. Total number of Visitors' Passes 3248

18. Maximum number of Visitors' Passed issues on any single day, and date on which issued 179 on 30-8-72

19. NUMBER OF MOTION FOR PAPERS UNDER RULE 175

(i) Brought before the House	} Nil
(ii) Admitted and discussed	

20. TOTAL NUMBER OF QUESTIONS ADMITTED; :

(i) Starred	1535	} Including Notices admitted by Clubbing
(ii) Unstarred (including Starred Questions converted in to Unstarred Questions)	2987	
(iii) Short-notice Questions	one	

21. NUMBER OF REPORTS OF VARIOUS PARLIAMENTARY COMMITTEES PRESENTED TO/LAID ON THE TABLE OF THE RAJYA SABHA :

(i) Public Accounts Committee	3
(ii) Committee on Public Undertakings	one
(iii) Business Advisory Committee	two
(iv) Committee on Subordinate Legislation	Nil
(v) Committee on Petitions	3
(vi) Committee of Privileges	Nil
(vii) Committee on the Welfare of Scheduled Castes and Scheduled Tribes	1
(viii) Joint Committee on Offices of Profits	1
(ix) Rules Committee	Nil
(x) Committee on Government Assurances	Nil

22. Number of Members granted leave of absence	2
23. Petitions presented	2
24. NUMBER OF NEW MEMBERS SWORN WITH DATES.	

S. No.	NAME OF MEMBERS SWORN	DATE ON WHICH SWORN
(1)	Shri Mahendra Mohan Choudhury (Assam)	31-7-72
(2)	Shri Lubbuala (Mizoram)	31-7-72
(3)	M. R. Krishna (Andhra Pradesh)	31-7-72

APPENDIX III

Statement showing the activities of the State Legislatures during the period 1st, April, 1972 to 30th June, 1972.

Sessions held	Bills Passed		No. of Questions				Committees at Work				
	Govt. Private	Starred	Unstarred	Short Notice	Name of the Committee	Sittings held	No. of reports prepared				
	Recd.	Admid. Recd.	Admid. Recd.	Admid. Recd.	Admid.						
1	2	3	4	5	6	7	8	9	10	11	12
<i>Andhra Pradesh Legislative Council</i>											
One (From 22-6-72 to 30-6-72)	3	257	191	—	—	35	11	11	Business Advisory Committee	3	—
									Committee on Government Assurances	3	—
<i>Bihar Vidhan Parishad</i>											
One (From 24-5-1972 to 30-7-72)	4	—	1393	1283	56*	278	157	157	Committee on Public Undertakings	3	1
—25 Sittings									Business Advisory Committee	3	5
									Committee on Government Assurances	4	—
									Committee on Petitions	5	—
									Committee on Private Members' Bill and Resolutions	2	1
									Committee on Privileges	6	1
									House Committee	4	—
									Library Committee	4	—
									Rules Committee	16	—

* Notices were received for Starred Questions.

	1	2	3	4	5	6	7	8	9	10	11	12
<i>Gujarat Legislative Assembly</i>												
One •		4	—	1748	856	670	391	60	16	Public Accounts Committee	6	1
										Estimates Committee	1	1
										Committee on Public Undertakings	6	—
										Business Advisory Committee	1	1
										Committee on Private Member's Bills and Resolutions	1	1
										House Committee/Members Accommodation Committee	1	1
<i>Haryana Vidhan Sabha</i>												
One												
(From 3-4-72 to 7-4-72)— 5 sittings		4	—	138	84	28	17	—	—	Public Accounts Committee	13	—
										Estimates Committee	1	—
										Library Committee	3	—
<i>Himachal Pradesh Vidhan Sabha</i>												
One												
(from 5-6-72 to 12-6-72)— 7 sittings		6	—	460	301	79	89†	4	—	Public Accounts Committee	11	—
										Estimates Committee	16	—
										Business Advisory Committee	3	3

Mysore Legislative Council

Two										
i. (From 7-4-72 to 20-4-72)*	1	—	301	379	25	21	4	4	Public Accounts Com- mittee	10
—12 Sittings										
ii. (From 21-6-72 to 30-6-72)**									Committee on Public Undertakings	5
—9 Sittings									Business Advisory Com- mittee	2
									Committee on Govern- ment Assurances	3
									House Committee	5
									Library Committee	3

Nagaland Legislative Assembly

One										
(From 29-6-72 to 3-7-72)	1	—	48	43	14	9	2	2	Estimates Committee	1
—4 sittings									Business Advisory Com- mittee	1

Orissa Legislative Assembly†

									Public Accounts Com- mittee	5
--	--	--	--	--	--	--	--	--	--------------------------------	---

* The Session had commenced on 25-3-72. see J.P.I. Vol. XVIII, No. 3 (July 1972), p. 727.

