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<b>C O N T E N T S</b>		<b>PAGE</b>
EDITORIAL NOTE		285
ELECTION OF NEW DEPUTY CHAIRMAN OF RAJYA SABHA AND FELICITATIONS TO HIM		286
JOINT INAUGURAL MEETING OF THE FINANCIAL COMMITTEES OF PARLIAMENT		290
<b>ADDRESSES AND ARTICLES</b>		
Privileges of Legislatures		
	—Bal Ram Jakhar	296
Parliamentary Scrutiny of Public Expenditure		
	—Satish Agarwal	300
<b>SHORT NOTES</b>		
Salaries and Other Facilities of legislators in India		317
Biennial Elections to Rajya Sabha		325
<b>PARLIAMENTARY EVENTS AND ACTIVITIES</b>		
Conferences and Symposia		328
Bureau of Parliamentary Studies and Training		328
Anniversary Celebrations of 'Gandhiana'		331
<b>PRIVILEGE ISSUES</b>		<b>333</b>
<b>PROCEDURAL MATTERS</b>		<b>344</b>
<b>PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS</b>		<b>347</b>
<b>SESSIONAL REVIEW</b>		
Lok Sabha		365
Rajya Sabha		382
State Legislatures		397

## BOOK REVIEWS

- S. K. Goyal : *Monopoly Capital and Public Policy*  
 —Dr. Rajendra Kumari Bajpai 402
- D. N. Gadhok : *Accountability of Public Enterprises to Parliament*  
 —T. R. Krishnamachari 403

## RECENT LITERATURE OF PARLIAMENTARY INTEREST 406

## APPENDICES

- I. Statement showing the work transacted during the Third Session of the Seventh Lok Sabha 412
- II. A. Statement showing the work transacted during the Hundred Fourteenth Session of Rajya Sabha 417
- B. Statement showing the work transacted during the Hundred Fifteenth Session of Rajya Sabha 424
- III. Statement showing the activities of State Legislatures during the period February 1, 1980 to June 30, 1980 428
- IV. List of Bills passed by the Houses of Parliament and Assented to by the President during the period April 1, 1980 to June 30, 1980 433
- V. Bills passed by the State Legislatures during the period February 1, 1980 to June 30, 1980 434
- VI. Ordinances issued by the Central Government during the period April 1, 1980 to June 30, 1980 and by the State Governments during the period February 1, 1980 to June 30, 1980 443
- VII. Party Position in Lok Sabha, Rajya Sabha and State Legislatures 450

## EDITORIAL NOTE

We offer our felicitations to Shri Shyam Lal Yadav on his election as Deputy Chairman of the Rajya Sabha. This issue of the *Journal* opens with a feature on his election and the felicitations offered to him in the House. We also extend our felicitations to Shri Somnath Rath, on his election as Speaker of the Orissa Legislative Assembly and to Shri V. S. Krishna Iyer, on his election as Deputy Chairman of the Karnataka Legislative Council.

Besides the regular features, this issue contains two articles, one by the Hon'ble Speaker of Lok Sabha, Shri Bal Ram Jakhar on the "Privileges of Legislatures" and the other by a former Union Minister of State for Finance, Shri Satish Agarwal, on "Parliamentary Scrutiny of Public Expenditure".

A brief note presenting in a comparative perspective the remuneration and other facilities admissible to legislators in India is also included in this issue.

—Avtar Singh Rikhy



## ELECTION OF NEW DEPUTY CHAIRMAN OF RAJYA SABHA AND FELICITATIONS TO HIM

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On July 30, 1980, the Rajya Sabha adopted a motion electing Shri Shyam Lal Yadav as the Deputy Chairman of the Rajya Sabha. The motion was moved\* by Shri Bhishma Narain Singh, Minister of Parliamentary Affairs and seconded by Shri A. P. Sharma. In view of this another motion proposing the name of Shri A. G. Kulkarni for the office was not taken up. The Chairman formally declared Shri Yadav elected Deputy Chairman of the House.

Felicitating Shri Yadav on his election, the Leader of the House, Shri Pranab Mukherjee said that Shri Yadav was not only a very senior Member of the House, but also possessed a very wide range of experience in politics and in many other fields. Shri Yadav, he said, had been Minister in-charge of Parliamentary Affairs, Industry and Labour in the biggest state of the country viz. Uttar Pradesh. With his election now as Presiding Officer of the House, he belonged to no party and it would, therefore, be his duty and responsibility to conduct the business of the House in a most impartial manner. Not only should he be impartial but he should also appear to be so.

On behalf of his party, Shri Mukherjee assured the new Deputy Chairman that they would "provide all the assistance and cooperation which he will need, in conducting the business of the House and maintaining the dignity and honour of this House".

Offering congratulations to the new Deputy Chairman on behalf of his party, Shri Bhola Paswan Shastri (Congress-U) said that with his election

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Contributed by the Research and Library Section, Rajya Sabha Sectt.

\*The other members who proposed the name of Shri Yadav were Sarvaswari Sitaram Kesri, Ram Niwas Mirdha, Muraoli Moran, B. V. Abdulla Koya and R. Ramakrishnan.

as Deputy Chairman, Shri Yadav belonged to no party and his responsibilities had increased. As an old Member of the House, he had knowledge of the conduct of the business of the House and also knew the views of the different political parties. One hoped that he would be able to conduct the business of the House efficiently and also gain the confidence of all the parties and particularly of the Opposition parties.

Shri Piloo Mody (Janata) expressed his happiness that somebody who had experience of the opposition life, was now going to preside, at least part of the time, over the House.

Felicitating the new Deputy Chairman on behalf of his party and on his own behalf, Shri L. K. Advani (Bharatiya Janata Party) expressed his confidence that the advice by the Leader of the House that Shri Yadav had not only to discharge his responsibility impartially but he should also look to be impartial, would be acted upon by him and he would command the confidence of all the Parties and Groups in the House.

Shri Nageshwar Prasad Shahi (Lok Dal) congratulated Shri Yadav on behalf of his party and on his own behalf and hoped that the Deputy Chairman would protect the rights of the opposition.

Shri P. Ramamurti (CPI-M) joining in offering felicitations to Shri Yadav, reiterated the sentiments earlier expressed that after his election as the Deputy Chairman he ceased to belong to any party and hoped that Shri Yadav would try his best to be impartial.

Shri V. Gopalasamy (DMK) congratulated Shri Yadav on behalf of his Party and described him as a prominent public figure in politics. He said that as a Deputy Chairman Shri Yadav had conducted the proceedings of the House in such a way that he had received appreciation of all sections of the House. There was no doubt that he would keep the scales even to all sections of the House.

Shri R. Mohanaragam (AIADMK) while felicitating Shri Yadav hoped that the new Deputy Chairman, who belonged to Uttar Pradesh, would also protect the interests of other States, particularly southern States of the country.

Shri Bhupesh Gupta (C.P.I.) welcomed Shri Yadav on his election as Deputy Chairman, Rajya Sabha and hoped that Shri Yadav would overcome the sense of his belonging to a party. He would have an opportunity to uphold the dignity and honour of the House not only in the past tradition but also with a view to carrying the tradition forward. Shri Gupta wished him all success in upholding the democratic values and traditions.

Shri B. V. Abdulla Koya (Muslim League) had a particular reason for congratulating Shri Yadav because he had helped his party in opposing the Aligarh Bill.

Congratulating the new Deputy Chairman on behalf of the Independent Members, Shri Dinesh Goswami (Independent) described Shri Yadav as a man of wide experience in the political field—both on Treasury Benches and the Opposition, on the administrative side as well as in conducting the proceedings of the House. He said that Members of the Independent Group felt happy because their tribe had increased by one Member.

Shri B. D. Khobragade (RPI—Khobragade) extended his sincere congratulations on behalf of his Party to the new Deputy Chairman of the Rajya Sabha and hoped that smaller Groups and Independent Members would not be ignored and that they would also be in a position to raise their voice in the House.

Associating himself with the Leaders of all the Parties and the Leader of the House in welcoming the new Deputy Chairman, the Chairman Shri Mohammad Hidayatullah hoped that Shri Yadav would adorn the Chair with distinction and uphold the dignity of the House. He assured the Members that the honour of the House and the impartiality which is expected of the Chair was in proper hands.

Replying to the felicitations, Shri Yadav expressed his gratefulness to the House for electing him to the exalted office of the Deputy Chairman, Rajya Sabha. He also expressed his gratitude to the Leader of the House, the Prime Minister, the Minister of Parliamentary Affairs, the Minister of State in the Department of Parliamentary Affairs and other Members for proposing his name for the office. He thanked the leaders of various parties and Groups in the House as well as Independent Members for the words of praise spoken about him and assured the House that with the cooperation and support of the Hon'ble Members, he would try to live up to the hopes expressed by them.

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#### *Shri Shyam Lal Yadav—A Life Sketch*

Shri Shyam Lal Yadav, son of Shri Balkrishna was born on September, 12, 1927 at Batthi Village in the Varanasi District in the State of U.P. He received his education at D.A.V. College, Varanasi and the Universities of Allahabad and Lucknow.

Shri Yadav is a well-known advocate and had been an active politician. His association with the Indian National Congress which started in 1952 continued till 1967 and again from December, 1974 onwards. Between 1967

and 1974 he was a member of Jan Congress and Bharatiya Kranti Dal in U.P. He took keen interest in the cause of education and was associated with some Colleges in Varanasi and Mughalsarai. He took active part in the upliftment of the working classes and was the President of several Labour Unions and low-paid workers associations.

Shri Yadav's parliamentary career began in 1957 when he was elected a member of the U.P. Vidhan Sabha. He held a number of ministerial assignments in U.P. between April 1967 and February 1968. He was elected to the Rajya Sabha for the first time in April 1970 and was re-elected in April, 1976. While in the Rajya Sabha he held several important positions such as the Chairmanship of the Committee on Government Assurances (1974—76 and 1978—80). He was also a member of the Committee on Subordinate Legislation of the Rajya Sabha, Public Accounts Committee of Parliament and the Committee on the Welfare of Scheduled Castes and Scheduled Tribes for varying periods. He also served on the Joint Select Committees on (i) Criminal Procedure Code (Amendment) Bill, 1970 and (ii) Indian Penal Code (Amendment) Bill, 1972. He was also nominated to the panel of Vice-Chairman of Rajya Sabha during 1977—79. Besides being Deputy Chairman of Rajya Sabha he is also the Chairman of its Committee of Privileges.

As a member of the Indian Parliamentary Delegation to the 19th Commonwealth Parliamentary Conference, Shri Yadav visited London in 1973. He also visited some other countries like France, West Germany, Switzerland, Italy etc.

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## JOINT INAUGURAL MEETING OF THE FINANCIAL COMMITTEES OF PARLIAMENT

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The Joint Inaugural Meeting of the three Financial Committees of Parliament for 1980-81 held on August 14, 1980 in the Main Committee Room, Parliament House Annexe was inaugurated by Shri Bal Ram Jakhar, Speaker of Lok Sabha. We reproduce below his inaugural address, as well as the speeches by the Chairmen of the Financial Committees on the occasion.

—*Editor*

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### SPEECH BY SHRI S. B. P. PATTABHI RAMA RAO, CHAIRMAN, ESTIMATES COMMITTEE

On behalf of the Members of the Estimates Committee and on my own behalf, I have great pleasure in welcoming you at this Inaugural Meeting of the three Financial Committees of the Seventh Lok Sabha.

I also wish to express our sense of gratitude to the House for having elected us to this important Committee with one voice. For myself, I feel additionally grateful to you, Mr. Speaker, for having appointed me the Chairman of this august body. My colleagues on the Committee and I personally deem it a great honour and we will do our best to deserve it.

We are conscious of the onerous responsibilities which the House expects the Estimates Committee to discharge. It is through this Committee that the House exercises Parliamentary Control over Government in the field of financial spending. We are not oblivious that the Parliamentary control' in this context means influence, not direct control; advice, not command; scrutiny, not initiative; oversight, not direction; and accountability, nor prior approval. The Committee has to over-see the Government Schemes and spending to ensure that the Executive is

really acting in line with the Parliament's intentions. In particular, it has not only to point out wasteful expenditure and organisational deficiencies but also to suggest measures for effecting economies and toning up efficiency in administration.

The Government and the Financial Committees are not to be regarded in any sense of the term as confronting each other. They are, and have to be, conceived as partners in the common endeavour of advancing and promoting the national good. The Estimates Committee, like the other Financial Committees, is not merely a fault-finding body, though, where it finds the Administration remiss in doing its duty it is duty bound to point it out. The Committee's approach has been positive and constructive and the new Committee will continue to be guided by this approach in its work.

Sir, we are well aware of the great traditions which these Committees have evolved under the able stewardship of their Chairman and under the able guidance of Hon. Speaker in the past. We shall continue to uphold the traditions, of excellent team work, non-partisan approach, objectivity in deliberations and unanimity in conclusions.

The present Estimates Committee has a happy blend of new as well as old parliamentarians. I am sure that while the old parliamentarians would give the benefit of their accumulated experience to the Committee, the new Members would bring in a freshness of approach to its deliberations.

Mr. Speaker, Sir, we are conscious that most of us are new to the Committee. We shall, therefore, have to look forward to your leadership and guidance in the discharge of the heavy responsibility which the House has placed on our shoulders. And, on our part we assure you, Sir, that we shall spare no effort to vindicate the trust which you and the House have reposed in us.

Sir, I welcome you once again to this Inaugural Function.

SPEECH BY SHRI BANSI LAL, CHAIRMAN, COMMITTEE ON PUBLIC UNDERTAKINGS

I deem it a great privilege and honour to join my friend Shri Pattabhi Rama Rao, Chairman, Committee on Estimates, in welcoming you to this inaugural function. Mr. Speaker, we are grateful to you for having so graciously found the time to launch the three Financial Committees of the Seventh Lok Sabha, which work under your overall guidance and direction.

The Financial Committees of Parliament are engaged in the task of securing the accountability of the Executive over the entire gamut of financial administration of the Government of India and the autonomous bodies under their control. With increasing involvement of the State in industry and trade after Independence in India, which was necessary for accelerated socio-economic advancement, a large number of autonomous

corporations and government companies have been established in a variety of sectors. These have a pervasive influence on our society, considering their spread and linkage effects. The efficient performance of the public enterprises is crucial to the success of planning in the country. It is well known how a need was keenly felt for a separate Committee on Public Undertakings to examine them and how this Standing Committee came into being with effect from 1st May, 1964. The expertise and experience gained by the Committee are indeed valuable in the context of evaluation of the working of these enterprises without eroding their autonomy.

The powers, privileges and obligations of the Financial Committees underline the imperative need for objective examination of all issues that come up before them, without bias of any kind. We are conscious of the trust and confidence reposed in us. We are resolved to discharge this responsibility and reinforce the tradition of the Committee to give well researched and constructive reports based on thorough examination and mature deliberations.

The Committee on Public Undertakings and the Committee on Public Accounts have an added advantage in that they have the assistance of the Comptroller and Auditor General of India. We, therefore, look forward to continue the meaningful association with Shri Gian Prakash, Comptroller and Auditor General of India.

We are fortunate to have in you, Mr. Speaker, a person endowed with deep maturity and wisdom and we look upto you for inspiration and advice.

May I request you, Hon'ble Speaker, kindly to deliver your inaugural address.

#### INAUGURAL ADDRESS BY SHRI BAL RAM JAKHAR, SPEAKER, LOK SABHA

It gives me great pleasure to be in your midst today, to welcome the honourable Members who have been elected to the three Financial Committees of Parliament, the Public Accounts Committee, the Estimates Committee and the Committee on Public Undertakings. I believe that a work well begun is half done. Despite the time we have lost due to delay in the constitution of these Committees, I think with the happy augury of unanimous election to these Committees, we will be able to achieve the very objective of what we would have done from the very beginning. We lost this time due to mid-term poll and you have to face an onerous task. But I have every hope and firm belief that you would rise to the occasion and deliver the goods.

In a modern parliamentary system of government it is now accepted that one of the important functions of Parliament is to call the executive

to account. The usefulness of a Committee system as an effective tool in parliamentary scrutiny has been well recognised.

So far as accountability of Government to Parliament in the matter of its administrative policies and utilisation of public funds is concerned, the control exercised by the Standing Financial Committees in our Parliament is of special importance. These Committees are positive instruments of parliamentary influence over the executive, inasmuch as they not only bring to light the inefficiencies, waste and indiscretion in the implementation of policies and programmes approved by Parliament but also make constructive suggestions for effecting improvements in the working and better utilisation of resources in the larger interests of the people, and that is of prime importance. The Financial Committees are instrumental in inspiring reverence for accountability to Parliament at all levels of the Administration so that misuse of money and administrative powers and errors of like nature are prevented. And as you all know, ladies and gentlemen, prevention is always better than cure.

Friends, membership of the Financial Committees, is an honour as well as a responsibility. It demands exacting work and whole-hearted dedication. In addition to the study of voluminous material, you will have to find time to attend the sittings of the Committee concerned, sit through evidence, make on-the-spot visits, etc. I have no doubt that you would spare no pains and efforts to make the deliberations of the Committees purposeful and effective, and also productive.

The work on these Committees accelerates the process of familiarisation with administrative matters and provides insight into the working of Government organisations. You would find this of immense value in formulating and putting across realistic and constructive proposals to bring about the desired improvements in the interests of the public at large, whom we all have the proud privilege to represent.

I have no doubt that the Committees would take special pains to see that subjects of wide public and national importance such as power, coal, iron and steel, transport, education, industrial development, slum clearance etc. receive the attention that they deserve and are gone into in depth and points for action highlighted in well thought-out reports which would commend themselves by their quality no less than by their authority to Parliament, the Executive and the public. I have great faith that by the time you are through with this one-year all the red lights will pass off and as far as public undertakings are concerned, there will be green lights all over.

A heavy responsibility lies on the Committee on Public Undertakings inasmuch as they have to oversee the functioning of a Key sector where over Rs. 15,000 crores of the nation's resources are invested.



Are we really getting the best out of them? That is my question. To what extent and in what manner have they subserved the objectives which underlay their setting up? At certain times I have deliberated in my mind whether the public undertakings have come up to the standards we set for them. If not, what are the reasons thereof? If only we concentrate on this one particular subject, and make the public undertakings work as they ought to work, there is no power on earth which can deter our determination to march forward. This is the only snag and I want this to be removed lock, stock and barrel for all times to come. We have to see to it. What has been done to put the installed capacity to best use, obviate losses, and generate resources for development? Nothing should be allowed to come in the way.

In our Financial Committees, we have painstakingly built up a tradition of judging all questions on merits and evolving consensus to reflect the considered views of the Committee on all important issues. As the reports of the Financial Committees are unanimous and are based on verified facts and contain objective appraisal of the working of Ministries, Departments or Public Undertakings, the Government have always displayed great regard for them. I am sure I can count on you all to maintain and strengthen the high traditions of the Committees.

Before concluding, I should like to maintain about the pivotal role played by the Comptroller and Auditor General with reference to the Committees on Public Accounts and Public Undertakings. His Audit Reports provide factual and verified data for searching enquiries by these Committees. He is, as has often been said, 'the friend, philosopher and guide' of these Committees.

I welcome you to the challenging tasks—I repeat these words, challenging task—that awaits you of scrutinising the complex activities of the departments of the Government and Public Undertakings and suggesting improvement in their functioning, not only suggesting improvements but making them work. May I wish you all a term of dedicated work and service in the interest of securing public accountability of the Executive to Parliament.

Once again, I thank you all and wish you all success and godspeed in your good and efficient work which is bound to produce good results.

SPEECH BY SHRI CHANDRAJIT YADAV, CHAIRMAN, PUBLIC ACCOUNTS COMMITTEE

Mr. Speaker, Sir, it is my pleasant duty and privilege to thank you on behalf of the Chairman and Members of the three Financial Committees of Parliament. We are fully conscious of the important work assigned to us by the Parliament, and I would like to assure you that we are fully conscious of the high traditions, approach and non-partisan spirit built up over

the years. Though the formation of the Committees is delayed almost by three months, as you have very rightly mentioned, because of the special political situation, we can assure you that we shall do to the best of our ability within the time available at our disposal.

Sir, you have really given us a good guidance for these three Committees. I think, you are very vigilant and have very rightly emphasised the important work of these three Committees, particularly in a situation when our country is facing a serious economic problem. We all feel that we are at a crossroad and the real challenging problems are in our socio-economic life. If we want to strengthen our parliamentary democracy, if we want to increase the faith of our people in the functioning of Parliament, and if these Committees have to act as the watchdog Committees and keep vigil over the work done by the important public undertakings, departments and the Ministries, then we have to do our work with utmost sincerity and seriousness.

We know that in you, Sir, we have a Presiding Officer of intrinsic faith in the parliamentary democracy and the collective wisdom of the elected representatives. We know that you fully appreciate the usefulness of the Financial Committees as an instrument of safeguarding the people's interest and that is why you have emphasised the important role that these Committees play in our parliamentary system. We look forward to your continued guidance and advice in the onerous tasks which the new Committees will have to tackle.

Sir, I do not know about the traditions, but perhaps the inaugural meeting is the joint meeting of these Committees. If there be no hindrance, these Committees may sometime meet jointly even, for informal exchange of views and experience. That could be useful, if it were possible. If you may kindly guide us.

With these words, I once again offer my grateful thanks to you, Mr. Speaker, Mr. Deputy Speaker, Professor Mukherjee, the Comptroller and Auditor General, Secretary, Lok Sabha, our colleagues and members of our Secretariat, who have assembled here. I thank you all for coming and attending this session.

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## PRIVILEGES OF LEGISLATURES

BAL RAM JAKHAR

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In Parliamentary language the term 'privilege' applies to certain rights and immunities enjoyed by each House of Parliament and committees of each House collectively, and by members of each House individually without which they cannot discharge their functions effectively. The object of Parliamentary privileges is to safeguard the freedom, the authority and the dignity of Parliament. Privileges are necessary for the proper exercise of the functions entrusted to Parliament by the Constitution. They are enjoyed by individual members, because the House cannot perform its functions without unimpeded use of the services of its members; and by each House collectively for the protection of its members and the vindication of its own authority and dignity.

In modern times, parliamentary privilege has to be viewed from a different angle than in the earlier days of the struggle of Parliament against the executive authority. Privilege at that time was regarded as a protection of the members of Parliament against an executive authority not responsible to Parliament. The entire background in which privileges of Parliament are now viewed has changed because the executive is now responsible to Parliament. The foundation upon which they rest is the maintenance of the dignity and independence of the House and of its members.

In interpreting these privileges, therefore, regard must be had to the general principle that the privileges of Parliament are granted to members in order that they may be able to perform their duties in Parliament without let or hindrance. They apply to individual members only in so far as they

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Adapted from the Inaugural Address by the Hon'ble Speaker at the Seminar on the subject organised by the Bureau of Parliamentary Studies and Training and the Indian Parliamentary Group on August 2, 1980.

are necessary in order that the House may freely perform its functions. They do not discharge the member from the obligations to society which apply to him as much and perhaps more closely in that capacity, as they apply to other subjects. Privileges of Parliament do not place a member of Parliament on a footing different from that of an ordinary citizen in the matter of the application of laws, unless there are good and sufficient reasons in the interest of Parliament itself to do so.

The basic principle is that all citizens including members of Parliament have to be treated equally in the eye of the law. Unless so specified in the Constitution or in any law, a member of Parliament cannot claim any privileges higher than those enjoyed by any ordinary citizens in the matter of the application of laws.

The power of the House to punish any person who commits a contempt of the House or a breach of any of its privileges is the most important privilege. It is this power that gives reality to the privileges of Parliament and emphasises its sovereign character so far as the protection of its rights and the maintenance of its dignity are concerned.

In India, the powers, privileges and immunities of either House of Parliament and State Legislatures and of its committees and members have been laid down in articles 105 and 194 of the Constitution. In these articles, the privilege of freedom of speech in Parliament and the immunity to members from "any proceedings in any court in respect of anything said or any vote given" by them in Parliament or any committee thereof are specifically provided for. The articles also provide that no person shall be liable to any proceedings in any court "in respect of the publication by or under the authority or either House of Parliament of any report, paper, votes or proceedings". In other respects, however, clause (3) of article 105, as originally enacted, provided that "the powers, privileges and immunities of each House of Parliament, and of the members and the committees of each House, shall be such as may from time to time be defined by Parliament by law, and until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom and of its members and committees, at the commencement of this constitution" namely 26 January, 1950. The said clause (3) of article 105 was, however, amended by section 15 of the Constitution (44th Amendment) Act, 1978, which came into force with effect from 20 June, 1979. It now provides that "in other respects, the powers, privileges and immunities of each House of Parliament, and of the members and the committees of each House, shall be such as may be from time to time be defined by Parliament by law, and until so defined, shall be those of that House and of its members and committees immediately before the coming into force of section 15 of the Constitution (44th Amendment) Act, 1978", namely on 19 June, 1979.



privilege and contempt of the House as sparingly as possible. In this connection, the British House of Commons recently adopted the following recommendation made by their Committee of Privileges in their Third Report, on 6 February, 1978:—

“...the House should follow the general rule that its penal jurisdiction should be exercised (a) in any event as sparingly as possible and (b) only when the House is satisfied that to exercise it is essential in order to provide reasonable protection for the House, its Members or its Officers, from such improper obstruction or attempt at or threat of obstruction as is causing, or is likely to cause, substantial interference with the performance of their respective functions.”

One of the sensitive aspects which we have to deal with is relationship with the Press. It is recognised that the Press has its own role to play in an open society and democracy and that is the reason why Article 361(A) of the Constitution gives protection to the publications, newspapers or broadcasts by wireless telegraphy of substantially true reports of any proceedings of either House of Parliament or State Legislatures unless the publication is proved to have been made with malice.

From time to time questions are raised about privileges of Parliament *vis-a-vis* the Press. I would like to recall the observations made in this respect in the Fourth Report by the Committee of Privileges of Sixth Lok Sabha:

“The Committee are conscious that the freedom of the Press is an integral part of the fundamental right of the freedom of speech and expression guaranteed to all citizens under Article 19(1)(a) of the Constitution. The Committee consider it important that in a Parliamentary system, the Press should enjoy complete freedom to report the proceedings of Parliament fairly and faithfully. If, however, freedom of the Press is exercised *mala fide* it is the duty of Parliament to intervene in such cases. At the same time, the Committee are of the view that Parliamentary privilege should in no way fetter or discourage the free expression of opinion or fair comment.”

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## PARLIAMENTARY SCRUTINY OF PUBLIC EXPENDITURE

SATISH AGARWAL

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### *Introduction*

In a parliamentary system of government such as exists in India, the sovereignty of the people is exercised through their representatives in Parliament. The Parliament is the ultimate authority which exercises an over-all control in all matters of the state. As regards the financial administration, Parliament exercises control over the finances of the country in two stages. First, when the annual budget estimates of revenue and expenditure are presented and discussed in Parliament. Since the moneys voted by Parliament should be put to the use they had been intended, it expects that full account of the amounts spent is rendered to it in due course. This is the second stage of Parliamentary control. But the Parliament instead of going itself into the details of expenditure incurred, entrusts this job to its three financial committees, which, together, keep vigil over governmental spending and performance.

### *Constitutional provisions relating to government budget*

The cardinal principle of democratic functioning of the Government, as adumbrated in the Indian Constitution, is that the Parliament has the supreme prerogative of levying taxes and authorizing expenditure of the Government. Article 265 of the Constitution says: "No tax shall be levied or collected except by authority of law." The Government is, however, free to borrow moneys up to the limits authorized by the Parliament under Article 292. All moneys received by the Government, either by way of taxes or by borrowings, are to flow into the Consolidated Fund of India (Under Article 266) from which not a single paisa can be withdrawn without specific authorization. Article 114 stipulates that no money shall

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Reproduced by courtesy from *The Parliamentarian*, October, 1979.

be withdrawn from the Consolidated Fund of India except under appropriations made by laws enacted by Parliament.

All other public moneys received by the Government as a custodian, as in the case of provident fund and other deposits, notionally flow into the Public Account of India (under Article 266) and withdrawal of moneys in such cases does not require specific authorization by Parliament. But, to the extent these moneys are utilized for financing expenditure, the latter would require authorization by the Parliament. In order that the Executive may not have difficulty in meeting any unforeseen expenditure when Parliament is not in session a small imprest called the Contingency Fund is authorized for the Government (Article 267). The Constitution thus provides for Parliament's control over the Executive in all financial matters without in any way putting fetters on the Executive in its day-to-day working.

In order that Parliament may have a full picture of government finances before agreeing to pass any law imposing a tax or authorizing expenditure, the Executive is required to place before it (under Article 112) a statement of the estimated receipts and expenditure (annual financial statement—popularly known as budget) in respect of any financial year before the commencement of that year.

The Constitution gives an exclusive power to the Lok Sabha (House of the People) with respect to financial matters (Article 109) as is the practice followed in other parliamentary governments. It makes a distinction between the expenditure charged on the Consolidated Fund of India and other expenditure (Article 113). The estimated expenditures coming under the latter category are submitted to the House in the form of "Demands for Grants" to facilitate proper discussion and voting by Parliament. In other words, the expenditure side of the budget is not to be treated as a monolithic block but should be so split up as to facilitate a more detailed consideration and control by Parliament.

When the grants have been made, an Appropriation Bill is introduced which provides for appropriation out of the Consolidated Fund of moneys needed for both kinds of expenditure (Article 114). The Constitution provides that a similar procedure shall be employed for Supplementary, Additional, and Excess Grants (Article 115).

#### *Presentation of budget and its authorization by Parliament*

*Presentation:* The general budget is presented to Lok Sabha by the Minister of Finance usually on the last working day of February, and the Annual Financial Statement duly authenticated by him is laid before both the Houses of Parliament. Immediately after the presentation of the



general budget, the Finance Minister introduces in Lok Sabha the Finance Bill to give effect to the financial proposals of the Government of India for the ensuing financial year. The Bill contains proposals of the Government for levy of new taxes and/or modifications of the existing tax structure, continuance of the existing tax structure beyond the period approved by Parliament, etc.

*Discussion:* The discussion on the budget in the Lok Sabha takes place in two stages. The first stage is the general discussion on the budget as a whole. The second stage is discussion on the voting of Demands for Grants. During the general discussion, the budget as a whole, or questions of fiscal policy relating thereto, are covered. It is open to any Member to make suggestions during the discussion for the enhancement of duties and the imposition of new taxes. Members have full opportunity to criticize the budgetary provisions during the course of discussion as also to make suggestions for improving the financial position of the country.

*Demands for Grants:* When the Demands for Grants are submitted to the House, any Member may move a motion to reduce the Demands for Grants. These motions are termed "cut motions" and are of three types. First, it may be a refusal of Supplies to indicate disapproval of policy. Notice of this motion is given in these terms:

"That the demand under the head . . . be reduced to one rupee (disapproval of policy regarding . . .)"

The second form is an economy cut which seeks reduction in the demand by a specified amount. The third and the most common form is the token cut:

"That the amount of the demand be reduced by Rs. 100/-."

This is done to ventilate a specific grievance or to suggest reforms. Members of the ruling party as a matter of convention do not move cut motions to Demands for Grants; but they take part in the discussion and may, in their speeches, criticize or question the policy of the Government or the wisdom of any expenditure or financial proposal.

*Appropriation Bill:* At the end of the discussion on the Demands relating to a Ministry, the Demands are put to vote and grants made by the House. On the last day allotted for the discussion on Demands, any outstanding Demands which have not already been voted are put to the vote of the House. Thereafter, an Appropriation Bill, which embodies the grants made by Lok Sabha and also the expenditure charged on the Consolidated Fund of India, is introduced and taken up for consideration.

*Finance Bill:* The Finance Bill, introduced at the time of presentation of the budget, seeks to give effect to the financial proposals of the Government, viz levying of taxes etc., for the following financial year. The Bill

is taken up for consideration after the Appropriation Bill is passed. In the course of discussion on the Finance Bill, Members can refer to any matter relating to general administration, local grievances within the sphere of the responsibility of the Government, or monetary or financial policy of the Government. In short any action of the central Government can be discussed on this occasion.

The presentation of the budget to Parliament and the discussion thereon provide the Members with opportunity to review the working of the various departments and Ministries. It also enables them to elicit information on the progress achieved in the implementation of the various programmes undertaken by Government. Members might also critically examine the value and the social and economic implications of the new expenditure proposals included in the budget.

Financial control thus pervades through the various stages of budget formulation, presentation, and authorization, and comes in handy as a major tool of fiscal management of governmental activities.

Although under the parliamentary system of Government as it exist in India the primary responsibility for examination of estimates and scrutiny of expenditure is that of the Lok Sabha, the Rajya Sabha also gets several opportunities to discuss financial matters, e.g.

1. General discussion on general budget.
2. Appropriation Bill.
3. Finance Bill.
4. Discussion on working of Ministries.

Short of voting demands for grants the Rajya Sabha (Council of States) is equally associated with financial business transacted by Parliament and the various points and suggestions made by various Members during such discussions do have an impact on Government's policies.

#### *Parliamentary control through committees*

Although nearly two months of parliamentary sittings are devoted to examination of the budget, the discussions are neither adequate nor detailed. It is obvious that beyond raising matters of principle or policy, Parliament is not in a position and cannot conveniently offer a detailed criticism on the various items of expenditure which are embodied in the estimates. Apart from the complex nature of the whole administration there is neither the time nor the machinery with the Parliament as a whole to do it. It has, therefore, established three financial committees, namely, the Committee on Public Accounts, the Committee on Estimates, and the Committee on Public Undertakings, to examine the details and to offer considered criticism wherever necessary.

These committees are vested with adequate powers to make detailed examination of accounts without at the same time impinging upon day-to-day activities of the administration. Through these committees the administration comes in direct contact with Parliament. It is the top officers of the administration who have to satisfy the committees that the amounts voted by Parliament are being or have been spent on the purposes for which they were sanctioned. They have to explain why irregularities have taken place, what action has been taken against the defaulting officers, and how it is proposed to plug the loop-holes for the future. They have also to satisfy the committees that all laws and rules governing the administrative and financial activities of the departments have been complied with; that the organization and the manning of jobs have been efficient; that the performance has been commensurate with the expenditure involved, and that all possible methods of ensuring economy consistent with efficiency have been tried. The examination by the committees is severe and the committees frown on shortcomings, lackadaisical attitude, and incompetence of the administration and they do not let off the guilty easily. They keep the administration on their toes and, more than bringing out the flaws, they are instrumental in inspiring reverence for parliamentary control among all sections of the administration, so that much misuse of money and administrative powers and faults of a like nature are prevented.

*Audit:* As the examination of intricate government accounts and the scrutiny of financial transactions is a specialized task, this job is in the first instance commonly entrusted to an independent organization whose reports are placed before the legislature for the latter's consideration. This organization is the Audit Department. Audit, like the judiciary, the Executive, and the legislature, is one of the important ingredients of democracy. Its primary purpose is to ensure that in the process of expending government funds all canons of financial propriety have been observed, that the rules and regulations which govern expenditure are adhered to, that the expenditure has been incurred by the authority which is empowered to incur it, and that it has been incurred for the purpose for which it has been appropriated by the Parliament. Audit thus supplies an essential link between the Executive and the Parliament and is helpful in interpreting the action, in so far as they have a financial bearing, of the former to the latter.

The Comptroller and Auditor-General of India (C&AG) an independent authority set up under the Constitution (Article 148) scrutinizes the various accounts and financial transactions of the union and state Governments. After a thorough scrutiny of the accounts and financial transactions of the Government, the C&AG submits them to the President of India along with his comments in the form of audit reports. These audit reports include his observations pertaining not only to the correctness of the accounts but also defects in budgeting, and important cases of financial irregularities, losses,

and wasteful expenditure. The President in turn causes these audit reports and accounts to be laid before the Houses of Parliament, where they automatically stand referred to the Public Accounts Committee for further examination.

*Public Accounts Committee:* The Public Accounts Committee consists of 22 Members (fifteen elected by Lok Sabha and seven from Rajya Sabha). Membership of the committee is distributed among the parties in Parliament roughly in proportion to their strength in the House. The Chairman is nominated by the Speaker of the Lok Sabha from among the members of the committee. By convention, a member of the Opposition is nominated for this post.

In scrutinizing the accounts and audit reports given by the C&AG, it is the duty of the Public Accounts Committee to satisfy itself that the money spent against any grant was not more than the amount voted by Parliament and that the expenditure was within the scope of the Demand, that is it was incurred on schemes and services included initially in the budget estimates. In other words, the money spent and brought to account against a particular grant was spent on the purposes which were set out in the detailed Demand for Grant and not on matters which lay outside the scope of the grant or on any "new service" not contemplated in the grant sanctioned by Parliament.

If any money has been spent on a service in excess of the amount granted by the Parliament for the purpose, the committee examines, with reference to the facts of each case, the circumstances leading to such an excess and makes such recommendations as it may deem fit. Such cases are thereafter required to be brought before the House by the Government for regularization.

The committee looks upon savings arising from bad estimating or other defects of procedure no more leniently than it does upon excess expenditure. It regards estimating on the safe side to be as faulty as estimating on the low side.

The functions of the committee in fact extend "beyond the formality of expenditure to its wisdom, faithfulness and economy". The committee examines cases involving losses, nugatory expenditure, and financial irregularities. When any case of proved negligence resulting in loss of extravagance is brought to the notice of the committee, it calls upon the Ministry/department concerned to explain what action, disciplinary or otherwise, it had taken to prevent a recurrence. In such a case it might also record its opinion in the form of disapproval or pass structures against the extravagance or lack of proper control by the Ministry or department concerned.

*Estimates Committee:* The functions of the Estimates Committee, which consists of 30 Members from Lok Sabha, are:

- (a) to report what economies, improvements in organization, efficiency, or administrative reform, consistent with the policy underlying the estimates, may be effected;
- (b) to suggest alternative policies in order to bring about efficiency and economy in administration;
- (c) to examine whether money is well laid out within the limits of the policy implied in the estimates; and
- (d) to suggest the form in which the estimates shall be presented to Parliament.

*Committee on Public Undertakings:* Yet another committee, viz., the Committee on Public Undertakings, which consists, like the Public Accounts Committee, of Members from both the Houses, examine the reports and accounts of the Public Undertakings and the reports of the Comptroller and Auditor-General thereon. Its main duty is to see whether, in the context of their autonomy and efficiency, the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practices.