** The Session continued beyond 30-6-72

† Figures given here relate to the period 8-4-72 to 30-6-72. For information relating to the earlier period see J.P.I. July 1972, App. III, pp. 727-728.

	2	3	4	5	6	7	8	9	10	11	12
<i>Tripura Legislative Assembly</i>											
One (From 23-6-72 to 14-7-72) —16 sittings	4	—	618*	450	125	100	12**	2	Public Accounts Committee	5	—
									Estimates Committee	5	—
									Business Advisory Committee	1	1
									Committee on Government Assurances	1	—
									Committee on Petitions	1	—
									Library Committee	1	—
									Rules Committee	5	—
<i>Uttar Pradesh Legislative Council</i>											
One (From 4-4-72 to 17-4-1972) & (From 1-5-72 to 13-5-72) — 23 sittings	2	—	761	696	18	18	1	—	Committee on Public Undertakings	8	—
									Business Advisory Committee	5	—
									Committee on Government Assurances	13	—
									Committee on Petitions	4	—

Committee on Privileges	3
House Committee	5
Rules Committee	2
Committee on the Point that an appeal can be made in the House to the Public or not	2
Committee of Administrative Deputies	7
Committee on Cultural Activities	2
Compilation Ruling Committee	7
Joint Committee on Uttarakhand University Bill	1

West Bengal Legislative Assembly

- Type
 i (From 24-3-72 to 15-5-72)[†]
 —17 sittings
 ii (From 16-6-72 to 16-8-72)^{††}
 —5 sittings

19	—	940	719	335	254	133
37	Public Accounts Committee	7				
5	Estimates Committee	5				
7	Business Advisory Committee	7				
5	Committee on Government Assurances	4				

[†]61 were admitted as Unstarred Questions.

^{††}68 were admitted as Starred Questions.

Counting from 1st April, 1972.

†† upto 30th June, 1972.

APPENDIX IV

List of Bills passed by the Houses of Parliament and assented to by the President during the period 1st May, 1972 to 31st July, 1972.

S. No.	Title of Bill	Date of Assent by the President
1.	The Appropriation (No. 3) Bill, 1972	20-5-1972
2.	The Newspapers (Price Control) Bill, 1972	26-5-1972
3.	The Finance Bill, 1972	28-5-1972
4.	The Appropriation (Railways) No. 3 Bill, 1972	28-5-1972
5.	The Departmental Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Bill, 1972	31-5-1972]
6.	The Drugs and Cosmetics (Amendment) Bill, 1972	31-5-1972
7.	The Architects Bill, 1972	31-5-1972
8.	The Maternity Benefit (Amendment) Bill, 1972	1-6-1972
9.	The Cantonments (Extension of Rent Control Laws) Amendment Bill, 1972.	2-6-1972
10.	The Secunderabad and Aurangabad Cantonments House Rent Control Law (Repeal) Bill, 1972	2-6-1972
11.	The Prevention of Food Adulteration (Extension to Kohima and Mokokchung Districts) Bill, 1972	6-6-1972
12.	The Taxation Laws (Extension to Jammu and Kashmir) Bill, 1972.	6-6-1972
13.	The Hire-Purchase Bill, 1972	8-6-1972
14.	The General Insurance (Emergency Provisions) Amendment Bill, 1972	9-6-1972
15.	The National Service Bill, 1972	9-6-1972
16.	The Constitution (Twenty-ninth Amendment) Bill, 1972	9-6-1972
17.	The Salaries and Allowances of Members of Parliament (Amendment) Bill, 1972	9-6-1972
18.	The Delhi Lands (Restrictions on Transfer) Bill, 1972	14-6-1972
19.	The Criminal Law (Amendment) Bill, 1972	14-6-1972
20.	The Industrial Disputes (Amendment) Bill, 1972	14-6-1972
21.	The University Grants Commission (Amendment) Bill, 1972	14-6-1972
22.	The Aligarh Muslim University (Amendment) Bill, 1972	15-6-1972
23.	The Delhi Co-operative Societies Bill, 1972.	17-6-1972

APPENDIX V

List of Bills passed by the State Legislatures during the period 1st April to 30th June, 1972.

Andhra Pradesh Legislative Council

1. The Gajapathinagaram Taluk and Ongole District (Formation) Amendment Bill, 1972.
2. The Public Wakfs (Extension of Limitation) (Andhra Pradesh Amendment) Bill, 1972.
3. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1972.

Bihar Legislative Council*

1. Bihar Land Reforms (Amendment) Bill, 1972.
2. Bihar Appropriation (No. 2) Bill, 1972.
3. Bihar Land Reforms (Fixation of Ceiling and Acquisition of Excess Land) (Amendment) Bill, 1972.
4. Bihar Urban Property (Ceiling) Bill, 1972.