The three financial committees supplement the work of each other. Their reports have very often helped the Ministries and departments to rectify past mistakes and take remedial action for the future. A notable feature of these committees is that they have procedures to ensure that their recommendations are given due consideration by Government and where they are not implemented, the committees are apprised of the reasons. Through their "Action Taken Reports" progress in the implementation of the recommendations as well as any unresolved differences between the committee and the Government are brought to the notice of the House. A study of the Action Taken Reports of the financial committees would reveal that in the majority of cases the Government accepts the recommendations made by the committee.

Thus the three financial committees have made a great impact in effecting economy and efficiency by streamlining administrative procedures, plugging various loop-holes, and ultimately securing the accountability of the Executive to Parliament in financial matters.

*Suggestions made by financial committees for improvement in estimates procedure*

The procedures adopted by the House and the committees have been devised to ensure effective control by Parliament over the public finance of the country.

The financial committees have also been responsible for valuable suggestions for improvements in the Indian financial system and the form of presentation of the estimates for better parliamentary control. In this connection, the credit for many a budgetary reform goes to the Estimates Committee, one of the functions of which is to examine the form in which estimates are to be presented to Parliament. In its very first report, the Estimates Committee (First Lok Sabha) suggested the appointment of an Expert Committee to go into the Government's accounting and budgeting systems which the committee considered to be quite cumbersome and unsuited to the needs of the country after independence. In pursuance of the recommendations of the Expert Committee, several changes were introduced in the form and content of the budget estimates, mainly with a view to arrange Demands in a rational manner and to make the Explanatory Memorandum more informative.

The Estimates Committee reconsidered the matter in further detail in 1957-58<sup>1</sup> and again in 1972-73<sup>2</sup>. The main aim all along had been to ensure that the budget documents were made more informative and intelligible so that there could be proper appreciation of the functioning of the Government and the twin objective of sound budget and accountability to Parliament could be achieved.

Some of the important changes brought out in the form and contents of the budget documents as a result of the recommendations of the Estimates Committee are indicated below:

(i) *Plan and non-Plan expenditure*: Till 1959-60, Plan expenditure and estimates were not shown separately from non-Plan expenditure in the estimates within the Demands for Grants and other documents accompanying the budget. In pursuance of the recommendations of the committee, the Demands for Grants for each Ministry now indicate separately the budget estimates for expenditure under Plan and non-Plan items<sup>3</sup>.

(ii) *Key to budget documents*: The committee<sup>4</sup> suggested that a Key or a guide to the budget papers should be brought out and attempts should be made in the key/guide to explain some of the more difficult technical terms used in the budget. Accordingly, a brochure, "Key to the Budget Documents", is now being supplied along with the budget papers.

(iii) *Budget at a glance*: It was the Estimates<sup>5</sup> Committee that pointed out in 1973 that the booklet "Budget at a Glance"

<sup>1</sup> Estimates Committee (1957-58), 20th Report.

<sup>2</sup> Estimates Committee (1972-73), 24th Report.

<sup>3</sup> Estimates Committee (1957-58), 20th Report (1958-59), 60th Report.

<sup>4</sup> Estimates Committee (1972-73), 24th Report.

<sup>5</sup> *Ibid.*

brought out by the Government contained some broad heads under which money was being raised by way of taxation and of disbursements thereof on capital and revenue account. The committee desired the Government to amplify this publication so as to give the public at large the requisite information in an intelligible manner which would make them appreciate the allocation of resources for developmental Plan and socio-economic activities and also make them aware of the expenditure which was being incurred on non-Plan and administrative accounts. The recommendation was accepted by the Government and the "Budget at a Glance" has been made more elaborate.

(iv) *Performance budgeting*: In 1957-58<sup>6</sup> the Estimates Committee recommended the introduction of performance-cum-programme system of budgeting for proper appreciation of the schemes and outlays included in the budget. The committee also recommended a functional classification of governmental expenditure so as to focus attention on the various functions of the Government and their relative importance. In 1972-73, the committee further stressed<sup>7</sup> and supplemented its recommendations in this regard. As a result of these recommendations, the structure of Demands for Grants was suitably revised with effect from 1973-74 to make the demands compact and comprehensive. The committee (1975-76) after reviewing the scope for further improvements in the introduction of performance budgeting made further recommendations to make the "performance budget" a meaningful document to assist the management as a tool of administrative and financial control for evaluating performance and for implementation of developmental programmes efficiently and economically.<sup>8</sup>

The Public Accounts Committee, too, has devoted considerable attention to the two important aspects of financial control, viz.

- (i) the preparation of budget estimates; and
- (ii) the control over the expenditure.

In fact, one of the reports<sup>9</sup> of the committee during the second Lok Sabha exclusively dealt with the subject of budget estimates and financial control.

<sup>6</sup> Estimates Committee (1957-58), 20th Report.

<sup>7</sup> Estimates Committee (1972-73), 24th Report.

<sup>8</sup> Estimates Committee (1975-76), 98th Report.

<sup>9</sup> PAC (1957-58), 8th Report.

Some of the important recommendations of the committee which had significant impact on budgetary process are mentioned in the following paragraphs.

*Token Grants:* One of the important suggestions of the committee led to the introduction of the system of "Token Grants". The committee (1957-58) in their 9th Report considered that the practice of obtaining huge sums on the basis of mere expectations of the Ministries should be discontinued and suggested that the budget estimates of a year should comprise only the outlay on standing charges, estimated expenditure on projects in progress, but only a small provision for each new scheme or project which is likely to be taken up during the course of that year, but whose details have not been worked out sufficiently and accepted by the Finance Ministry. As and when details of the scheme were worked out, Parliament could be approached for a supplementary grant. In case Parliament was not in session, funds to cover immediate expenditure could be advanced from the Contingency Fund.

This suggestion was accepted by the Government and the Ministry of Finance issued necessary instructions in this regard.<sup>10</sup> Subsequently, the committee recommended<sup>11</sup> the adoption of this procedure in the railway budget also. This was accepted by the Ministry of Railways.<sup>12</sup> A separate budget is submitted by the Railway Ministry.

*New Service/New Instruments of Service:* It is provided in Article 115(1) of the Constitution that "when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the Annual Financial Statement for the year", another statement showing the estimated amount of that expenditure should be laid before both the Houses of Parliament and necessary appropriation law enacted in terms of Article 115(2). The term "New Service" is not defined in the Constitution.

A number of cases of substantial expenditure which were met by reappropriation under the then existing powers which did not require a specific vote of Parliament were brought to the notice of the committee. The committee (1967-68) went into the matter and *inter alia* recommended<sup>13</sup> that the expenditure arising out of a policy decision, not brought to Parliament's notice earlier including a new activity or a new form of investment, should be regarded as an item of "New Service". Similarly, substantial expenditure arising from important extension of an existing activity should be treated

<sup>10</sup> PAC (1958-59), 18th Report.

<sup>11</sup> PAC (1959-60), 21st Report.

<sup>12</sup> PAC (1960-61), 33rd Report.

<sup>13</sup> PAC (1967-68), 11th Report.



as a "New Instrument of Service". The committee ruled that all cases of "New Service" and "New Instrument of Service" should be brought specifically to the notice of Parliament.

In pursuance of the recommendations of the committee, detailed guidelines were issued<sup>14</sup> by the Ministry of Finance laying down the nature of the cases of "New Service"/"New Instrument of Service" and the limits beyond which (a) prior approval of Parliament was required, and (b) report to Parliament was necessary along with the ensuing batch of Supplementary Demands.

*Expenditure in excess of voted grants:* The recurring phenomenon of excesses over expenditure authorized by Parliament has been constantly engaging the attention of the Public Accounts Committee which has been emphasizing year after year the need for more accurate estimation of monetary requirement and better budgetary control. The committee for 1972-73 was much concerned to note the deterioration in this regard and desired<sup>15</sup> that the basic reasons that had led to the unprecedented increase in excess expenditure during the year should be identified and drastic steps taken to arrest the tendency to exceed the budget provisions. Pursuant to these recommendations Government constituted a Task Force which recommended certain changes in the procedure of estimation and administration of certain grants. As Government took a considerable time to implement the suggestions of the Task Force, the Public Accounts Committee (1976-77) had to express its dissatisfaction in this regard. Reiterating its recommendations, the committee desired<sup>16</sup> that a decision should soon be reached in this important matter and concrete steps taken to ensure sounder budgetary control than that which existed at present.

*Financial management and public undertakings:* The Committee on Public Undertakings (1967-68) noted that according to the prevailing practice certain details regarding the capital outlay, objects, and achievements relating to the existing public undertakings were given as "Notes on Important Schemes" appended to each volume of the Demands for Grants. In respect of the new undertakings, these details were given along with the Supplementary Demands for Grants.

Keeping in view the fact that investment by Government in public undertakings in the form of share capital and loans had assumed huge proportions, the Committee on Public Undertakings (1967-68) felt that,<sup>17</sup>

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<sup>14</sup> PAC (1968-69), 40th Report.

<sup>15</sup> PAC (1972-73), 49th Report.

<sup>16</sup> PAC (1976-77), 27th Report.

<sup>17</sup> CPU (1967-68), 13th Report.

“It is necessary that Parliament be provided ample time and opportunity to examine the Demands and accord approval.” These Demands had so far been treated as part of the Demands of the administrative Ministries and had been discussed and voted as such.

The committee, therefore, suggested that whenever Demands for additional investment in public undertakings, by way either of loan or of equity, were placed before Parliament, detailed and up-to-date information about the past investment in such undertakings, their achievements and working results, should be made available, so that Parliament could exercise more effective scrutiny before approving the Demands.

Government accepted the committee's suggestion and issued necessary instructions in the matter.

*Reports from Bureau of Public Enterprises:* In its report on the subject of “Revision of the Form and the Contents of the Demands for Grants”, the Estimates Committee (1972-73)<sup>18</sup> had recommended that the annual report being brought out by the Bureau of Public Enterprises on the functioning of Public Undertakings should be made more informative and that it should be made available to Members of Parliament along with other budget documents so that they can study and make use of it when the relevant Demands for Grants come up for discussion in the House. These recommendations of the Estimates Committee were reiterated by the Committee on Public Undertakings in its 40th report (fifth Lok Sabha) on “The Role and Achievements of Public Undertakings”. While explaining the time taken by the Bureau in the preparation and submission of the report, Government informed the committee that the report for the year 1972-73 would be made available to both Houses of Parliament earlier in April, *i.e.* before the Demands for Grants were taken up for discussion. The committee desired<sup>19</sup> that in subsequent years as well efforts should be made to ensure that these reports are made available to Members of Parliament before the Demands for Grants are discussed by the House. The recommendation was accepted by Government and the reports of the Bureau of Public Enterprises are now made available along with the budget documents.

*White Paper on New Projects:* The Estimates Committee (1972-73) recommended<sup>20</sup> that the Government should bring out a White Paper on new public undertakings or on expansion of existing ones involving an

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<sup>18</sup> EC (1972-73), 24th Report.

<sup>19</sup> CPU (1973-74), 46th Report.

<sup>20</sup> EC (1972-73), 24th Report para. 11.2.

outlay of Rs. 100 crores or more in either case. It should contain information on all significant aspects of the schemes. The recommendation was accepted by the Government and White Papers are being submitted in such cases.

*Other suggestions to further strengthen parliamentary control over public expenditure*

Notwithstanding the existing opportunities available with the Parliament for effective scrutiny of public expenditure, it seems desirable to further strengthen parliamentary control or accountability procedures in the following respects—

*Plan and non-Plan expenditure:* At present we have a system of forming *ad hoc* parliamentary committees to discuss the draft Five-year Plans once in five years. Though it affords greater opportunity to Members of Parliament to express their views individually on the draft-Plan document, need has been emphasized from time to time for setting up a standing parliamentary committee to study contemporaneously and oversee *inter alia* the priorities, allocations, and utilization of funds, resource position, physical targets and achievements, shortfalls, if any, and suggest remedial measures. This, apart from strengthening accountability procedures, could provide better means of analysing performance and prescribing correctives to ensure the best use of available public resources.

There has been enormous increase in non-Plan expenditure, *i.e.* cost of administrative machinery. The following figures indicate the increase in the non-Plan expenditure during the last three years.—

<i>Year</i>	<i>Non-Plan Expenditure</i> (Rs. in Crores)
1976-77	9,016
1977-78	10,626
1978-79	12,333

Realizing the need for arresting growth of non-Plan expenditure, Government have recently set up an Expenditure Commission with the following terms of reference:

- (i) Identify areas in which economy can be effected without impairing efficiency or adversely affecting growth;
- (ii) Identify activities, which are not essential or where there is overlapping of functions between various departments of the Government of India or between activities of the Central Government and those of the State governments, and suggest measures for phasing out or rationalizing such activities;

- (iii) Review the present arrangements for creation of posts and staffing and suggest measures for containing expenditure on staff within reasonable limits;
- (iv) Review the existing arrangements for planning, execution, monitoring, and evaluation of major projects and programmes and make suitable recommendations, so that, without detracting from accountability, the decision-making process is expedited, cost escalations and delays are avoided, and benefit is derived from the expenditure incurred;
- (v) Review present arrangements for sanctioning and controlling expenditure and suggest how these arrangements be improved to make financial control more effective and at same time implementation of projects speedier; and
- (vi) Consider any other relevant matter and make suitable recommendations.

This is another important area which needs constant parliamentary surveillance and scrutiny.

*Subsidies:* The subsidies given by the centre have assumed considerable importance of late. Subsidies have increased from less than Rs. 100 crores in 1971-72 to more than Rs. 1,712 crores in 1979-80. There are also many implicit subsidies given in one form or another at the production, pricing, and distribution stages to various public sector undertakings and public utilities.

In this connection the Committee on Controls and Subsidies (Dagji Committee) in their report (1979) has *inter alia* observed as follows:

Subsidies have a tendency to snowball and to become sticky so that they begin to generate inefficiency and complacency.

There are a number of payments in the budget which are not really of the nature of subsidies, and on the other hand numerous subsidies which are not shown as such but hidden under various other types of budgetary outlays, which makes it difficult to make out all payments having the character of a subsidy.

Only these subsidies, on food, fertilizers, and exports (amounting to Rs. 1,343 crores), now constitute 70 per cent of the total budgetary subsidies of Rs. 1,712 crores now given by the centre.

The pattern of budgeting and manner of payment of subsidies hide the inefficiency of operation of some sectors, as for example in the distribution of imported fertilizers.

The Committee *inter alia* recommended that:

All subsidies should have a validity of no more than three years, and before any subsidy is extended beyond its stipulated life, a review of the cost and benefits of the subsidy should be placed before Parliament by the concerned department administering the subsidy.

The target groups likely to benefit from any subsidy should be clearly identified, and the fact should be adequately publicized to ensure that the subsidies do reach the target group.

The subsidies should be overt so that the costs and benefits thereof can be identified.

The Public Accounts Committee and the Committee on Public Undertakings have also stressed the need for greater control over subsidies given by Government.

*Money supply and credit control:* There has been a disproportionate increase in the money supply in the country, taking into account growth in the economy. During the three years 1975-76 to 1977-78, money supply increased at the rate of 15.4 per cent per annum while the average rate of growth of national income was 5.9 per cent. This increase in money supply, unmatched by adequate growth in the national income, has certainly led to strains in the economy leading to inflationary trends.

In a developing economy, a conscious effort is required to direct credit towards desired sectors, and use of credit control as a tool of monetary regulation assumes importance.

In order to check undue increase in money supply and ensure investment in accordance with approved priorities, there is need for greater involvement of Parliament in these matters and strengthening accountability procedures.

*Watching performance of public sector:* At present government investment in industrial and commercial undertakings in India is more than Rs. 12,000 crores. Their annual turnover is more than Rs. 15,000 crores. They employ more than 15 lakh persons and cover a wide spectrum of activities.

The only control that Parliament exercises over them is through its Committee on Public Undertakings. This committee reports to Parliament and though we have some kind of parliamentary supervision, in reality the control is minimal. Firstly, the corporations are so many that the committee cannot do justice to all of them. Since its inception in 1965 the committee have so far examined only about 54 undertakings as against a

total number of 183 public undertakings. There are of course parliamentary Questions on some of these activities, but there again, the answers are not adequate to give a complete and full picture.

The Committee on Public Undertakings realizing the need to examine an enterprise at least once in five years, recently recommended as follows:

It is distressing that in this age when industrial and management science and techniques have advanced so much, mismanagement and lack of scientific control are rampant and the activities of the public enterprises are carried on in a haphazard manner. The Bureau of Public Enterprises and the administrative Ministries who control everything that matters in the enterprises are equally responsible for this miserable state of affairs. It has therefore become necessary that there should be more than one independent agency to examine the working of all the enterprises as minutely as possible in order to make it correct diagnosis and take prompt remedial measures. Such independent agencies should be able to enlist the services of economist, technocrats, industrial scientists, sociologists, etc."

The committee has concluded as follows:

"The narration of facts relating to the delay in commencement of production, underutilization of capacity, the lacuane in the systems of production and cost control, monitoring and appraisal as well as the observations and conclusions of the committee contained in this report would convince anybody that all is not well and the position is far from what one desires.

Neither the Government nor the Parliament can be a silent spectator to this kind of disastrous situation. Obviously one committed of Parliament cannot do justice to the examination of public enterprises with their increasing number and diverse nature of activities covering a wide spectrum of the economy. The committee since its inception in 1964-65 could only examine so far 54 enterprises and the number of enterprises today is over 180. Realizing the imperative need to examine an enterprise at least once in five years the committee is inevitably led to recommend that there should be a Parliamentary Committee on Public Undertakings under the Speaker for each group of enterprises organized in the manner specified earlier. Such mutually exclusive groups should number at least six with about 25 enterprises coming within the purview of each. In other words in the place of the existing one committee there must be at least six independent Committees on Public Undertakings of Parliament with equal powers."

But it is also necessary to emphasize that parliamentary control should not lead to interference in day-to-day administration, which sometimes

happens. This is likely to affect the management taking decisions quickly. In this we have to strike a balance and see that parliamentary control is for helping and promoting the enterprises.

*Computerization:* Budget-making for the next year depends upon the availability of information with regard not only to resources but also to the trend of expenditure during the current year. Unless this information is available in time, budget-making becomes an exercise in the dark. Therefore, it should be a continuous exercise to improve the accounting system. In this context, computerization of accounts assumes considerable importance. Computerization, however, is a controversial subjects because it may displace labour when there is already considerable unemployment in the country. But taking into account the complexity of the accounting system, computerization seems to be a must, at least in the key areas, so that the necessary information is obtained adequately, effectively, and quickly. It may be worthwhile to incur the necessary expenditure on computerization because the accounting system will then become much more effective and the control of the Finance Ministry in particular and Parliament in general over public expenditure would be strengthened.

In India, the state Government of Tamil Nadu has already taken a step in this direction and they are getting the benefit from it.

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## SALARIES AND OTHER FACILITIES OF LEGISLATORS IN INDIA\*

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A study of the position with regard to the salaries and other facilities admissible to members of Parliament and State/Union Territory Legislatures reveals a broad similarity with, however, interesting variations in matters of detail. In the paragraphs that follow an attempt has been made to recount some leading points in a comparative perspective.

### *Salary*

While a Member of Parliament at the Centre is paid a salary of Rs. 500 p.m., the salaries of members of the State Legislatures range from Rs. 250 to Rs. 800 p.m. Tamil Nadu and West Bengal pay their members Rs. 250. In Gujarat, Kerala and Maharashtra the members get Rs. 300; while in Madhya Pradesh, Manipur and Tripura the salary is Rs. 400. Orissa Legislature pays its members Rs. 350. A number of State Legislatures (Andhra Pradesh, Bihar, Himachal Pradesh, Rajasthan, Uttar Pradesh, Haryana, and Punjab) pay Rs. 500 (in the last two, described as 'Compensatory Allowance'). In Assam, Jammu and Kashmir and Meghalaya the salary is Rs. 600 per mensem, in Karnataka and Nagaland it is Rs. 700 per mensem and Sikkim pays the highest salary of Rs. 800 p.m., where however, the members do not get the normal Daily Allowance as such. All the Union Territory Legislatures (i.e. Arunachal Pradesh, Delhi, Goa, Daman & Diu, Mizoram and Pondicherry) pay uniformly Rs. 350 as salary.

### *Daily Allowance*

A Member of Parliament gets a daily allowance of Rs. 51, whereas different State Legislatures pay their members Daily Allowance at different rates. Bihar pays the lowest of Rs. 15 per day; West Bengal pays Rs. 20

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Contributed by the Parliament Library and Reference, Research, Documentation and Information Service, Lok Sabha Secretariat and based on the brochure "*Legislators in India—Salaries and other Facilities*", Lok Sabha Secretariat, New Delhi, Third Revised Edition, 1980, 74 pages.



per day; Kerala, Orissa, Delhi, Goa, Daman and Diu, Pondicherry Rs. 25; Assam, Gujarat, Maharashtra, Tripura, Uttar Pradesh, Arunachal Pradesh and Mizoram Rs. 30; Madhya Pradesh Rs. 31; Manipur and Meghalaya Rs. 40. Members are paid a daily allowance of Rs. 45 in Himachal Pradesh (described as Halting Allowance) and in Punjab (where in addition Rs. 5 is paid as incidental allowance for the day of departure and the day of arrival). In Haryana, Karnataka and Rajasthan members get Rs. 51.

Differentiated rates of payment of Daily Allowance obtain in some States (Andhra Pradesh, Kerala, Nagaland, Sikkim and Tamil Nadu). Thus, in Andhra Pradesh a member receives Rs. 30 as Daily Allowance if he has not relinquished his monthly salary and Rs. 40, if he has. In Tamil Nadu a member is paid Rs. 50 as Daily Allowance if he draws his monthly salary and Rs. 70, if he has relinquished his salary. In Jammu & Kashmir, where a member receives Rs. 50 as Daily Allowance, he is paid 75 per cent more at capital cities while on tour; and in Kerala, a member draws Rs. 25 within the State and Rs. 35 when he goes outside the State. Likewise, in Nagaland a member receives Rs. 30 when his attendance is required at Kohima; Rs. 25 when it is required at other places within the State and Rs. 40 when he is required to proceed outside the State. In Sikkim, where only members of Committees like P.A.C. and E.C. draw a daily allowances of Rs. 50 and others do not, a member is paid Rs. 55 per day during stay at Delhi, Calcutta, Bombay and Madras and Rs. 50 per day at any other place outside the State.

Interestingly, in Maharashtra a recent amendment specifically provides that a Member would be eligible for the Daily Allowance while attending a refresher course in parliamentary practice and procedure or a seminar, a conference or meeting of any parliamentary association, university or other recognised body, on matters connected with parliamentary affairs.\*

#### *Other Allowances*

At the Centre a Member of Parliament receives a consolidated sum of Rs. 500 p.m. in lieu of additional facilities like housing, postal, water, elec-

\**Explanation* in Section 4 of Bombay Legislature Members' Salaries and Allowance Act, 1956, reads:

"For the purposes of this section (section 4) and section 5, attendance of a Member, with the approval of the Speaker or the Chairman, as the case may be, at any place for participating in any refresher course in parliamentary practice and procedure, conference or meeting of any Parliamentary Association, University or other recognised body on matters connected with any parliamentary affairs, shall be deemed to be attendance of the Member at that place for transacting a business connected with any parliamentary affairs, shall be deemed to be attendance of the Member at that place for transacting a business connected with his duties as a Member".

tricity, constituency and secretarial facilities as are not covered by other rules.

In addition to the salary and daily allowance, in a number of states, some allowance (in the form of 'compensatory Allowance', 'Consolidated Allowance', 'Conveyance Allowance' or the like) is paid. Thus, West Bengal pays a Compensatory Allowance of Rs. 200 p.m. and Tamil Nadu Rs. 350; Kerala, Maharashtra and Sikkim pay a Consolidated Allowance of Rs. 200 per month and Orissa Rs. 400; Gujarat Rs. 250 p.m. (towards all other facilities not specifically provided for); and Karnataka Rs. 300 p.m.

A Constituency Allowance of Rs. 200 is paid in Haryana; Rs. 300 in Madhya Pradesh; Rs. 400 in Andhra Pradesh and Rs. 500 in Uttar Pradesh. Himachal Pradesh and Punjab pay a consolidated constituency, secretarial and postal allowance of Rs. 300 and 500 respectively.

Rajasthan pays a fixed amount of Rs. 100 towards water and electricity, and another Rs. 100 towards amenities other than water and electricity.

Some States pay a Conveyance Allowance: Bihar Rs. 300; Jammu & Kashmir Rs. 175; Tripura Rs. 200; Manipur Rs. 600. Among the Union Territories, Delhi pays Rs. 60; Goa, Daman and Diu and Pondicherry Rs. 100; Arunachal Pradesh and Mizoram Rs. 200. Meghalaya and West Bengal pay a conveyance allowance at the rate of Rs. 5 per day for attending meetings of the Assembly or the Committees. Besides a Conveyance Allowance of Rs. 200 per month, a member is paid in Nagaland a Vehicle Maintenance Allowance ranging from Rs. 1000 per month to Rs. 1700, depending upon the location of his headquarters.

#### *Travel Facilities*

At the Centre every Member of Parliament is providing two free non-transferable First Class Railway Passes which entitle him and his spouse to travel at any time by any railway in India and one Second Class Railway Pass for one person to accompany the Member during such journeys. In the case of Members representing the Union Territories of Andaman and Nicobar Islands and Lakshadweep Islands, two non-transferable passes for the Member and his spouse are also provided for travel by the highest class by steamer and one pass for one person accompanying the Member to travel by the lowest class by steamer. In the case of a blind or physically handicapped Member provision has been made for an attendant to accompany the Member even while travelling by air.

Most of the State Legislatures provide free first class passes or coupons for travel by rail and free bus transport on the State Road Transport Service. The exceptions are: Meghalaya, Tripura, Delhi and Pondicherry, where no travel facilities are provided. In Nagaland, however, every Member is provided with a conveyance (Jeep or Car) for the performance of his duties as a Member. In Arunachal Pradesh members are provided,

free motor transport for attending the sittings of the House or of Committees, or any special function in their capacity as Members. In Mizoram a Member is allowed only the facility of hiring the Assembly Secretariat jeep on payment.

In Jammu and Kashmir first class fare is reimbursed to a Member for journey upto a maximum of 5000 kms. in a year with provision to carry over unspent balance to the extent of 2,500 kms. only to the next year, while in Assam only a fixed T.A. of Rs. 400 per month is paid undertaking tours in the constituency.

Of the Legislatures providing free rail passes or coupons, some prescribe the total distance that may be travelled in a year (Haryana: 1600 kms. and Himachal Pradesh: 20,000 kms.); some others prescribe the maximum in terms of money value (e.g. Andhra Pradesh Rs. 3000; Rajasthan Rs. 2250; Tamil Nadu Rs. 2000 and Uttar Pradesh Rs. 3000). Yet others allow unlimited travel within the State and travel upto a prescribed limit outside the State (e.g. Bihar 10,000 kms.; West Bengal 8000 kms.).

Some Legislatures (Haryana, Himachal Pradesh, Punjab and Rajasthan) provide two first class passes for travel by the Member and his wife or any other person accompanying the Member. In Punjab, rail coupons are given for travel by the Member and his spouse and dependant children accompanying either of them, and an attendant. In Uttar Pradesh a woman Member is entitled to take with her a companion in connection with her duties and functions as a Member.

### *Telephone Facilities*

At the Centre, a Member is entitled to two free telephones, one at his residence or office in Delhi and the other at his usual place of residence or a place selected by him in his constituency or the State in which he resides, and 7500 local calls are allowed on each of the two telephones during a year.

Residential telephone facility in the Capital or the constituency is provided for legislators in a number of States and Union Territories (Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Maharashtra, Punjab, Arunachal Pradesh, Delhi and Mizoram).

In some Legislatures (e.g. Rajasthan, Tamil Nadu, Tripura, Goa, Daman and Diu and Pondicherry) telephone facilities are provided only in the Legislature building and/or the MLAs Hostel.

A number of Legislatures pay a telephone allowance: Gujarat, Haryana, Madhya Pradesh, Manipur, Meghalaya pay Rs. 100 p.m. and Kerala and Maharashtra Rs. 200 p.m. In Haryana the allowance is paid only when a telephone is installed; while in Gujarat, Madhya Pradesh and Maharashtra

the allowance is paid whether or not a telephone is installed at Member's residence. On the other hand, in Himachal Pradesh and Jammu and Kashmir a telephone allowance of Rs. 300 and Rs. 150 is paid respectively when telephone is installed and Rs. 100 and Rs. 75 respectively, if no telephone is installed.

In Himachal Pradesh the annual rental, and in Punjab the charges for first installation, security deposit and annual rent, in respect of a Member's telephone are borne by the Government; all other expenses such as those relating to local and outside calls are to be borne by the Members.

Legislatures which allow free calls prescribe a limit—for example, Bihar allows 10,000 calls in a year; Orissa 1,800 per quarter; and Arunachal Pradesh, Mizoram and Delhi 750 local calls per quarter. In West Bengal a legislator is paid Rs. 50 p.m. towards local calls charges and in Punjab Rs. 3,600 in a year.

In Assam, in addition to allowing upto 2000 free local calls per quarter, a Member is also paid an allowance of Rs. 50 p.m. towards trunk call charges.

In Nagaland and Sikkim no telephone facilities are provided.

#### *Postal Facilities*

As earlier mentioned, a Member of Parliament receives a consolidated allowance of Rs. 500 in lieu of, among other things, postal facilities not provided to him. This apart, a branch of the Post Office functions in Parliament House and another at P.H. Annexe.

Similarly, apart from a branch of the post office functioning on the Legislature precincts in some cases, no postal facilities are provided in most of the State Legislatures.

In Gujarat, however, Members are paid a postal allowance of Rs. 50 p.m. In Punjab a constituency, secretarial and postal allowance of Rs. 500 p.m. is paid, while in Haryana and Himachal Pradesh a constituency, secretarial, postal and telephone allowance of Rs. 325 p.m. and Rs. 300 p.m. respectively is paid.

In Maharashtra a Member is entitled to reimbursement of actual postal charges incurred by him on communications addressed to the Government of Maharashtra.

#### *Housing Facilities*

Members of Parliament are allotted residential accommodation on concessional rent.

Arunachal Pradesh, Delhi and Pondicherry provide no housing facilities.

A number of State Legislatures (Assam, Gujarat, Himachal Pradesh, Jammu and Kashmir, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Nagaland, Sikkim, Tamil Nadu, Tripura, Mizoram and West Bengal and Goa, Daman and Diu) provide only hostel accommodation to their Members.

In Karnataka, Sikkim and Tamil Nadu Members are entitled to rent free accommodation.

In a number of Legislatures (e.g. Bihar, Manipur, Orissa, Punjab, Rajasthan and U.P.) members are provided residential accommodation on nominal/concessional rent.

In Bihar a house rent allowance of Rs. 50 p.m. is paid and in Uttar Pradesh, when Members are provided with Class B accommodation, they are paid a compensatory allowance of Rs. 55 per mensem and when not provided with any accommodation, they receive Rs. 150 per mensem.

#### *Medical Facilities*

Members of Parliament and their families are entitled to free medical consultation and treatment under the Central Government Health Scheme at Delhi/New Delhi and certain other metropolitan cities. For treatment taken by them at other places, reimbursement of medical expenses incurred is made. A First Aid Post functions in Parliament House throughout the year to provide medical help to Members within parliamentary precincts. A Medical Centre with sophisticated equipments and manned by specialists also functions throughout the year in Parliament House Annexe to render service to the Members.

In almost all the Legislatures, medical facilities are provided to Members. In a number of them (Assam, Haryana, Himachal Pradesh, Manipur, Punjab, Tripura, Uttar Pradesh, Arunachal Pradesh, Delhi, Mizoram, Pondicherry) legislators are equated with Senior Grade/Class I Officers of the Government.

In Andhra Pradesh, Bihar and Karnataka free medical treatment and accommodation in hospitals is provided to Members.

In West Bengal, members are entitled to reimbursement of the cost of medicines purchased by them. A medical officer is deputed to attend on the Members during the sessions and two beds and one double-bedded cabin are kept reserved in a Government hospital in Calcutta for the exclusive use of Members on payment of the usual charges.

In Meghalaya provision is made for a Member or a member of his family to undertake treatment even outside the State but within India.

with the prior approval of the Director of Health Services. In such cases, the patient may be escorted by the medical officer himself or an attendant, where considered necessary.

### *Other Facilities*

Apart from a number of miscellaneous facilities provided to Members of Parliament (such as refreshment rooms, postal, banking, travel booking facilities etc.) Office accommodation is also made available in Parliament, House complex to recognised political parties and groups in Parliament.

A well equipped Library and research and reference service meets the information needs of Members. Members, who may ask for such assistance, are also helped with the drafting of amendments, motions, resolutions and bills.

Among the special facilities made available to Members of Parliament mention may also be made of foreign exchange quota upto Rs. 27,000 made available to them during the term of their membership.

In Haryana a legislator may be advanced a loan upto Rs. 60,000 for house building and upto Rs. 40,000 for purchase of a car.\* In Punjab, Members are eligible for a repayable advance upto Rs. one lakh for building or purchasing a house, or an advance not exceeding Rs. 40,000 for purchase of a motor-car.

While in West Bengal a Library is at the disposal of Members, a number of other Legislatures (Karnataka, Madhya Pradesh, Kerala, Tamil Nadu, U.P and Goa, Daman and Diu) provide a Library and reference services.

In Tamil Nadu, Kerala and Pandicherry members are assisted in the drafting of amendments, questions, resolutions etc.

### *Secretarial Facilities*

At the Centre in Lok Sabha a stenographic pool is placed at the disposal of Members of Parliament.

A number of Legislatures similarly provide stenographic/typing assistance to Members in connection with their work in the Legislature. In some of the Legislatures (Orissa, Tamil Nadu, Tripura, Delhi and Pondicherry) stationary articles are provided free of cost.

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\*Based on the information received from the State Legislature Secretariat on August 12, 1980.

*Pension*

In Parliament an ex-member received a pension of Rs. 300 p.m. for service for minimum period of five years as Member plus Rs. 50 for every additional year of service subject to a maximum of Rs. 500.

In Assam, Gujarat, Jammu & Kashmir, Nagaland and the Union Territories of Arunachal Pradesh, Delhi, Goa, Daman and Diu, Mizoram and Pondicherry no provision for pension has been made so far.

In a number of other Legislatures, Members are paid pension from Rs. 250—300 for service for a period of 5 years with provision for an additional sum of Rs. 50 (Rs. 30 in Madhya Pradesh and Orissa) for every additional year of service as Member, subject to a maximum which ranges from Rs. 400—500.

In Andhra Pradesh a person gets a pension of Rs. 50 p.m. for each year of service as a Member subject to a maximum of Rs. 500.

In Karnataka a person received pension of Rs. 300 p.m. for a period of service as a Member for 5 years and Rs. 500 p.m. for such service for not less than 10 years. When a Member dies before the expiry of his term a family pension of Rs. 200 p.m. is paid to his family for the unexpired portion of membership of the deceased Member.

In Tamil Nadu, however, a person becomes eligible for a pension of Rs. 250 only if he has served for a period of 10 years as MLA or 12 years as MLC. In this Legislature, also a family allowance of Rs. 100 is paid to the legal heirs of a Member who has died during his term of office, for the unexpired portion of his term.

In Punjab where a Member has served for a full term of an Assembly and the term falls short of 5 years by a period not exceeding 3 months, he is deemed to have served for 5 years and accordingly becomes eligible for pension.\*

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\*Relevant section 3(1-A) of the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977, reads as under:

“(1-A). Where a person has served as a Member for full term of a Legislative Assembly but that term falls short of five years by a period not exceeding three months such person shall, for the purposes of sub-section (1), be deemed to have served as a member for a period of five years”.

## BIENNIAL ELECTIONS TO THE RAJYA SABHA

Under the provisions of Art. 83(1)\* of the Constitution, sixty eight sitting members of the Rajya Sabha (including four nominated members) became due for retirement on April 2, April 15, and August 1, 1980, on the expiry of their respective terms of office. Earlier, three other members, who were otherwise due to retire on April 2, 1980, had also vacated their seats consequent on their election to the Lok Sabha in January, 1980. Thus, in all there were 71 vacancies in the Rajya Sabha, state-wise-distributed as shown in the Table below:—

Name of the State	Number of Members	Due date of retirement
1	2	3
Andhra Pradesh . . . . .	6*	} 2-4-1980
Assam . . . . .	2	
Bihar . . . . .	7*J	
Haryana . . . . .	2	1-8-1980
Himachal Pradesh . . . . .	1	2-4-1980
Jammu & Kashmir . . . . .	1	15-4-1980

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

\*Article 83(1) of the Constitution provides that "the Council of States (Rajya Sabha) shall not be subject to dissolution, but as early as possible one-third of the members thereof shall retire as soon as may be on the expiration of every second year in accordance with the provisions made in that behalf by Parliament by law".



1	2	3
Karnataka . . . . .	4	} 2-4-1980
Kerala . . . . .	3	
Madhya Pradesh . . . . .	5	} 2-4-1980
Maharashtra . . . . .	6	
Nagaland . . . . .	1	
Orissa . . . . .	3	
Punjab . . . . .	2	
Rajasthan . . . . .	4	
Tamil Nadu . . . . .	6*	} 2-4-1980
Tripura . . . . .	1	
Uttar Pradesh . . . . .	12	
Delhi . . . . .	1	} 15-4-1980
Nominated . . . . .	4	} 2-4-1980

On March 11, 1980, the Ministry of Law, Justice and Company Affairs issued a Notification under Section 12 of the Representation of the People Act, 1951 calling upon the elected members of the Legislative Assemblies of the States of Andhra Pradesh, Assam, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Nagaland and Tripura to elect the vacancies in the membership of Rajya Sabha in respect of their States. Subsequently, another Notification covering eight other States, namely, Bihar, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu and Uttar Pradesh, where elections to the Rajya Sabha were also due but could not be held on account of the dissolution of their Legislative Assemblies was issued on June 17, 1980. The third Notification in respect of the State of Haryana, issued on June 24, 1980 provided for the filling up of two seats which were to fall vacant on August 1, 1980.

\*Includes a vacancy caused by the election of a member from the State to the Lok Sabha in January, 1980.