Gujarat Legislative Assembly

1. Bombay Inams (Kutch Area) Abolition (Amendment) Bill, 1972.
2. Gujarat Legislative Assembly Members' Salaries and Allowances (Amendment) Bill, 1972.
3. Gujarat State Guarantees (Amendment) Bill, 1972.
4. Gujarat Animals and Birds Sacrifices (Prohibition) Bill, 1972.

Haryana Vidhan Sabha

1. The Punjab Land Revenue (Haryana Amendment) Bill, 1972.
2. The Punjab Homoeopathic Practitioners (Haryana Amendment) Bill, 1972.
3. The Punjab Ayurvedic and Unani Practitioners (Haryana Amendment and Validation) Bill, 1972.
4. The Punjab Industrial Establishment (National and Festival Holidays and Casual and Sick Leave) Haryana Amendment, Bill, 1972.

*Original in Hindi.

Himachal Pradesh

1. The Indian Treasure Trove (Himachal Pradesh Amendment) Bill, 1972.
2. The Himachal Pradesh Repealing Bill, 1972.
3. The Himachal Pradesh Co-operative Societies (Amendment) Bill, 1972.
4. The Himachal Pradesh Panchayat Raj (Amendment) Bill, 1972.
5. The Himachal Pradesh Agricultural Credit Operations and Miscellaneous Provisions (Banks) Bill, 1972.
6. The Himachal Pradesh Appropriation Bill, 1972.

Jammu and Kashmir Legislative Council

1. The Jammu and Kashmir Appropriation Bill, 1972.
2. The Jammu and Kashmir Appropriation (Vote on Account) Bill, 1972.
3. A Bill to amend the Jammu and Kashmir Motor Vehicles Taxation Act, 1957.
4. A Bill to amend the Jammu and Kashmir General Sales Tax Act.
A Bill to amend the Jammu and Kashmir Municipal Act, 2008.
6. A Bill to amend the Jammu and Kashmir Game Preservation, Act, Samvat 1996.

Madhya Pradesh*

1. Madhya Pradesh Rural Unoccupied Land (Special Provisions) Bill, 1972.
2. Madhya Pradesh Land Reforms Scheme (Amendment) Bill, 1972.
3. Madhya Pradesh Ceiling on Agricultural Land Holdings (Amendment) Bill, 1972.
4. Madhya Pradesh Co-operative and Development Bank (Amendment) Bill, 1972.
5. Madhya Pradesh Fixation of Floor Prices for Disposal of Tendu Leaves Bill, 1972.
6. Madhya Pradesh Forest Produce (Regulation of Trade) Amendment Bill, 1972.
7. Madhya Pradesh Tax on Sales and Purchases Bill, 1969.
8. Madhya Pradesh Taxation Laws (Amendment) Bill, 1972.
9. Bhopal University (Amendment and Validation) Bill, 1972.

*Original in Hindi.

10. Jabalpur University Amendment Bill, 1972.
11. Madhya Pradesh Government Servants (Age of Superannuation) Amendment Bill, 1972.
12. Madhya Pradesh Ganga'jali Fund Trust (Amendment) Bill, 1972.
13. Madhya Pradesh Ceiling on Urban Property Bill, 1972.

Meghalaya Legislative Assembly

1. The Motor Vehicle (Meghalaya) (Amendment) Bill, 1972.
2. The Meghalaya Wild Animals and Birds Protection (Amendment) Bill, 1972.
3. The Meghalaya Land and Revenue Regulation (Application and Amendment) Bill, 1972.
4. The Meghalaya Urban Areas Rent Control Bill, 1972.
5. The Meghalaya Transfer of Land (Regulation) (Amendment) Bill, 1972.
6. The Meghalaya Appropriation (No. 1) Bill, 1972.
7. The Meghalaya Sales Tax (Amendment) Bill, 1972.
8. The Meghalaya Passengers and Goods Taxation (Amendment) Bill, 1972.
9. The Meghalaya Purchase Tax (Amendment) Bill, 1972.
10. The Meghalaya Finance Sales Tax (Amendment) Bill, 1972.
11. The Indian Stamp (Meghalaya) (Amendment) Bill, 1972.
12. The Meghalaya Amusement and Betting Tax (Amendment) Bill, 1972.
13. The Meghalaya (Sales of Petroleum and Petroleum products, including motor spirit and Lubricants) Taxation Bill, 1972.
14. The Meghalaya Motor Vehicles Taxation (Amendment) Bill, 1972.
15. The Meghalaya Prevention of Gambling (Amendment) Bill, 1972.

Mysore Legislative Council

1. The Mysore Land Reforms (Amendment and Miscellaneous Provisions) Bill, 1972.
2. The Mysore Land Reforms (Second Amendment and Miscellaneous Provisions) Bill, 1972.

Mysore Legislative Council

- The Mysore Reforms (Second Amendment and Miscellaneous Provisions) Bill, 1972.