In all, 66 Members were declared elected besides 4 Members nominated to the Rajya Sabha by the President. One seat from the Union Territory of Delhi, however, remained vacant as elections to the Delhi Metropolitan Council had not taken place.

Following these elections, the strength of the political parties represented in Rajya Sabha was as follows: Congress (I)—121, Janata Party 17, Bharatiya Janata Party—14, Congress (U)—21, Lok Dal 15, CPI—7, CPI(M)—9, AIADMK—7, DMK—6 and Independents—6.

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## PARLIAMENTARY EVENTS AND ACTIVITIES

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### CONFERENCES AND SYMPOSIA

*Inter-Parliamentary Conference on European Co-operation and Security:* The IVth Inter-Parliamentary Conference on European Co-operation and Security was held in Brussels (Belgium) from May 12 to 18, 1980. From India, Shri Bal Ram Jakhar, Speaker of Lok Sabha, attended the Conference as an Observer.

### BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period from May 1—September 30, 1980, the following programmes/courses were organised by the Bureau of Parliamentary Studies and Training:

*Seminar on "Privileges" of the Legislatures:* A Seminar on "Privileges of the Legislatures" was held under the joint auspices of the Bureau of Parliamentary Studies and Training and the Indian Parliamentary Group for two days, on August 2 and 3, 1980. The Seminar was inaugurated by the Speaker, Lok Sabha, Shri Bal Ram Jakhar.

Besides members of the Indian Parliamentary Group (composed of sitting and former M.Ps), over fifty legislators from the States participated in the Seminar.

Shri Hari Nath Mishra, M.P., and Shri L. K. Advani, M.P., presided over the deliberations on the first day and Shri Jagannath Kaushal, M.P., took the Chair the next day. These three, along with Shri P. Shiv Shanker, Minister of Law, Justice and Company Affairs were the 'panel speakers'. Besides these, thirty eight more speakers participated in the Seminar, which concluded with a vote of thanks by the Hon. Adviser, Prof. H. N. Mukerjee.

*Orientation Programme for New Members of Parliament:* Two Discussion Sessions, under the Orientation Programme for New Members of

Parliament, were held on July 24 and 30, 1980, in the Main Committee Room, Parliament House Annexe. At the first Discussion Session on "Private Members' Business", key lectures were delivered by Shri Bhogendra Jha, M.P., and Shri K. Lakkappa, M.P. The former also presided over the deliberations.

The second Discussion Session was on "Adjournment Motions, Calling Attention Notices, Notices under Rule 377, etc.", with Prof. Madhu Dandavate in the Chair. Prof. Madhu Dandavate and Shri Eduardo Faleiro (both M.Ps) initiated the discussion, which came to a close with a vote of thanks by the Hony. Adviser, Prof. H. N. Mukerjee.

*Third and Fourth Appreciation Courses for Indian Customs and Central Excise Service Probationers:* Two Appreciation Courses in Parliamentary Processes and Procedures were held for Indian Customs and Central Excise Service Probationers—one from June 21 to 28, 1980 and the other from August 7 to 16, 1980. Thirteen Probationers attended the first Course and fifteen, the second. Both the courses commenced with an inaugural talk by Prof. H. N. Mukerjee, Hony. Adviser, on the "Role of Parliament in the Indian Polity, with particular reference to the Evolution of India's Parliamentary Institutions".

The participants were addressed, among others, by Shri Jagannath Kaushal, Shri R. R. Bhole (both M.Ps.), Shri S. Venkatesan, Chairman, Central Board of Central Excise and Customs; Shri S. S. Bhalerao, Secretary-General, Rajya Sabha; Shri A. C. Bandopadhyay, Secretary, Department of Personnel and Administrative Reforms; Dr. R. B. Jain, Professor and Head, Department of Public Administration, Punjabi University, Patiala, and by senior officers from the Lok Sabha and Rajya Sabha Secretariats and the Government of India.

The Question-Answer Sessions on "Parliament and Its Working" held at the end of the Courses were presided over by Shri Avtar Singh Rikhy, Secretary, Lok Sabha.

*Attachment Programmes for State Legislature Secretariat Officials:* The Bureau arranged a number of Attachment Programmes in recent months:

Period	Official trained	Areas covered
May 12—30, 1980	Under Secretary from Nagaland Legislative Assembly Secretariat	Research and Reference facilities for M. Ps. Parliamentary Questions ; Legislative and non-legislative business and Parliamentary Conferences and Delegations.

Period	Official trained	Areas covered
May 26— June 13, 1980.	Research Officer from the Department of Parliamentary Affairs Government of Arunachal Pradesh	Legislative and non-Legislative business; Parliamentary Committees; Parliamentary Questions; Parliament Library and Reference, Research Documentation and Information Service.
May 26— June 20, 1980.	Two Committee Officers and one Table Officer from Manipur Legislative Assembly Secretariat	Legislative and non-Legislative Business; Parliamentary Questions; Parliamentary Committees; Parliamentary Library; Intensive study in their fields of specialisation.
July 28— August 2, 1980.	Under Secretary from the Haryana Vidhan Sabha Secretariat	Legislative Service.
July 28— August 2, 1980.	Two Research Assistants from Uttar Pradesh Vidhan Sabha Secretariat Library	Parliament Library and Reference, Research Documentation and Information Service in general and Members References Wing in particular.

*Study Visits by Officials:* The Bureau also made arrangements for as many as five study visits by officials of different levels who were undergoing training in Delhi in various training institutions of the Government. During such short study visits, the officials are acquainted with the salient aspects of the working of Parliament and are also enabled, if possible, to watch the proceedings of the two Houses of Parliament.

*In-Service Training Course for officers of Parliament Secretariats:* Under its scheme for imparting in-service training to the officers and staff of the Parliament Secretariats, the Bureau conducted a Training Course for junior level staff (numbering 29) from May 5 to 23, 1980.

*Training Programme for junior parliamentary staff:* A Training Programme was organised from May 5 to 22, 1980 for the benefit of junior parliamentary staff, like Junior Library Attendants, Warehousemen, Record Sorters, Daftries, Messengers, etc.

*Foundational Course for newly-recruited Legislative Committee Assistants:* A nine-day Foundational Course for newly recruited Legislative Committee Assistants, etc., in Lok Sabha and Rajya Sabha Secretariats was held from August 27 to September 9, 1980. It was attended by 20 participants. This Course was designed to impart, by lecture-cum-attachment sessions, an intensive training in the techniques of work being done in the concerned Branches of the two Secretariats.

*Refresher Course for Research/Reference Assistants:* Among the Courses organised for improving the functional skills of the parliamentary staff was a Refresher Course for Research|Reference Assistants in Parliament Library and Reference, Research, Documentation and Information Service of Lok Sabha Secretariat which was held from September 18 to 26, 1980. The Course was attended by 12 Research|Reference Assistants.

#### ANNIVERSARY CELEBRATIONS OF "GANDHIANA"

A function to celebrate the anniversary of the setting up of the Gandhiana was held in the Parliament Library on August 7, 1980, when at a simple function the Prime Minister, Smt. Indira Gandhi and Shri Bal Ram Jakhar, Speaker, Lok Sabha garlanded the statue of Mahatma Gandhi in the presence of Members of Parliament, prominent Gandhian thinkers and representatives from State Legislatures.

'GANDHIANA' was formally inaugurated two years ago, on August 9, 1978 when all the books in the Parliament Library by and on Mahatma Gandhi were housed together in a special section for the convenience of the Members of Parliament and also as a kind of homage to the memory of the Father of the Nation. The collection in the section contains as many as 1485 books, out of which 808 are in English, 335 in Hindi and the rest in various regional languages.

As part of the anniversary programme this year, an exhibition on the "Relevance of Gandhiji to Modern Times" was set up in Parliament House to provide, with the help of about 250 photographs, paintings, portraits and 100 selected messages by and on Gandhiji, glimpses of the life and mission of the Father of the Nation.

The Exhibition was kept open for Members of Parliament till the 14th August, 1980.

A discussion meeting on the "Relevance of Gandhiji to Modern Times" organised on the occasion was presided over by Shri G. Lakshmanan,

Deputy Speaker, Lok Sabha. Several Members of Parliament, legislators from the States and prominent Gandhian thinkers participated in the lively discussion which lasted about three hours.

The occasion was availed of for an informal meeting on the next day between representatives of the Library Committee of State Legislatures, who had come to participate in the celebrations and members of the Library Committee.

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PRIVILEGE ISSUES

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LOK SABHA

*Alleged suppression of proceedings of the House by All India Radio:* On July 23, 1980 the Speaker informed the House that two days earlier (on July 21) Shri Mani Ram Bagri had given notice of a question of privilege against the All India Radio for not broadcasting the announcement made by the Speaker in the House on July 17, 1980 while disallowing notices of adjournment motion on the subject of reported rape of a woman by certain policemen of Dabawali Police Station, Sirsa District in Haryana and her subsequent demise.

While disallowing the notices of the adjournment motion on the subject given by Sarvashri Mani Ram Bagri, K. K. Goyal, Satish Agarwal, Jaipal Singh Kashyap, Chandra Pal Shailani and Ram Vilas Paswan, the Speaker had made certain observations regarding the concern of the House about such incidents.

The Speaker said that the Ministry of Information and Broadcasting in their comments had stated that the news regarding disallowance of the adjournment motion had been briefly mentioned by the All India Radio in their English news bulletin broadcast at 4.00 P.M. and also in 'Parliament Today' and 'Sansad Samiksha'. He further observed that he had no doubt that the All India Radio and other official media would take due note of the observations made from the Chair, particularly those which showed concern of the House. The matter was, thereafter, closed.

*Misreporting of a Member by a newspaper:* On June 30, 1980, Shri Mani Ram Bagri, a Member, complained<sup>1</sup> in the House that the *Hind Samachar*, an Urdu daily from Jullundur, in its issue of June 29, 1980,

<sup>1</sup>. Original in Hindi.



had misreported him while reporting about the Baghpat incident. The news item which appeared in the *Hind Samachar* under the caption "Complaint of Mani Ram Bagri against Newspapers" read<sup>2</sup>, *inter alia*, as follows:—

"Shri Mani Ram Bagri (Janata-S) today complained in the Lok Sabha that papers had underplayed references made in the House yesterday to the incident in Baghpat in which a woman was stripped and paraded.

Newspapers, he said, had highlighted references to the incident in the Rajya Sabha".

The Speaker (Shri Bal Ram Jakhar) then observed<sup>3</sup> that though P.T.I. had correctly reported the matter, some papers had misreported and their explanation for misreporting would be called for.

On July 8, 1980, the Speaker informed the House, *inter alia*, that he had received a reply from the Editor of the *Hind Samachar* in which the Editor had expressed regret for the mistake and that the regret expressed by the Editor might be accepted and the matter treated as closed. The matter was, thereafter, closed.

*Announcement outside the House re: constitution of Press Commission while the House was in Session:* On June 19, 1980, Dr. Subramaniam Swamy, a Member, on a point of order, drew the attention of the House to the announcement about the constitution of the Press Commission which had already appeared in papers before it had been made in the House. The Member contended that Parliament was being devalued and wanted to know whether it was fair to the House that when it was in Session such an important announcement was made outside the House.

The Minister of Parliamentary Affairs (Shri Bishma Narain Singh) then stated that he had noted the point and would communicate it to the Minister concerned.

On June 20, 1980, Shri V. P. Sathe, Minister of Information and Broadcasting, while making a statement in the House, stated that the Government had accepted the resignations submitted in January, 1980, by the former Chairman and members of the Press Commission and had also announced that the Commission would be re-constituted with revised and more comprehensive terms of reference. Subsequently, the Government extended the tenure of the Press Commission till December 31, 1980 and had also appointed Justice K. K. Mathew as Chairman on April 21, 1980. He further said that though for some time, some names had been

<sup>2</sup>. Original in Urdu.

<sup>3</sup>. Original in Hindi.

appearing in the Press, under the rules, the names of the members of the Press Commission had to be duly notified so that they could be validly published. The notification of the names of the new members was made on June 18, 1980. The revised terms of reference of the Press Commission had, however, to be approved by the Cabinet, and as such he wanted to place them before the House after they had been approved by the Cabinet. Shri Sathe assured the House that there was absolutely no desire on his part to bypass the Parliament as he valued both the conventions as well as the dignity of the House. After some discussion, the Speaker observed that the matter had been amply clarified by the Minister. The matter was, thereafter, closed.

*Alleged misleading information given to the House by a Minister:* On June 18, 1980, during discussion in the House on a 'calling attention' matter regarding the token strike by Resident Doctors in the major hospitals in Delhi, Shri Ram Vilas Paswan, a Member, enquired<sup>4</sup> of the Minister of Education and Health and Family Welfare (Shri B. Shankarand) "whether on 5th a memorandum on behalf of Junior Doctors of Delhi was given to you or not". In reply to this question the Minister stated, "I have not received it".

On June 19, Shri Ram Vilas Paswan and on June 20, 1980, Shri Atal Behari Vajpayee and Shri Jyotirmoy Bosu, Members, gave notices of a question of privilege against the Minister of Education and Health and Family Welfare for allegedly misleading the House on June 18, while giving a reply in the House regarding the token strike by the Resident Doctors in major hospitals of Delhi. Enclosing with his notice<sup>5</sup> of question of privilege what he stated to be a photostat copy of receipt of the memorandum of Junior Doctors' Federation of Delhi, as received by Shri N. K. Dubey, P. S. to the Minister of Education and Health, Shri Ram Vilas Paswan contended that it clearly showed that the Hon'ble Minister, 'has deliberately, spoken untruth and has misled the House', and that it constituted a contempt of the House.

Later, on June 23, Shri K. A. Rajan, another Member, gave similar notice against the Minister of Education and Health and Family Welfare regarding this matter.

Upon receipt of the Minister's comments, the Speaker (Shri Bal Ram Jakhari) had withheld his consent to the raising of the question of privilege in the House. On June 30, Shri Ram Vilas Paswan sought to raise the

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

<sup>5</sup>. Original in Hindi.

matter in the House, and the Speaker then observed that he had given his ruling after full study and the Member could give notice under Direction 115.<sup>6</sup>

While raising the issue in the House on June 30, Shri Ram Vilas Paswan and others also made an issue of the fact that the communication sent by the Ministry of Health and Family Welfare to the speaker had not been signed by the Minister. When it was pointed out that the communication had been signed by a Joint Secretary, who had been authorised by the Minister to do so, Shri Chandrajit Yadav urged that whenever there was a privilege motion against any Minister, he should personally give the explanation and that the House would not accept any explanation given by any official.

The Speaker promised to look into the matter and gave his ruling later.

On July 7, 1980, making a statement under Direction 115, Shri Ram Vilas Paswan, stated<sup>7</sup> that the receipt of the memorandum showed that it had been received in the office of the Hon'ble Minister on June 5, 1980. It was clear, therefore, that the Hon'ble Minister had made a wrong statement before the House. He requested the Speaker to direct him to make a statement in the matter and tender apologies to the House.

The Minister of Education and Health and Family Welfare, thereupon, made the following statement in the House explaining his position:

... I made a statement about the token strike by the Resident Doctors on June 18, 1980. In the course of the questions by the Hon'ble Members of Parliament and my replies to them, Shri Ram Vilas Paswan, M.P., while expressing concern about the demands of the Resident Doctors, asked whether I had received any Memorandum of the Junior Doctors Federation of Delhi on 5th June, 1980. Since the Calling Attention and my statement and the questions of all the previous members who asked the questions were concerned mainly on the token strike of the Resident Doctors on 16th June, 1980, I believed that the Hon'ble Member's question was about some memorandum of the Resident Doctors relating to token strike and quite innocently replied in the negative of the receipt of such a memorandum.

Since the point was raised by Members, I had a thorough search made and found that a memorandum by the Junior Doctors

<sup>6</sup> Under Direction 115, a Member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other Member should, before referring the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House. While doing so, the Member might place before the Speaker such evidence as he might have in support of his allegation.

<sup>7</sup> Original in Hindi.

Federation had been received in my office. In the circumstances I express my sincere regrets for the incorrect reply to a supplementary which was inadvertently given”.

On July 9, 1980, the Speaker, referring to the point raised in the House that the factual note furnished by the Ministry of Health should have been signed by the Minister himself instead of being sent by an officer of the Ministry, observed in the House as follows:—

“A question of privilege can be raised in the House only with the consent of the Speaker under Rule 222 of the Rules of Procedure and Conduct of Business in Lok Sabha. While giving his consent, the Speaker has to decide whether the matter should be given precedence over the pre-arranged items of business. In order to determine whether consent should be given under Rule 222 to raise a question of privilege in the House against a Member/Minister, it is a well established practice that a factual note/comments are called for from the Member/Minister and the Ministry concerned for consideration of the Speaker.

It may be useful to divide the nature of reference to Ministries/Minister under the following broad heads:

- (i) Where factual information is called for and the Minister is not directly concerned; e.g. omission or incorrect mention of a Member or the party to which he belongs in the radio/television broadcast.

In such cases, the communication may be signed by an officer in the Ministry/Department not below the rank of Joint Secretary and should clearly indicate that the communication is being sent with the specific approval of the Minister”.

- (ii) Where the notice of privilege relates either to a reply given by the Minister in the House or his conduct as Member of the House.

In such cases, the facts may be furnished over the signatures of the Minister concerned.”

The matter was, thereafter, closed.

*Casting reflections on the impartiality of the Speaker by a Member in a Press statement:* On March 27, 1980, Shri Eduardo Faleiro, a Member, gave notice of a question of privilege against Sarvashri George Fernandes, Ram Vilas Paswan, Samar Mukherjee, Jyotirmoy Bosu, Madhu Dandavate, Indrajit Gupta and Chitta Basu, Members, for casting aspersions on the Speaker as reported in newspapers. He referred to the relevant news items in the *Hindustan Times and Patriot* of March 27, 1980, which had reported that the Opposition leaders on March 26 waited upon the Deputy Speaker to express their strong objection to the manner in which the Opposition was being treated in Parliament and registered their protests against the rejection of adjournment motions sent

by them on the blockade of Assam, murder of a student in Delhi and incidents of atrocities on Harijans. They felt that the Speaker was not functioning in an impartial manner as he had disallowed adjournment motions pertaining to matters of urgent public importance. They appealed to the Speaker and the Deputy Speaker to give special treatment to the Opposition and alleged that the ruling party was using its numerical supremacy to suppress the voice of dissent. Those who were reported to have called on the Deputy Speaker in the absence of the Speaker were Mr. George Fernandes and Mr. Ram Vilas Paswan (Lok Dal), Mr. Samar Mukherjee and Mr. Jyotirmoy Bosu (CPI-M), Prof. Madhu Dandavate (Janata), Mr. Inderjeet Gupta (CPI) and Mr. Chitta Basu (Forward Block)".

The concerned members and the Editor, *Patriot*, the Editor, *The Hindustan Times*, the Editor and General Manager, United News of India and the General Manager, Press Trust of India were asked to state what they might have to say in the matter.

On June 11, 1980, the Speaker informed the House that the Editor and General Manager of UNI had stated in his reply that the impugned news item circulated by UNI was based on a signed statement issued by Shri Ram Vilas Paswan. The General Manager of the PTI in his reply had stated that the impugned news item circulated by them was based on a Press briefing by Shri Ram Vilas Paswan. The Speaker further observed that Shri Ram Vilas Paswan had since tendered unqualified apology for his statement reported in the Press and this might be accepted and the matter treated as closed. The matter was, thereafter, closed.

*Suggesting action by certain government officers against another officer for giving evidence before a Parliamentary Committee:* On March 26, 1980, Shri Jyotirmoy Bosu gave notice of a question of privilege against two officers of the Department of Heavy Industry, over a letter written by them to the Ministry of Home Affairs suggesting action against Shri K. Ravindran, I.P.S., another officer of the Ministry, for the following remarks made by him on October 16, 1978, during the course of his evidence before the Sub-Committee on Public Undertakings:

"Shri K. Ravindran informed the Committee that among the engineers at the middle level, he got the feeling that it was not necessary to come to a total agreement with Siemens because B.H.E.L. had the know-how, and so, such a blanket agreement was not quite called for. In fact, it was practically a sell out of the country".

Bringing the matter to the notice of the Ministry of Home Affairs 'for such action as they may like to take', one of the officers in his demi-official letter to the Home Secretary was reported to have said that expression of opinion by Shri Ravindran on technical matters for which he could not claim adequate competence amounted to severe criticism of the B.H.E.L.

and the processing Committees of the Government of India.

As directed by the Speaker (Shri Bal Ram Jakhar), the matter was referred to the Ministry of Heavy Industry and the Ministry of Home Affairs for their comments.

On July 10, 1980, disallowing the question of privilege, the Speaker informed the House that he had been informed by the Ministry of Home Affairs that no disciplinary action had been taken or was proposed to be taken against the officer concerned for the evidence given before the Sub-Committee of the Committee on Public Undertakings of Lok Sabha on October 16, 1978.

The Speaker, however, observed that he would like to emphasise that all witnesses appearing before Parliamentary Committees were protected by the privilege of the House in respect of any statements made by them during their evidence before the Committee. He expressed the hope that there would be no occasion for any such complaints in future.

The matter was, thereafter, closed.

## STATE LEGISLATURES

### JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY\*

*Misleading statement by a Minister:* On April 2, 1980, Shri Rishi Kumar Koushal gave notice of a question of privilege against the Minister of Housing, alleging that the Minister had on March 3, 1980 deliberately furnished incorrect and misleading reply to a question regarding the Master Plan for Katra.

The Speaker in his ruling in the matter observed that the Minister had frankly conceded that there had been some confusion while submitting the reply to part of the question which could have been made clear on the floor of the House during supplementary questions but which could not be done as the said question was not taken up for oral reply. The Speaker further observed:

"In order to constitute a case for breach of privilege or contempt of the House, the complainant has to prove that the statement was not only wrong or misleading but it was made deliberately to mislead the House and a breach of privilege can arise only when the member or Minister makes a false statement or an incorrect statement wilfully, deliberately and knowingly. It was only then that a member or Minister can be held guilty for breach of privilege.

\*Contributed by the Jammu and Kashmir Legislative Assembly Secretariat.

.....From perusal of the facts mentioned above and the trend of parliamentary precedents on the subject, I feel no case for breach of privilege is made out against the Hon'ble Minister in the instant case, even if it is presumed the reply is incorrect. There is no evidence on record to show that the Hon'ble Minister has intentionally and wilfully made a false statement or told a deliberate lie on the floor of the House on the subject. I am convinced that in the instant case there has been a confusion to locate the date of finalisation of Master Plan and to prepare its reply, which could have been easily done had there been a careful exercise of mind before final approval of the reply by the Hon'ble Minister. Under the circumstances I would like to sound a note of caution to the Hon'ble Minister that he should be careful while scrutinising the reply before its final approval and he should impress upon his departmental officers to be meticulously careful while formulating replies...."

The matter was treated as closed.

*Alleged contradictory statements made by Minister:* On March 12, 1980, Shri Abdul Rashid Kabli gave notice of a question of privilege against Shri Devi Dass Thakur, Finance Minister, alleging that the Minister, while meeting the Press on March 10, 1980, after presentation of the Budget Estimates before the House, had said that it was better to increase the sale price of liquor than to ban its sale, thus contradicting his earlier statement made on March 8, 1980, when a Bill for enforcing Prohibition in the State of Jammu and Kashmir had come up for consideration which was subsequently referred to the Joint Select Committee of the Legislature.

Giving his ruling in the matter, the Speaker observed as follows

"I have gone through the Complaint given notice of by the Hon'ble Member, the Press Statement made by the Hon'ble Minister on the subject, the relevant proceedings of the House dated 8-3-1980 when the Bill for Prohibition came for consideration, the statement of the Hon'ble Minister made on this subject on the floor of the House and heard the Hon'ble Member as well. From a perusal of the Statement of the Hon'ble Minister made on the floor of the House it emerges that he has explained the need and significance of the Prohibition in the state, its pros and cons, the effects of the Prohibition in other States of the country and explained the intention of the Government as to why it wants that the Bill should be referred to Joint Select Committee of the Houses. Before closing his statement he has said: 'that it should not be taken for a policy statement of the Government. We are open to conviction and let there be a debate on the issue and let the House guide us as to in which manner the Prohibition is to be enforced'. Thus, the statement on Prohibition by the Hon'ble Minister in the House and the Statement made before the Press do not seem to be contradictory. It is rather in conformity with

what he has stated in the House. Accordingly consent is withheld as no case for breach of privilege is made out".

The matter was thereafter treated as closed.

#### KARNATAKA LEGISLATURE\*

Denouncing of the legislative enactment by the former Chief Justice: On May 7, 1980, a Member, Shri Harnahalli Ramaswami, sought to move a motion of breach of privilege against Shri G. K. Govind Bhat, former Chief Justice of the Karnataka High Court, for a speech reported to have been made by him on May 4, 1980 when he was alleged to have criticised in very strong language the passage of the Karnataka Land Reforms Act. He was also reported to have said that the Act was a gross violation of the fundamental rights as well as the human rights of the citizens and called upon the land owners to appeal to the International Commission of Jurists. He was also reported to have remarked that 'Adharma' was the foundation and injustice was the path of the Act.

It was contended by several Members that the speech of Shri Govind Bhat was an intimidation of the Members who were responsible for passing the Act and that it was an incitement of the people to resort to violence to prevent the legislators from discharging their duties as Members.

The Speaker then observed as follows:

"There are numerous instances in which acts of members, as well as strangers have been held by the House of Commons as violations of the privilege of the free speech of the members and punished as breach of its privileges. There are also equally numerous cases in which, though the act looked like a breach of privilege, it was not, on closer scrutiny, considered as such".

He further observed that a Committee of the House of Commons had gone into the entire law of Parliamentary Privileges and had given a report on the extent to which recourse could be taken to the penal jurisdiction of the House. The Committee, had *inter alia* stated, as follows:

"That the House should be slow and reluctant to use its penal powers to stifle criticism or even abuse, whether of the machinery of the House, of a Member or of an identifiable group of Members, however strongly the criticism may appear to be. Your Committee regard such criticism as the life-blood of democracy. In their view the sensible politician expects and even welcomes criticism of this nature. Nonetheless, a point may be reached at which conduct ceases to be merely intemperate criticism and abuse becomes, or is liable to become an improper obstruction of the functions of the Parliament. For such cases, however rare.

\*Contributed by the Karnataka Legislature Secretariat.



the penal powers must be preserved and the House must be prepared to exercise them”.

The Speaker then quoted from a ruling of the Speaker of the House of Commons to the effect that a Member of Parliament is not free from criticism. As far as the question of privilege was concerned, the Speaker said, what he had to consider was:

“.....‘is it going to interfere with the execution of his proper duties? A misinformed criticism was not going to deter a Member from performing his duties as a Member of Parliament.’ Mere criticism however strongly worded it may be, does not amount to a breach of privilege. Fair comment on parliamentary conduct of Members also had been held to be not amounting to breach of privilege.”

Citing a chain of rulings of the House of Commons and Lok Sabha that general remarks were not treated as breach of privilege unless there was an obstruction to the Members in the discharge of their duties, the Speaker *inter alia* observed as follows:

“In the light of the precedents stated above, I do not think any intervention of the House is necessary in the matter raised by the Members by starting privilege proceedings against Shri Govind Bhat for his reported speech. As a Presiding Officer, it is not for me to agree or disagree with the observations of Shri Govind Bhat on the Karnataka Land Reforms Act while the Members may express their strong indignation at what has been stated by him. For me, suffice it to say that the remarks do not call for a motion of breach of privilege.”

Thereafter the matter was treated as closed.

The above mentioned question of privilege was raised in the Karnataka Legislative Council also on May 7, 1980 by Sarvashri D. B. Chandra Gowda, M. Raghupathy, L. G. Mavanur, B. C. Bhagvan and N. N. Kallanavar by separate notices. Shri Govind Bhat, according to the newspaper reports, labelled kannadigas as the most patient sufferers when so much injustice was being done to them in the form of the Act. According to him, if such an Act had been passed in other States the people would have tried to ‘behead’ the Ministers concerned.

The Chairman, citing the relevant rulings by the Speaker of the House of Commons (U.K.) and by an earlier Chairman of the Karnataka Legislative Council disallowed the question of privilege. He observed, *inter alia*, that the illustrations showed that it was not every criticism or comment on the actions of members or the House as a whole that was treated as contempt of the House and a Breach of its privileges. Also, that the House had always respected the right of the citizens to criticise it even in strong terms. But when such criticism or comment entered the category of

reflections on the members or the House or of libel on it so as to bring the House or its members into odium by imputing improper motives either to members in their parliamentary conduct or to the House, the House could treat them as its contempt.

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## PROCEDURAL MATTERS

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### LOK SABHA

*Interruptions:* On June 10, 1980, when Shri Atal Behari Vajpayee was asking a clarificatory question on a statement made by the Minister of State for Home Affairs in response to a Calling Attention notice regarding burning of some Harijans in Village Kafalta in Almora (U.P.), he was repeatedly interrupted by some members. This led to protests from several leaders of the Opposition Parties/Groups who urged that a meeting of leaders of Parties and Groups might be called to settle the matter. The Speaker observed that he would call a meeting but the proceedings of the House should not be interrupted. In the House all were equal entitled to express their views and were supposed to respect each other. The interruptions however, continued and the House was adjourned at 1 PM for lunch.

When the House met after lunch, the Speaker mentioned about the meeting he had had with the leaders of Parties/Groups in the House during the lunch break over the maintenance of order in the House and informed the House of the assurance he had received from them that they would fully cooperate with the Chair in maintaining order and decorum in the House. He appealed to all members to display some restraint. The Prime Minister Shrimati Indira Gandhi also observed that she was very sorry that Shri Vajpayee's speech had been disturbed. She assured the House that her party was committed to proper and smooth functioning of the House and also for maintenance of its dignity and decorum which was the very essence of the functioning of Parliament and of democracy. The Speaker observed that all the Members must cooperate and abide by the rules and that he would give full protection and time to every shade of opinion.

*Calling Attention Notice—Postponement of taking up for discussion:* On June 12, 1980 after the Question Hour, the Speaker informed the House

that the Minister of State for Home Affairs (Shri P. Venkatasubbaiah) had requested that the Calling Attention Notice on the agenda regarding disturbances in Tripura might be taken up after 5 P.M. that day as it would be possible for the Minister of Home Affairs who had gone on a tour of Tripura to be present in the House at that time. The House agreeing, the notice was accordingly taken up at 17.15 hours and the Minister of Home Affairs (Giani Zail Singh) made a statement in regard thereto.

*Calling Attention Notices—Presence of Member:* Usually, when a Member who is to call the attention of the Minister is not present in the House, the Speaker calls the next Member figuring on the notice and if he is also not present, the Member next below and so on.

On July 8, 1980, when a calling attention notice was reached, the first three Members on the notice, namely, Sarvashri Bapusaheb Parulekar, Ramavatar Shastri and Dr. Saradish Roy were not present in the House. Attention was then called by the fourth Member Shri K. Lakkappa. Later, Shri Ramavatar Shastri came to the House. The Deputy Speaker permitted, as special case, Shri Shastri to ask clarificatory questions, in the second round.

On July 17, 1980 when some Members other than those whose names were in the List of Business wanted to ask clarificatory questions on a statement made by the Minister of State in the Ministry of Home Affairs (Shri Yogendra Makwana) in response to a Calling Attention Notice, the Speaker declined observing that "Only those Members whose names are there in the Calling Attention Notice will be allowed to ask questions."

*Calling Attention Notices—Minister cannot be compelled to reply to clarificatory Questions:* On June 13, 1980, when Shri Jyotirmoy Bosu raised a matter regarding the law and order situation in Tripura, the Minister of Home Affairs (Giani Zail Singh) replied. When some members wanted to ask further questions, the Chair observed that it was for the Minister to reply to them and he could not be compelled to reply to questions.

*Permission for raising point of orders:* On June 30, 1980, when the Deputy Speaker called the Minister of State in the Ministry of Railways (Shri C. K. Jaffer Sharief) to make *suo moto* a statement regarding collision of two passenger trains between Delhi and Delhi-Shahdara, stations on June 27, 1980, Shri Ram Vilas Paswan and some other Members wanted to raise points of order. The Deputy Speaker did not permit them. When Members enquired whether permission was required for raising points of order, the Deputy Speaker observed that under Rule 376(2) permission was required for raising a point of order during interval between termination of one item of business and commencement of another.

*Language to be used in the House:* On July 1, 1980, when the Minister of Agriculture and Rural Reconstruction (Shri Rao Birendra Singh) wanted to make a statement in English in reply to a Calling Attention Notice by Shri Harikesh Bahadur in Hindi, some Members objected to the Minister reading the statement in English. The Minister of Railways (Shri Kamalapati Tripathi) pointed out that as per practice questions asked in Hindi could be answered in English. The Speaker, thereupon, observed that it would be better if questions in Hindi were answered in Hindi and *vice versa* but if a Minister chose to use English in answer to a matter raised in Hindi, he could do so as simultaneous translation of Hindi into English and *vice versa* was available. No body could be compelled to use a particular language as proceedings could be conducted both in Hindi and in English.

*Raising matters under Rule 377:* Normally a Member is permitted to raise only one matter under rule 377 of the Rules of Procedure and Conduct of Business in Lok Sabha during a week. The Speaker in his discretion may however, allow a Member to raise more than one matter, as a special case during the same week. This was done on July 4, 1980 when Shri Harikesh Bahadur who had already raised a matter on July 2, 1980, was permitted by the Speaker to raise a second matter, as a special case. The Speaker, however, observed that that would not be a precedent for future.

*Minutes of Meetings of Consultative Committees:* On July 22, 1980 during the discussion on the Demands for Grants of the Ministry of Industry, a Member (Shri George Fernandes) sought to quote from the minutes of the Consultative Committee of that Ministry. The Minister of Finance (Shri R. Venkataraman) raised a point of order that minutes of the Consultative Committee meeting being confidential could not be quoted in the House. The Chairman upheld the point of order and observed that the minutes could not be quoted.

*Absence of Minister during Question Hour:* On August 1, when a question came up for answer in the House, the Minister of Civil Supplies was not present in the House to answer the question. On exception being taken to this by some Members, the Minister of Agriculture volunteered to reply to the question. The Speaker, however, declared the Question Hour to be over. Later during the course of the day, the Minister of Civil Supplies apologised to the House for his absence during the Question Hour and regretted the inconvenience caused to the Chair and the Members.

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PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS  
(April 1 to June 30, 1980)

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INDIA

DEVELOPMENT AT THE CENTRE

*Supreme Court ruling in the Constitution (Forty-Second) Amendment Case:* On May 9 the Constitution Bench of the Supreme Court by a 4:1 majority declared void Sections 4 and 55 of the Constitution (Forty-Second Amendment) Act, 1976, on the ground that they were beyond the amending powers of Parliament.

Section 4 of the Act, which had established the primacy of Directive Principles over Fundamental Rights by empowering Parliament to pass laws for giving effect to any of the Directive Principles in Part IV of the Constitution without these being open to challenge on the ground that they were repugnant to the Fundamental Rights enshrined in the Constitution, was held void as it "damaged the basic essential features of the Constitution and destroyed its basic structure by a total exclusion of challenge to any law on the ground that it is inconsistent with, takes away or abridges any of the rights conferred by Articles 14 or 19 of the Constitution, if the law is for giving effect to the policy of the State towards securing all or any of the principles laid down in Part IV of the Constitution".

Section 55 of the Constitution (Forty Second Amendment) Act, 1976 had inserted sub-sections (4) and (5) in Article 368, which laid down that "there shall be no limitation whatever on the constituent power of Parliament to amend, by way of addition, variation or repeal, the provisions of this Constitution under this Article" and that "no constitutional amendment made before or after the adoption of the Forty-Second Amendment shall be called in question in any court of law on any ground". The Court Order declared Section 55 as void since it "removed all limitations

on the power of Parliament to amend the Constitution and conferred power upon it to amend the Constitution in such a manner as to destroy its basic or essential features or its basic structure”

In a separate order on August 1, Justice P. N. Bhagwati, while concurring with other members of the Bench in striking down Section 55 of the Forty-Second Amendment, delivered a dissenting judgement upholding Section 4 of the amendment which by altering Article 31C of the Constitution, gave supremacy to the Directive Principles of the State Policy over the Fundamental Rights.<sup>1</sup>

*Supreme Court ruling on Death Penalty:* By a majority of 4:1, the Supreme Court ruled on May 9 that the sentence of death as a punishment for murder provided under Section 302 of the Indian Penal Code is constitutionally valid and does not constitute an ‘unreasonable, cruel or unusual’ punishment. The Court further held that the death penalty for an offence of murder or the sentencing procedure under Section 354(3) of the Criminal Procedure Code, 1973 (Act 2 of 1974) also does not violate Articles 14, 19, 21 or the basic structure of the Constitution.

In his dissenting note, Mr. Justice P. N. Bhagwati observed that since the Section in questions did not provide any legislative guidelines as to when the life should be permitted to be extinguished by imposition of death sentence, he struck down Section 302 of the I.P.C. as unconstitutional and void “in so far as it provided for imposition of death penalty as an alternative to imprisonment for life”.

*Expansion of Ministry:* The Union Council of Ministers was expanded on June 8 with the swearing in of 15 Ministers—3 of Cabinet rank, 6 Ministers of State and 6 Deputy Ministers. The allocation of portfolios among the new Ministers was as follows:

*Cabinet Ministers:*

Shri V. C. Shukla: *Civil Supplies*; Shri N. D. Tewari: *Planning*; Shri Kedar Pandey: *Irrigation*.

*Ministers of State:*

Shri Dalbir Singh: *Petroleum and Chemicals*; Shri T. Anjiah: *Labour*; Shri Buta Singh: *Shipping and Transport*; Shri Chandulal Chandrakar: *Tourism and Civil Aviation*; Shri Vikram Mahajan: *Energy*; Shrimati Ram Dulari Sinha: *Information and Broadcasting*.

<sup>1</sup> *Statesman and Times of India*, May 10, 1980. *Deccan Herald*, May 12, 1980, *Times of India* August 2, 1980.

<sup>2</sup> *Times of India and Statesman (Calcutta)*, May 10, 1979.