Nagaland

The Nagaland Village, Area of Regional Council (Amendment) Bill, 1972.

Punjab Vidhan Sabha

1. The Punjab Consolidation of Land Proceedings (Validation) Bill, 1972.
2. The Punjab Gram Panchayat (Amendment) Bill, 1972.
3. The Punjab Ayurvedic and Unani Practitioners (Amendment and Validation) Bill, 1972.
4. The Punjab Appropriation (No. 2) Bill, 1972.
5. The Punjab Appropriation (No. 3) Bill, 1972.
6. The Punjab General Sales Tax (Amendment) Bill, 1972.
7. The Punjab Public Service Commission (Additional Functions) Amendment Bill, 1972.
8. The Punjab Housing Development Board Bill, 1972.
9. The Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Bill, 1972.

Rajasthan Legislative Assembly

1. Rajasthan Urban Improvement (Amendment) Bill, 1972.
2. Rajasthan Taxation Laws (Amendment) Bill, 1972.
3. Rajasthan Passengers and Goods Taxation (Amendment) Bill, 1972.
4. Rajasthan Commercial Crops Cess (Repealing) Bill, 1972.
5. Rajasthan Taxation Laws (Second Amendment) Bill, 1972.
6. Rajasthan Motor Vehicles Taxation (Amendment) Bill, 1972.
7. Rajasthan University (Amendment) Bill, 1972.
8. Jodhpur University (Amendment) Bill, 1972.
9. Udaipur University (Amendment) Bill, 1972.
10. Rajasthan Urban Property (Ceiling Limit) Bill, 1972.
11. Rajasthan Appropriation (No. 2) Bill, 1972.

Tripura Legislative Assembly

1. The Tripura Appropriation Bill, 1972.
- *2. The Contingency Fund of Tripura Bill, 1972.

*Bills awaiting assent.

- *3. The Tripura State Legislature Members (Removal of Disqualifications) Bill, 1972.
- *4. The Tripura Motor Vehicle Tax Bill, 1972.

Uttar Pradesh Legislative Council

- 1. Uttar Pradesh Lok Dhan (Deyon Ki vasuli) Bill, 1972.
- 2. Uttar Pradesh Kshetra Samiti & Zila Parishad (Alpkalik Vyavastha) (Amendment) Bill, 1972.
- 3. Motor Vehicles (U.P. Amendment) Bill, 1972.
- 4. U.P. Municipalities (Amendment) Bill, 1972.
- 5. U.P. Nagar Mahapalika (Amendment) Bill, 1972.
- 6. U.P. Muslim Wakf (Amendment) Bill, 1972.
- 7. U.P. Sarvazani Bhv Grhadi (Apradhikrit Adhyaslyon Ki Bedakhli) Bill, 1972.
- 8. Varanasya Sanskrit University (Amendment) Bill, 1972.
- 9. U.P. Zamindari Vinas and Bhumi Vayvastha (Amendment) Bill, 1972.
- 10. U.P. Tendu Patta (Vyapar Viniyaman) Bill, 1972.
- 11. U. P. Appropriation Bill, 1972.
- 12. Electricity (Supply) (U.P. Amendment) Bill, 1972.
- 13. U.P. Kshetra Samiti and Zila Parishad (Amendment) Bill, 1972.

West Bengal Legislative Assembly

- 1. The Maintenance of Internal Security (West Bengal Amendment) Bill, 1972.*
- 2. The West Bengal Land (Requisition and Acquisition) (Amendment) Bill, 1972.
- 3. The West Bengal Requisitioned Land (Continuance of Powers) (Amendment) Bill, 1972.
- 4. The Calcutta Municipal (Amendment) Bill, 1972.
- 5. The Taxes on Entry of Goods into Calcutta Metropolitan Area Bill, 1972.
- 6. The West Bengal Maintenance of Public Order Bill, 1972.
- 7. The West Bengal Slum Areas (Improvement and Clearance) Bill, 1972.
- 8. The Calcutta Metropolitan Development Authority Bill, 1972.

*Assent awaited.

9. **The West Bengal Relief Undertakings (Special Provisions) Bill, 1972.**
10. **The Calcutta Municipal (Second Amendment) Bill, 1972.**
11. **The West Bengal Improvement Laws (Amendment) Bill, 1972.**
12. **The West Bengal Land Reforms (Amendment) Bill, 1972.**
13. **The West Bengal Salaries and Allowances (Amendment) Bill, 1972.**
14. **The West Bengal Apartment Ownership Bill, 1972.**
15. **The West Bengal Apartment (Regulation of construction and Transfer) Bill, 1972.**
16. **The Calcutta Tramways Company (Taking over of Management) (Amendment) Bill, 1972.**
17. **The Bengal Motor Vehicles Tax (Amendment) Bill, 1972.**
18. **The Indian Stamp (West Bengal Amendment) Bill, 1972.**
19. **The Bengal Public Demands Recovery (Amendment) Bill, 1972.**

APPENDIX VI

Ordinances issued by the Central and State Governments during the period 1st May, 1972 to 31st July, 1972.

S. No.	Subject	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
Central					
1.	The Delhi University (Amendment) Ordinance, 1972.	22-6-72	31-7-72		
2.	The Indian Iron and Steel Company (Taking Over of Management) Ordinance, 1972	14-7-72	31-7-72		
3.	The Income-tax (Amendment) Ordinance, 1972.	15-7-72	31-7-72		
States					
<i>Bihar*</i>					
1.	Bihar Panchayat Committee and District Board (Amendment) Ordinance, 1972.	14-4-72			
2.	Bihar State Universities (Patna, Bihar, Bhagalpur, Ranchi and Magadh Universities) (Control and Management) Ordinance, 1972.	21-4-72			
3.	Chhota Nagpur Tenancy (Amendment) Ordinance, 1972.	22-4-72			
4.	Bihar Tenancy (Amendment) Ordinance, 1972.		Do.		
5.	Bihar Public Claim Recovery (Second Amendment) Ordinance, 1972.		Do.		
6.	Bihar Motor Spirit (Sales Tax) (Second Amendment) Ordinance, 1972.		Do.		
7.	Bihar Sales-tax (Amendment) Ordinance, 1972.		Do.		
8.	Bihar Entertainment Tax (Second Amendment) Ordinance, 1972.		Do.		

* Original in Hindi. Dates mentioned here are dates of Publication.

1	2	3	4	5	6
9.	Anugraha Narain Sinha Institute of Social Studies (Amendment) Ordinance, 1972				21-4-72
10.	Bihar State Subsidy to Industries (Amendment) Ordinance, 1972.				23-4-72
11.	Bihar Khand and Village Industries (Amendment) Ordinance, 1972.			Do.	
12.	Bihar Ministers' Salaries and Allowances (Third Amendment) Ordinance, 1972.			Do.	
13.	Bihar Deputy Ministers' Salaries and Allowances (Third Amendment) Ordinance, 1972.			Do.	
14.	Bihar Legislature (Pay and Allowances of Officers) (Second Amendment) Ordinance, 1972.			Do.	
15.	Bihar State University Laws and School Laws (Amendment and Repeal) Ordinance 1972.				23-4-72
16.	Bihar Hindu Religious Trusts, (Amendment) Ordinance, 1972.				27-4-72
17.	Chhota Naggpur and Santhal Pargana Autonomous Development Authority (Amendment) Ordinance, 1972.				27-4-72
18.	Bihar Motor Vehicles Tax (Amendment) Ordinance, 1972.				27-4-72
19.	Patna Municipal Corporation (Amendment) Ordinance, 1972.				27-4-72
20.	Bihar Land Revenue (Exemption from Payment) (Amendment) Ordinance, 1972.				27-4-72
21.	Bihar Municipalities (Amendment) Ordinance, 1972.				29-4-72
22.	Bihar Kendu Leaves (control on Trade) Second Ordinance, 1972.			Do.	
23.	Bihar Schools Examination Board (Amendment) Ordinance, 1972.			Do.	

1	2	3	4	5	6
24.	Patliputra Medical College (Taking over of Management) Ordinance, 1972.	Do.			
25.	Bihar Primary Education (Amendment) Ordinance, 1972.	Do.			
26.	Bihar Panchayat Committees and District Councils (Second Amendment) Ordinance 1972.	Do.			
27.	Bihar Land Reforms (Validation and Amendment) Ordinance, 1972.	Do.			
28.	Bihar Panchayati Raj (Amendment and Validation) Ordinance, 1972.	29-4-72			
29.	Bihar District Boards and Local Boards (Control and Management) Second Amendment) Ordinance, 1972.	Do.			
30.	Bihar Housing (Lessee, Rent and Eviction) Control (Amendment) Ordinance, 1972	Do.			
31.	Bihar Children Ordinance 1972.	Do.			
32.	Bihar Land and Water Conservation and Land Development Ordinance, 1972.	Do.			
33.	Bihar Shops and Establishment (Second Amendment) Ordinance, 1972.	Do.			
34.	Bihar State Housing Board Ordinance, 1972.	Do.			
35.	Indian Stamps (Bihar Amendment) Ordinance, 1972.	Do.			
36.	Bihar Entertainment Tax, Court Fees and Stamps (Surcharge Amendment) Amendment Ordinance, 1972.	Do.			
37.	Bihar Agricultural Produce Marketing (Second Amendment) Ordinance, 1972.	1-5-72			
38.	Bihar Excise Duty (Amendment) Ordinance, 1972.	27-4-72			
39.	Motor Vehicles (Bihar Second Amendment) Ordinance, 1972.	29-4-72			