*Deputy Ministers:*

Shri Mallikarjun: *Railways*; Shri P. Venkata Reddy: *Industry*; Shri Mohammed Usman Arif: *Works and Housing*; Shri Maganbhai Barot: *Finance*; Shri Vijay N. Patil: *Departments of Science & Technology and Space*; Shri P. K. Thungon: *Supply and Rehabilitation*.

Earlier Shri Jagannath Pahadia, Minister of State in the Ministry of Finance and Shri J. B. Patnaik, Minister of Tourism and Civil Aviation and Labour relinquished their charges on June 6 and 7 to assume charge of the Chief Ministership of Rajasthan and Orissa, respectively.<sup>3</sup>

*Biennial elections to the Rajya Sabha:* On the expiration of their 6-year term of office, 69 members of the Rajya Sabha retired during April 1980. The vacancies so caused were filled up through the biennial elections from the States of Andhra Pradesh, Assam, Bihar, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Nagaland, Orissa, Rajasthan, Tamil Nadu, Tripura and Uttar Pradesh.

Following these elections, the strength of the political parties represented in Rajya Sabha was as follows: Congress (I)—121; Congress (U)—21; Janata Party—17; Bharatiya Janata Party—14, Lok Dal/Janata-(CS)—14; Communist Party of India (Marxist)—9; Communist Party of India—7; All India Anna DMK—6; DMK—6, Akali Dal—3, National Conference—2; Muslim League—1; Kerala Congress—1, Forward Block—1; Naga National Democratic Party—1; RSP—1, R.P.I. (Khobragode)—1; Socialist—1; Independents—6, Nominated—8\*, and vacancies—3.4.

## AROUND THE STATES

## ASSAM

*Extension of President's rule:* On June 10, Lok Sabha approved the continuation of President's rule in the State of Assam, first proclaimed on December 12, 1979, for a further period of six months from June 12, 1980.<sup>5</sup>

## BIHAR

*General Election:* In the General Election for the 324—member Legislative Assembly held on May 31, the Indian National Congress (I) secured an absolute majority of 167 seats. The final Party-position was:

<sup>3</sup> *Times of India* and *Hindustan Times*, June 9, 1980.

\*This does not include 4 nominated members who have since joined Congress (I).

<sup>4</sup> Party position in Rajya Sabha as on July 7, 1980.

<sup>5</sup> *Statesman*, June 11, 1980.



Congress(I)—167, Janata (CS)—42, CPI—23, Bharatiya Janata Party—22, Janata Party (JP)—13, Janata—S(RN)—1, Congress (U)—14, C.P.I(M)—6, Marxist Coordination Committee—1, Socialist Unity Centre—1, Forward Block—1, Jharkhand Mukti Morcha—12; and Independents—18. Elections were countermanded in three constituencies due to the death of candidates.<sup>6</sup>

*New Ministry:* A new 39-member Ministry headed by Dr. Jagannath Mishra was sworn in on June 8. The allocation of portfolios announced on June 9 was as follows:—

*Cabinet rank:*

Dr. Jagannath Mishra: *Chief Minister, Cabinet Secretariat and Coordination, Home, Personnel and Administrative Reforms, Finance, Planning and Development, Irrigation and Power, Science and Technology, Information and Public Relations, Law (except Religious Trusts)*; Shri Nasiruddin Halder Khan: *Education*; Shri Rajendra Pratap Singh: *Sugarcane, Mines and Geology*; Shri Ramashray Prasad Singh: *Industries (excluding Handloom), Parliamentary Affairs*; Shri Karam Chand Bhagat: *Excise and Prohibition*; Shri Misri Sada: *Transport and Welfare (excluding Tribal Welfare)*; Shri Budhadeo Singh: *Public Works Department*; Shri Jagnarain Trivedi: *Minor Irrigation and Religious Trust (excluding Wakf)*; Shri Shankar Dayal Singh: *Food, Supply and Commerce and Housing*; Shri Laliteshwar Prasad Shahi: *Agriculture*; Dr. Umeshwar Prasad Verma: *Health and Family Welfare*; Shri Yogeshwar Prasad Yogesh: *Labour and Employment, Rajbhasha*; Chaudhary Salahuddin: *Rural Development and Wakf*; Shri Lahtan Choudhary: *Revenue and Law Reforms*; Shri Ramesh Jha: *Urban Development, Public Health Engineering*; Shri Sami Nadvi: *Animal Husbandry, Fisheries and Handloom*; Shri T. Mochi Rai Munda: *Forest and Tribal Welfare*; Shri Ghanshayam Singh: *Cooperatives and Rehabilitation*.

*Ministers of State:*

Shri Hardeo Prasad: *Education*; Dr. Prabhunath Singh: *Finance*; Shri Raghunath Jha: *Public Works Department*; Shri Shamayele Nabi: *Health and Family Welfare*; Shri Sagir Ahmed: *Co-operatives, Relief and Rehabilitation*; Shri Sadanand Singh: *Irrigation*; Shri Rajo Singh: *Rural Development*; Shri Madan Prasad Singh: *Revenue and Land Reforms*; Shri Shankar Pratap Deo: *Minor Irrigation and Religious Trust (excluding Wakf)*; Smt. Uma Pandey: *Urban Development and Tourism*; Smt. Prabhawati Gupta: *Jails*; Shri Motiur Rehman: *Public Health Engineering*; Shri Ramdeo Rai: *Industries (excluding Handloom) and Parliamentary Affairs*; Shri Dhikeshwar Ram: *Agriculture*; Shri Prem Narain Garhwal: *Sugarcane*; Shri Lallan Shukla: *Food, Supply and Commerce*.

<sup>6</sup> *Hindustan Times*, May 31 and June 4, 1980; *Hindu*, June 6, 1980.

*Deputy Ministers:*

Shri Kumud Ranjan Jha: *Education*; Shri Karuneshwar Singh: *Animal Husbandry, Fisheries and Handloom*; Shri Shyam Sunder Singh 'Dheeraj': *Science and Technology and Transport*; Shri Ishwari Ram Paswan: *Forest and Tribal Welfare*; Shri Ranjit Sinha: *Labour and Employment*.<sup>7</sup>

## GUJARAT

*General Election:* Elections held on May 28 and 31 for the 181 seats to the Legislative Assembly (election in one constituency was countermanded due to the death of a candidate), gave the Congress (I) a two-third majority with 140 seats. The Janata Party (JP) won 21 seats, Bharatiya Janata Party—9, Janata (CS)—1 and Independents and others—10.<sup>8</sup>

*New Ministry:* On 7th June 19 members of the new Ministry headed by Shri Madhavsingh Solanki were sworn in by the Governor Smt. Sharda Mukherjee. Three more Ministers were subsequently added on 11 June, raising the strength of the Council of Ministers to 22. The allocation of portfolios was as follows:

*Cabinet Ministers:*

Shri Madhavsingh Solanki: *Chief Minister, General Administration (excepting Planning), Industries, Mines and Power, Law and Justice, Information, Urban Development and all other Departments not allotted to any other Minister*; Shri Sanat Mehta: *Finance, Planning, Labour, Employment, Prohibition and Excise*; Shri Prabodh Rawal: *Home, excluding Information and Tourism, Education, excluding Physical Education, and Parliamentary Affairs*; Shri Trambaklal Dave: *Panchayats and Municipalities*; Shri Amarsingh Chaudhary: *Irrigation, Forest and Tribal Welfare*; Mahant Vijaydasji: *Agriculture and Ports*; Shri Khodidan Jhula: *Buildings and Communication, excluding Ports*; Shri Manoharsinghji Jadeja: *Civil Supplies, Health and Family Welfare, Sports and Physical Education and Cultural Activities and Youth Welfare*.

*Ministers of State:*

Smt. Kokilaben Vyas: *Health and Family Welfare and Tourism (independent charge)*; Shri Mohammed Surti: *Transport and Ports*; Shri Bhavsingh Jhala: *Civil Supply*; Shri Devjibhai Vanvi: *Social Welfare, including Harijan Welfare (independent charge)*; Shri Harihar Khambholja: *Finance and Planning*; Shri Maganbhai Solanki: *Panchayats, Cooperation and Irrigation*.

*Deputy Ministers:*

Shri Kirtisinh Gohil: *Home (excluding Tourism), Transport and Information*; Shri Balvant Manvar Patel: *Education*; Shri

<sup>7</sup> *Times of India*, June 9 and *The Searchlight*, June 10, 1980.

<sup>8</sup> *Hindu*, June 8, 1980.

Purshottam Makwana: *Social Welfare*; Shri Khimji Jesang: *Agriculture and Forests*; Shri Lalit Patel: *Tribal Welfare*; Shri Mohammed Hussain Baloach: *Law and Justice*; Shri Lalitbhai Parmar: *Prohibition and Excise, Harijan Welfare, Small Savings*; Shri Chandrakant Patel: *Labour*.<sup>9</sup>

*New Speaker*: Shri Natwarlal Shah was elected on June 20, as the Speaker of the Legislative Assembly.<sup>10</sup>

#### HARYANA

*Change in Salaries and other facilities of Legislators*: The Constituency Allowance of the State Legislators was raised from Rs. 200 per month to Rs. 500 per month and the payment towards expenditure on Telephones from Rs. 100 per month to Rs. 300 per month, with effect from April, 1980.

Each Member has now been provided two free non-transferable passes instead of one, which shall entitle him to travel at any time in Haryana, Delhi or Chandigarh by any public service vehicle of the PEPSU Road Transport Corporation.

Besides, the following two loans are also now admissible to Members:

- (a) Loan up to sixty thousand for—
  - (i) Purchasing a built house; or
  - (ii) Building a house; or
  - (iii) effecting major repairs, additions or alterations to his house;
- (b) Loan for purchase of a car upto Rs. 40,000/-.

The Pension Rules were amended to provide for the non-admissibility of pension to a Member in respect of the term and during the period he was disqualified under the Representation of the People Act, 1951 or any other law in force at that time.\*

#### HIMACHAL PRADESH

*Expansion of Council of Ministers*: The State Ministry was expanded on May 9, with the swearing in of four new Cabinet Ministers and two Ministers of State. The allocation of portfolios announced on June 12 was as follows:

##### *Cabinet Ministers:*

Shri Ram Lal: *Chief Minister, General Administration, Home, Personnel, Finance, Planning, Public Works, Tribal Development, Public Relations, Health and Family Welfare, Ayurveda*

<sup>9</sup>. *Times of India* (Ahmedabad), June 8 and 11, 1980.

<sup>10</sup>. *Ibid.*, June 19, 1980.

\*Information received from the Haryana Legislative Assembly Secretariat.

*and Law; Shri Shiv Kumar: Education, including University Education, Technical Education, Arts, Languages and Culture, Cooperation and Food and Civil Supplies; Shri Hardayal: Forest, Farming and Environmental Conservation, Local-self Government and Elections; Shri Sukh Ram: Multipurpose Projects, Power, Agriculture, Animal Husbandry and Fisheries; Shri Guman Singh Chauhan: Horticulture, Transport, Excise and Taxation; Shri Sat Mahajan: Revenue, Tourism and Prisons; Shri Ranjit Singh Verma: Industries, Labour, Employment & Training, Printing and Stationery.*

*Ministers of State:*

*Shri Sant Ram: Rural Integrated Development (independent charge) and Housing (independent charge); Shri Ishwar Dass; Panchayats (independent charge), Social Welfare (Independent charge) and attached to Shri Ghauhan for Horticulture; Shri Rangila Ram: Chief Parliamentary Secretary, attached to the Chief Minister in the Departments of Health, Family Welfare, Ayurveda and Law.<sup>11</sup>*

KARNATAKA

*New Deputy Chairman:* Shri V. S. Krishna Iyer, was unanimously elected Deputy Chairman of the Legislative Council on June, 18. Shri Krishna Iyer succeeding Shri Raghavendrachar Jagirdar, who had died on April, 25 following a heart attack.<sup>12</sup>

MADHYA PRADESH

*New Governor:* By a Communique issued on April 15 by President Sanjiva Reddy it was announced that Shri Bhagwat Dayal Sharma, Governor of Orissa, would take over from Shri C. M. Poonacha as the Governor of Madhya Pradesh.

*General Election:* In the election to the 320-member Legislative Assembly held in two phases on May 28 and 31, the Congress (I) secured a two-third majority with 246 seats. The final party-position was; Congress(I)-246, Bharatiya Janata Party-60, Janata Party (JP)-2, Janata (CS)-1, CPI-2 and others-9.<sup>14</sup>

*New Ministry:* A new 2-member Ministry headed by Shri Arjun Singh was sworn in by the Governor Shri Bhagwat Dayal Sharma on June 9.

<sup>11</sup>. *Times of India*, May 10 and *Hindustan Times*, May 13, 1980.

<sup>12</sup>*Deccan Herald*, April 26 and *Times of India*. June 20, 1980.

<sup>13</sup>. *Asian Recorder*, 1980, p. 15499.

<sup>14</sup>. *Hindustan Times*, June 1 and *The Hindu*, June 6, 1980.

The Ministry was expanded on June 13 raising its strength to 23 and the allocation of portfolios was as follows:

*Cabinet Ministers:*

Shri Arjun Singh: *General Administration, Home, Tribal and Harijan Welfare, Electricity, Tourism, Archaeology, Language, Urdu Academy, Wakf Board, Rehabilitation and Natural Resources*; Shri Shivbhanu Solanki: *Deputy Chief Minister, Irrigation, Panchayat, Rural Development, Social Welfare and Jails*; Shri S. S. N. Mushran\*: *Planning, Economics and Statistics*; Shri Kishanpal Singh: *Finance, Separate Revenue, Registration and Stamps, Law and Legislative Affairs*; Km. Vimla Verma: *Public Works Department*; Shri Vedram: *Forests*; Shri Jhumkalal Bhedia: *Commerce and Industry*; Dr. Tuman Lal: *Revenue*; Shri Madhavlal Dube: *Education*; Shri Sirinivas Tiwari: *Public Health and Family Welfare and Public Health Engineering*; Shri Suresh Seth: *Local Self-Government*.

*Ministers of State:*

Shri Chandra Prabhaskar Shekhar: *Housing and Environment*; Shri Balkavi Bairagi: *Food and Civil Supplies*; Dr. Digvijay Singh: *Agriculture*; Shri Kanhayalal Sharma: *Cooperation*; Shri Tarasingsh Viyogi: *Labour*.

The rest of the Ministers of State viz., S/Shri Bhanwar Singh Porte, Muni Prasad Shukla and Haji Inayat Khan to work under the Chief Minister; Shri Revnath Choure under Shrinivas Shastri; Shri Mankuram Sodi under Dr. Tuman Lal; Shri Hazarilal Raghuvanshi under Madhav Lal Dubey; and Shri Nathu Ram Ahirwar under the Deputy Chief Minister.<sup>15</sup>

MAHARASHTRA

*General Election:* The Congress (I) won 186 of the 288 seats in the Legislative Assembly, elections to which were held on May 28 and 31. The strength of other parties was: Congress (U)-47, Janata (JP)-17; Bharatiya Janata Party-14, C.P.I.-2, C.P.I. (M)-2 and others-20.<sup>16</sup>

*New Ministry:* On June 9, Shri A. R. Antulay was sworn in as the new Chief Minister by the State Governor, Shri Sadiq Ali. Subsequently on June 14, twenty more Ministers—11 of Cabinet rank and 9 Ministers of State—were sworn in and the portfolios allocated to them were as follows:

*Cabinet Ministers:*

Shri A. R. Antulay: *General Administration, Home, Information, Public Relations besides other unallotted subjects*; Smt. Shalinibai V. Patil: *Revenue and Rehabilitation*; Shri Ramrao Adik: *Finance*

\*Shri Mushran died on July 16, 1980—*Times of India*, July 17, 1980.

<sup>15</sup>. *Times of India*, June 9 and *Madhya Pradesh Chronicle*, June 16, 1980.

<sup>16</sup>. *The Hindu*, June 6, 1980.

*and Urban Development*; Shri Jawaharlal Darda: *Industries*; Dr. Baliram Waman Hiray: *Education, Public Health and Family Welfare*; Shri Baburao Kale: *Rural Development and Jails*; Shri Bhikaji Jijaba Khatal: *Irrigation, Food and Civil Supplies*; Shri Shivajirao B. Patil: *Buildings and Communications, Dairy Development, Animal Husbandry, Fisheries, Employment, Technical Education and Training*; Shri Babasaheb Anantrao Bhosle: *Law and Judiciary, Labour and Transport*; Shri Bhagwant Rai M. Gaikwad: *Agriculture*; Smt. Pramila Bhanushankar Yagnik: *Slum Improvement and Housing; Social Welfare and Tribal Welfare*; Shri Jayantrao Tilak: *Energy, Tourism, Protocol, Sports, Youth Services, Cultural Affairs and Legislative Affairs*.

#### Ministers of State:

Shri Abhaysinh Shahumaharaj Rajee Bhosle: *Home, Irrigation and Agriculture*; Shri Khan Mohd. Azhar Husen: *Revenue, Rehabilitation and Protocol*; Shri Suresh Baliram Deotale: *Education and Energy, Rural Development*; Shri Satish Chaturvedi: *Forests, Youth Services, Public Health, Sports, Tourism and Cultural Affairs, Employment, Technical Education and Training*; Shri Dinanath Shireppa Kamle: *Food and Civil Supplies; Animal Husbandry, Fisheries, Dairy Development*; Smt. Tarabai Narsinha Vartak: *Buildings and Communications, Transport, Social Welfare and Khar Lands*; Shri S. N. Desai: *Cooperation, Industries, Planning and Information and Public Relations*; Shri Haribhau Jagoba Naik: *Labour, Finance and Legislative Affairs*; Shri Chandrakant Tripathi: *Urban Development, Housing, Slum Improvement and Jails*.<sup>17</sup>

#### MEGHALAYA

*Resignation by Deputy Speaker*: On April 8, Smt. Mariam D. Shira, the lone woman member of the House was unanimously elected Deputy Speaker of the Legislative Assembly in the vacancy caused by the resignation, on April 2, of Shri Singjam Sangama.<sup>18</sup>

#### NAGALAND

*New Ministry*: Consequent upon the resignation, on June 5, of the Chief Minister Shri S. C. Jamir who belonged to the Congress (I), a new 16-member Naga National Democratic Party Ministry, headed by Shri John Bosco Jasokie, was sworn in on the same day.<sup>19</sup>

*Resignation by Deputy Speaker*: On June 21, Shri Rainbow Ezung tendered his resignation from the Deputy Speakership of the State Assembly. Earlier two members of the Naga National Democratic Party had

<sup>17</sup> *Hindustan Times*, June 9 and June 15, 1980.

<sup>18</sup> *Indian Express*, April 3 and *Hindustan Times*, April 9, 1980.

<sup>19</sup> *Statesman*, June 6, 1980.

given notice of a motion for the removal of Shri Ezung from the office of the Deputy Speaker for his alleged partisan attitude.<sup>20</sup>

#### ORISSA

*New Governor:* Shri C. M. Poonacha was sworn in on April 30 as the new Governor by the Chief Justice of Orissa High Court, Shri S. K. Roy.<sup>21</sup>

*General Election:* The Congress (I) secured 117 out of 146 seats of the Legislative Assembly, elections to which were held on May 31. The rest of the 29 seats were shared by: Janata (CS)-13, CPI-4, Janata (JP)-3, Congress (U)-2 and Independents-7. Election in one constituency was countermanded due to the death of a candidate.<sup>22</sup>

*New Ministry:* A 19-member Ministry headed by Shri J. B. Patnaik was sworn in by the Governor Shri C. M. Poonacha on June 9. The Ministers were allocated portfolios as under:

##### *Cabinet Ministers:*

Shri J. B. Patnaik: *Chief Minister, General Administration, Home, Information and Public Relations, Planning and Coordination, Industries and Irrigation and Power;* Shri Upendra Dikshit: *Food and Civil Supplies;* Shri K. C. Lenka: *Revenue and Excise;* Shri Gangadhar Mohapatra: *Education and Youth Services;* Shri Basudeo Mohapatra: *Agriculture and Cooperation;* Shri Dayanidhi Nayak: *Works;* Shri Raghunath Patnaik: *Finance;* Shri R. C. Ulaka: *Harijan and Tribal Welfare.*

##### *Ministers of State:*

Shri Harihar Karan: *Health and Family Welfare;* Shri Kunaria Majhi: *Forest, Fisheries and Animal Husbandry;* Shri Jugal Kishore Patnaik: *Labour, Employment, Sports and Culture;* Shri Bhajman Bahera: *Community Development and Rural Reconstruction;* Shri Niranjana Patnaik: *Irrigation and Power;* Shri B. K. Biswal: *Housing, Urban Development, Mining and Geology;* Shri Habibullah Khan: *Agriculture and Cooperation;* Shri K. C. Patnaik: *Law, Commerce and Transport;* Shri K. C. Patel: *Industry;* Shri Lalit Mohan Gandhi: *Information and Public Relations.*

The lone Deputy Minister, Smt. Saraswati Hembrum, was allotted Community Development and Rural Reconstruction.<sup>23</sup>

*New Speaker:* On June 12, Shri Somnath Rath was elected Speaker of the Legislative Assembly.<sup>24</sup>

<sup>20</sup> *Assam Tribune*, June 22, 1980.

<sup>21</sup> *Times of India*, May 1, 1980.

<sup>22</sup> *Hindustan Times*, June 4 and *The Hindu*, June 6, 1980.

<sup>23</sup> *Indian Express*, June 10, 1980.

<sup>24</sup> *Times of India*, June 13, 1980.

## PUNJAB

**General Election:** In the one-day poll held on May 31 for the 117-seat Legislative Assembly, the Congress (I) secured an absolute majority with 63 seats, followed by Akali Dal-37, CPI-9, CPI(M)-5, BJP-1 and other-2.<sup>25</sup>

**New Ministry:** On June 10, a 7-member Council of Ministers headed by Shri Darbara Singh was sworn in by the Governor Shri Jaisukh Lal Hathi. The allocation of portfolios was as follows:

Shri Darbara Singh: *Home and Vigilance, General Administration and Public Relations, Irrigation and Power, Public Works Department and Industry and all other Departments not allocated to any other Minister;* Dr. Kewal Krishan: *Finance and Planning and Local Bodies, excluding Housing and Urban Estates;* Shri Santokh Singh Randhawa: *Development and Panchayats, Rural Development, Animal Husbandry, Fisheries and Dairying;* Shri Kanshi Ram: *Agriculture, Forests and Elections;* Shri Sardari Lal Kapur: *Health and Family Welfare;* Shri Beant Singh: *Revenue, Rehabilitation and Technical Education, Public Works;* Shri Jagat Ram: *Social Welfare, Labour and Employment;* Shri Harcharan Singh Ajnala: *Education and Legislative Affairs.*<sup>26</sup>

## RAJASTHAN

**General Election:** In the elections held for the 200-seat Legislative Assembly, the Congress (I) won 133 seats followed by BJP—32; Janata (JP)-8, Janata (CS)-7; Congress (U)-6, and CPI and CPI(M) one seat each. 12 seats were won by Independents and others.<sup>27</sup>

**New Ministry:** On June 6, Shri Jagannath Pahadia was sworn in as the new Chief Minister by the State Governor Shri Raghukul Tilak. The Ministry was expanded with the appointment, on June 18, of 8 new Ministers—3 of Cabinet rank and 5 Deputy Ministers. The portfolios allocated to them were as under:

**Cabinet Ministers:**

Shri Jagannath Pahadia: *Chief Minister, Personnel and Administrative Reforms, General and Political Administration, Cabinet Secretariat, Tourism, Home, Finance, Sub-Soil, Water, Public Health, Engineering, Rajasthan Canal, Irrigation and Power, Public Works, Industry and Mines, Revenue and Public Relations;* Shri Hanuman Prasad Prabhakar: *Food and Civil Supplies (additional charge), Transport, Local Self-Government,*

<sup>25</sup>. Hindu, June 6, 1980.

<sup>26</sup>. The Tribune, June 12, 1980.

<sup>27</sup>. Hindu, June 6, 1980.



*Housing, Town Planning, Panchayats and Community Development, Cooperatives, Flood and Famine Relief, Development of Tribal Areas, Sheep and Wool, Education and Linguistic Minorities; Smt. Kamla Beniwal: Agriculture, Animal Husbandry, Dairy Development (additional charge), Labour and Planning, Jails, Social Welfare, Welfare of Armed Forces Personnel, Forests; Rehabilitation and Motor Garriages; Shri Badri Prasad Gupta: Medical, Health and Family Welfare (additional charge), Ayurveda, Khadi, and Garamodyog, Planning, Economics, and Statistics, Law and Justice, Elections, Parliamentary Affairs, Printing and Stationery.*

*Deputy Ministers:*

*Shri Rampal Upadhyaya and Shri Abdul Rehman Chaudhary: attached to the Chief Minister; Smt. Bhagvati Devi: attached to Shri Hanuman Prasad Prabhakar; Shri Narainder Singh Bhati: attached to Shri Badri Prasad Gupta; and Shri Mangi Lal Arya: Attached to Smt. Kamla Beniwal.<sup>28</sup>*

TAMIL NADU

*General Election:*

Elections were held on May 28 and 31 for the 234-member Legislative Assembly. The All India Anna DMK Party secured an absolute majority with 129 seats, followed by D.M.K.-38, Congress(I)-30, CPM-11, CPI-10 Janata (JP) and others 14.<sup>29</sup>

*New Ministry:* On June 9 a new 18-member Council of Ministers headed by Shri M. G. Ramachandran assumed office. The allocation of portfolios was as under:

*Shri M. G. Ramachandran, Chief Minister: General Administration, Public, I.A.S., District Revenue Officials, Deputy Collectors, Police, Prevention of Corruption, Public Works Department and Establishment, Shri V. R. Nedunchezian: Finance, Planning, Legislation, Elections, Food, Fisheries, Backward Classes, Youth Service Corps, Price Control and Ex-servicemen; Shri S. Ramachandran Electricity, Iron and Steel Control; Shri K. A. Krishnaswamy: Rural Industries, including Village, Cottage and Small Industries, Milk, Dairy Development and Registration; Shri S. D. Somasundaram; Revenue, Commercial Taxes, Excise and Census; Shri R. M. Veerappan: Information and Publicity, Film Technology, Tourism, Cinematographic Act, Corporation, Hindu Religious and Charitable Endowments, Forests, Chincona, Grant of Liquor Permits, and Minerals; Shri Aranganayakam: Education, including Technical Education, Official Languages; Shri K. Kalimuthu: Agriculture, Agricultural Finance, Agricultural Engineering Wing and Agro-Engineering; Shri C. Ponnaivan: Law, Courts, Prisons, Legislation on Weights and Measures, Registration of Companies, Debt Relief, including Legislation on Money-lending and*

<sup>28</sup>. *Hindustan Times*, June 7 and *Rajasthan Patrika* (Hindi), June 20, 1980.

<sup>29</sup>. *Hindu*, June 6, 1980.

*Legislation on Chits and Cooperation; Shri P. Kulandaivelu: Municipal Administration, Panchayats, Panchayat Union, Community Development, Rural Indebtedness, Bhoodan, Gramdan and Highways; Shri S. Raghvanandam: Labour, Housing, Slum Clearance Board, Statistics, Tamil Nadu Water Supply and Drainage Board, Town Planning and Accommodation Control; Dr. H. V. Hande: Health; Shri Raja Mohammed: Agricultural Services, Cooperative Societies, Irrigation, including Minor Irrigation and Wakfs; Shri S. Muthuswamy: Transport, Nationalised Transport, Motor-vehicles Transport and Ports; Shri S. Tirunavukkarasu: Large-scale Industries, Mines and Textiles; Shri S. N. Rajendran: Handlooms, Khadi, Prohibition, excluding grant of Liquor Permits and Passport; Shri M. Vijayarath: of Harijan Welfare, Stationery and Printing, Government Press Newsprint Control, Hill Tribes, Bonded Labour, Employment and Training; Smt. Gomathi Srinivasan: Social Welfare, including Women, Child Welfare, Animal Husbandry, Begger Homes and Orphanage, Indians overseas Refugees, Evacuees and Correctional Administration.<sup>30</sup>*

#### UTTAR PRADESH

*General Election:* On May 28 and 31, polling was held to elect 421-members to the State Legislative Assembly (election in 4 constituencies having been countermanded due to the death of candidates). The results gave the Congress(I) a two-third majority, the tally of other parties, being: Janata (CS)-59, Congress(U)-13, BJP-11, C.P.I.—7, Janata (JP)—4, Janata(S) (RN)—4 and Independents—17.<sup>31</sup>

*New Ministry:* On June 9, a new Ministry headed by Shri Vishwanath Pratap Singh was sworn in and the allocation of portfolios amongst the Ministers was as follows :

##### *Cabinet Ministers:*

Shri V. P. Singh: *Chief Minister; Home, Power, Education, Finance, Labour, Food and Civil Supplies, Cooperation and Transport and all portfolios not allotted to any Minister; Shri Brahma Dutt: Planning; Shri Vir Bahadur Singh: Irrigation; Shri Lokpati Tripathi: Health and Family Welfare; Shri Balram Singh Yadav: Agriculture; Shri Abdul Rehman Nashtar: Industries and Muslim Wakfs; Shri Jagdish Prasad: Justice and Parliamentary Affairs; Shri Ram Singh Khanna: Local-Self-Government; Shri Jashpal Singh: Revenue; Shri Ammar Razvi: Panchayati Raj; Shri Vidya Bhushan: Forests and Tourism.*

##### *Ministers of State:*

Shri Chandra Mohan Singh Negi: *Hill Development (independent charge); Shri Ram Narayan Pathak: Labour and attached to the Chief Minister. Allocation of additional portfolios:* On June 18, the following additional portfolios were allocated to the

<sup>30</sup>. *Patriot*, June 10, 1980.

<sup>31</sup>. *Indian Express*, June 6, 1980.

**Ministers:** Shri Brahm Dutt: *Cooperatives, Animal Husbandry, Dairy Development*; Shri Veer Bahadur Singh: *Transport*; Shri Ram Singh: *Food and Civil Supplies, Housing, Urban Land, Water Supply*; Shri Ammar Rizvi: *Rural Development, Area Development, National Integration*; Shri Yashpal Singh: *Cane Development and Sugar Mills*; Shri Jagdish Prasad: *Labour and Employment and Elections*; Shri Chandra Mohan Negi: *Jails, Harijan Welfare and Social Welfare*; Shri P. N. Pathak: *Labour, Cane Development*; Shri Hari Singh Balmiki: *attached to the Chief Minister and to look after Home Guards, Civil Defence, Language and Political Pensions*; Mohd. Amin Ansari: *attached to the Industries Minister.*<sup>32</sup>

## DEVELOPMENTS ABROAD

### AFGHANISTAN

*New Constitution:* A new Constitution came into force on April 15 which would ensure "respect for the sacred religion of Islam, protect natural traditions and preserve basic human rights and liberties".<sup>33</sup>

### AUSTRIA

*Re-election of President:* Mr. Rudolf Kirchschlaeger, first elected to the Presidency in 1974, was re-elected President for another six-year term of office on May 18, securing 80 per cent of the votes polled.<sup>34</sup>

### BELGIUM

*New Government:* King Baudouin appointed on May 18 a new 36-member Government headed by Mr. Wilfried Martens. Mr. Martens' last Government fell on April 9 when six Senators from his Flemish Social Christians Party voted against the Government on a key devolution bill offering partial autonomy to the country's 5.5 million Flemish and 4 million French speaking population.

### CAMEROO

*Re-election of President:* Mr. Amadou Ahidjo was re-elected President on April 5 for a fifth consecutive 5-year term.<sup>35</sup>

### CZECHOSLOVAKIA

*Re-election of President:* Dr. Gustav Husak, General Secretary of the Czechoslovak Communist Party was re-elected on May 22, President of the Republic for a further 5-year term.<sup>37</sup>

<sup>32</sup> *Times of India*, June 11 and *National Herald*, June 19, 1980.

<sup>33</sup> *Asian Recorder*, 1980, p. 15463.

<sup>34</sup> *The Tribune*, May 20, 1980.

<sup>35</sup> *Times of India* and *Patriot*, May 19; *The Tribune*, May 20, 1980.

<sup>36</sup> *Keesing's Contemporary Archives*, 1980, p. 30315.

<sup>37</sup> *Ibid.*

## EGYPT

*President Sadat as Prime Minister:* Prime Minister Mustapha Khalil tendered the resignation of his Cabinet on May 12 to allow President Anwar Sadat to form a new Government, 'aimed at improving the performance of his administration in the face of growing discontent over spiralling prices and sectarian strife'. President Sadat assumed the charge of premier-ship on May 14, when he formed a 26-member Cabinet.<sup>38</sup>

*Constitutional changes:* A referendum was held on May 22, which approved, by a majority of 98 per cent of votes, the following changes in the Constitution:

- (i) Provision for re-election of President for more than two-terms in office, thereby making eligible President Sadat to be a candidate even after 1982 (when he will complete two successive terms in office),
- (ii) recognition of Islamic Religious Code as the principal source of future legislation, Islam would be the country's religion and Arabic its official language.
- (iii) Making official Mr. Sadat's establishment of a multi party political system two years ago.<sup>39</sup>

## GREECE

*New President and Prime Minister:* On May 5, Prime Minister Constantine Caramanlis was elected as the new President for five years. The ruling New Democratic Party elected on May 8 George Rallis as its new leader, who thus became the new Prime Minister.<sup>40</sup>

## IRAQ

*Election victory for Iraqi regimes:* The ruling Baath Socialist Party of President Saddam Hussein won on June 22 more than 60 per cent of the seats in the first ever 'democratic' election to the 50-member National Assembly.

The election campaigns of all the candidates including independents were financed by the Government.<sup>41</sup>

<sup>38</sup>. *Times of India*, May 16, 1980.

<sup>39</sup>. *African Recorder*, 1980, p. 5385.

<sup>40</sup>. *Times of India*, May 6 and *Hindustan Times*, May 9, 1980.

<sup>41</sup>. *Statesman (Calcutta)* and *Times of India*, June 23, 1980.

## ITALY

*New Cabinet:* Italy's new Cabinet—a coalition of Christian Democrats, Socialists and Republicans—headed by Prime Minister Francesco Cossiga was sworn in on April 4, giving the country its first majority government in six years.<sup>42</sup>

## JAPAN

*Defeat of Ohira Government and dissolution of Parliament:* On May 16 Prime Minister Masayoshi Ohira dissolved the Parliament after it approved by 243 votes a no-confidence motion tabled by the Opposition Socialist Party against his Liberal Democratic Government. The ruling party, with a total strength of 256-seats in the 511-member House, could muster only 187 votes, with 69 dissenting party members abstaining.<sup>43</sup>

*Death of Prime Minister:* Mr. Masayoshi Ohira, Prime Minister of Japan died on June 12.<sup>44</sup>

*General Elections and victory of the ruling party:* In the General Elections held on June 22 for the 511 seats in the Lower House, the ruling Liberal Democratic Party returned with an absolute majority, winning 284 seats, gaining 26 seats over its pre-dissolution strength.<sup>45</sup>

## LEBANON

*Resignation by Prime Minister:* On June 7, Prime Minister Salim-al-Hoss tendered his Cabinet's resignation to the President Elias Sarkis.<sup>46</sup>

## LIBERIA

*Assassination of President:* President William Tolbert was assassinated on April 12 in a *coup* by a group of non-commissioned officers, calling themselves the People's Redemption Council and led by Sergeant Samuel K. Doe. On April 25, the military regime suspended the Constitution and imposed Martial Law in the country.<sup>47</sup>

## NEPAL

*Results of the Referendum:* The referendum held on May 2 in pursuance of the King's order last year as to whether the country should have

<sup>42</sup>. *Hindustan Times*, April, 5, 1980.

<sup>43</sup>. *The Times (London)*, May 17, 1980.

<sup>44</sup>. *Economic Times*, June 13, 1980.

<sup>45</sup>. *Hindu*, June 24, 1980.

<sup>46</sup>. *Sunday Statesman*, June 8, 1980.

<sup>47</sup>. *Deccan Herald*, April 13, 1980.

the present Panchayat system with suitable reforms or a Western-style multi-party form of Government, resulted in the victory of the Partyless Panchayat side, with 2,433,452 votes as against 2,007,965 votes of the other side. Of the total 7,192,451 eligible votes, 4,813,486 votes were polled and 372,067 were declared invalid.<sup>48</sup>

#### NETHERLANDS

*Abdication by Queen:* Queen Juliana signed the instrument of abdication on April 30 and was succeeded by her eldest daughter Princes Beatrix, who became the country's sixth monarch.<sup>49</sup>

#### NICARAGUA

*Revocation of Emergency:* The state of emergency in force since July 1979, when the Government of President Anastasia Somoza was toppled, was revoked on April 28.<sup>50</sup>

#### PERU

*Re-election of President:* Mr. Fernando Beluande Terry, who had won Peru's last Presidential election in 1963 but was ousted in a military *coup*, emerged victorious on May 19 in the elections held after 17 years.<sup>51</sup>

#### SOUTH KOREA

*Imposition of Martial Law:* Following countrywide demonstrations by the students, the Army Chief of Staff and Martial Law Commander, General Lee Hul Song signed, on May 17, a martial decree banning strikes and all political activities, including outdoor and indoor assemblies for political purposes, closure of all universities and colleges and imposition of Press censorship.<sup>52</sup>

#### SOUTH YEMEN

*Resignation by President:* As a result of the resignation on April 21 of President Abdul Fattah Ismail, the ruling Yemeni, Socialist Party elected on the same day Prime Minister Mr. Ali Nasser Mohammed as Secretary General and assigned him the functions of Chairman of the Presidium of the Supreme People's Council (President).<sup>53</sup>

<sup>48</sup>. *Statesman*, May 15, 1980.

<sup>49</sup>. *The Tribune*, May 1, 1980.

<sup>50</sup>. *Hindustan Times*, April, 30, 1980.

<sup>51</sup>. *Times of India*, May 21, 1980.

<sup>52</sup>. *Statesman (Calcutta)*, May 19, 1980.

<sup>53</sup>. *Statesman*, April 22, 1980.