1	2	3	4	5	6
40.	Bihar Sugarcane (Regulation of Supply and Purchase) Ordinance, 1972.	1-5-72			
41.	Bihar Cooperative Societies, (Amendment) Ordinance, 1972	Do.			
42.	Bihar Ancient Monuments and Archaeological Sites and Remains Second Ordinance, 1972.	Do.			
43.	Bihar Land Reforms (Fixation of ceiling and Acquisition of Excess Land) (Amendment) Ordinance 1972.	2-5-72			
44.	Bihar Gramdan (Second Amendment) Ordinance, 1972.	Do.			
45.	Bihar Public Carriers (Taxation on Passengers and Goods carried by Motor Vehicles) (Amendment) Ordinance, 1972	1-5-72			
46.	Bihar Health Cess Ordinance, 1972.	12-5-72.			
47.	Bihar Institute of Medical Education (Regulation and Control) Ordinance, 1972	12-5-72			
48.	Bihar Industrial Areas Development Authority Ordinance, 1972	15-5-72			
49.	Mithila University Ordinance, 1972	11-5-72			
		<i>Gujarat</i>			
1	The Gujarat Sales Tax (Amendment) Ordinance, 1972	9-6-72	26-6-72	19-7-72	Replaced by the Gujarat Sales Tax (Amendment) Bill, 1972
		<i>Kerala</i>			
1	The Kerala General Sales Tax (Second Amendment) Ordinance, 1972.	13-4-72			
2	The Kerala Cultivators and Tenants (Temporary Protection) Amendment Ordinance, 1972.	15-4-72			
3	The Kerala Land Reforms (Amendment) Ordinance, 1972.	1-6-72			

1	2	3	4	5	6
4	The Wakf (Kerala Amendment) Ordinance, 1972	22-6-72			
5	The Kerala Préservation of Private Forests Ordinance, 1972.	29-6-72			
<i>Jammu and Kashmir</i>					
1	The Jammu and Kashmir Motor Vehicles Taxation (Amendment) Ordinance, 1972.	24-3-72			Was replaced by the Legislation namely 'A' Bill to amend the Jammu & Kashmir Motor Vehicles Taxation (Amendment) Bill.
<i>Mysore</i>					
1	The Mysore Land Reforms (Amendment and Miscellaneous Provisions) Ordinance, 1972.	11-5-72	19-7-72*		Replaced by legislation.
<i>Orissa</i>					
1	The Orissa Contingency Fund (Amendment) Ordinance, 1972.	22-6-72			
2	The Orissa Prohibition of Alienation of Land Ordinance, 1972.	27-6-72			..
<i>Punjab</i>					
1	The Punjab Municipal (Amendment) Ordinance, 1972	26-6-72			
<i>Rajasthan</i>					
1	Udaipur University (Amendment) Ordinance, 1972.	26-6-72			
<i>Uttar Pradesh</i>					
1	U.P. Panchayat Raj (Amendment) Ordinance, 1972.	19-5-72			
2	U.P. Bhoomi Vikas Kar Ordinance.	16-6-72			
3	U.P. High Court (Letters Patent Appeal end) Ordinance, 1972.	30-6-72			
4	U.P. Excise (Amendment) Ordinance	30-6-72			

*Laid on the table of the Legislative Council on 21-7-72.

1	2	3	4	5	6
<i>West Bengal</i>					
1	The Calcutta Municipal (Third Amendment) Ordinance, 1972.	24-6-72	26-6-72		Replaced by The Calcutta Municipal (Third Amendment) Bill, 1972.

APPENDIX VII
A. PARTY POSITION IN LOK SABHA

(1) State-wise
(As on September 1, 1972)