## TUNISIA

*New Prime Minister:* On April 23, President Habib Bourguiba designated Mr. Mohammed Mazali as the new Prime Minister replacing Mr. Hedi Nouira.<sup>54</sup>

## TURKEY

*Resignation by President:* President Fahri Koruturk stepped down from his post after the end of his 7-year term on April 6. He was succeeded by Speaker of the Senate, Mr. Ishan Sabri Cagloyangil, who took over as Acting President.<sup>55</sup>

## UGANDA

*Overthrow of President:* Mr. Paulo Muwanga, Head of the Military Commission of the Uganda National Liberation Front Government, announced the overthrow, on May 13, of President Godfrey Binaisa and taking over of the administration by the Military Commission.<sup>56</sup>

## UNITED STATES

*Resignation by the Secretary of State:* Mr. Cyrus Vance tendered his resignation as the Secretary of State on April 28, following disagreement with President Carter's decision to send a military mission to Iran for the rescue of American hostages there. Mr. Vance was succeeded by the Democratic Senator Mr. Edmund Muskie.<sup>57</sup>

## VIETNAM

*New Acting President:* Consequent upon the death on March 30 of President Ton Duc Thang, Mr. Nyugen Huu Tho was named the Acting President on April 1.<sup>58</sup>

## YUGOSLAVIA

*Death of President:* Mr. J. B. Tito, President of the country since World War II, passed away on May 4. On June 12, the Central Committee of the Yugoslavia's Communist Party elected Mr. Stevens Doronjski as the new President.<sup>59</sup>

<sup>54</sup>. *Ibid.*

<sup>55</sup>. *Times of India*, April 7, 1980.

<sup>56</sup>. *The Mail*, May 12, 1980.

<sup>57</sup>. *Decan Chronicle*, April 29 and *Statesman*, April 30, 1980.

<sup>58</sup>. *Asian Recorder*, 1980, p. 15494.

<sup>59</sup>. *National Herald* and *Indian Express*, May 6, 1980, *Times of India*, June 14, 1980.

## SESSIONAL REVIEW

## SEVENTH LOK SABHA

## THIRD SESSION

The Third Session of Seventh Lok Sabha was held from June 9 to August 12, 1980. A brief resume of the important discussions held and other business transacted during the session is given below:

## A. DISCUSSIONS

*Statutory Resolution regarding continuance of Presidential Proclamation in respect of Assam:* On June 9, 1980, the Minister of Home Affairs, Giani Zail Singh moving the Resolution said that the Government had tried to instal a popular Government in Assam but no party in the State Legislature was able either to form such a Government on its own strength or even came forward to constitute a coalition Government. In the circumstances, it was expedient to extend President's rule in the State for a further period of six months.

As regards finding solution to the problem of aliens in Assam, Giani Zail Singh informed the House that the Prime Minister had advised the two organisations launching the current agitation on the foreigners issue that the year 1971 should not be treated as the cut-off year but a starting point and that the agitation should be withdrawn so that a peaceful atmosphere could be created for starting the work of detection of foreigners. But the leaders of the two organisations did not accept the advice. The Government was continuing efforts towards finding an amicable settlement of the problem in a peaceful and cordial atmosphere though the attitude of the agitating organisations had rather created similar problems in the neighbouring States of Manipur, Tripura and Meghalaya. He assured the House that the Government was committed to respect the sentiments of the Assamese and



also to protect the rights of the minority community, which constituted 40 per cent of the population in the State.

Shri Samar Mukherjee supporting the resolution wanted the Government to guarantee protection of the minorities. He pleaded for arousing public opinion to force the agitating leaders to withdraw the agitation and sit for negotiations. Shri Indrajit Gupta also felt that the tangle in Assam could be solved by a negotiated settlement, but the negotiations must be on the basis of certain principles.

Participating in the resumed discussion on June 10, Shri Yeshwantrao Chavan also pleaded for a negotiated settlement of the problem. Shri Ebrahim Sulaiman Sait wanted the Government to enforce strict measures to protect the minorities in the state. A suitable machinery and a judicial process should be evolved for locating the foreign nationals.

Replying to the two-day discussion\*, the Minister of Home Affairs said that the Assam issue should be treated as a national issue and as such, should be solved in consultation with all the concerned parties. It was a fact that foreigners were living in Assam and a solution to the problem found keeping in mind the anxiety among the Assamese people that they might otherwise be reduced to a minority. The Government was adopting a flexible attitude so that a solution could be found which was equally acceptable to the agitators as well as the minorities. He reiterated that the Government was duty bound to protect the minorities in the State.

The Resolution was adopted.

*Problem of Foreigners in Assam:* Making a statement on July 30, 1980, the Minister of Home Affairs, Giani Zail Singh informed the House that the Chief Minister of Manipur, Shri R. K. Dorendra Singh had taken initiative to have discussions with the All Assam Students Union (AASU) and All Assam Gana Sangram Parishad (AAGSP) in order that the agitation in all its aspects was withdrawn and talks with Government resumed. Following his discussions, Shri Dorendra Singh had been assured that AASU and AAGSP would withdraw the agitation in all its aspects except the blockade of crude oil, if an announcement was made for the release of detainees who were involved in the agitation in a peaceful manner and withdrawal of the notifications issued under the Assam Disturbed Areas Act and the Armed Forces (Special Powers) Act.

The Government, he added, had accordingly decided to release all detainees who were not involved in violence and to withdraw the relevant

\*The members who participated in the discussion were: Sarvashri Biju Patnaik, H. K. L. Bhagat, Santosh Mohan Dev, Frank Anthony, P. A. Sangma, R. S. Sparrow, Ravindra Verma, Ram Jethmalani and Chitta Basu.

notifications on August 2, 1980, on the clear understanding that AASU and AAGSP would withdraw the agitation with effect from the same date.

In order to create an atmosphere of goodwill and understanding, Government had also decided (a) to take action to waive the recovery of collective fines imposed for acts of communal violence, provided undertakings were given by representatives of affected communities to abjure violence and to live in amity and peace and (b) to review the cases registered against persons who had not been involved in violence.

*Increase in prices of petroleum products:* Making a statement on June 10, 1980, the Minister of Petroleum and Chemicals, Shri Veerendra Patil observed that increase in the prices of petroleum products was the direct result of compulsions of the world oil situation from which there was no escape, and as and when they did take place there was no other way to sustain the viability of the oil industry except by passing on the burden, to the extent unavoidably necessary, to the consumers. The last increase in the general prices of petroleum products had taken place on August 17, 1979. Since then successive increases had been announced in the prices of crude oil by members of the Organisation of Petroleum Exporting Countries. The total additional burden to be made good to the oil industry on account of various factors such as increase in ocean freight, refining cost, cost of road transportation, payment of interest on funds borrowed from the banks and financial institutions, came to Rs. 2,466 crores. After very careful consideration, the Government had decided, to increase the prices of petroleum products with effect from June 8, 1980. However, the prices of kerosene and cooking gas had been left untouched. Even with that increase, the prices were generally below the international prices. The price increases were expected to generate approximately a sum of Rs. 2,100 crores per annum.

*Twenty-Eighth Report of the Union Public Service Commission:* On March 11, 1980, the Minister of State in the Ministry of Home Affairs and in the Department of Parliamentary Affairs, Shri P. Venkatasubbaiah moving the motion regarding the Twenty-eighth Report of the Union Public Service Commission for the year 1977-78 observed that the demand for making various Indian languages as the medium for the examinations conducted by the Union Public Service Commission had been met with the introduction in 1979 of the new scheme of Civil Services Examinations. Nearly 86.78 per cent candidates had chosen to answer their papers in the English language and 11.79 per cent in Hindi. He said that besides a compulsory paper in any one of the Indian languages, there would be a compulsory paper in English also to be set in a manner so as to remove any apprehension of a handicap for candidates from the rural communities and the weaker sections of the society.

Replying to the discussion\* on June 12, 1980, Shri Venkatasubbaiah said that every effort was being made to make available the necessary facilities to the neglected serious of the society so that they also came up to the required level and participated successfully for selection to the higher posts. There were at present 12 coaching centres for the candidates belonging to the scheduled Castes and Scheduled Tribes and in order to facilitate the candidates coming from far flung areas, the question of opening more coaching centres was under consideration. He further said that the intention behind the personality tests was only to examine a candidate to know his reaction to the commitment to the policies and programmes of the Constitution, for, this commitment along was the yardstick and touch tone for their selection.

The motion was adopted.

*Visit of the Minister of External Affairs to U.S.S.R.:* The Minister of External Affairs, Shri P. V. Narasimha Rao paid an official visit to the Soviet Union from June 3 to 7, 1980. In a statement made on June 17, 1980 he informed the House that his talks with the Foreign Minister of the USSR, Mr. A. A. Gromyko, covered a wide range of issues, both bilateral and international, and there was similarity of views between the two countries on many of them. The Soviet Union shared India's expectation that as a result of the recent meetings between the Soviet and Western leaders, it might be possible to revive *detente in Europe*, say, by the beginning of next year.

In regard to the situation in South-West Asia Shri Rao said that the Soviet position, "as we understand it", was that the Afghan issue had been artificially exaggerated by outside forces and that the aggression against Afghanistan was still continuing with the help of well-armed and trained insurgents based on Pakistan territory. The Afghan Government had put forward proposals for a political settlement, the first step in which would have to be a meeting between the representatives of Afghanistan and Pakistan and Afghanistan and Iran. Only after direct contacts had been established, could other countries think of participation in the working out of a guaranteed solution.

India, he maintained, was opposed to the presence of foreign troops in any country. The Soviet Union had announced that their assistance to Afghanistan was limited in time, purpose and scale and did not present a threat to the security and stability in the region. However, reports

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\*Those who participated in the discussion were Sarvashri Chandrajeet Yadav, Narain Chand Parashar, Chandulal Chandrakar, Satyasadhan Chakraborty, Mool Chand Daga, Daya Ram Shakya, Kusuma Krishna Murthy, P. K. Kodiyan, Zainual Basher, Ram Vilas Paswan, Era Mohan and P. A. Sangma.

coming out of Afghanistan during the past few months, did seem to suggest that in view of the situation there, the hope that Soviet assistance to Afghanistan could indeed remain limited in time, as originally intended, was not very strong, and this, he said, was naturally a matter of concern to India as indeed to others who sought a reduction of tension and a peaceful solution to the problems of the region. A stage had come when ways and means, other than military, should be devised to bring about a solution to the problem "while this is within the range of possibility."

Stressing that Soviet Union fully understood and respected India's views and her efforts to attain normalisation in and around Afghanistan, the Minister said "this issue has not allowed even the slightest clouding of our bilateral relations; these had indeed grown from strength to strength during the last five months."

*Railway Budget 1980-81:* Presenting the Railway Budget for 1980-81 on June 16, 1980, the Minister of Railways, Shri Kamalapati Tripathi said that only a minimal increase in the existing fares and freight rates had been proposed in the Budget. The Budget estimates for the year 1980-81 envisaged gross traffic receipts of Rs. 2545.35 crores and the working expenses including appropriations to Funds were estimated at Rs. 2384.64 crores with the additional mobilisation of resources to the extent of Rs. 204.24 crores through an upward revision of the fares and freight structure, it would be possible for the Railways to have a surplus of Rs. 42.71 crores.

He said that the additional travelling facilities under consideration were a bi-weekly Express train between Bombay and Varanasi, double-heading of K. K. Express, increase in the number of coaches on Deccan Queen and Mahalaxmi Express, etc., so as to accommodate a larger number of passengers in these fast popular trains. A sum of Rs. 1 crores was proposed to be spent on improving facilities on reservation offices so as to provide better services and amenities to the customers.

Initiating the discussion on June 17, Professor Madhu Dandavate suggested that Government should go in for more and more electric traction since this would be the cheapest in the long run and that the exemption from the increase in freight rate be extended to commodities like vegetable, onion and bananas. Shri Samar Mukherjee pleaded for the abolition of contract system in the Railways, and for making up the gaps in revenue grants or subsidies.

Intervening in the resumed discussion on June 18, the Deputy Minister in the Ministry of Railways, Shri Mallikarajun said that the need for opening of new lines in backward and underdeveloped areas was fully recognised by the Government and due consideration would be paid to that

aspect. Besides, the Government intended to increase and construct new railway lines for passenger traffic and transportation of coal and other essential commodities.

Speaking during the resumed discussion on June 19, 1980, Shri A. Neelalohithadasan Nadar demanded that any shortfall in the reservations for Harijans in the Railways may be made up by special recruitment.

Replying to a four-day discussion\* in which as many as 63 Members took part, Shri Kamalapati Tripathi declared on June 20, 1980 that in addition to nine commodities already exempted from the increased freight, a few more commodities like sugarcane, milk, green vegetables, fodder etc., were also proposed to be exempted from the additional surcharge. Besides, the entire freight traffic between Siliguri and Jalpaiguri would remain exempted from the 15 per cent surcharge. There would be no increase in second class passenger fare upto 100 Kilometres. Following some incidents of dacoities in trains during the last three to four months, it was proposed to form teams of RPF and GRF personnel to escort the trains.

The Minister agreed with the suggestions made by Members regarding the speeding up of the electrification programme and setting up of captive power stations for railways, which should be located near the coal mines areas. He also disclosed that attention was being paid towards railway traction as speed could not be increased on old lines and there were more chances of accidents on them.

*General Budget:* The Finance Minister, Shri R. Venkataraman presenting the General Budget for 1980-81 to Lok Sabha on June 18, 1980 said that in order to correct the deficiencies in the economic system, the Government had taken a number of steps which included continuous

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\*The Members who participated in the discussion were: Sarvashri S. B. Chavan, Jaideep Singh, Ram Vilas Paswan, Prof. Narain Chand Parashar, Biju Patnaik, Shiv Prasad Sahu, S. B. P. Pattabhai Rama Rao, Virdhi Chandh Jain, A. Kalanidhi, Ram Swarup Ram, Chaudhary Multan Singh, Bhagwat Jha Azad, P. A. Sangma, G. L. Dogra, N. K. Shejwalkar, Nandi Yellaiah, Ashfaq Husain, Brijmohan Mohanty, Sontosh Mohan Dev, Narayan Choubey, R. P. Yadav, Harikesh Bahadur, K. Pradhani, Mohan Lal Sukhadia, Kumbha Ram Arya, M. Satyanarayan Rao, Ram Nagina Rao, Krishna Chandra Halder, Chintamani Panigrahi, Zainul Basher, N. Selvaraju, Prof. Nirmala Kumari Shaktawat, N. Dennis, R. L. P. Verma, Mundar Sharma, Ram Pyare Panika, P. J. Kurien, Chandra Pal Shailani, Satish Prasad Singh, Y. S. Mahajan, Shibhu Soren, Bheravada K. Gadhavi, A. R. Mallu, Skariah Thomas, J. C. Barve, V. S. Vijayaraghavan, Pius Tirkey, Kishan Datt Sultanpuri, Dileep Singh Bhrunia, Hiralal R. Parmar, Kusuma Krishna Murthy, Jalil Abbasi, R. K. Mhalgi, S. A. Dorai Sebastian, Shiv Kumar Singh, Vijay Kumar Yadav, Harihar Soren, Keshorao Pardhi and Madhusudan Vairale.

monitoring of the infrastructure situation by the Cabinet Committee, revival of coastal shipping to supplement movement of coal by rail, evolution of a 12-point programme for the fighting droughts, and streamlining and widening of the public distribution system. The Government, he added, had decided to set up an Export-Import Bank to assist the financing of international trade. With an outlay amounting to Rs. 14,593 crores, the Annual Plan for 1980-81 formulated recently also sought to revive and restore the health of the economy and accelerate the pace of growth and generation of employment. It was also proposed to launch a massive National Rural Employment Programme to revitalise the rural economy.

The Budget placed the total receipts for 1980-81 at Rs. 19,827 crores as against the total expenditure of Rs. 21,467 crores. The tax effort net of reliefs proposed in the Budget would, on the whole, bring in about Rs. 282 crores for the current year, of which Rs. 223 crores would accrue to the Centre. There would thus be a residual deficit of Rs. 1,417 crores, which would remain uncovered.

General discussion on the Budget lasted for four days. Initiating the discussion on June 26, 1980, Shri Charan Singh said that raising of rates of oil and petroleum products immediately before the commencement of the Session was intended to hide the inflationary pressure on the economy. He asked the Government to chalk out a common economic programme to improve the condition of rural as well as urban people who were below the poverty line. In order to remove unemployment, efforts should be made to augment the production of handloom cloth and to provide encouragement to cottage industries in rural areas.

Shri Indrajit Gupta urged the Government to scale down heavy concessions made to a group of people who were already gainers from inflation.

Intervening in the discussion on June 30, the Deputy Minister in the Ministry of Finance, Shri Maganbhai Barot claimed that the Budget fulfilled their pledge to the people and expressed the hope that the concessions given to the small scale and medium scale industries would place them in a better position to face competition from the bigger houses.

Defending the Government for raising the price of petrol only ten days before the presentation of the Budget, Shri Barot explained that the situation the world over had changed and decisions by O.P.E.C. on successive price increases had been implemented by them. While the total additional burden on the industry came to about Rs. 2,466 crores, the price-rise effective from June 8, would generate an additional amount of Rs. 2,100 crores.

Supporting the Budget during the resumed discussion on July 1, Shri C. T. Dhandapani expressed the hope that the Government would control the price line and check the inflationary tendencies in the country.

Replying to the four-day discussion in which as many as 54 Members participated\*, Shri Venkataraman said that the tax system had been restructured to reduce the burden on the middle class. In particular, he mentioned the raising of the personal income tax exemption limit from Rs. 10,000 to Rs. 12,000 by which six lakhs of people from middle class would be benefited.

As regards the Public Sector with an investment of about Rs. 15,000 crores, the Minister said that the Government had decided to set up a Committee under the Chairmanship of Shri Mohammed Fazal, Member of the Planning Commission, to go into the problem of each unit and recommend what exactly should be done to improve their performance.

The General Discussion on the Budget was followed by discussions on the Demands for Grants of the individual Ministries. After the Demands had been voted by the House the Appropriation (No. 3) Bill, 1980 and the Finance (No. 2) Bill, 1980 were passed by the House on July 24, and 31, 1980 respectively.

*Establishment of Diplomatic relations with Kampuchea:* On July 7, 1980 the Minister of External Affairs, Shri P. V. Narasimha Rao announced the Government's intention of establishing diplomatic relations with the Government of the People's Republic of Kampuchea in Phnom Penh, headed by President Heng Samrin.

*Reported Chinese offer to settle the Border Problem:* Making a statement in response to a Calling Attention Notice by Shri Ram Vilas Paswan on July 2, 1980, the Minister of External Affairs, Shri P. V. Narasimha Rao informed the House that Vice Premier Deng Xiaoping of the People's Republic of China in an interview with an Indian journalist on June 21,

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\*The Members who took part in the discussion were: Sarvashri Shivraj V. Patil, Professor K. K. Tewari, E. Balanandan, R. S. Sparrow, Dr. Mahapatray Mehta, Charanjit Singh, Xavier Arakal, Dr Subramaniam Swamy, Manoranjan Bhakta, Arvind Netam, Satish Aggarwal, Chandrabhan Athare Patil, R. P. Gaekwad, T. S. Negi, Ramnath Dubey, Chandra Pal Shailani, Mool Chand Daga, Dalbir Singh, G. M. Banatwalla, B. R. Bhagat, Ranjit Singh, R. R. Bhole, Sunil Maitra, Giridhar Gomango, Chandra Shekhar Singh, Jharkhande Rai, R. V. Ghorpade, Ram Singh Yadav, Chaudhary Multan Singh, Saminuddin, S. R. A. S. Appalanaidu, N. Soundarajan, B. R. Nahata, Chintamani Jena, Shantaram Potdukhe, P. Rajagopal Naidu, M. S. Sanjeevi Rao, A. K. Roy, Giridhari Lal Vyas, Sunder Singh, Ratan Singh Rajda, Uttambhai H. Patel, R. L. P. Verma, Ajitsingh Dabhi, A. T. Patil, C. Palaniappan, Dileep Singh Bhuria, Rameshwar Nikhra, Krishan Pratap Singh, Krishan Datt Sultanpuri and Smt. Krishna Sahi.

1980 had made a proposal for the peaceful and negotiated settlement of Sino-Indian boundary question. Similar suggestions, he said had been made on earlier occasions also by the Chinese Government but this time it was somewhat more precise. The Government of India, he added, "has never accepted the premise on which it is based, namely, that the Chinese side are making a concession in the Eastern Sector by giving up of territory which they alleged is illegally incorporated into India. Nevertheless, we welcome the prospect of the Eastern sector being settled without any particular difficulty."

Shri Rao recalled that the India-China boundary question was long-standing and complex, and expressed the hope that the border question with China could be settled in the spirit of Five Principles of Peaceful Co-existence, consistent with national honour and interest on both sides and on a basis of equality.

*Incidents of rape and atrocities on women:* Raising a discussion on the subject on July 10, 1980, Shri Jyotirmoy Bosu said that the nation had been shaken badly by the recent spate of crimes against women, Harijans and Scheduled Castes. Policemen were also getting involved in these cases because political parties were seeking their help for winning elections. The problem, according to him, was due to class interest. The down-trodden people who had been denied social and economic status for centuries had risen to protest and that was the reason for the present upheaval.

Participating in the discussion, Dr. Rajendra Kumari Bajpai attributed the incidents to economic backwardness and suggested life imprisonment to the rapists. Sarvashri Chandrajit Yadav, Dharam Dass Shastri and Shrimati Mohsina Kidwai, on the other hand, advocated imposition of death penalty for the rapists. Shrimati Kidwai was of the view that the cases of crimes against women should be heard by lady judges and magistrates, the proceedings should be 'in camera' and a time-limit should be fixed for disposal of such cases. Shrimati Geeta Mukherjee asserted that courts should presume the version of the victim and should not give the benefit of doubt in favour of the accused. Shri Jagjivan Ram wanted amendment in the existing laws for fixing the onus of proving innocence on the rapists and creation of a cell under the Home Ministry for watching the cases of atrocities on women. Sarvashri A. Neelalohithadasan Nadar and Mani Ram Bagri demanded the resignation of



the Home Minister while Shri A. K. Roy called for a social revolution led by women.

Intervening in the discussion\*, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana said that the Government was committed to the uplift and protection of the weaker sections and women in particular. A special Central assistance scheme of Rs. 100 crores had been sanctioned during the current year for their upliftment. Shri Makwana said that before any action was taken or initiated against the erring police officers for wrongs done, particularly towards women, care had to be taken to ensure that at least, *prima-facie*, the guilt of the policemen was established in an impartial enquiry. He promised to bring forward a comprehensive legislation in the matter after the review was over of the Eighty-Fourth Report of the Law Commission, which contained suggestions in that regard and which was under the active consideration of the Ministries of Home Affairs and Law and the State Governments.

Replying to the discussion, the Minister of Home Affairs, Gani Zail Singh assured the House that the Government was determined to do away with such evils with the cooperation of all sections of the people. The Minister felt that policemen guilty of such crimes deserved more punishment but at the same time it would not be proper to punish them unless their guilt was proved. He did not agree with the suggestion that the person who was alleged to have committed the crime should not be given a chance to prove his innocence and that capital punishment should be awarded to the guilty.

*Social tension in West Bengal:* Making a statement on July 17, 1980 in response to a Calling Attention Notice by Shri Krishan Pratap Singh, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana said that five districts of North Bengal had a sizeable percentage of population belonging to the Scheduled Castes and Tribes and Rajbanshis, some of whom mostly Rajbanshis, had organised themselves under the banner of the Uttarakhand Dal. The Dal leaders held a two-day convention in June, when they reiterated their demand for a separate State, styled "Kamtapur Muktdesh", as they felt aggrieved over lack of

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\*Others who participated in the discussion were: Sarvashri Rajesh Pilot, T. Nagaratnam, Tariq Answer, R. K. Mhalgi and Smt. Promila Dandavate.

adequate developmental activities in North Bengal. The aggressive propaganda had generated some tensions between the Bengalis and the Rajbanshis in certain areas.

The recent exodus of Nepalis from the North-Eastern region following the movement for the expulsion of "foreigners" from Assam, had spurred the Prantiya Morcha, a splinter group of the All India Gorkha League to sponsor a movement for the separate "Gorkhaland" comprising the Nepali speaking areas of Goalpara (in Assam), Jalpaiguri and Darjeeling districts (in West Bengal) and Galgalia (in Bihar). Both the movements were intrinsically still weak but the rising wave of parochialism and the strategic nature of the area considerably added to their mischief potential. The Government of West Bengal was seized of the situation and had reported to have taken appropriate preventive and other measures to deal with it.

*Launching of SLV-3:* Making a statement on July 18, 1980 the Prime Minister, Smt. Indira Gandhi informed the House about the first successful launch on that day of the Indian Satellite Launch Vehicle SLV-3 from Sriharikota range. She said that it was a great day for India and Indian science. The four-stage all solid propellant vehicle developed by Indian scientists and engineers was intended mainly to measure the performance parameters of the vehicle and was being tracked by the national tracking network. The total development cost of the SLV-3 vehicle was about Rs. 20 crores, she added.

*Outcome of the talks between Foreign Ministers of Pakistan and India:* Mr. Agha Shahi, Foreign Minister of Pakistan, paid an official visit to India from July 15 to 17, 1980. Making a statement on July 18, 1980 in response to a Calling Attention Notice by Shri Kamla Mishra Madhukar, the Minister of External Affairs, Shri P. V. Narasimha Rao informed the House that during the discussion between the two Foreign Ministers the situation in the region in general and in Afghanistan in particular figured prominently. The Government of India, he said, had consistently emphasised that the difficult situation in Afghanistan could be resolved only through political means. It was a matter of satisfaction that the Foreign Minister of Pakistan too had favoured a political settlement.

Reiterating Government of India's firm commitment to the Simla Agreement, Shri Rao had drawn Mr. Agha Shahi's attention to the opportunities of economic collaboration between the two countries and strengthening of trade links. Mr. Agha Shahi's response on these aspects of normalisation of relations was a positive one and he assured that there were no political inhibitions in regard to the expansion of Indo-Pakistan trade. The dialogue on trade relations would be continued shortly and

talks would be held to finalise arrangements which would enable tourists from each country to visit the other.

Shri Rao added that the Foreign Minister of Pakistan in his banquet speech had made a reference to the proposal of his Government to hold talks at the level of Military Commanders on mutual reduction of force levels. Shri Rao said that he had reiterated the views already conveyed to the Government of Pakistan during the visit of Sardar Swaran Singh to Pakistan last April and stressed that there could be no question of such talks unless and until the requisite amount of trust and confidence had been created between them. Moreover, it would neither be realistic nor feasible to make it a purely military exercise, but must reflect a shared political perception and understanding of each country's security needs by the other.

*Labour Minister's Conference:* Making a statement in response to a Calling Attention Notice by Shri Ram Avtar Shastri, the Minister of State in the Ministry of Labour, Shri T. Anjiah said on July 23, 1980 that it was agreed at the State Labour Ministers' Conference held on July 9-10, 1980, that the industrial relations machinery should be strengthened and streamlined to anticipate labour problems and to take prompt preventive action to avert work-stoppages and that the laws on industrial relations and trade unions should be suitably modified. The Conference also recognised the need for strengthening of the implementation machinery, ensuring minimum wages, freeing and rehabilitating bonded labour, eliminating unfair labour practices in the contract system, the employment of casual labour, and passage of a suitable Central law to regulate the conditions of work and wages of construction workers.

*Revised Terms of Reference of the Press Commission\*:* In a statement made on July 24, 1980, the Minister of Information and Broadcasting and Supply and Rehabilitation Shri Vasant Sathe said that under the revised terms of reference, the Press Commission would study the Press as an industry as well as its links with other industries and the existence of chain newspapers besides examining the question of production and supply of newsprint and printing machinery.

The revised terms, Shri Sathe said, further enlarged the areas of inquiry, imparted to these a greater amplitude, added an element of social and national reference and signified the great importance Government attached to the Commission's work. At the same time, he added, the new terms called for an examination of the perspective of newspaper development. The current debate on the proposal for a new international information order had also been given due recognition.

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\*The Minister also laid on the Table a copy of the revised terms and reference of the Press Commission.

*Resumption of Talk with Shri Laldenga:* Making a statement on July 30, 1980, the Minister of Home Affairs, Giani Zail Singh said that, with the return of Smt. Indira Gandhi as Prime Minister, efforts were resumed to find a settlement of the Mizoram problem. Shri Laldenga called on the Prime Minister and offered his services for restoration of normalcy in Mizoram. His two meetings with the Prime Minister had led to an agreement. On behalf of the Mizo National Front, Shri Laldenga had agreed to stop all underground activities with effect from midnight of 31st July/1st August, 1980. The Government had also decided to suspend operations by the security forces from that date. This suspension would not, however, apply to clandestine crossing of international borders and to the maintenance of normal law and order. Meanwhile, talks would continue between the Government and Shri Laldenga to find an amicable solution of the problem.

*Separate Ministry for Scheduled Tribes:* Raising Half-an-Hour discussion on August 6, 1980, Shri Bheekhabhai said that there were separate Ministries in some States, and in 18 States and Union Territories there were tribal sub-plans, to look after tribal welfare. The tribal population being 4½ crores, there was need for a separate Ministry or Department at the Centre to look after their welfare.

Replying to the discussion, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana ruled out formation of a separate Ministry for Scheduled Tribes but conceded that there was some justification for a separate Department for Scheduled Castes and Scheduled Tribes, which the Government would definitely examine.

*Depletion of natural resources, pollution of habitat etc.:* Initiating discussion on the subject on August 11, Shri Digvijay Singh pointed out that the natural resources of the country were being hopelessly neglected and over-exploited. It was highly imperative that land use, forestry, wild life, pollution control and marine awareness were made focal points immediately and a nodal Ministry or Department formed to deal with such vital issues.

Intervening in the discussion, the Prime Minister, Smt. Indira Gandhi agreed with the view expressed by members about the danger to ecology from "the profit making system", but at the same time, she emphasised that ecology could not be against development. "The whole purpose of our planning and of our programme is to improve the quality of the individual, of man", she said. The Government, she informed the House, would lay stress on developing the forests and launch a crash programme for afforestation. She praised the "Chipko movement" launched in U.P. to prevent people from cutting down their trees.

Winding up the discussion which lasted about three hours, and in which 12 other members\* participated, the Deputy Minister in the Department of Science and Technology and Space, Shri Vijay N. Patil assured the House that a solution, placing more emphasis on conservation of the natural resources, was being found out. In the meantime, they were looking at the conservation of flora and fauna to maintain the ecological balance.

## B. LEGISLATIVE BUSINESS

*The Banking Companies (Acquisition and Transfer of Undertakings) Bill, 1980:* Moving the Motion for consideration of the Bill on June 13, 1980 the Minister of Finance, Shri R. Venkataraman said that the Bill sought to replace the President's Ordinance promulgated on April 15, 1980, nationalising six Banks in the private sector namely, the Andhra Bank Ltd., Corporation Bank Ltd., the New Bank of India Ltd., the Oriental Bank of Commerce Ltd., the Punjab and Sind Bank Ltd. and the Vijaya Bank Ltd. The Bill followed closely the provisions of the Bank Nationalisation Act, 1970.

The discussion continued for two days in which 13 Members participated.\*\*

Replying to the discussion on June 16, 1980, the Minister ruled out separate evaluation of the performance of the nationalised banks as their results were already available. The performance of the nationalized banks had been very creditable with regard to the mobilisation of resources in as much as the total deposits mobilised by the nationalised Banks and the State Bank had increased from Rs. 4000 crores in 1969 to Rs. 25,977 crores in December 1979.

As regards fixing of Rs. 200 crores as deposit limit for nationalisation of six banks, he said that the Government did not want to have a very large number of banks in the scheme of nationalisation and wanted to allow 10 per cent of the deposits in other private hands. It was the policy of the Government not to nationalise the foreign banks.

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\*The other members who took part in the discussion were: Dr. Karan Singh, Sarvashri K. P. Singh Deo, Harish Chandra Singh Rawat, E. Balanandan, Krishan Datt Sultanpuri, Ram Jethmalani, M. Satyanarayana Rao, Narayan Choubey, Laxman Karma, P. Namgyal, Ram Lal Rahi, Shivkumar Singh and Ram Vilas Paswan.

\*\*The Members who participated in the discussion were: Shri Satish Agarwal, Prof. Rupchand Pal, Sarvashri Mool Chand Daga, M. Kanadaswamy, B. Muthukumarán, P. Rajagopal Naidu, Oscar Fernandes, T. R. Shamanna, K. T. Kosalram, Xavier Arakal, M. Ramgopal Reddy and Shrimati Geeta Mukherjee.

The Minister promised to give best consideration to the suggestion of giving representation to Members of Parliament on the Board of Directors of the Banks and an increase in the advances given to the agriculturists.

*Essential Services Maintenance (Assam) Bill:* On July 3, 1980, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana moved a motion for consideration of the Bill\* and also a Statutory Resolution regarding approval of the notification issued by the Assam Government declaring certain services as essential. Initiating the discussion he said, that the Bill became very necessary in view of the very grave situation in Assam where all the activities had come to a standstill and the Government servants as well as the officers of the Public Undertakings were taking part in the agitation.

Earlier, moving a statutory resolution regarding disapproval of the Essential Services Maintenance (Assam) Ordinance, 1980, Shri George Fernandes said that the legislation was not less than a formal declaration of emergency on the people of Assam and that it struck at the roots and liberties of the working class. The Bill, which dealt with the situation in essential services, excluded no one in the State and provided a blanket power to the police to arrest anyone under suspicion without a warrant and after a summary trial. There was no appeal and no right to protest.

Supporting the Bill, Shri C. T. Dhandapani urged the Government to make efforts and take stern action to restore normalcy in Assam.

Replying to the discussion on July 4, 1980 in which 16 Members participated\*\*, Shri Makwana contended that the movement started by the AASU in Assam was not communal but some political parties and politicians instigated the people there and created communal tensions, with the result that the poor and the minorities suffered.

The Minister assured the House that the proposed measure would be used only during crises, just as the one existed now, when the essential services were disrupted. Allaying the fears expressed by Members that the Bill entitled the Government to declare any service as essential, the Minister pointed out that the Government would take the House into

\*The Bill was introduced by the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana on June 26, 1980. The motion for leave to introduce the Bill was opposed by Sarvashri Indrajit Gupta and Somnath Chatterjee. The House was divided on the Motion, with Ayes 144 and Noes 79.

\*\*Members who took part in the discussion were: Sarvashri Niren Ghosh, Sontosh Mohan Dev, Arif Mohammed Khan, Narayan Choubey, P. S. Sangma, Prof. Narain Chand Parashar, Sarvashri Mundar Sharma, R. K. Mhalgi, Ravindra Varma, Zinul Basher, Harikesh Bahadur, G. M. Banatwalla, Pius Tirkey, Ram Vilas Paswan, Giridhar Gomango.

confidence before taking any such step. Dealing with the criticism that imposition of the ban on strike was unusual, Shri Makwana drew the attention of the Members to the views of the Governing Body of the ILO on Freedom of Association, which had supported the ban on strikes in essential services.

He said that there was no direct evidence of foreign involvement in Assam agitation and assured the House that the Government would definitely take strictest action against outside elements, if they were found involved.

After Shri George Fernandes replied to the debate, the Resolution for disapproval of the Ordinance was put to vote and was negatived. The Bill was thereafter passed. The Resolution for approval of the Notification was also adopted.

*Assam State Legislature (Delegation of Powers) Bill:* Moving the motion for consideration of the Bill\* on July 5, 1980, the Minister of Home Affairs, Giani Zail Singh recalled that the proclamation of December 12, 1979 made by the President under article 356 of the Constitution in relation to the State of Assam provided *inter-alia* that the power of the State Legislature would be exercised by or under the authority of Parliament. The Bill, therefore, sought to confer on the President the power of the State Legislature to make laws in respect of Assam provided that before making such laws, the President must consult a Committee consisting of 45 Members of Parliament constituted for the purpose. The Bill also empowered Parliament to direct modifications in the laws made by the President, if considered necessary.

Sarvashri Mukunda Mandal, Bapusaheb Parulekar, Harikesh Bahadur, M. M. A. Khan, A. K. Roy, Chitta Basu, G. M. Banatwalla, Bhogendra Jha and C. T. Dhandapani took part in the brief discussion which ensued. Winding up the discussion, Giani Zail Singh maintained that there was nothing in the Bill contradictory to the provisions contained in articles 356 and 357 of the Constitution.

Dealing with the problem of Assam, he said that the Government had invited the entire opposition for discussing the problem and it had emphasised that the problem should not be solved politically but economically and socially. The Government, he added, did not want to adopt strict measures, but there was no other way out for protecting the interests of the helpless people. He favoured the suggestion put forward by Members regarding bringing out a 'White Paper' on the Assam problem.

The Bill was, thereafter, passed.

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\*The Bill was introduced by the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana, on June 26, 1980.

*Finance (No. 2) Bill, 1980*:\* Moving that the Bill be taken into consideration, the Minister of Finance, Shri R. Venkataraman said on July 24, 1980 that it sought to continue, till 1985, the tax-holiday in respect of new industrial undertakings, approved hotels and ships, in modified form. It would be extended from seven to eight years for assesseees other than cooperative societies and would not be denied to an industrial undertaking formed by transfer of previously used machinery or plant, if the equipment so transferred did not exceed 20 per cent of the total value of the machinery or plant in business. He also proposed exemption from income tax of the profits and gains derived from a business of livestock breeding or poultry or dairy farming upto Rs. 15,000. The Bill, he said, sought to revive interest accruing or arising to scheduled banks after June 30, 1980. Interest received by all-India industrial finance institutions, namely IDBI, ICICI, IFCI and IRCI, was also proposed to be brought within the ambit of Interest tax Act, 1974.

The discussion on the Bill continued on July 25, 28, 29 and 30. Participating in the discussion on July 25, 1980, Shri Madhu Dandavate welcomed the proposal of setting up of a Committee to probe into the working of Public Undertakings and asked the Government to provide a development rebate for the development of backward areas. Shri C. T. Dhandapani urged the Government to streamline the functioning of income tax department, to set up some major industry in backward areas in Tamil Nadu and fixing the price of paddy at Rs. 150 per quintal. Shri Jaipal Singh Kashyap urged the Government to fill up all the vacancies reserved for the Scheduled Castes and Scheduled Tribes and provide unemployment allowance to all the unemployed persons in the country.

Winding up the five-day discussion in which as many as 43 other members\*\* participated, Shri Venkataraman assured the House that the Government was trying to improve the distribution system and taking effective action against hoarding and black-marketing to hold the price line at the level more or less at which it had reached.

\* The Finance Bill (No. 2) was introduced by the Minister of Finance on June 18, 1980.

\*\*The other Members who took part in the discussion were Sarvashri Ajit Kumar Mehta, A. T. Patil, Kamal Nath, Saminuddin, Bhagwat Jha Azad, Jyotirmoy Bosu, B. R. Nahata, S. B. Chavan, Anand Singh, Manoranjan Bhakta, Vijay Kumar Yadav, Tariq Anwar, J. C. Barve, Harikesh Bahadur, Kunwar Ram, R. L. Bhatia, Satish Agarwal, Mohan Lal Sukhadia, Gulsher Ahmed, K. P. Unnikrishnan, Bheekha Bhai, Harish Chandra Singh Rawat, Jamilur Rahman, Niren Ghosh, Krishan Dutt Sultanpuri, B. D. Singh, Parasram Bhardwaj, Chitta Basu, Datya Deo Singh, A. K. Roy, Mahendra Prasad, K. C. Sharma, G. M. Banatwall, K. T. Kosalram, Pius Tirkey, Krunasindhu Bhooj, Shivkumar Singh, Ashok Gehlot, Vilas Muttemwar, P. Namgval and Smt. Gurbinder Kaur. Smt. Usha Verma and Smt. Geet Mukerjee.



Shri Venkataraman did not agree with the Members that the Plan size was inadequate. On the other hand, he maintained that Rs. 2000 crores, i.e. 16.6 per cent increase in the size of the Plan was appropriate and manageable within the constraints faced by the country.

Sharing concern regarding the menace of black money, the Finance Minister observed that the suggestions made by the Members of freely converting the black money into white at a premium or demonetising entire currency were fraught with most serious consequences. The Government, he added, was seized of the matter and would do the best in the circumstances.

The motion for consideration of the Bill was adopted and the Bill, as amended, passed.

### C. THE QUESTION HOUR

During the Session, 16,382 notices of Questions (12,372 Starred, 3,617 Unstarred and 393 Short Notice Questions) were received. Out of these 982 Starred, 8,058 Unstarred and two Short Notice Questions were admitted. On cancellation of the sitting of the House fixed on August 14, 1980, 21 Starred and 191 Unstarred Questions listed for that day lapsed. After the Lists of Questions were printed, 24 Starred and 91 Unstarred Questions were postponed/transferred from one Ministry to another.

*Daily Average of Questions:* Each Starred List contained 20 questions except those of June 13, 18, 25, 27, July 7, 9, 10, 14, 16, 18, 24, 25, 28, 29, August 5, 6, 7, 8, 11 and 12, 1980 which contained 21 questions each and that of July 4 and 8, 1980 contained 22 questions each, the additional questions being transferred/postponed questions from other dates. On an average, 7 questions were orally answered daily on the floor of the House. Maximum number of Starred Questions orally answered was 12 on July 10, 1980 and the minimum answered orally was 2 on June 12, 1980. The average number of questions in the Unstarred List came to 167 as against the prescribed limit of 200 questions.

*Half-an-Hour Discussions:* In all 270 notices of Half-an-Hour discussions were received during the session. Out of these, 82 notices were admitted and 10 were actually discussed on the floor of the House.

### RAJYA SABHA\*

#### HUNDRED AND FOURTEENTH SESSION

The Rajya Sabha met for its hundred and fourteenth session on June 9, 1980 and adjourned sine die on July 9, 1980. A resume of some of the important discussions held and other business transacted during the session are briefly mentioned below.

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

## A. DISCUSSIONS

*Statutory Resolution seeking continuance of the Presidential Proclamation in Relation to State of Assam:* On June 9, 1980, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana moved a resolution seeking continuance in force of the Proclamation issued by the President on December 12, 1979, under article 356 of the Constitution, in relation to the State of Assam, for a further period of six months with effect from June 12, 1980. Speaking on the Resolution, the Minister said that the developments in Assam, particularly the growing violence there, had caused great concern and distress to the Government. He said that in spite of an all-party appeal issued on March 1, 1980, asking the agitators to withdraw the agitation and create an atmosphere conducive to finding a practical solution to the problem of foreign nationals, the agitation had been intensified. He assured the House that instructions had been issued to the Assam Administration to provide full protection to the linguistic and religious minorities and to provide relief to the affected persons.

Intervening in the discussion\* on June 11, 1980 the Prime Minister, Shrimati Indira Gandhi expressed the Government's concern over the happenings in Assam and Tripura. Clarifying the position in regard to the 'foreign nationals' in Assam, She said that in 1971 when Bangladesh came into being, many people had come into India and the country had accepted them. In the course of exchange of talks and letters between the then Union Rehabilitation Minister, and his counterpart in Bangladesh, it had been agreed that only from 1971 onwards would the immigrants be asked to go back. Even at the Government's meeting with the leaders of the Opposition parties in Parliament it had been suggested that we should stick to the 1971 date, She said that it was physically not possible to start the work relating to the, foreigners' issue from 1951. In her view the National Register of 1951 was not a very authentic document.

After the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana had replied to the discussion the Resolution was adopted by the House on June 11, 1980.

*Steep Rise in Prices of Essential Commodities:* On June 10, 1980, Shri Jagdish Prasad Mathur called the attention of the Minister of Civil Supplies to the steep rise in the prices of essential commodities, their non-availability in the market and the steps taken by Government in that regard.

\*Other members who took part in the discussion were Shrimati Purabi Mukhopadhyay, Shri Bipinpal Das, S/Shri Ramakrishna Hegde, Jagannath-  
rao Joshi, Ladli Mohan Nigam, P. Ramamurti, D. P. Chattopadhyaya, Kalyan  
Roy, Dinesh Goswami, Sankar Ghose, T. Aliba Imti, Ramanand Yadav,  
Ajit Kumar Sharma, Robin Kakati, Kalraj Mishra, Sadashiv Bageitkar,  
K. C. Pant; Prof. Rasheeduddin Khan and Prof. Sourendra Bhattacharjee.

Making a statement on the subject, the Minister of Civil Supplies, Shri V. C. Shukla said that a number of measures had been taken by the Government in the last six months to improve the situation. The provisions of the Essential Commodities Act and the orders issued thereunder as well as the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980 were being enforced by the States vigorously. He assured the House that the Government had been trying and would try to improve the public distribution system so that the people might get essential commodities at reasonable prices. The question of creating buffer stocks of essential commodities would also be considered.

*Clashes in Tripura* : On June 17, 1980, Shri Nageshwar Prasad Shahi called the attention of the Minister of Home Affairs to the serious situation arising out of clashes in Tripura resulting in the death of about 500 persons and injury to many others and failure of Government to take effective steps to curb this violence.

Making a statement on the subject, the Minister of State in the Ministry of Home Affairs, Shri P. Venkatasubbaiah said that the Tripura Upjati Juba Samity had been championing the cause of the tribals, had organised a number of meetings and agitations on the demand for detection and deportation of foreigners. The "Market Boycott" programme launched by the TUJS from June 1, onwards was marked by a number of violent incidents. According to the information received from the State Government, 358 persons had lost their lives, over 500 were injured and about 2,20,000 persons had been rendered homeless and been accommodated in relief camps. Army and para-military forces had been rushed and contingents deployed in the interior areas. According to the State Government, 898 persons had been taken into custody. The situation continued to be tense and would require a close watch.

Replying to the points raised by the Members, the Minister of Home Affairs, Giani Zail Singh said that the hate campaign started in Assam had its impact in Tripura also. He assured the House that the Government of India was making every effort to provide maximum assistance to the State of Tripura. It was a national issue and we should rise above party-politics to solve it.

*Court of Inquiry to Investigate into the Crash of Pitts Aircraft*: On June 27, 1980, Shri Jagdish Prasad Mathur called the attention of the Minister of Shipping and Transport and Tourism and Civil Aviation to the cancellation of the Government Notification appointing a Court of Inquiry to investigate into the crash of the Pitts aircraft to June 23, 1980, in which Shri Sanjay Gandhi, M.P. and Capt. Subhash Saxena were killed.

Making a statement on the subject, the Minister of Shipping and Transport and Tourism and Civil Aviation, Shri A. P. Sharma referred to his

statement made in the House on the previous day about the decision to order a formal investigation into this accident under Rule 75 of the Aircraft Rules 1937 by a Judge of the Delhi High Court. A notification had been issued on June 23, 1980 in pursuance of this decision. However, the Director-General of Civil Aviation, who functioned under the Aircraft Rules which conferred independent powers upon him, entitling him to exercise them without any reference to the Central Government, had already invoked his powers under Rule 71 by ordering investigation into the accident. At the time of Government's notification it had not been brought to their notice that an Inspector of Accidents had already been appointed to investigate the accident and to submit his report in terms of sub-rule (5) of Rule 71 of the Aircraft Rules to the Director-General who, in turn, would forward it to the Central Government with his comments. The report, the Minister assured, would be shared with the Members.

*The Budget (Railways) 1980-81\**: Initiating discussion on the Railway Budget for 1980-81 on June 10, 1980, Shri Narasingh Prasad Nandi said that out of the total investment of Rs. 760 crores proposed in the Budget, the proportion of investment under Plan heads was 27.5 per cent, which was not unusual. No serious effort had been made to rationalise the operating ratio and to bring down the ratio of total working expenses to the total earnings and thereby save a little more money for further investment either for expansion or modernisation of the Railways. Although freight and passenger fare had been increased, no additional amount had been allocated in the Budget for increasing passenger amenities and the other Railway Users' amenities. There was an increase of 10 per cent in the second class passenger fare. This should be reconsidered. The perishable commodities which were transported by the goods trains must also be exempted from the proposed freight increase.

Replying to the discussion\*\* on June 30, 1980, the Minister of Railways, Shri Kamalapati Tripathi said that he had taken note of the suggestions made by the Members with regard to regional problems such as laying of

\*Laid on the Table of the House on June 16, 1980.

\*\*The Members who took part in the discussion were. Shri Narasingha Prasad Nandi, Shrimati Sushila Sankar Adivarekar, Sarvashri Ghanshyambhai Oza, Hari Sankar Bhabra, B. Satyanarayan Reddy, K. Chathunni Master, M. R. Krishna, C. Haridas, Bapuraoji Marotraoji Deshmukh, U. R. Krishnan, V Gopalsamy, Shiva Chandra Jha, Ajit Kumar Sharma, Shrimati Pratibha Singh, Sarvashri Kalyan Roy, Shyam Lal Yadav, T. Aliba Imti, Nageshwar Prasad Shahi, Shrimati Purabi Mukhopadhyay, Sarvashri Amarprasad Chakraborti, Scato Swu, Robin Kakati, Prakash Mehrotra, Ladi Mohan Nigam and Ng. Tompok Singh.

new lines, conversion of lines to broad gauge lines etc. and would write to the Members personally with regard to them: A cell had been set up in the Railway Board to examine the recommendations of the National Transport Policy Committee and try to finalise as to how best the expansion of railways would be made. In the North-Eastern region, work relating to 6 railway lines had been taken up in the frontier areas, besides construction of some bridges. The Government had tried to see that some development work was undertaken in each State. It might be survey work, extension of existing railways or construction of new railways. An effort had also been made for modernisation and extension. Efforts would be made to improve the situation regarding increased amenities for the passengers.

*The Budget (General) (1980-81)\**: Initiating discussion on the General Budget for 1980-81 on July 1, 1980 Shri V. B. Raju said that because of declining power generation even the coal production was said to have gone down. Coal shortage was said to be responsible for the poor performance of the industry. The vicious circle should be broken. Over-centralisation had taken place through the instrumentality of licensing and financing, and initiative was gone. The problem of unemployment in the country could not be solved by *ad hoc* programmes like the food-for-work programme or the rural employment programme.

The discussion in which a large number of members participated\*\* continued on July 2 to 4 and concluded on July 7, 1980.

Replying to the discussion on July 7, 1980, the Minister of Finance, Shri R. Venkataraman said that never before a Budget, which provided so many concessions to such a variety of people in all sectors of society, had been presented. For the first time the Budget was prepared in relation to the election manifesto, which had been placed before the people. Relief had been given to encourage voluntary savings by the middle-class people.

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\*Laid on the Table of the House on June, 18, 1980.

\*\*Other Members who took part in the discussion were Sarvashri N. K. P. Salve, Pilo Mody, Ram Lakhan Prasad Gupta, Shrimati Nargis Dutt, Sarvashri Rameshwar Singh, M. R. Krishna, Dr. M. M. S. Siddhu, Shrimati Usha Malhotra, Professor Sourendra Bhattacharjee, Sarvashri Sankar Ghose, Harkishan Singh Surjeet, Bishambhar Nath Pande, A. G. Kulkarni, Kalyan Roy, U. R. Krishnan, V. P. Munusamy, B. Ibrahim, G. C. Bhattacharya, Prof. D. P. Chattopadhyaya, Sarvashi Ladji Mohan Nigam, Bipinpal Das, Alexander Wariri, Shrimati Sushila Shankar Adivarekar, Dr. Bhai Mahavir, Shri R. R. Morarka, Shrimati Monika Das, Professor Rasheduddin Khan, Shrimati Amarjit Kaur, Shrimati Noorjehan Razack, Sarvashi K. S. Malle Gowda, Syed Rahmat Ali, Bhanu Pratap Singh, Hari Singh Nalwa, B. V. Abdulla Koya, K. K. Madhavan, Ramakrishna Hegde, Sadashiv Bagaikar and Shri Ghouse Mohiuddin Sheikh.

An additional depreciation allowance had been provided to industries to enable them to make investments in the economy. Concessions had been given to the electronics industry which was highly labour intensive and for import of sophisticated equipment and raw materials which were not produced in the country. Relief had also been provided in respect of radio licences.

Shri Venkataraman said that it would be the endeavour of the Government to see that as far as possible a measure of balance between agricultural prices and industrial prices was achieved in course of time. The Government could not allow agricultural prices to lag behind to the detriment of development of agriculture in the country. Inflation was a national problem. Inflationary potentials in our economy were very heavy. There was more money in the market than the goods available. This problem should be tackled keeping in view both the supply and the demand factors.

The Minister further said that the public sector must have the commanding heights in the economy and it should provide all the basic material for development; the private sector had its hold within the parameters set for it and it should be enabled to grow and function as complementary to the public sector.

#### B. LEGISLATIVE BUSINESS

*The Essential Service Maintenance (Assam) Bill, 1980\**: On July 8, 1980, Shri Jagdish Prasad Mathur moved a Resolution seeking disapproval of the Essential Services Maintenance (Assam) Ordinance, 1980 (No. 2 of 1980) promulgated by the President on April 6, 1980. He said that the present Bill which sought to replace the Ordinance was a very dangerous one. Continuing his speech on the next day, he said that the Bill sought to give unlimited powers to the Government for crushing the mass movement in Assam. Almost all services had been brought under the purview of the Bill, Deterrent punishments had been provided for the agitators. Even those who might help them financially or otherwise had not been spared. The right to strike had been taken away from the workers. He urged the House to disapprove the Ordinance and reject and return the Bill to Lok Sabha.

Replying to the discussion, Shri Mathur said that all the Members belonging to the Opposition except those of D.M.K. and A.D.M.K. had supported his Resolution. Even Members of Congress (I) had accepted the genuineness of the agitation and were of the opinion that some solution of the problem had to be found.

He said that the movement in Assam was a popular upsurge which could not be suppressed by use of power. The foreigners should be treated

as foreigners. It did not make any difference whether they had come from Pakistan or from Bangladesh. He pleaded externment of foreign missionaries working in Assam and Tripura.

On July 9, 1980 the Minister of State in the Ministry of Home Affairs Shri Yogendra Makwana moved the motion for the consideration of the Bill and also moved the following Resolution :

"That in pursuance of sub-section (2) of the Essential Services Maintenance (Assam) Ordinance, 1980, (No. 2 of 1980) this House approves the issue of Government of Assam Political (A) Department notification No. PLA-334/80/7, dated the 7th April, 1980, declaring the services in connection with the production, supply and distribution of water and electricity including the services under the Assam State Electricity including the services under the Assam State Electricity Board constituted under the Electricity (Supply) Act, 1948, to be essential services for the purposes of the said Ordinance."

Speaking on the Bill and the Resolution, the Minister said that an unprecedented situation had been created in Assam due to agitation. The essential services had not been allowed to function with the result that not only the people of Assam but the people of the entire North-East Region as well were suffering. The agitation did not help the workers. The Bill had been brought forward for allowing the workers to function, to work. There was nothing new in the arrests without warrant. It was provided in the Criminal Procedure Code also.

Replying to the discussion\*, Shri Makwana said that the Industrial Disputes Act was not comprehensive and many of its provisions were such as could not work in the present context when some strict measures were required. Therefore, the present Bill had been brought forward. Shri Makwana further said that the notification issued by the Government of Assam had to be placed before both the Houses of Parliament, as it would become null and void without the approval of Parliament.

After discussion, the Resolution seeking disapproval of the Essential Services Maintenance (Assam) Ordinance, 1980, was negatived, the motion for consideration of the Bill was adopted, and the Bill was passed by the House on July 9, 1980. The Resolution seeking approval of the Notification was also adopted on the same day.

\*Other Members who took part in the discussion were Shri S. W. Dhabe, Prof. D. P. Chattopadhyaya, Sarvashri Syed Shahabuddin, Ram Lakhan Prasad Gupta, Sadashiv Bagaitkar, Asad Madni, Dinesh Goswami, P. Ramamurti, M. Kalyanasundaram, D. Heerachand, L. Ganesan and Dr. Rafiq Zakaria.

*The Assam State Legislature (Delegation of powers) Bill, 1980\**: On July 9, 1980, moving the motion for consideration of the Bill, the Minister of Home Affairs, Giani Zail Singh said that the Proclamation of the President on December 12, 1979 under article 356 of the Constitution in relation to the State of Assam provided, *inter alia*, that the powers of the State Legislature would be exercised by or under the authority of Parliament. The present Bill sought to confer on the President the power of the State Legislature to make laws in respect of the State as it had been the normal practice to undertake such legislation in relation to a State under President's rule. Provision had been made in the Bill for constitution of a Consultative Committee consisting of 45 Members of Parliament in this regard. Parliament had also been empowered to direct modifications in the laws made by the President, if considered necessary.

Replying to the discussion† Giani Zail Singh said that it would not be proper to have doubts about the Government's intention to keep the country united. The Bill had been introduced under the provisions of the Constitution of India and for the benefit and safety of the Assamese people.

He further said that it was not correct to say that the Government had resorted to repressive measures in Assam. There had been only a show of force so that things might not deteriorate to the extent they had deteriorated in Tripura. The delegation of powers to the President proposed under the Bill would in no way affect the course of negotiations. He did not doubt the sincerity of the students but somehow the agitation was being controlled by elements which wanted to create difficulties for India. The Government considered the Assam issue a national issue and wanted to solve it through negotiation, persuasion and cooperation of everyone.

The motion for consideration of the Bill was adopted and the Bill was passed on the same day.

### C. QUESTION HOUR

During the 114th Session of the Rajya Sabha 3398 notices of Questions (3149 Starred, 249 Unstarred and 20 Short Notice Questions) were received. Out of these, 355 Starred, 1392 Unstarred Questions and 1 Short Notice Question were admitted. After the lists of Questions were printed, 11 starred Questions and 55 Unstarred Questions were transferred from one Ministry to another.

\*Laid on the Table of the House on July 7, 1980.

†Other Members who took part in the discussion were Shrimati Margarat Alva, Sarvashri Bishambhar Nath Pande, Manubhai Patel, Hari Shankar Bhabra, Hukmdeo Narayan Yadav, Bhupesh Gupta, Kalp Nath Rai, Ajit Kumar Sharma and Amarprosad Chakraborti.



*Daily average of Questions:* Each of the lists of Starred Questions contained 20 questions except those of June 26 and 30 and July 1st, 1980, which contained 21 questions. On an average 4 questions per sitting were orally answered on the floor of the House. The maximum number of questions answered orally was 8 on June 16 and 20, 1980 and the minimum was 1 on June 9 and 13, 1980. The average number of Questions in the List of Unstarred Questions came to 87.

*Half-an-Hour Discussions:* In all, 9 notices of Half-an-Hour Discussions were received during the Session. Out of these only two notices were discussed in the House.

#### D. OBITUARY REFERENCES

During the Session, the Chairman made references to the passing away of President Josip Broz Tito of Yugoslavia, Shri Jethala Harikrishna Joshi, Shrimati Shyam Kumari Khan, Shri Kasu Vengala Reddy, Shri Mahavir Tyagi, Shri P. Abraham, Shri A. V. Kunhambu, (all ex-Members), Shri Sanjay Gandhi, Member of Lok Sabha and Shri V. V. Giri, former President of India and former Chairman of Rajya Sabha. The House stood in silence for a minute as a mark of respect to the memory of the deceased.

#### RAJYA SABHA\*

##### HUNDRED AND FIFTEENTH SESSION

The Rajya Sabha met for its hundred and fifteenth session on July 23, 1980 and adjourned *sine die* on August 18, 1980. Some of the important subject discussed during the session are briefly mentioned below.

#### I. DISCUSSIONS

*Deteriorating Law and Order Situation in Various parts of the country:* On July 23, 1980 Shri Shiv Chandra Jha called the attention of the Minister of Home Affairs to the deteriorating law and order situation in various parts of the country, particularly in Delhi as evidenced by a spate of recent major dacoities that had taken place in the city recently.

Making a statement on the subject, the Minister of State in the Ministry of Home Affairs, Shri Yogendra Makwana, said that there was a steep deterioration in the law and order situation in the country during the years 1977 to 1979. Restoration of law and order was, therefore, a major concern of the present government. The problem was discussed at the Governors' and the Chief Ministers' conference convened by the Home Minister in April, 1980 as well as at official level conferences. Several steps had

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

been suggested to the State Governments to improve the law and order situation.

So far as Delhi was concerned, the law and order situation was receiving full attention of the Government. The Home Minister and the Lt. Governor were personally reviewing the situation and various steps like augmenting the staff, setting up of new police stations|police posts, modernisation of the Police Control Rooms and the replacement of old vehicles by new ones etc., had been taken. Intensive foot and mobile patrolling had been introduced. It was hoped that with these steps the law and order situation should make appreciable improvement.

*Working of Ministry of Energy and Department of Coal:* On July 23, 1980 initiating discussion\* on the working of the Ministry of Energy and the Department of Coal Shri Krishna Chandra Pant said that the whole process of economic development was related to the supply of energy. The Government would have to invest whatever was necessary in this sector. He said that the Power sector, at least the thermal power sector, was not functioning efficiently and productivity of the coal sector had also gone down. Unless the Department of Petroleum was brought under the Ministry of Energy, an integrated view of the problem would become very difficult. The Government should set up a Parliamentary Committee on the lines of the Public Accounts Committee which could consider energy problems as they arose.

Replying to the discussion, the Minister of Energy and Coal, Shri A. B. A. Ghani Khan Chaudhuri, said most of the countries in the world were facing energy crisis and there was no single prescription for solution of the problem. The future growth of India depended on how India as a nation could solve the complex problem of energy. Keeping in view the picture of energy needs for the future, the Government was going ahead with an integrated energy policy of reducing dependence on oil, promoting the programme of conservation, developing electricity based on coal hydro and nuclear, and accelerating research and development in non-conventional energy sources. The present task was to ensure that the energy requirements of the country were met by the electrical power as far as practicable. But unfortunately, the share of electrical energy in the total commercial energy consumption was at present only 28 per cent. This was a big gap and the Government would endeavour to cover it.

\*Other Members who took part in the discussion were: Sarvashri Ramanand Yadav, Ghanshyam Bhai Oza, Lakhan Singh, N. K. Bhatt, Sadashiv Bagaitkar, Shri Kalyan Roy, P. Ramamurti, V. Gopalasamy, S. K. Vaishampayan, Dr. Malcolm S. Adiseshiah, Sarvashri Shyam Lal Yadav, Ram Lakhan Prasad Gupta, Shrimati Sushila Shankar Adivarekar and Prof. Sourendra Bhattacharjee.

*Working of Ministry of Information and Broadcasting:* On July 24, 1980 Shri Nand Kishore Bhatt initiated discussion\* on the working of the Ministry of Information and Broadcasting. He said that the Ministry had a very important role to play in the all-round working and development of the country. It had to prepare the people towards the cherished goal of democracy, socialism and secularism through the mass media of radio, television, films, newspapers, etc. Welcoming the withdrawal of the annual licence fee in the case of small radios and small transistors he suggested opening of more relay T. V. centres and better T. V. programmes. He further said that films were a powerful weapon of communication, social education and national integration. This sector should not therefore be with only a few rich people or with those having black money. Also, diffusion of ownership of newspapers and delinking them from the big industries and big influential business houses were issues which must be gone into in depth for the growth of healthy journalism.

Replying to the discussion on July 28, 1980 the Minister of Information and Broadcasting, Shri V. P. Sathe said that there was a proposal to have 22 short wave stations of 250 to 500 k.w. in the Sixth Five Year Plan. It would also now be possible for Television—ten times more powerful than any other media for a country particularly, like India—to reach nearly all the electrified villages in the country, even in the remotest ones in the North-east region, when INSAT came in 1982. The Government had decided to give representation on the Press Commission to a cross-section of Journalists including representatives of small papers, medium papers and language papers.

*Working of Ministry of Planning:* Raising the discussion\*\* on the working of the Ministry of Planning on July 31, 1980 Shri Era Sezhiyan said that planning was an important process by which Government sought to attain the goals of social and economic justice. It was high time that serious thought was bestowed on the process of planning itself as the country was steadily and progressively going down inspite of planning. All through the Plans, the Government had been assuming a growth rate

\*Other Members who took part in the discussion were: Sarvashri S. W. Dhabe, Era Sezhiyan, Bisambher Nath Pande, J. P. Mathur, Ladli Mohan Nigam, Mahendra Mohan Mishra, Smt. Kanak Mukherjee, Smt. Nargis Dutt, Smt. Usha Malhotra and Smt. Purabi Mukhopadhyay, Sarvashri A. P. Janardhanam, Kalyan Roy, Shrikant Verma, Murasplo Maran, Syed Shahabuddin and Alexander Warjri.

\*\* Other Members who took part in the discussion were: Sarvashri Bipinpal Das, Sankar Ghosh, Sunder Singh Bhandari, Syed Sibte Razi, B. Sayanarayan Reddy, Roshan Lal, P. Ramamurti, Indradeep Singh, G. P. Mhaisekar, Ajit Kumar Sharma, P. N. Sukur, Dr. Malcolm S. Adiseshiah, Shri Ram Bhagat Paswan and Shri Bhanu Pratap Singh.

of 5 to 7 per cent, but had been able to achieve only a growth rate of 3.2 to 3.8 per cent. Planning had been too much centralised. The States were never consulted before drawing up the centrally-sponsored schemes. The planning body should be made a statutory organisation in which the representatives of the States should also find a place.

Replying to the discussion, the Minister of Planning, Shri Narayan Dutt Tiwari said that he agreed that planning should be made on the basis of national consensus. The draft of the Sixth Plan was under preparation, and efforts were being made to incorporate in the new draft the promises and commitments made to the people. It was not proper to have folded up the Fifth Plan a year earlier. No one had supported the concept of a rolling plan. It was indeed not feasible to have a new Five Year Plan every year.

While he agreed that top priority should be given to the agricultural sector, planning must take into account other sectors of the economy also. Otherwise, the planning process would be incomplete and development would become lopsided. In order that the benefits of planning reached the poor people, the Government had formulated the Food-for-Work-Programme as well as a new National Employment programme. *Antyodaya* scheme would also be redrafted to benefit the weakest sections of the society. He further said that centralised planning could not work in the country.

The planning process would therefore have to be decentralised and for this it was necessary to strengthen the planning machinery both at the district and block levels. The Sixth Plan should aim at utilising the existing infrastructure to the fullest possible extent. The developmental work in the Eastern region had of course come to a standstill but with the return of normalcy in the region all the concerned persons would put their heads together to find out ways and means to push up the planning work for that region.

*Working of the Ministry of External Affairs:* Initiating discussion on the working of the Ministry of External Affairs on August 6, 1980 Shrimati Usha Malhotra, said that India's policy had been to defuse situations which could lead to confrontation and conflagration through a dialogue or sitting around the negotiating table. The bedrock of the country's foreign policy was non-alignment and, India, like any other developing country, needed peace for progress and modernisation.

The recent development in Afghanistan should be seen against the background of deterioration in the global and regional environments. He pleaded for raising of the outlay on the Ministry of External Affairs as a certain standard had to be maintained by the embassy staff posted abroad.

Also, measures should be taken to ascertain whether the instructions and guidelines for treatment of the Indian visitors abroad were being given effect to in right earnestness.

Replying to the discussion\* on August 7, 1980 the Minister of External Affairs, Shri P. V. Narasimha Rao said that foreign policy had to a very large extent become a matter of consensus in the country. About non-alignment, the crucial question was whether as a movement it could adapt itself to the changing conditions in the world. If it did not have to become a *mantra*, then it would have to look around from time to time and see whether its own concepts and methods of action were in tune with, and were effective for, the changed conditions of the day. If there had to be world peace, world prosperity was equally important. The question of world peace would become very difficult in a world where prosperity was so grossly maldistributed.

## B. LEGISLATIVE BUSINESS

*The Appropriation (No. 3) Bill, 1980:* Moving the motion for consideration of the Bill\*\* on July 28, 1980, the Deputy Minister in the Ministry of Finance, Shri Maganbhai Barot said that the Bill provided for withdrawal out of the Consolidated Fund of India of the amounts required to meet the expenditure for the year 1980-81 charged on the Fund as well as those voted by the Lok Sabha. The amount provided in the Bill was inclusive of the sums already authorised in the Appropriation (Vote on Account) Act, 1980. Briefly, while the Bill provided for gross disbursements of Rs. 55,221 crores, the net provision after setting off recoveries and transactions in the nature of accounting adjustments, was for Rs. 21,467 crores. Nearly sixty per cent of this was accounted for by developmental expenditure. The provision of Rs. 3,600 crores for Defence expenditure constituted about 17 per cent of the total. Interest payments accounted for 12 per cent, statutory and other transfers to state and Union Territory Governments was 4 per cent and the balance 7 per cent of the provision was for normal administrative and other expenditure.

\*Other Members who took part in the discussion were: Shrimati Margaret Alva Sarvashri Syed Shahabuddin, Dinesh Singh, Syed Ahmad Hashmi, Dr. Bhai Mahavir, Sarvashri Bipinpal Dass, Harkishan Singh Surjeet, Bhupesh Gupta, U. R. Krishnan, Dr. Rafiq Zakaria, Sarvashri Dinesh Goswami, N. P. Nanda, J. K. Jain, Shiva Chandra Jha, N. N. Pandey, Ladli Mohan Nigam, Shrimati Hamida Habibullah, Prof. Rasheeduddin Khan, Sarvashri Sharief-ud-din Shariq and Ramkrishnan.

\*\*The Bill, as passed by the Lok Sabha was laid on the Table of the House on July, 24, 1980.

The discussion on the Bill continued till July 30, 1980 when replying to the debate\* Shri Barot, said that the main cause of the continued pressure on the prices was the unimaginative policies and mismanagement by the previous Government which was most clearly reflected in the failure of the infrastructure. There had been a growing resort to deficit financing in 1978-79 and again in 1979-80. Money supply had increased at an average rate of 18 per cent per annum. It was excessive, particularly in view of the stagnation in the industrial production and the significant decline in agricultural production. Excess liquidity got generated in the system and produced conditions in which shortages due to supply constraints led to speculative expectations and thus aggravated inflationary trends. The Government was however taking steps to control the inflationary trends on a priority basis.

The motion for consideration of the Bill was adopted and the motion that the Bill be returned was adopted on the same day.

*The Finance (No. 2) Bill, 1980:* On August 4, 1980, the Minister of Finance Shri R. Venkataraman, moving the motion for consideration of the Bill,\*\* said that the Bill sought to continue till 1985 the tax holiday in respect of new industrial undertakings which had been set up after 31st March, 1981. Under the Income-tax Act, depreciation was admissible only in respect of machinery or plant which was actually used for the purposes of business or profession in the relevant accounting year. It was represented that the benefit of the new provision might be lost in the cases where the machinery or plant was installed in one year but was actually put to use in the next year. But now additional depreciation would be available in the year in which the new machinery or plant was installed or if the machinery or plant was first put to use in the immediately succeeding accounting year, then, in respect of that year. The Income-Tax Rules had been amended to give effect to this decision.

The Minister told the House that the Bill sought to make certain amendments to the Income-tax Act with retrospective effect in order to overcome the difficulties caused by some judicial pronouncements which ran counter to the intention underlying the provisions. The provision in regard to deduction in respect of donations for charitable purposes had also been amended so as to apply prospectively from April 1, 1981.

\*Other members who took part in discussion were: Sarvashri V. B. Raju, Khurshed Alam Khan, Biswa Goswami, Ramanand Yadav, Shrimati Mohinder Kaur, Sarvashri B. Ibrahim, C. J. Joseph, V. Gopalsamy, Shrimati Ratan Kumari, Dr. Malcom. S. Adiseshiah, Sarvashi Narasingha Prasad Nanda, Krishna Nand Joshi, Nageshwar Prasad Shahi, Kalyan Roy, R. Ramakrishnan, Shrimati Pratibha, Shrimati Rajinder Kaur, Prof. Ramlal Parikh, Sarvashri Harishankar Bhabhra, Rameshwar Singh and Sharief Ud-din Sharif.

\*\* The Bill as passed by the Lok Sabha was laid on the Table of the House on August 1, 1980.

The discussion\* on the Bill continued till August 7, 1980 when Shri Venkataraman replied to the debate and said that there were two ways in which inflation could be combated; by control of money supply, and by increasing the supply of goods and services. He took the risk of opting for the second course but goods and services were not increased overnight on the presentation of the Budget. The budget proposals would only encourage production. The production in the small-scale sector would compensate for lagging behind in the other sectors. Fuller utilisation of capacity arising out of better availability of power, coal and other things and additional investment of 16.6 per cent would certainly accelerate the growth rate of 5 per cent. The Government was committed to a philosophy in which the private sector had a role to play fixed for it, as also to the philosophy of a mixed economy in which, the public sector would have a commanding role and nothing should be done which would impair that role.

The motion for consideration of the Bill was adopted as also the motion that the Bill be returned, on the same day.

#### C. QUESTION HOUR

During the 115th Session of the Rajya Sabha, 4161 notices of questions (3945 Starred, 216 Unstarred and 32 Short Notice Questions) were received. Out of these 313 Starred Questions, 1533 Unstarred Questions and 3 Short Notice Questions were admitted. After the lists of questions were printed, 7 Starred Questions and 37 Unstarred Questions were transferred from one Ministry to another.

*Daily average of questions:* Each of the Lists of Starred Questions contained 20 questions. On an average, 4 questions were orally answered per sitting on the floor of the House. The maximum number of questions answered orally was 6 on July 30 and August 11, 1980 and the minimum number was 2 on July 24 and 29, 1980. The average of questions in the Unstarred list came to 96.

*Half-an-hour discussions:* In all 32 notices of half-an-hour discussions were received during the Session. Out of these only two notices were discussed in the House.

\*Other members who took part in the discussion were Sarvashri Sankar Ghose, N. K. P. Salve, Era Sezhiyan, Professor, D. P. Chattopadhyaya, Shri Sadashive Bagaikar, Dr. Bhai Mahavir, Sarvashri N. K. Bhatt, M. Kalyanasundaram, Murasoli Maran, B. N. Banerjee, Kalpanath Rai, S. W. Dhabe, Shiva Chandra Jha, Murlidhar Chandrakant Bhandare, K. Chathunni Master, K. C. Sebastian, Syed Sibtaz Razi, M. R. Shervani, Hukmdeo Narayan Yadav, R. Mohanrangam, Sat Paul Mittal, Jaswant Singh, A. G. Kulkarni, Syed Shahabuddin, Shrimati Rajinder Kaur and Shri Ladli Mohan Nigam.

## D. OBITUARY REFERENCES

The Chairman made references to the passing away of Shri Bhairab Chandra Mahanti and Shri Madho Ram Sharma, ex-Members. The House stood in silence for a minute as a mark of respect to the memory of the deceased.

## STATE LEGISLATURES

## ANDHRA PRADESH LEGISLATIVE ASSEMBLY\*

*Fixation of borrowing limit for the State Electricity Board:* On February 25, 1980, the Legislative Assembly unanimously adopted a Government motion according approval to the fixation by the State Government of Rs. 360 crores as the maximum amount which the Andhra State Electricity Board, constituted under the Electricity (Supply) Act, 1948 (Central Act No. 54 of 1948) may at any time borrow. The Central Act had initially prescribed a limit of Rs. 10 crores for the Electricity Board, to be raised by the State Government with the approval of the Legislative Assembly, when necessary. Since 1962 the borrowing limit had been raised on different occasions, the last revision in 1978 fixing the limit at Rs. 250 crores.

## MEGHALAYA LEGISLATIVE ASSEMBLY\*

*Influx of outsiders into Meghalaya:* On November 11, 1979, Shri P. R. Kyndiah, Leader of the Opposition, moved the following resolution:

“This House, having taken serious note of uninterrupted influx of outsiders into Meghalaya thus adversely affecting the social, cultural and economic interest of the tribal people in the State, calls upon the State Government to immediately introduce suitable legislation along the lines of the Residential Permit Bill, 1973.”

Discussion on the resolution continued on December 4, 1979 and March 4, 1980. Replying to the discussion, the Chief Minister, Shri B. B. Lyngdoh shared the anxiety of the members on the need to preserve the distinct identity of the tribal people in the State and informed the House that he had discussed the issue at length with the Chief Ministers of the North-Eastern States during the last meeting of the North-Eastern Council at Kohima to evolve a joint approach to find out a solution to the problem.

The resolution was, thereafter, passed unanimously.

\*Contributed by the Andhra Pradesh Legislative Assembly Secretariat.

\*Contributed by the Meghalaya Legislative Assembly.



*Deletion of names of foreign nationals from the electoral rolls:* On March 4, 1980, Shri P. R. Kyndiah, Leader of the Opposition moved another resolution as follows:

“This House do now call upon the Government of India to take such steps as would ensure deletion of names of foreign nationals from the Electoral Rolls of Meghalaya.”