Name of the State	Seats	Cong.	CPI(M)	CPI	DMK	J.S.	Other Parties	Unattached	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Andhra Pradesh	41	37	1	1	..	..	2(a)	..	41
Assam	14	14	..	..	..	..	..	..	14
Bihar	53	38	..	5	..	2	7(b)	1	52 (1 vacant)
Gujarat	24	13	..	..	..	..	9(c)	2	23 (1 vacant)
Haryana	9	7	..	..	..	1	..	1	9
Himachal Pradesh	4	4	..	..	..	..	..	..	4
Jammu and Kashmir	6	5	..	..	..	..	..	1	6
Kerala	19	6	2	3	..	..	6(d)	1	18 (1 vacant)
Madhya Pradesh	37	21	..	..	..	10	5(e)	..	36 (1 vacant)
Maharashtra	45	41	..	..	..	..	2(f)	1	44 (1 vacant)
Manipur	2	2	..	..	..	..	..	..	2
Meghalaya	2	..	..	..	..	..	..	2	2
Mysore	27	26	..	..	..	..	..	..	26 (1 vacant)
Nagaland	1	..	..	..	..	..	1(g)	..	1
Orissa	20	14	..	1	..	..	5(h)	..	20
Punjab	13	9	..	2	..	..	..	1	12 ^u
Rajasthan	23	15	..	..	..	4	4(i)	..	23
Tamil Nadu	39	9	..	4	23	..	3(l)	..	39
Tripura	2	..	2	..	..	..	..	..	2
Uttar Pradesh	85	74	..	5	..	4	..	2	85
West Bengal	40	15	20	3	..	..	2(k)	..	40
Union Territories									
Andaman & Nicobar Islands	1	1	..	..	..	..	..	..	1
Arunachal Pradesh	1	1	..	..	..	..	..	..	1(l)
Chandigarh	1	1	..	..	..	..	..	..	1
Dadra and Nagar Haveli	1	1	..	..	..	..	..	..	1
Delhi	7	7	..	..	..	..	..	..	7
Goa, Daman and Diu	2	1	..	..	..	..	1(m)	..	2
Laccadive, Minicoy and Amindivi Islands	1	1	..	..	..	..	..	..	1
Mizoram	1	..	..	..	..	..	..	1	1
Pondicherry	1	1	..	..	..	..	..	..	1
Anglo-Indian	2	..	..	..	..	..	..	2(n)	2(l)
TOTAL	534	365	25	24	23	21	49	12	517^o (excluding Speaker and 6 vacancies)

^oExcludes the Speaker, who is not a member of any Party.

(a) Telengana Praja Samiti	2	(i) Swatantra UIPG	2
(b) Socialist Party	2	(j) Muslim League Forward Bloc Congress (O)	1 1 1
Congress (O)	3		
UIPG	1		
(c) Swatantra Congress (O)	2 7	(k) Socialist Party Revolutionary Socialist Party	1 1
(d) Muslim League R-evolutionary Socialist Party Kerala Congress	1 2 3	(l) Nominated by the President	—
(e) Socialist Party UIPG	1 4	(m) UIPG	1
(f) Socialist Party Forward Bloc	1 1	(n) UIPG	2
(g) UIPG	1		
(h) Swatantra UIPG	3 2		

A. PARTY POSITION IN LOK SABHA

(ii) Party-wise

(As on September 1, 1972)

<i>Name of the Party</i>	<i>Strength</i>
Congress Party	363
C.P.I.(M)	25
C.P.I.	24
D.M.K.	23
Jan Sangh	21
<i>Other Parties</i>	
UPIG	14
Congress(O)	11
Swatantra	7
Socialist Party	5
Muslim League	2
Revolutionary Socialist Party	3
Kerala Congress	3
Forward Bloc	2
Telengana Praja Samiti	2
Unattached	22
Vacancies	6
TOTAL	523
	(excluding Speaker)

B. PARTY POSITION IN RAJYA SABHA

(1) State-wise

(As on September 1, 1972)

States	No. of Seats	CONG. (O)															Nominated						
		CONG.	JS	DMK	CPI	SWA	CPI (M)	ML	S.P. (L)	BKD	SP	AKALI DAL	APHLC	FB (M)	MPP	FSP		Rep.	SMS	RSP	MUP	IND	
A. P.	18	14					1															3	
Assam	7	6									1												
Bihar	22	11	2	1	3			3								1						1	
Gujarat	11	7	2	1		1																	
Haryana	5	4	1																				
Himachal Pradesh	3	3																					
J & K	4	4																					
Kerala	9				3	2	2			1									1				
Madhya Pradesh	16	11	1	4																			
Maharashtra	19	13			1				1	1							1	1				1	
Manipur	1														1								
Meghalaya	1												1										
Mysore	12	6	4																			2	
Nagaland	1	1														1							
Orissa	10	5				5																	
Punjab	7	4		1								2											
Rajasthan	10	6	1	1		1																1	
Tamil Nadu	18	1	1	11		1	1	3															
Tripura	1	1																					
U. P.	34	14	7	5		1			1	3												3	
W. Bengal	16	7			3		4						1									1	
Arunachal Pradesh	1																						1
Delhi	3	1		2																			
Mizoram	1																				1		
Pondicherry	1			1																			
Nominated	12	2																					10
	243	121	19	15	12	11	9	7	5	4	4	3	2	1	1	1	1	1	1	1	1	12	11

B. PARTY POSITION IN RAJYA SABHA

(B) Party-wise

(As on September 1, 1972)

Name of Party	Strength
Congress	121
Congress(O)	19
Jan Sangh	15
D.M.K.	12
C.P.I.	11
Swatantra	9
C.P.I.(M)	7
<i>Other Parties</i>	
Muslim League	5
B.K.D.	4
S.P.(L)	4
Akeli Dal	3
S.P.	2
A.P.H.L.C.	1
R.P.	1
M.P.P.	1
F.B.(M)	1
R.S.P.	1
S.M.S.	1
P.S.P.	1
Independents	12
Others	12
TOTAL	243