The resolution was passed unanimously.

#### PUNJAB LEGISLATIVE ASSEMBLY\*

*Maximum borrowing limit for the electricity Board:* On July 9, 1980, the Assembly adopted a Government motion raising the borrowing limit of the State Electricity Board to Rs. 250 crores under the Electricity (Supply) Act, 1948.

#### WEST BENGAL LEGISLATIVE ASSEMBLY\*\*

*Construction of new Railway lines:* On February 22, 1980 the Assembly adopted, a motion as amended moved by Shri Ahindra Sarkar seeking to approach the Central Government for construction of a railway line from old Malda or Eklakshmi Station in Malda District to Hili Town in West Dinajpur District (*via*, Balurghat, the headquarters of West Dinajpur District).

Another motion moved by Shri Mahadeb Mukherjee and adopted by the Legislative Assembly, recommended to the Government of India to take immediate steps for the conversion of the narrow gauge line from Purulia Station to Kotesila Station (a distance of 30 km. approximately) into a broad gauge one.

*Sharing of Ganga Water at Farakka:* The Assembly adopted the resolution moved by Shri Provas Chandra Roy, as amended on April 17, 1980 as follows:

“Whereas the Agreement between the Government of India and the Government of Bangladesh, dated the 5th day of November, 1977, on the sharing between India and Bangladesh of Ganga Water at Farakka (hereinafter referred to as the said Agreement) stipulates that only in the 10 days period from the first day of January to the 10th day of January every year India will get 40,000 cusecs of water as against 58,000 cusecs for Bangladesh, that the shares of the said two countries in the leanest period from the 21st day of April to the 30th day of April would progressively reduce to 20,500 cusecs for India and 34,500 cusecs for Bangladesh and that from the 1st day of

\*Contributed by Punjab Legislative Assembly Secretariat.

\*\*Contributed by the West Bengal Legislative Assembly Secretariat.

May and up to the monsoon period the quantum of water for both the States will increase gradually;

And whereas section (ii) of Article 11 of the said Agreement further stipulates that if during a particular 10 days period the flow of Ganga at Farakka come down to such a level that the share of Bangladesh is lower than eighty per cent of the value shown in column 4 of the Schedule to the said Agreement, the release of water to Bangladesh during that 10 days period shall not fall below eighty per cent. shown in the said column;

And whereas as a result of this, the discharge in the Feeder Canal may be reduced to 11,000 cusecs or less in drought years as happened in this year;

And whereas Engineers and Technical Experts of International repute on the basis of findings by various methods came to the conclusion that a discharge of 40,000 cusecs throughout the year at the Farakka point is the barest minimum for maintaining navigational channel in the River Hooghly in general and for effective functioning of the Calcutta Port and Haldia Port in particular;

And whereas a deputation of nine members of this Assembly, being authorised by this Assembly by a motion under rule 185 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly adopted on the 12th September, 1977, met the concerned authorities in this regard in the Government of India and urged upon them to ensure 40,000 cusecs of water to save Calcutta Port and Haldia Port and to increase the navigability of the river Bhagirathi and river Hooghly not only for the interest of West Bengal but also for the interest of the entire eastern region of India;

And whereas in spite of this deputation, the said Agreement for disproportionate sharing of Ganga Water was entered into which has frustrated the very purpose of the Farakka Barrage Project and has endangered the existence of the Calcutta Port and Haldia Port;

Now, therefore, this Assembly expresses its deepest anxiety and resentment and records its strong protest against the harmful clauses of the said Agreement and request the Government of India—

(a) to take up the matter with the Government of Bangladesh for modification of the stipulations contained in the said Agreement so that India can be assured of the minimum requirement of 40,000 cusecs of water even in the leanest period from the 21st April to 30th April every year;

(b) to impress upon the Government of Bangladesh—

(i) the necessity of taking immediate steps for linking Brahmaputra with Ganga at Farakka so that the requirements of both India and Bangladesh may be fulfilled, and

- (ii) until it is so done, the necessity of putting off the implementation of section (ii) of Article 11 of the said Agreement;

and in order to place the views of this Assembly, authorises a deputation of the following members of this Assembly representing all shades of political opinion to call on the concerned authorities in the Government of India, namely: —

1. Shri Provas Chandra Roy, Minister-in-charge of Irrigation and Waterways Department—Leader; 2. Shri Abul Hasrat Khan; 3. Shri Gopal Mandal; 4. Shri Sunil Santra, 5. Shri Bimalananda Mukherjee; 6. Shri Swadesh Ranjan Maji; 7. Shri Nikhil Das, 8. Shri Debaprasad Sarkar; 9. Shri Biswanath Mukherjee; 10. Dr. Zainal Abedin; 11. Shri Rajani Kanta Doloi; 12. Shri Anil Mukherjee; 13. Shri Ashok Bose; 14. Shri Patitpaban Pathak; 15. Shri Kashi Kanta Moitra; 16. Shri Gouranga Samanta; and 17. Shri A. K. M. Hussan Uzzaman.

*Bank erosion in river Bhagirathi:* On April 17, 1980 Shri Provas Chandra Roy moved the following resolution which was passed, as amended:

“Whereas a large number of villages in West Bengal and structures thereon are affected by severe bank erosion in the river Bhagirathi which is also adding to the sediment load into the river Hooghly;

And whereas navigation specially ferry crossing in the river Bhagirathi and the upper part of the river Hooghly is not possible even for shallow crafts because of the flow of detritus from the upland due to bank erosion and the reduced upland discharge from Farakka which is not able to flush the detritus down below;

And whereas this may ultimately affect the main navigable channel of the river Hooghly for the sea-going vessels and would affect the Calcutta Port and the Haldia Port in the near future, unless immediate corrective measures in the form of bank protective works and intensive dredging are undertaken;

And whereas diversion of the main course of the river Hooghly along the Rangafalls channel has reduced the flow of water along the Haldia channel and also causing severe erosion in the left bank and it is necessary that the Haldia channel should be developed in preference to the Rangafalla channel;

And whereas the Calcutta Port Trust has been entrusted by the Government of India with the work of conservancy of the river Bhagirathi and the river Hooghly;

Now, therefore, this Assembly urges upon the Government of India—

- (a) to take adequate and protective measures to stop Bank erosion of the river Bhagirathi Hooghly,

(b) to take effective steps for developing Haldia channel in preference to Rangafalla channel, and take bank protective measures along the left bank of Hooghly up to Harwood Point, and

(c) to undertake necessary dredging operation, and for this purpose to direct the Calcutta Port Trust to discharge their responsibilities in this regard, and in order to place the views, this Assembly authorises a deputation of the following members of this Assembly representing all shades of political opinion to call on the concerned authorities in the Government of India, namely:

1. Shri Provas Chandra Roy, Minister-in-charge of the Irrigation and Waterways Department—Leader; 2. Shri Abul Hasnat Khan; 3. Shri Gopal Mandal; 4. Shri Sunil Santra; 5. Shri Bimalananda Mukherjee; 6. Shri Nikhil Das; 7. Shri Swadesh Ranjan Maji; 8. Shri Debaprasad Sarkar; 9. Shri Biswanath Mukherjee; 10. Dr. Zainal Abedin; 11. Shri Rajani Kanta Doloi; 12. Shri Anil Mukherjee; 13. Shri Ashok Bose; 14. Shri Patitpaban Pathak; 15. Shri Kashi Kanta Moitra; 16. Shri Gouranga Samanta; and 17. Shri A. K. M. Jassan Uzzaman.”

*Dissolution of Legislative Assemblies in Nine States:* On February 21, 1980 the House adopted a resolution moved by the Chief Minister, Shri Jyoti Basu recording its “strongest disapproval” of the “undemocratic and authoritarian” act of dissolution of the non-Congress(I) Ministries “in as many as nine States and the Legislatures thereof”.

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## BOOK REVIEWS

**MONOPOLY CAPITAL AND PUBLIC POLICY.** By S. K. Goyal, Published by Allied Publishers Private Ltd., New Delhi, 1979. 146 pages, Rs. 30.

The book 'Monopoly Capital and Public Policy' by Professor S. K. Goyal of the Indian Institute of Public Administration, gives quite an interesting account of the growth of monopoly capital and the monopoly power generated by it. The original draft of the present study was presented at a National Seminar at the Indian Institute of Public Administration, New Delhi, 18-19 May, 1979 but being a valuable study and observation on the subject it has now appropriately come out in book form. The author has very rightly observed in the concluding Chapter—

“We have only pieced together the information and data, with the objective to have an overall perspective over the past forty years, beginning with 1937.”

All national political parties, public representatives, social scientists have exercised their mind over this problem which is closely connected with the working of the Directive Principles of our Constitution. The author has narrated how big business houses got benefit of our industrial policy after Independence and how the top houses are able to control the circulation of money in the country as well as capital formation. The book reveals how business houses keep close relation with the political power—specially the ruling party.

The author is right in his observation that “It is a peculiar situation in India that the very system of the Government regulations and controls which has been severely criticized by big business has been used by these critics to obtain patronage, protection, and promotion of their self-interest.” The author is of the opinion that “had the approach to industries as visualised during the mid-forties that industries which were likely to become monopolies, either because of technological reasons or because of large capital outlay required, should be developed only under public control and

ownership been adhered to, the private big business houses would not have been placed in a monopoly position in any one industry".

The author has also thrown light on the big houses and multi-national collaboration in industrial promotions. He writes very pointedly that "to promote personal or house interests, the private industrialists have not hesitated to join hands even with foreign Governmental agencies." And further, "The top business houses are, without hesitation, prepared to promote and join hands with foreign private capital."

The book makes some factual study of planning and of industrial growth which has not solved the consumer's problem and under which the organised sector and large monopoly undertakings have found it easier to allow high levels of depreciation allowances on fixed assets.

Thus the book reveals how our economy has been functioning in recent years. It deserves the attention of all those who are concerned with the well-being of the common masses in the country. Thus, it is a meaningful study of our economic and industrial development when country is faced with the problem of multi-nationals' collaborations in our industrial growth.

—DR. RAJENDRA KUMARI BAJPAI

ACCOUNTABILITY OF PUBLIC ENTERPRISES TO PARLIAMENT. By D. N. Gadhok. Published by Sterling Publishers, New Delhi, 1980.

Public enterprises combine public ownership, business management and public accountability for public ends. Of late increasing public attention is paid to the public enterprises in India. Several symposia and seminars devoted to examining the performance, problems and prospects of the enterprises have been organised in the country. This is as it should be going by the size, nature and role of public sector in the country. The public enterprises enjoy a degree of financial and administrative autonomy that is essential for their efficient functioning and they are accountable to Parliament and the public to assure them of that efficient functioning. In this context Dr. D. N. Gadhok's book on 'Accountability of Public Enterprises to Parliament' is a welcome addition to the literature on public enterprises and their accountability.

On the basis of the title of the book a reader could expect the author to have gone into the nature and significance of accountability vis-a-vis autonomy of the public enterprises, the criteria for measuring their efficiency which is necessary for securing accountability, the agencies for measuring the efficiency and their working and inter-relationship in the context of parliamentary oversight. If such is the expectation the reader is in for disappointment. As the inner cover of the book describes, the book seeks

to examine only the working and impact of Parliamentary Committee on Public Undertakings. The book could have been appropriately titled 'Parliamentary Committee on Public Undertakings—Working and Impact'.

The book traces the evolution of the Committee, brings out its composition and functions, reviews its reports and attempts to assess its impact. The author has added his conclusions of the Study as the last chapter of the book wherein he has emphasised the need for continuity of Members on the Committee, selective examination of important aspects of working of public enterprises, effective follow-up of Reports of the Committee and so on. The merit of the book mostly lies in chapter 4. The author has skillfully pieced together the observations and conclusions of the Committee on a variety of topics pertaining to the functioning of public enterprises such as 'Top Management', 'Personnel Policies', 'Production Planning and Control', 'Inventory Control' and 'Finance'. This merit would have been further enhanced had he brought out the action taken on the recommendations of the Committee of far-reaching nature. The Committee's suggestions to set up a Planning Cell in each Ministry to ensure that Plan targets are achieved (p. 64), an Expert Committee to go into capacity utilisation (p. 67), a Works Committee in each plant to secure effective workers participation in production (p. 84), and a Complaints Cell in each enterprise to bring about consumer protection (p. 85) have been merely narrated in chapter 4 without bringing out the result even in 'the succeeding chapter on 'Impact of the Committee'.

The jurisdiction and scope of examination of the Committee have been brought out by the author in the earlier chapters of the book. The treatment in these chapters is informative but not quite interpretative in character. The author could have gone into each clause and each proviso of Rule 312A of the Rules of Procedure and Conduct of Business in Lok Sabha as well as each part of the relevant Schedule thereto. This would have brought out their significance and indicated the lines on which improvements could be made to make the Committee's work more meaningful and effective in regard to the whole range of public enterprises under the control of the Central Government and their subsidiaries. As it is, the Committee is empowered to have an efficiency appraisal of all aspects of working of each enterprise and it can also exercise the functions of the Committees on Estimates and Public Accounts in relation to public enterprises. The scope of examination is limited only by the provisos of the Rule. It is, therefore, somewhat surprising when the author reads some limitation into clause (c) of the Rule which enables the Committee "to examine, in the context of the autonomy and efficiency of the public undertakings whether the affairs of the public undertakings are being managed in accordance with sound business principles and prudent commercial practices." (p. 19). It

should be clarified here that the accountability for results increases with the autonomy enjoyed by the enterprises and that the accountability is not for the day-to-day administration.

The Committee has so far covered 56 enterprises during the last 15 years. There are at present about 190 Union Public enterprises. The problem is, therefore, how to enhance the coverage of the enterprises in examination by the Committee. However, there is no need to despair. In terms of clause (a) of Rule 312A, one of the functions of the Committee is to examine the reports and accounts of the enterprises. Though prior to the constitution of the Committee, the Estimates Committee had examined exclusively the reports and accounts and presented several Reports to Parliament, the Committee on Public Undertakings has not as yet done so, but considered them in the context of overall efficiency appraisal under clause (c) of the Rule. Perhaps more enterprises could be covered by the Committee within the time at its disposal if examination of some of them is confined to annual reports and accounts.

A significant omission in the book is that there is no discussion of the powers, privileges and obligations of the Committee as derived from the Constitution of India, the Rules of Procedure and Conduct of Business in Lok Sabha and the Directions of the Speaker, stressing the non-party character of the Committee and how it is enabled to examine without fear or favour, let or hinderance and judge issues on merits. Nevertheless the book has a purpose to serve and it is certainly of interest to Parliamentarians and Executives of public enterprises alike as well as to others who are keen to know something of the Committee system in Parliament.

—T. R. KRISHNAMACHARI

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## APPENDIX I

### STATEMENT SHOWING THE WORK TRANSACTED DURING THE THIRD SESSION OF THE ELEVENTH LOK SABHA

1. Period of the Session—June 9 to August 12, 1980	
2. Number of meetings held	48
3. Total number of sitting hours	328 hrs and 5 mts.
4. Number of divisions held	9
5. GOVERNMENT BILLS :	
(i) Pending at the commencement of the Session	5
(ii) Introduced	24
(iii) Laid on the Table as passed by Rajya Sabha	1
(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	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	Nil
(ix) Discussed	18
(x) Passed	17
(xi) Withdrawn	1
(xii) Negatived	Nil
(xiii) Part-discussed	Nil
(xiv) Discussion postponed	Nil
(xv) Returned by Rajya Sabha without any recommendation	4
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	Nil
(xvii) Pending at the end of the Session	12
6. PRIVATE MEMBERS' BILLS :	
(i) Pending at the commencement of the Session	32
(ii) Introduced	56
(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 . . . . .	3
(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) Removed from the Register of Pending Bills . . . . .	Nil
(xvi) Pending at the end of the Session . . . . .	84

7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 :

(Matters of Urgent Public Importance)

(i) Notices received . . . . .	95
(ii) Admitted . . . . .	9
(iii) Discussion held . . . . .	4

8. NUMBER OF STATEMENTS MADE UNDER RULE 197 :

(Calling-attention to matters of Urgent Public Importance)

Statements made by Ministers . . . . .	37
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9. MOTION OF NO CONFIDENCE IN COUNCIL OF MINISTERS :

(i) Notices Received . . . . .	Nil
(ii) Admitted and Discussed . . . . .	Nil
(iii) Barred . . . . .	Nil

10. Half-an-hour discussions held . . . . . 10

11. STATUTORY RESOLUTIONS :

(i) Notices received . . . . .	21
(ii) Admitted . . . . .	6
(iii) Moved . . . . .	6
(iv) Adopted . . . . .	4
(v) Negatived . . . . .	2
(vi) Withdrawn . . . . .	Nil

12. GOVERNMENT RESOLUTIONS :

(i) Notices received . . . . .	2
(ii) Admitted . . . . .	2
(iii) Moved . . . . .	2
(iv) Adopted . . . . .	2



## 13. PRIVATE MEMBERS' RESOLUTIONS :

(i) Received . . . . .	12
(ii) Admitted . . . . .	12
(iii) Discussed . . . . .	4
(iv) Withdrawn . . . . .	1
(v) Negatived . . . . .	2
(vi) Adopted . . . . .	Nil
(vii) Part-discussed. . . . .	1
(viii) Discussions postponed . . . . .	Nil

## 14. GOVERNMENT MOTIONS :

(i) Notices received . . . . .	Nil
(ii) Admitted . . . . .	Nil
(iii) Moved . . . . .	Nil
(iv) Discussed . . . . .	1 (part discussed from 2nd Session)
(v) Adopted . . . . .	1

## 15. PRIVATE MEMBERS' MOTIONS :

(i) Received . . . . .	297
(ii) Admitted . . . . .	151
(iii) Moved . . . . .	3
(iv) Adopted . . . . .	Nil
(v) Discussed . . . . .	3
(vi) Negatived . . . . .	1
(vii) Part-discussed. . . . .	Nil
(viii) Withdrawn . . . . .	Nil

## 16. MOTIONS RE : MODIFICATION OF STATUTORY RULE :

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

17. Number of Parliamentary Committees created, if any, during the session . Nil
18. Total number of Visitors' Passes issued during the session . . . 33, 744
19. Maximum number of Visitors' Passes issued on any single day, and date on which issued. . . . . 1, 697 on 12-8-80

20. NUMBER OF ADJOURNMENT MOTIONS :

- (i) Brought before the House . . . . . 66
- (ii) Admitted and discussed . . . . . Nil
- (iii) Barred in view of adjournment motion admitted on the subject. . . Nil
- (vi) Consent withheld by Speaker outside the House . . . . . 180
- (v) Consent given by Speaker but leave not granted by House . . . Nil

21. TOTAL NUMBER OF QUESTIONS ADMITTED :

- (i) Starred . . . . . 982
- (ii) Unstarred (including Starred questions converted as Unstarred questions) 8058
- (iii) Short-Notice Questions . . . . . 2

22. PARLIAMENTARY COMMITTEES AT WORK :

Name of the Committee	No. of sittings held during the period April 1 to June 30, 1980	No. of Reports presented during the Session
(i) Estimates Committee . . . . .		
(ii) Public Accounts Committee . . . . .		
(iii) Committee on Public Undertakings . . . . .		
(iv) Business Advisory Committee . . . . .		
(v) Committee on Absence of Members from the sittings of the House . . . . .		
(vi) Committee on Subordinate Legislation . . . . .		..
(vii) Committee on Petitions . . . . .		Nil
(viii) Committee on Privileges . . . . .		Nil
(ix) Committee on Private Members Bills and Resolutions . . . . .		..
(x) Committee on Government Assurances . . . . .		Nil
(xi) Committee on the Welfare of Scheduled Castes and Scheduled Tribes. . . . .		
(xii) Joint Committee on Offices of Profit . . . . .		..
(xiii) Rules Committee . . . . .		Nil
(xiv) Committee on Papers Laid on Table . . . . .	1	..

23. Number of Members granted leave of absence . . . . .	5
24. Petitions presented . . . . .	3
25. No. of NEW MEMBERS SWORN WITH DATES :	

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No. of MEMBERS SWORN	DATES ON WHICH SWORN
1 . . . . .	11-6-80
1 . . . . .	26-6-80
1 . . . . .	21-7-80

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## APPENDIX II

### A. STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND FOURTEENTH SESSION OF RAJYA SABHA

1. Period of the Session . . . . .	June 9 to July 9, 1980
2. Number of meetings held . . . . .	25 days
3. Total Number of sitting hours . . . . .	123 hrs 13 mts.
4. Number of divisions held . . . . .	1
<b>5. GOVERNMENT BILLS :</b>	
(i) Pending at the commencement of the Session . . . . .	7
(ii) Introduced . . . . .	Nil
(iii) Laid on the Table as passed by Lok Sabha . . . . .	11
(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 . . . . .	Nil
(vii) Reported by Select Committee . . . . .	Nil
(viii) Reported by Joint Committee . . . . .	Nil
(ix) Discussed . . . . .	7
(x) Passed . . . . .	5
(xi) Withdrawn . . . . .	Nil
(xii) Negatived . . . . .	Nil
(xiii) Part-Discussed . . . . .	Nil
(xiv) Returned by Rajya Sabha without any recommendation . . . . .	2
(xv) Discussion postponed . . . . .	Nil
(xvi) Pending at the end of the Session . . . . .	11
<b>6. PRIVATE MEMBERS BILLS :</b>	
(i) Pending at the commencement of the session . . . . .	22
(ii) Introduced . . . . .	6
(iii) Laid on the Table as passed by Lok Sabha . . . . .	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table . . . . .	Nil

(v) Reported by Joint Committee .	. Nil
(vi) Discussed	. Nil
(vii) Withdrawn	. Nil
(viii) Passed .	. Nil
(ix) Negatived . . . .	. Nil
(x) Circulated for eliciting opinion	. Nil
(xi) Part-discussed .	. 1
(xii) Discussion postponed .	. Nil
(xiii) Motion for circulation of Bill negatived	. Nil
(xiv) Referred to Select Committee.	. Nil
(xv) Pending at the end of the Session	. 28
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176. (Matters of Urgent Public Importance) :	
(i) Notices received .	. 6
(ii) Admitted .	. Nil
(iii) Discussion held .	. Nil
8. NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling attention to Matter of Urgent Public Importance)	
Statements made by Ministers	. 15
9. Half-an-hour discussions held	. 2
10. STATUTORY RESOLUTIONS :	
(i) Notices received	. 15
(ii) Admitted	. 5
(iii) Moved .	. 5
(iv) Adopted	. 2
(v) Negatived	. 3
(vi) Withdrawn .	. Nil
11. GOVERNMENT RESOLUTIONS :	
(i) Notices received	. Nil
(ii) Admitted .	. Nil
(iii) Moved . . . .	. Nil
(iv) Adopted a . . . .	. Nil

12. PRIVATE MEMBERS RESOLUTIONS :

(i) Received	9
(ii) Admitted	9
(iii) Discussed	1
(iv) Withdrawn	Nil
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	1
(viii) Discussion postponed	Nil

13. GOVERNMENT MOTIONS :

(i) Notices received	Nil
(ii) Admitted	Nil
(iii) Moved	Nil
(vi) Adopted	Nil
(v) Part-discussed	Nil

14. PRIVATE MEMBERS MOTIONS :

(i) Received	61
(ii) Admitted	60
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil

15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE :

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

16. Number of Parliamentary Committees created, if any, during the session . Nil

17. Total number of Visitors Passes . 3011

18. Maximum number of Visitor's Passes issued on any single day, and date on which issued . . . . . 226 on June 19, 1930

19. NUMBER OF MOTIONS FOR PAPERS UNDER RULE 175 :

- (i) Brought before the House . . . . . Nil  
 (ii) Admitted and discussed . . . . . Nil

20. TOTAL NUMBER OF QUESTIONS ADMITTED :

- (i) Starred . . . . . 355  
 (ii) Unstarred (including Starred Questions) . . . . . 1392  
 (iii) Short-Notice Questions . . . . . 1

21. DISCUSSION ON THE WORKING OF THE MINISTRIES . . . . . Nil

22. WORKING OF PARLIAMENTARY COMMITTEES

Name of Committee	No. of meetings held during the period	No. of Reports presented during the Session
(i) Public Accounts Committee . . . . .	Nil	Nil
(ii) Committee on public Undertakings . . . . .	Nil	Nil
(iii) Business Advisory Committee . . . . .	Nil	Nil
(iv) Committee on subordinate Legislation . . . . .	12	2
(v) Committee on Petitions . . . . .	11	1
(vi) Committee on the Welfare of Scheduled Castes and Scheduled Tribes . . . . .	Nil	1
(vii) Committee of Privileges . . . . .	Nil	Nil
(viii) Committee on Rules . . . . .	Nil	Nil
(ix) Joint Committee on Offices of Profit . . . . .	Nil	Nil
(x) Committee on Government Assurances . . . . .	6	1

23. Number of Members granted leave of absence . . . . . 1

24. Petition presented . . . . . 2

25. NUMBER OF MEMBERS SWORN WITH DATES

Sl. No.	Name of Members sworn	Date on which sworn
1	Shri Krishna Mohan Bhamidipati	June 9, 1980
2	Shri A.S. Chowdhari	Do.
3	Shrimati Roda Mistry	Do.
4	Shri G. Swamy Nait	Do.
5	Shri Syed Rahmat Ali	Do.
6	Shri V.C. Kesava Rao	Do.
7	Shri Bijoy Krishna Handique	Do.
8	Shri Biswa Goswami	Do.
9	Shrimati Usha Malhotra	Do.
10	Shri Sharief-ud-Din Shariq	Do.
11	Shri Gulam Mohi-ud-Din Shawl	Do.
12	Shrimati Margaret Alva	Do.
13	Shrimati Monika Das	Do.
14	Shri M. Maddanna	Do.
15	Shri M. Basavaraju	Do.
16	Shri C. Haridas	Do.
17	Shri O.J. Joseph	Do.
18	Shri B.V. Abdulla Koya	Do.
19	Shri T. Aliba Imti	Do.
20	Shri Gurcharan Singh Toha	Do.
21	Shrimati Ila Bhattacharya	Do.
22	Shrimati Nargis Dutt	Do.
23	Shri Khushwant Singh	Do.
24	Dr. Lokesh Chandra	Do.
25	Shri Scato Swu	Do.
26	Shri Pyarelal	July 1, 1980
27	Shri Murlidhar Chandrakant Bhandare	Do.
28	Shri M. Kalyanasundram	Do.
29	Shri R. Mohanaragam	Do.
30	Shri Dinesh Singh	Do.



Sl. No.	Name of Members sworn	Date on which sworn
31	Shri Narsingh Narain Pandey . . . . .	July 1, 1980.
32	Shri N.K. Bhatt . . . . .	July 2, 1980.
33	Shri Jinendra Kumar Jain . . . . .	Do.
34	Shrimati Maimoona Sultan . . . . .	Do.
35	Shri Akshay Panoa . . . . .	July 3, 1980.
36	Shri Jagdish Jani . . . . .	Do.
37	Shri M.S. Ramachandran . . . . .	Do.
38	Shri R. Ramakrishnan . . . . .	Do.
39	Shri D. Heerachand . . . . .	July 4, 1980.
40	Shri Ramchandra Bhardwaj . . . . .	July 7, 1980.
41	Shrimati Manorama Pandey . . . . .	Do.
42	Shri Rambhagat Paswan . . . . .	Do.
43	Shri Indradeep Sinha . . . . .	Do.
44	Shri Sita Ram Kesri . . . . .	Do.
45	Shri Praveen . . . . .	Do.
46	Shri Rajendra Singh Ishwar Singh . . . . .	Do.
47	Shri Jagaunath Sitaram Akarte . . . . .	Do.
48	Shrimati Nazama Akbarali Heptula . . . . .	Do.
49	Shri Shanti G. Patel . . . . .	Do.
50	Shri Shyam Sunder Mohapatra . . . . .	Do.
51	Shri Harvendar Singh Hanspal . . . . .	Do.
52	Shri Jagdev Singh . . . . .	Do.
53	Shri Dhuleshwar . . . . .	Do.
54	Shri Ram Niwas Mirdha . . . . .	Do.
55	Shri L. Ganesan . . . . .	Do.
56	Shri Syed Ahmad Hashmi . . . . .	Do.
57	Shri Dharanvir . . . . .	Do.
58	Shri Khurshed Alam Khan . . . . .	Do.
59	Shri M.R. Shervani . . . . .	Do.
60	Chaudhary Ram Sewak . . . . .	Do.
61	Shri Sudhaker . . . . .	Do.

Sl. No.	Name of Members sworn	Date on which sworn
62	Kunwar Rudra Pratap Singh .	July 7, 1980.
63	Shri Atad Madni	Do.
64	Shri P.N. Sukul . . . . .	Do.
65	Shri Joseph Leon Alban D.'Souza . . . . .	Do.
66	Shri Ashwani Kumar . . . . .	July 8, 1980.
67	Shrimati Premilabi Dajisabeh Chavan	Do.
68	Shri S.W. Dhabe . . . . .	Do.
69	Shri (Molana) Asrarul Haq . . . . .	Do.
70	Shri Piare Lall Kumbal <i>urf</i> Piare Lall Talib Unnavi	Do.
71	Shri Satya Pal Malik	Do.
72	Shri Kalp Nath Rai	Do.
73	Syed Sibte Razi . . . . .	Do.
74	Shri Hukmdeo Narayan Yadav	July 9, 1980.
75	Shri Jaswant Singh . . . . .	Do.

## OBITUARY REFERENCES

Sl. No.	Name	Sitting Member/ Ex-Member
1	President Josip Broz Tito of Yugoslavia	
2	Shri Jethalal Harikrishna Joshi	Ex-Member.
3	Shrimati Shyam Kumari Khan . . . . .	Do.
4	Shri Basu Vengala Reddy	Do.
5	Shri Matavir Tyagi . . . . .	Do.
6	Shri P. Abraham . . . . .	Do.
7	Shri A.V. Kunhambu . . . . .	Do.
8	Shri Sanjay Gandhi, Lok Sabha Member	
9	Shri V.V. Giri, former President of India and former Chairman of Rajya Sabha.	

**APPENDIX--II**

**B. STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND FIFTEENTH  
SESSION OF RAJYA SABHA**

1. Period of the Session . . . . .	July 23 to August 18, 1980.
2. Number of meetings held . . . . .	16
3. Total Number of sitting hours . . . . .	107 hrs. and 49 mt <sup>1</sup> (excluding lunch Break).
4. Number of divisions held . . . . .	1
<b>5. GOVERNMENT BILLS—</b>	
(i) Pending at the commencement of the Session . . . . .	14
(ii) Introduced . . . . .	Nil
(iii) Laid on the Table as passed by Lok Sabha . . . . .	5
(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 . . . . .	Nil
(vii) Reported by Select Committee . . . . .	Nil
(viii) Reported by Joint Committee . . . . .	Nil
(ix) Discussed . . . . .	4
(x) Passed . . . . .	2
(xi) Withdrawn . . . . .	Nil
(xii) Negatived . . . . .	Nil
(xiii) Part-Discussed . . . . .	Nil
(xiv) Returned by Rajya Sabha without any recommendation . . . . .	2
(xv) Discussion postponed . . . . .	Nil
(xvi) Pending at the end of the Session . . . . .	12
<b>6. PRIVATE MEMBERS BILLS—</b>	
(i) Pending at the commencement of the Session . . . . .	28
(ii) Introduced . . . . .	7
(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 . . . . .	1
(vii) Withdrawn . . . . .	Nil

(viii) Passed . . . . .	Nil
(ix) Negatived . . . . .	Nil
(x) Circulated for eliciting opinion . . . . .	Nil
(xi) Part-discussed . . . . .	1
(xii) Discussion postponed . . . . .	Nil
(xiii) Motion for circulation of Bill negatived . . . . .	Nil
(xiv) Referred to Select Committee . . . . .	Nil
(xv) Pending at the end of the Session . . . . .	35

7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176, (MATTERS OF URGENT PUBLIC IMPORTANCE).

(i) Notices received . . . . .	4
(ii) Admitted . . . . .	1
(iii) Discussion held . . . . .	Nil

8. NUMBER OF STATEMENTS MADE UNDER RULE 180, (CALLING-ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE)

Statements made by Ministers . . . . . 11

9. Half-an hour discussion held . . . . . 2

10. STATUTORY RESOLUTIONS

(i) Notices received . . . . .	2
(ii) Admitted . . . . .	2
(iii) Moved . . . . .	2
(iv) Adopted . . . . .	2
(v) Negatived . . . . .	Nil
(vi) Withdrawn . . . . .	Nil

GOVERNMENT RESOLUTIONS

11. (i) Notices received . . . . .	1
(ii) Admitted . . . . .	1
(iii) Moved . . . . .	1
(iv) Adopted . . . . .	1

PRIVATE MEMBERS' RESOLUTIONS

12. (i) Received . . . . .	4
(ii) Admitted . . . . .	4
(iii) Discussed . . . . .	1
(iv) Withdrawn . . . . .	Nil

(v)	Negatived . . . . .	Nil
(vi)	Adopted . . . . .	Nil
(vii)	Partly discussed . . . . .	Nil
(viii)	Discussion postponed . . . . .	1

## 13. GOVERNMENT MOTIONS

(i)	Notices received . . . . .	37
(ii)	Admitted . . . . .	36
(iii)	Moved . . . . .	Nil
(iv)	Adopted . . . . .	Nil
(v)	Part-discussed . . . . .	Nil

## 14. PRIVATE MEMBER'S MOTIONS

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

## 15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE

(i)	Received . . . . .	Nil
(ii)	Admitted . . . . .	Nil
(iii)	Moved . . . . .	Nil
(iv)	Adopted . . . . .	Nil
(v)	Negatived . . . . .	Nil
(vi)	Withdrawn . . . . .	Nil
(vii)	Part. discussed . . . . .	Nil
16.	Number of Parliamentary Committees, created, if any, during the Session . . . . .	Nil
17.	Total number of Visitors' Passes . . . . .	2731
18.	Maximum number of Visitors' Passes issued on any single day, and date on which issued . . . . .	451
19.	NUMBER OF MOTIONS FOR PAPERS UNDER RULE, 175.	
(i)	Brought before the House . . . . .	Nil
(ii)	Admitted and discussed . . . . .	Nil

20.	TOTAL NUMBER OF QUESTIONS ADMITTED	
(i)	Starred . . . . .	313
(ii)	Unstarred (including Starred Questions) . . . . .	1533
(iii)	Short-Notice Questions . . . . .	3

21. DISCUSSION ON THE WORKING OF THE MINISTRIES

1. Ministry of Energy and Department of Coal
2. Ministry of Information & Broadcasting
3. Ministry of Planning
4. Ministry of External Affairs

22. WORKING OF PARLIAMENTARY COMMITTEES

	Name of Committee	No. of Reports presented during the Session
(i)	Public Accounts Committee . . . . .	Nil
(ii)	Committee on Public Undertakings . . . . .	Nil
(iii)	Business Advisory Committee . . . . .	Nil
(iv)	Committee on Subordinate Legislation . . . . .	1
(v)	Committee on Petition . . . . .	1
(vi)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes . . . . .	Nil
(vii)	Committee on Privileges . . . . .	Nil
(viii)	Committee on Rules . . . . .	Nil
(ix)	Joint Committee on Offices of Profit . . . . .	Nil
(x)	Committee on Government Assurances . . . . .	Nil
23.	Number of Members granted leave of absence . . . . .	2
24.	Petition presented . . . . .	2

25. NUMBER OF MEMBERS SWORN WITH DATES

Sl. No.	Name of Members Sworn	Date on which Sworn
1.	Shri P. Anbalagan . . . . .	29-7-80
2.	Shri Sultan Singh . . . . .	4-8-80
3.	Shri Sushil Chand Mohunta . . . . .	4-8-80
4.	Prof. N. M. Kamble . . . . .	4-8-80

26. OBITUARY REFERENCES

Sl. No.	Name	Sitting Member/ Ex-Member
1.	Shri Bhairab Chandra Mahanti . . . . .	Ex-Member
2.	Shri Madho Ram Sharma . . . . .	-do-



## Union Territories:

Arunachal Pradesh L.A.	24-3-80 to	29-3-80	6	3(3)	..	137(129)	43(43)	4(2)
Delhi Metropolitan Council (C)	14-2-80		1	1(1)	..	..	..	..
Goa, Daman and Diu L.A.	25-3-80 to	22-4-80	19	11(10)	1	662(493)	84(84)	2(2)
Mizoram L.A.	22-2-80 to	31-3-80	12	5(4)		102(79)	13(12)	7(6)
Pondicherry L.A.	21-3-80 to	18-4-80	19	9(9)	..	626(570)	71(70)	1

Note.— (i) Figures in Cols. 4 and 5 indicate the number respectively of Government and Private Members Bills introduced, with the number of Bills passed in Brackets.

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

(e) Includes 102 Short Notice Questions admitted as starred questions.

(b) Figure 244 includes 169 Starred Notices and 64 Short Notices admitted as Unstarred Questions.

(c) President's rule was extended for further period of six months w.e.f. June 12, 1980.

(d) Out of 279 Notices received, 74 Notices lapsed due to the dissolution of the Legislative Assembly on 17-2-80.

(e) Including Starred Notices classified as Unstarred.

(f) 40 Notices were disallowed.

(g) 7 Notices were disallowed.

(h) Including Starred and Unstarred questions.

(i) Information relates to the period February-April, 1980.

(j) Includes 25 Starred Questions admitted as Unstarred.

(k) Some Short Notice Questions and Starred Questions were admitted as Starred and Unstarred Questions according to the procedure of treatment.

(l) The Metropolitan Council was dissolved vide Presidential Order dated 21-9-80.