C. PARTY POSITION IN STATE LEGISLATIVE ASSEMBLIES

States	Seats	Cong.	Cong. (O)	Swat.	JS	CPI	CPI (M)	SP	PSP	Other Ind. Parties	Ind.	DMK	Total	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Andhra Pradesh (as on 31-3-72)	288	219	—	2	—	7	1	—	—	2(a)	56	1	—	288
Assam (as on 28-4-72)	126	95	—	1	—	3	—	4	—	5(b)	6	—	—	114(c)
Bihar (as on 8-5-72)	319	166	30	1	25	34	—	33	—	12(d)	15	1	—	319(e)
Gujarat (as on 7-8-72)	168	140	16	—	3	1	—	—	—	—	8	—	—	168
Haryana (as on 27-7-72)	81	52	6	—	2	—	—	—	—	14(f)	7	—	—	81
Himachal Pradesh (as on 26-8-72)	68	52	—	—	—	—	1	—	—	—	9	—	—	68
Kerala (as on 16-8-72)	134	33	3	—	—	16	30	8	4	36(g)	1	—	—	134(h)
Madhya Pradesh (as on 11-8-72)	297	221	—	—	45	5	—	7	—	—	15	1	—	297(i)
Manipur (as on 31-3-72)	60	20	—	—	—	5	—	3	—	20(j)	12	—	—	60
Meghalaya (as on 1-9-72)	60	9	—	—	—	—	—	—	—	42(k)	8	—	—	60
Mysore (as on 28-8-72)	217	163	24	—	—	3	—	3	—	1(l)	22	—	—	217(m)
Nagaland (as on 19-8-72)	52	—	—	—	—	—	—	—	—	52(n)	—	—	—	52(o)
Orissa (as on 7-8-72)	140	95	—	26	—	4	2	—	—	8(p)	4	—	—	140(q)
Punjab (as on 9-8-72)	104	66	—	—	—	10	1	—	—	25(r)	2	—	—	104
Rajasthan (as on 6-8-72)	184	144	1	11	8	4	—	4	—	—	12	—	—	184(s)
Tamil Nadu (as on 6-5-72)	235	1	14	6	—	8	—	4	—	10(t)	3	1	183	235(u)
Tripura (as on 28-7-72)	60	41	—	—	—	1	16	—	—	—	2	—	—	60
Uttar Pradesh (as on 5-4-72)	426	274	45	—	38	—	—	—	—	67(v)	—	—	—	426
West Bengal (as on 6-9-72)	281	217	2	—	—	35	14	—	1	8(w)	4(x)	1	—	281
Goa, Daman & Diu (as on 31-3-72)	32	1	—	—	—	—	—	—	—	28(y)	1	—	—	31(z)
Pondicherry (as on 26-4-72)	30	7	3	—	—	3	—	—	—	—	2	—	15	30

(a) Sampoorna Telengana Praja Samiti-2.

(b) Revolutionary Communist Party-1; Peoples Democratic Party-3; Plains Tribal Council-1

(c) Vacant-12.

(d) Includes All India Jharkhand-4; Hui Jharkhand-2; Progressive hui Jharkhand-2; Jharkhand (N.E. Horo Group)-1; Hindustani Soshit Dal-3.

(e) Vacant-1; Includes Hon. Speaker.

(f) Includes Vishal Haryana Party-3; Progressive Independent Party-11.

(g) Includes Kerala Congress-13; Muslim League-11, Revolutionary Socialist Party-6; Kerala Socialist Party-2; Congress Socialist Party-2; Karshak Tozhilali Party-2.

(h) Vacant-2; Includes Hon. Speaker.

(i) Vacant-2; Excludes Hon. Speaker.

(j) Includes M.P.P.-17; U.N.I.C.-3.

(k) Includes A.P.H.L.C.-35; H.S.P.D.P.-8.

(l) Janatha Paksha.

(m) Includes Hon. Speaker.

(n) Includes Nagaland Nationalist Organisation-30 United Parliamentary Group-22.

(o) Includes Hon. Speaker.

(p) Includes Utkal Congress-6; Jharkhand-1; Jana Congress-1.

(q) Includes Hon. Speaker.

(r) Shriomani Akali.

(s) Including Hon. Speaker.

(t) Tamil Arasu Kazhagam-3; Forward Block-7; Muslim League-6.

(u) Including Hon. Speaker.

(v) Includes B.K.D.-39; Unattached-2 (Hon'ble Speaker & Hon'ble Deputy Speaker) and other Parties and Independent-67.

(w) Includes R.S.P.-3; Socialist Unity Centre-1; Workers Party-1 Gorkha League-2; Muslim League-1.

(x) Includes Hon. Speaker.

(y) Includes Maharashtrawadi Gomantak Party-18; United Goans-10

(z) Vacant-1; Includes Hon. Speaker.

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