Jammu & Kashmir L.C.	..	2(a)	5(1)	7	..	1	..	1	..	2	8	1	..	(1)	..
Jammu & Kashmir L.A.	..	3(3)	10(1)	2(1)	1(1)	3(1)	14(1)	4(1)	..	6(1)	2	4	3	15(1)	1 5(3)(f)
Karataka L.C.	..	9	5	..	..	..	..	..	..	..	..	..	..	..	..
Karataka L.A.	..	6	9	5(1)	..	8	26	7(1)	26	27	..	..	..	12	..
Kerala L.A.	..	5	..	..	4(4)	..	13	8	6	6	..	13	2	8	.. 5(e)
Madhya Pradesh L.A.	..	..	..	..	..	..	..	1	..	1	..	1	..	2	.. 2(h)
Maharashtra L.C.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Maharashtra L.A.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Manipur L.A.	..	3(2)	..	..	..	..	2	..	4	..	..	1	1	4	..
Meghalaya L.A.	..	..	(1)	..	..	..	..	(1)	..	5(2)	..	..	..	14(1)	4(1)
Nagaland	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Orissa L.A.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Punjab L.A.	..	4(3)	4	1	..	2	7	4	6	2	..	2	6	3	..
Rajasthan L.A.	..	..	6	7	..	8	10	8	14(i)	4	3	1	..	4	6 4(i)
Sikkim L.A.	..	..	2	..	..	..	..	..	..	2	..	..	..	3	1
Tamil Nadu L.C.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Tamil Nadu L.A.	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Tripura L.A.	..	1(1)	1(1)	1	..	..	5(1)	4	3(1)	7	..	..	2	5(2)	.. 1(k)
Uttar Pradesh L.C.	..	5(5)	8	3	..	2	..	..	..	..	..	3	..	..	.. (c)
Uttar Pradesh L.A.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
West Bengal L.A.	..	17(17)	5(1)	3	..	4(3)	6(2)	8	2	4(1)	..	2(1)	..	10(4)	.. 3(m)
<i>Union Territories</i>															
Arunachal Pradesh L.A.	..	..	..	..	..	..	..	..	..	1	..	..	..	2	..
Delhi Metropolitan Council	..	1	..	..	..	..	..	..	..	..	..	..	..	..	.. 2(n)
Goa, Daman & Diu L.A.	..	2(2)	1	1	..	2	..	2	..	2	..	..	..	2	.. 5(o)
Mizoram L.A.	..	7(2)	1	1(1)	..	2	..	2	..	1	..	2	3	2(1)	1(1) .. 2(a)(b)
Pondicherry L.A.	..	2(2)	10(1)	5	..	..	..	3	..	46(7)	..	..	4(2)	49(3)	..

Note : Figures in brackets indicate the number of Reports presented to the House.  
 (a) Committee on the Welfare of Scheduled Castes -- 3(2) and Committee on the Welfare of Scheduled Tribes -- 11(2).  
 (b) Amenities Committee -- 2 sittings ; Backward Class Committee -- 4(2).

- (c) The Legislative Assembly is under animated suspension.
- (d) Covers the period 1st February to 4th July, 1980.
- (e) *Ad hoc* Committee to suggest directions/amendments in Rules etc. — 8; and (ii) The *Ad hoc* Committee constituted to formulate questionnaire for other Committee of Haryana Vidhan Sabha — 3.
- (f) (i) J&K Houses and Shops Rent Control (Amendment) Bill, 1979—1(t); (ii) The J&K Forest (Amendment) Bill, 1979 — 2 (t); and (iii) The J&K Hindu Marriages Bill, 1979 — 2(t).
- (g) Subject Committees.
- (h) Select Committee on Panchayat Raj Bill, 1979.
- (i) Committee on the Welfare of Scheduled Castes — 9 sittings and Committee on the Welfare of Scheduled Tribes — 5 sittings.
- (j) The Rajasthan Recognised Private Educational Institutions Bill, 1979,
- (k) Committee on Absence of Members from the Sittings of the House.
- (l) Ware-housing Committee — 1 sitting; and Compilation of Ruffings Committee — 1 sittings.
- (m) The West Bengal Cultural Institutions (Taking over of Management) Bill, 1980 — 1 sitting, and (ii) The Howrah Municipal Corporation Bill, 1980 — 2 sittings.
- (n) Select Committee to consider the Delhi Medical Nurses Registration Act, 1972—2 sittings.
- (o) The Committee to Find out a solution to the Dispute between the traditional Fishermen and Mechanized Boat-owners — 3 sittings.
- (p) Committee on Salary and Allowances and other Facilities of Members of the Mizoram Legislative Assembly.

## APPENDIX IV

**LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENT TO BY THE PRESIDENT  
DURING THE PERIOD 1ST APRIL, 1980 TO 30TH JUNE, 1980.**

Sl. No.	Title of the Bill	Date of assent by the President
1.	The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1980 . . . . .	5-4-80
2.	The Constitution (Forty-fifth Amendment) Bill, 1980. . . . .	14-4-80
3.	The Assam Appropriation (Second Vote on Account) Bill, 1980. . . . .	26-6-80

## APPENDIX V

BILLS PASSED BY THE STATE LEGISLATURES DURING THE PERIOD FEBRUARY 1 TO  
JUNE 30, 1980

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### ANDHRA PRADESH LEGISLATIVE ASSEMBLY@

1. The Andhra Pradesh Prevention of Anti Social and Hazardous Activities Bill, 1980.
2. The Public Wakf (Extension of Limitation) (Andhra Pradesh Amendment) Bill, 1980.
3. The Andhra Pradesh Panchayat Samithis and Zila Parishads (Amendment) Bill, 1980.
4. The Tirumala Tirupathi Devasthanams (Amendment) Bill, 1980.
5. The Andhra Pradesh Record of Rights in Land (Amendment) Bill, 1980.
6. The Andhra Pradesh Payment of Salaries and Pensions and Removal of Disqualifications (Amendment) Bill, 1980.
7. The Andhra Pradesh Municipalities (Amendment) Bill, 1980.
8. The Andhra Pradesh Municipalities (Second Amendment) Bill, 1980.
9. The Hyderabad Municipal Corporations (Amendment) Bill, 1980.
10. The Hyderabad Municipal Corporations (Amendment) Amending Bill, 1980.
11. The Andhra Pradesh Gram Panchayats and Panchayat Samithis and Zila Parishads (Amendment) Amending Bill, 1980.
12. The Andhra Pradesh Gram Panchayats (Amdt.) Bill, 1980.
13. The Andhra Pradesh Appropriation Bill, 1980.
14. The Andhra Pradesh Appropriation (No. 2) Bill, 1980.
15. The Andhra Pradesh Civil Courts (Amdt.) Bill, 1980 (as passed by the Council).

### GUJARAT LEGISLATIVE ASSEMBLY

- \*1. The Bombay Land Revenue (Gujarat Second Amendment) Bill, 1980.
- \*2. The Bombay Tenancy & Agricultural Lands (Gujarat Second Amendment) Bill, 1980.

@The Bills were passed by the Legislative Council also.

\*Awaiting assent.

- \*3. The Bombay Inams (Kutch Area) Abolition (Gujarat Second Amendment) Bill, 1980.
- \*4. The Bombay Land Requisition (Gujarat Amendment) Bill, 1980.
- \*5. The Gujarat Agricultural Pests & Diseases Bill, 1980.
- 6. The Gujarat Contingency Fund (Temporary Increase) Bill, 1980.
- \*7. The Gujarat Appropriation (Vote on Account) Bill, 1980.

HARYANA LEGISLATIVE ASSEMBLY

- 1. The Haryana Legislative Assembly (Allowances and Pension of Members) Amendment Bill, 1980.
- 2. The Haryana Legislative Assembly Speaker's Pension and Medical Facilities (Amendment) Bill, 1980.
- 3. Punjab Land Revenue (Haryana Amendment) Bill, 1980.
- 4. The Haryana Validation of Octroi and Surcharge Bill, 1980.
- 5. The Haryana Municipal (Amendment) Bill, 1980.
- 6. The Haryana Salaries and Allowances of Ministers (Amendment) Bill, 1980.
- 7. The Punjab Gram Panchayat (Haryana Amendment) Bill, 1980.
- 8. The Haryana Legislative Assembly (Allowances and Pension of Members) Second Amendment Bill, 1980.
- 9. The Punjab Courts (Haryana Amendment) Bill, 1980.
- 10. The Punjab Prohibition of Cow Slaughter (Haryana Amendment) Bill, 1980.
- 11. The Punjab Agricultural Produce Markets (Haryana Amendment) Bill, 1980.
- 12. The Punjab Co-operative Land Development Banks (Haryana Amendment) Bill, 1980.
- 13. The Haryana Appropriation (No. 1) Bill, 1980.
- 14. The Haryana Appropriation (No. 2) Bill, 1980.
- 15. The Punjab Khadi and Village Industries Board (Haryana Amendment) Bill, 1980.
- 16. The Haryana Appropriation (No. 3) Bill, 1980.
- 17. The Haryana Legislative Assembly (Allowances and Pension of Members) Third Amendment Bill, 1980.
- 18. The Haryana Legislative Assembly (Facilities to Members) Amendment Bill, 1980.
- 19. The Haryana Legislative Assembly Speaker's and Deputy Speaker's Salaries and Allowances (Amendment) Bill, 1980.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

- 1. The Himachal Pradesh Appropriation Bill, 1980.
- 2. The Himachal Pradesh Appropriation (Vote on Account) Bill, 1980.

\*Awaiting assent.

3. The Himachal Pradesh Nurses Registration (Amendment and Validation) Bill, 1980.
4. The Himachal Pradesh Municipal (Amendment and Validation) Bill, 1980.
5. The Himachal Pradesh Appropriation Bill, 1980.

#### JAMMU & KASHMIR LEGISLATIVE COUNCIL@

1. A Bill to amend the Jammu and Kashmir Employees Provident Funds Act, 1961.
2. A Bill to provide for the levy of Tax in the amenities and services in a Hotel in the State and for matters connected therewith.
3. A Bill to amend the Houses and Shops Rent Control Act, 1966.
4. A Bill to amend the J & K Forest Act, Samvat 1987.
5. A Bill to amend the J & K Government Servants Prevention of Corruption Act 1975.
6. The Jammu and Kashmir Appropriation Bill, 1980.
7. The Jammu and Kashmir Appropriation Bill (2) 1980.
8. A Bill to amend the J & K General Sales Tax Act, 1962.
9. A Bill to amend the J & K State Evacuees (Administration of property).
10. A Bill further to amend the J & K Land Improvement Schemes Act, 1972.
11. A Bill to amend the Law relating to Marriage among Hindus.

#### KARNATAKA LEGISLATIVE ASSEMBLY

1. The Mangalore Port Trust (Repeal) Bill, 1980.
2. The Karnataka Land Reforms (Amendment) Bill, 1980.
3. The Karnataka Co-operative Societies (Amendment) Bill, 1980.
4. The Karnataka Command Area (Amendment) Bill, 1980.
5. The Karnataka Appropriation Bill, 1980.
6. The Karnataka Stamp (Amendment) Bill, 1980.
7. The Religious (Karnataka) (Amendment) Bill, 1980.
8. \*The Karnataka Debt Relief Bill, 1980.
9. The Karnataka Co-operative Societies (Second Amendment) Bill, 1980.
10. The Karnataka Village Panchayat & Local Board (Amendment) Bill, 1980.
11. The Karnataka Silk Worm, Seed, Cocoon & Silk Yarn (Regulation of Production, Supply, Distribution and Sale) (Amendment) Bill, 1980.
12. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1980.

@The Bills were passed by the Legislative Assembly also.

\*Awaiting assent.

13. \*The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Bill, 1980.
14. The Karnataka Motor Vehicles Taxation (Second Amendment) Bill, 1980.
15. \*The Electricity (Supply) (Karnataka Amendment) Bill, 1980.
16. The Karnataka Appropriation (Vote on Account) Bill, 1980.
17. The Karnataka Taxation Laws (Amendment) Bill, 1980.
18. \*The Karnataka Sheep & Sheep Products Development (Amendment) Bill, 1980.

## KARNATAKA LEGISLATIVE COUNCIL

1. The Karnataka Command Areas Development Bill, 1980.
2. The Karnataka Public Moneys (Recovery of Dues) Bill, 1979.
3. The Mysore Religious and Charitable Institutions (Karnataka Amendment) Bill, 1979.
4. The Karnataka Land Reforms (Amendment) Bill, 1980.
5. The Karnataka Appropriation Bill, 1980.
6. The Karnataka Co-operative Societies (Amendment) Bill, 1980.
7. The Karnataka Co-operative Societies (Second Amendment) Bill, 1980.
8. The Mangalore Port Trust (Repeal) Bill, 1980.
9. The Karnataka Appropriation (Vote on Account) Bill, 1980.
10. The Electricity (Supply) (Karnataka Amendment) Bill, 1980.
11. The Karnataka Village Panchayats and Local Boards (Amendment) Bill, 1980.
12. The Bangalore City Civil Court Bill, 1979.
13. The Karnataka Taxation Laws (Amendment) Bill, 1980.
14. The Karnataka Stamp (Amendment) Bill, 1980.
15. The Registration (Karnataka Amendment) Bill, 1980.
16. The Karnataka Silkworm, Seed Cocoon and Silkyarn (Regulation of production, supply, distribution and sale) (Amendment) Bill, 1980.
17. The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Bill 1980.
18. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1980.
19. The Karnataka Motor Vehicles Taxation (Second Amendment) Bill, 1980.
20. The Karnataka Sheep and Sheep Products Development (Amendment) Bill, 1980.
21. The Karnataka Debt Relief Bill, 1980.

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\*Awaiting assent.



## KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Appropriation Bill, 1980.
2. The Kottayam Supply Agency (Undertaking) Acquisition Bill, 1980.
3. The Kerala University (Amendment) Bill, 1980.
4. The Kerala Appropriation (Vote on Account) Bill, 1980.
5. The Payment of Salaries and Allowances (Amendment) Bill, 1980.
6. The Calicut University (Amendment) Bill, 1980.
7. The Kerala Reforms (Amendment) Bill, 1980.

## MANIPUR LEGISLATIVE ASSEMBLY

1. The Manipur Appropriation (No. 1) Bill, 1980.
2. The Manipur Appropriation (No. 2) Bill, 1980.
3. The Manipur Appropriation (No. 6) Bill, 1980.
4. The Manipur Highways (Amendment) Bill, 1980.
5. The Assam Sales Tax (Manipur Amendment) Bill, 1980.
6. The Salary and Allowances of the Vice-Chairman of the State Planning Committee (Manipur) (Amendment) Bill, 1980.
7. The Salaries and Allowances of the Members of the Legislative Assembly (Manipur) (5th Amendment) Bill, 1980.
8. The Manipur University Bill, 1980.
9. The Manipur Panchayati Raj (Second Amendment) Bill, 1980.

## MEGHALAYA LEGISLATIVE ASSEMBLY

1. The Meghalaya Appropriation (No. 1) Bill, 1980.
2. The Meghalaya Appropriation (Vote on Account) Bill, 1980.
3. The Meghalaya (Benami Transactions Prohibition) Bill, 1979.
4. The Meghalaya Legislature (Continuance of the English Language) Bill, 1980.
5. The Contingency Fund of Meghalaya (Amendment) Bill, 1980.
6. The Meghalaya Land Survey and Records Preparation Bill, 1980.
7. The Meghalaya Premises (Eviction of Unauthorised Occupants) Bill, 1980.
8. The Meghalaya Finance Bill, 1980.
9. The Meghalaya Sales Tax (Amendment) Bill, 1980.
10. The Meghalaya Electricity Duty (Amendment) Bill, 1980.
11. The Court Fees (Meghalaya) (Third Amendment) Bill, 1980.
12. The Indian Stamps (Meghalaya Amendment) Bill, 1980.
13. The Meghalaya Agricultural Produce Market Bill, 1980.
14. The Meghalaya Finance (Sales Tax) (Amendment) Bill, 1980.
15. The Meghalaya Appropriation (No. II) Bill, 1980.
16. The Legislative Assembly of Meghalaya (Member's Salaries and Allowances) (1st Amendment) Bill, 1980.

17. The Meghalaya (Members' Salaries and Allowances (Amendment) Bill, 1980.
18. The Legislative Assembly of Meghalaya (Speaker and Deputy Speaker Salaries and Allowances) (Amendment) Bill, 1980.
19. The Meghalaya Essential Services Maintenance Bill, 1980.
20. The Meghalaya Regulation of Employment Bill, 1980.
21. The Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (2nd Amendment) Bill, 1980.

#### PUNJAB LEGISLATIVE ASSEMBLY

- \*1. The Punjab Contingency Fund (Amendment) Bill, 1980.
2. The Punjab Appropriation (No. 2) Bill, 1980.
- \*3. The Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Amendment Bill, 1980.
4. The Punjab Courts (Amendment) Bill, 1980.
- \*5. The Punjab Agricultural Produce Markets (Amendment) Bill, 1980.
6. The Punjab Nurses Registration (Amendment and Validation) Bill, 1980.
7. The Punjab Medical Registration (Amendment and Validation) Bill, 1980.

#### SIKKIM LEGISLATIVE ASSEMBLY

1. The Sikkim Fisheries Bill, 1980.
2. The Sikkim Weights and Measures Bill, 1980.
3. The Gangtok Municipal Corporation (Amendment) Bill, 1980.
4. The Sikkim Salaries and Allowances (Amendment) Bill, 1980.
5. The Police (Sikkim Amendment) Bill, 1980.
6. The Sikkim Appropriation Bill, 1980.
7. The Sikkim Appropriation Bill, 1980.

#### TRIPURA LEGISLATIVE ASSEMBLY

1. The Tripura Appropriation (Vote on Account) Bill, 1980.
2. The Tripura Appropriation (No. 3) Bill, 1980.
3. The Tripura Appropriation (No. 4) Bill, 1980.
4. The Tripura Land Tax Amendment Bill, 1980.
- \*5. The Tripura Markets Amendment Bill, 1980.

#### UTTAR PRADESH LEGISLATIVE COUNCIL

1. Uttar Pradesh Viniyog (1979-80 Ka Dwatiya Anupurak) Vidheyak, 1980.
2. Uttar Pradesh Anantim Kar-Sangraharan Vidheyak, 1980.

\* Awaiting assent.

3. Uttar Pradesh Nagar Yojana Aur Vikas (Sanshodhan) Vidheyak, 1980.
4. Uttar Pradesh Krishi Utpadan Mandi Samiti (Aikantik Viyavashtha) (Sanshodhan) Vidheyak, 1980.
5. Uttar Pradesh Swayat Shasan Vidhi (Sanshodhan) Vidheyak, 1980.
6. Uttar Pradesh Viniyog (Dwatiya Lekhanudan) Vidheyak, 1980.

#### WEST BENGAL LEGISLATIVE ASSEMBLY

1. The West Bengal Government Premises (Tenancy Regulation) (Amendment) Bill, 1980.
2. The Bengal Finance (Sales Tax) (Amendment) Bill, 1980.
3. The West Bengal Comprehensive Area Development (Amendment) Bill, 1980.
4. The West Bengal Homoeopathic System of Medicine (Amendment) Bill, 1980.
5. The Indian College of Arts and Draftsmanship (Taking over of Management) (Amendment) Bill, 1980.
6. The North Bengal University (Temporary Supersession) (Amendment) Bill, 1980.
7. The Kalyani University (Temporary Supersession) (Amendment) Bill, 1980.
8. The Burdwan University (Temporary Supersession) (Amendment) Bill, 1980.
9. The Jadavpur University (Temporary Supersession) Bill, 1980.
10. The West Bengal Requisitioned Land (Continuance of Powers) (Amendment) Bill, 1980.
11. The Bengal Agricultural Income Tax (Amendment) Bill, 1980.
- \*12. The Indian Stamp (West Bengal Amendment) Bill, 1980.
13. The West Bengal Taxation Laws (Amendment) Bill, 1980.
14. The West Bengal Appropriation Bill, 1980.
15. The West Bengal Appropriation (No. 2) Bill, 1980.
16. The Bengal Legislative Assembly (Members' Emoluments) (Amendments) Bill, 1980.
17. The West Bengal Taxes on Entry of Goods in Local Areas (Amendment) Bill, 1980.
- \*18. The West Bengal Land Reforms (Amendment) Bill, 1980.
- \*19. The West Bengal Restoration of Alienated Land (Amendment) Bill, 1980.
20. The West Bengal Homoeopathic System of Medicine (Second Amendment) Bill, 1980.
21. The Paschim Banga Ayurvedic System of Medicine (Amendment) Bill, 1980.

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\* Awaiting assent.

- \*22. The West Bengal Primary Education (Amendment) Bill, 1980.
- \*23. The Bengal Electricity Duty (Amendment) Bill, 1980.
- 24. The Motor Vehicles (West Bengal Amendment) Bill, 1980.
- 25. The West Bengal Motor Vehicles Tax (Amendment) Bill, 1980.
- 26. The Calcutta Hackney Carriage (Amendment) Bill, 1980.
- \*27. The West Bengal Court Fees (Amendment) Bill, 1980.
- \*28. The West Bengal Scheduled Castes Development and Finance Corporation (Amendment) Bill, 1980.
- 29. The Rabindra Bharati (Temporary Supersession) (Amendment) Bill, 1980.
- \*30. The Great Eastern Hotel (Acquisition of Undertaking) Bill, 1980.
- \*31. The Bengal Municipal (Amendment) Bill, 1980.
- \*32. The Industrial Disputes (West Bengal Amendment) Bill, 1980.
- \*33. The Technicians' Studio Private Limited Bill, 1980.
- 34. The Hooghly River Bridge (Amendment) Bill, 1980.
- \*35. The Indian Electricity (West Bengal Amendment) Bill, 1980.
- \*36. The West Bengal Labour Welfare Fund (Amendment) Bill, 1980.
- \*37. The Bengal Embankment (West Bengal Amendment) Bill, 1980.
- \*38. The Calcutta Municipal Corporation Bill, 1980.

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY

- 1. The North East Frontier Agency Panchayat Raj Regulation (Amendment) Bill, 1980.
- 2. The Arunachal Pradesh Appropriation Bill, 1980.
- 3. The Arunachal Pradesh Appropriation (No. 2 of 1980) Bill, 1980.

DELHI METROPOLITAN COUNCIL

- 1. The Delhi Sikh Gurudwara (Amendment) Bill, 1980.

GOA, DAMAN AND DIU LEGISLATIVE ASSEMBLY

- 1. The Goa, Daman and Diu Supplementary Appropriation Bill, 1980.
- 2. The Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1980.
- 3. The Goa, Daman and Diu Laying of Rules before Legislature Bill, 1980.
- 4. The Goa, Daman and Diu (Extension of the power of Attorney Act) Bill, 1980.
- 5. The Goa, Daman and Diu Entertainment Tax (Amendment) Bill, 1980.
- 6. The Goa, Daman and Diu Sales Tax (Amendment) Bill, 1980.
- 7. The Goa, Daman and Diu Legislative Diploma No. 645 dated 30-3-1933 (First Amendment) Bill, 1980.

\* Awaiting assent.

8. The Goa, Daman and Diu Agricultural Debt Relief Bill, 1980.
9. The Goa, Daman and Diu Municipalities (Fifth Amendment) Bill, 1980.
10. The Goa, Daman and Diu Appropriation Bill, 1980.

**MIZORAM LEGISLATIVE ASSEMBLY**

1. The Hushai Hills District (Village Councils) (Amendment) Bill, 1980.
2. The Mizoram Animal (Control and Taxation) Bill, 1980.
3. The Appropriation (No. 1) Bill, 1980.
4. The Appropriation (No. 2) Bill, 1980.

**PONDICHERRY LEGISLATIVE ASSEMBLY**

1. The Appropriation (No. II) Bill, 1980.
2. The Appropriation (Vote on Account) Bill, 1980.
- \*3. The Pondicherry Pawn Brokers (Amendment) Bill, 1980.
- \*4. The Indian Succession (Extension to Pondicherry) Bill, 1980.
- \*5. The Pondicherry Buildings (Lease and Rent Control) (Amendment) Bill, 1980.
6. The Pondicherry Excise (Extension) Bill, 1980.
- \*7. The Mahe Land Reforms (Amendment) Bill, 1980.
- \*8. The Pondicherry Motor Vehicles Taxation (Amendment) Bill, 1980.
9. The Appropriation (No. III) Bill, 1980.

APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL GOVERNMENT DURING THE PERIOD 1ST APRIL, 1980 TO 30TH JUNE, 1980 AND THE STATE GOVERNMENTS DURING THE PERIOD 1ST FEBRUARY, 1980 TO 30TH JUNE, 1980.

S. No.	Subject	Date of promulgation	Date on which laid before House	Date of cessation	Remarks
1	2	3	4	5	6
CENTRAL GOVERNMENT					
1.	The Essential Services Maintenance (Assam) Ordinance, 1980 (No. 2 of 1980)	6-4-1980	9-6-1980	..	Replaced by Legislation.
2.	The Banking Companies (Acquisition and Transfer of Undertakings) Ordinance, 1980 ( No. 3 of 1980)	15-4-1980	9-6-1980	..	-do-
3.	The National Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1980 (No. 4 of 1980).	27-4-1980	9-6-1980	..	-do-
4.	The Police (Incitement to Disaffection ) (Gujarat Second Admedment) Ordinance, 1980 (No. 5 of 1980).	1-5-1980	9-6-1980	21-7-1980	
5.	The Essential Services Maintenance (Maharashtra) Ordinance, 1980 (No. 6 of 1980).	12-5-1980	9-6-1980	21-7-1980	
6.	The Gujarat Essential Services Maintenance (Amendment) Ordinance, 1980.	12-5-1980	9-6-1980	21-7-1980	
7.	The Essential Services Maintenance (Orissa) Ordinance, 1980 (No. 8 of 1980).	24-5-1980	9-6-1980	21-7-1980	
8.	The Code of Criminal Procedure (Assam) Amendment Ordinance, 1980 (No. 9 of 1980)	5-6-1980	9-6-1980	21-7-1980	

1	2	3	4	5	6
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## STATE GOVERNMENTS

## ANDHRA PRADESH

- |     |   |            |           |                                   |     |
|-----|---|------------|-----------|-----------------------------------|-----|
| 1.  | The Andhra Pradesh Payment of Salaries and Pensions and Removal of disqualifications (Amendment) Ordinance, 1979. | 26-10-1979 | 12-2-1980 | 24-3-1970 Replaced by Legislation |     |
| 2.  | The Andhra Pradesh Civil Courts (Amendment) Ordinance, 1979.  | Do.        | Do.       | Do.                               | Do. |
| 3.  | The Andhra Pradesh Prevention of Anti-social and Hazardous Activities Ordinance, 1979.                            | Do.        | Do.       | Do.                               | Do. |
| 4.  | The Andhra Pradesh Panchayat Samithis and Zilla Parishads (Amendment) Ordinance, 1979.                            | 26-11-79   | Do.       | Do.                               | Do. |
| 5.  | The Tirumala Tirupathi Devasthanams (Amendment) Ordinance, 1979.  | 1-12-79    | Do.       | Do.                               | Do. |
| 6.  | The Andhra Pradesh (Agricultural) Produced and Live Stock Markets (Amendment) Ordinance, 1979.                    | 27-12-79   | Do.       | Do.                               | Do. |
| 7.  | The Public Wakfs (Extension of Limitation) (Andhra Pradesh Amendment) Ordinance, 1979.                            | 31-12-79   | Do.       | Do.                               | Do. |
| 8.  | The Andhra Pradesh Municipalities (Second Amendment) Ordinance, 1980.   | Do.        | Do.       | Do.                               | Do. |
| 9.  | The Hyderabad Municipal Corporations (Second Amendment) Ordinance, 1979.  | Do.        | Do.       | Do.                               | Do. |
| 10. | The Andhra Pradesh Record of Rights in Land (Amendment) Ordinance, 1980.  | 3-1-80     | Do.       | Do.                               | Do. |
| 11. | The Hyderabad Municipal Corporations (Amendment) Amending Ordinance, 1980.  | 20-1-80    | Do.       | Do.                               | Do. |
| 12. | The Andhra Pradesh Municipalities (Amendment) Ordinance, 1980.  | Do.        | Do.       | Do.                               | Do. |
| 13. | The Andhra Pradesh Municipalities (Second Amendment) Ordinance, 1980.   | Do.        | Do.       | Do.                               | Do. |

14. The Andhra Pradesh Factories and Establishments (National, Festival and other Holidays) Amendment Ordinance, 1980	..	30-4-1980	..
15. The Andhra Pradesh General Sales Tax (Amendment) Ordinance, 1980.	..	6-5-1980	..
16. The Andhra Pradesh Land Encroachment (Amendment) Ordinance, 1980.	..	13-5-1980.	..
GUJARAT			
1. The Gujarat Nagar Panchayats (Extension of Term) (Amendment) Ordinance, 1980.	..	31-3-80	20-6-80
2. The Gujarat Agricultural Pests & Diseases Ordinance, 1980.	..	18-4-80	Do.
3. The Gujarat Panchayats (Second Amendment) Ordinance, 1980.	..	Do.	Do.
4. The Bombay Tenancy & Agricultural Lands (Gujarat Amendment) Ordinance, 1980.	..	Do.	Do.
5. The Bombay Inams (Kutch Area) Abolition (Gujarat Amendment) Ordinance, 1980.	..	18-4-80	20-6-80
6. The Bombay Land Revenue (Gujarat Second Amendment) Ordinance, 1980	..	Do.	Do.
7. The Bombay Land Requisition (Gujarat Amendment) Ordinance, 1980	..	Do.	Do.
8. The Bombay Police (Gujarat Amendment) Ordinance, 1980	..	19-4-80	Do.
9. The Gujarat Local Authorities Laws (Amendment) Ordinance, 1980	..	28-4-80	Do.
KARNATAKA			
1. The Mysore Betting Tax (Karnataka) (Amendment) Ordinance, 1980.	..	23-5-80.	..
2. The Bangalore City Civil Court (Amendment) Bill, 1980.	..	Do.	..
3. The Karnataka State Universities (Amendment) Ordinance, 1980.	..	24-5-80	..
4. The Karnataka Tax on Entry of Goods into a Local Area for Consumption, use or sale therein Ordinance, 1980.	..	8-6-80	..

Replaced by Legislation.

Do.

Bill introduced.

Do.



1	2	3	4	5	6
	<b>KERALA</b>				
1.	The Kerala University (Amendment) Ordinance, 1980. . . . .	5-2-80	..	..	Replaced by Legislation
2.	The Kottayam Electric Supply Agency (Undertaking) Acquisition Ordinance, 1980. . . . .	13-2-80	—	..	Do.
3.	The Kerala Agricultural University (Amendment) Ordinance, 1980. . . . .	7-6-1980	..	..	Do.
4.	The Kerala Grants and Leases (Modification of Rights) Ordinance, 1980. . . . .	25-5-1980	—	..	Do.
	<b>MADHYA PRADESH</b>				
1.	The Madhya Pradesh General Sales Tax (Amendment) Ordinance, 1980. . . . .	22-4-1980	..	..	..
2.	The Madhya Pradesh Town Improvement Trusts (Amendment) Ordinance, 1980. . . . .	..	—	..	..
3.	The Madhya Pradesh Civil Courts (Amendment and Validation) Ordinance, 1980. . . . .	..	..	..	..
4.	The Madhya Pradesh Cooperative Societies (Amendment) Ordinance, 1980 . . . . .	23-4-1980	..	..	Do.
5.	The Madhya Pradesh Vishva Vidyalaya (Samshodhan) Adhyadesh, 1980 . . . . .	29-4-1980	..	..	..
6.	The Madhya Pradesh Vas Sthan Dakhilkar (Bhoomiswami Adhikaron Ka Pradan Kiya Jana) Adhyadesh, 1980 . . . . .	29-6-1980	..	..	..
7.	The Madhya Pradesh Gramo Me Ki Dakhalrahit Bhoomi (Vishesh Upbandh) Samshodhan Adhyadesh, 1980 . . . . .	29-6-1980	..	..	Do.
	<b>MEGHALAYA</b>				
1.	The Meghalaya Preventive Detention Ordinance, 1979. . . . .	3-3-1980	..	..	Allowed to Lapse.
2.	The Meghalaya Preventive Detention (Amendment) Ordinance, 1979. . . . .	3-3-1980	..	..	Do.

3.	The Meghalaya Finance Ordinance, 1980	23-5-1980a	11-6-1980	25-6-1980	—
4.	The Meghalaya Electricity Duty (Amendment) Ordinance, 1980.	Do.	Do.	Do.	—
5.	The Meghalaya Sales Tax (Amendment) Ordinance, 1980.	Do.	Do.	Do.	—
6.	The Meghalaya Finance (Sales Tax) (Amendment) Ordinance, 1980.	Do.	Do.	Do.	—
7.	The Court Fees (Meghalaya Third Amendment) Ordinance, 1980.	Do.	Do.	Do.	—
8.	The Indian Stamp (Meghalaya Amendment) Ordinance 1980.	Do.	Do.	Do.	—
9.	The Meghalaya Essential Services Maintenance Ordinance, 1980.	9-6-1980	13-6-1980	25-6-1980	—
<b>PUNJAB</b>					
1.	The Punjab Fanchayat Samitis and Zila Parishads (Temporary Supercession) Amendment Ordinance 1980.	11-4-80	2-7-80	..	Replaced by Legislation
2.	The Punjab Courts (Second Amendment) Ordinance 1980.	19-4-80	8-7-80	..	Do.
3.	The Punjab Agricultural Produce Markets (Amendment) Ordinance, 1980.	21-4-80	4-7-80	..	Do.
<b>SIKKIM</b>					
1.	The Gangtok Municipal Corporation Amendment Ordinance, of 1979	11-12-79	10-3-80	5-4-80	Replaced by Legislation

**TAMIL NADU LEGISLATIVE ASSEMBLY**

1.	The Tamil Nadu Land Reforms (Fixation of Ceiling on land) Amendment Ordinance, 1980.	10-3-1980	Copies sent to Parliament for placing on the table.		
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1	2	3	4	5	6
2.	The Tamil Nadu Land Reforms (Fixation of Ceiling of Lands) Second Amendment Ordinance, 1980.	19-4-1980			Replaced by legislation.
3.	The Tamil Nadu Hindu Religious and Charitable Endowments (Amendment and Special Provisions) Amendment Ordinance, 1980.	30-5-1980	Do.		Do.
4.	The Madras City Municipal Corporation (Amendment) Ordinance 1980.	30-5-1980	Do.		Do.
UTTAR PRADESH					
1.	The Uttar Pradesh Swayatta Shasan Vidhi (Sanshodhan) Adhyadesh, 1980.	18-4-80	7-7-80		
2.	The Uttar Pradesh Krishi Utpadan Mandi Samiti (Alpakalik Vyavastha) (Dwitiya Sanshodhan) Adhyadesh, 1980.	18-4-80	7-7-80		
3.	The Uttar Pradesh Nagar Yojana Aur Vikas (Sanshodhan) Adhyadesh 1980.	18-4-80	7-7-80		
4.	The Uttar Pradesh Rajya Vishwavidyalaya (Sanshodhan) Adhyadesh, 1980.	22-4-80	7-7-80		
5.	The Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya (Sanshodhan) Adhyadesh, 1980.	19-6-80	7-7-80		
6.	The Uttar Pradesh Rajya Vishwavidyalaya (Tritiya Sanshodhan) Adhyadesh, 1980.	31-7-80	NONE		
7.	The Uttar Pradesh Public Services (Tribunals) (Amendment) Adhyadesh, 1980.	31-7-80	NONE		

WEST BENGAL

1. The West Bengal Homeopathic System of Medicine (Amendment) Ordinance, 1980 . . . . . 26-5-1980 . . . . .
2. The West Bengal Motor Spirit Sales Tax (Amendment) Ordinance, 1980. . . 13-6-1980 . . . . .

**APPENDIX VII**  
**A. PARTY POSITION IN LOK SABHA**  
 (As on July 15, 1980)

Sl.	Name of State/Union Territory	Seats	Cong (I)	Janata S(C)	CPI (M)	DMK	Other Parties	Unattached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
<b>(i) STATES:</b>										
1.	Andhra Pradesh	42	41	—	—	..	1(e)	..	42	..
2.	Assam	14	2	..	..	..	..	..	2	12
3.	Bihar	54	32	5	..	..	14(b)	3	54	..
4.	Gujarat	26	25	..	..	..	1(c)	..	26	..
5.	Haryana	10	5	3	..	..	2(d)	..	10	..
6.	Himachal Pradesh	4	4	..	..	..	..	..	4	..
7.	Jammu & Kashmir	6	1	..	..	..	4(e)	1	6	..
8.	Karnataka	28	27	..	..	..	1(f)	..	28	..
9.	Kerala	20	4	..	6	..	8(g)	2	20	..
10.	Madhya Pradesh	40	35	..	..	..	4(h)	1	40	..
11.	Maharashtra	48	39	..	..	..	9(i)	..	48	..
12.	Manipur	2	1	..	..	..	1(j)	..	2	..
13.	Meghalaya	2	1	..	..	..	..	..	1	1
14.	Nagaland	1	1	..	..	..	..	..	1	..
15.	Orissa	21	20	1	..	..	..	..	21	..
16.	Punjab	13	11	..	..	..	..	1	12	..
17.	Rajasthan	25	18	2	..	..	5(k)	..	25	..
18.	Sikkim	1	..	..	..	..	..	..	1	..
19.	Tamil Nadu	39	20	..	..	16	3(l)	..	39	..
20.	Tripura	2	..	..	2	..	..	..	2	..

1.	Uttar Pradesh	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	13(m)	2	82	3					
22.	West Bengal	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	10(n)	..	41	1					
(ii) UNION TERRITORIES :																											
23.	Andaman & Nicobar	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	..	..	1	..					
24.	Arunachal Pradesh	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	..	..	2	..					
25.	Chandigarh	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	..	..	1	..					
26.	Dadra & Nagar Haveli	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	..	..	1	..					
27.	Delhi	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	1(0)	..	7	..					
28.	Goa, Daman & Diu	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	..	..	2	..					
29.	Lakshadweep	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	..	..	1	..					
30.	Mizoram	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	..	..	1	..					
31.	Pondicherry	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	..	..	1	..					
32.	Nominated (Anglo Indian)	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	..	..	2	..					
																			544	347	37	35	16	17	14	526*	17

\* Excluding the Speaker

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

## B. PARTY POSITION IN THE RAJYA SABHA

(Asam July 9, 1980)

STATE/JUNCTION TERRITORIES	Total No. of Seats	Cong (I)	CPI	Jana- ta	AIA DMK	CPI (M)	CPI (ML)	DMK (U)	Cong Lok Dal	BJP	RSP	Other Parties	IND	NOM	Vacancies
Andhra Pradesh	18	15	..	..	..	..	..	..	1	1	..	..	1	..	..
Assam	7	3	..	2	..	..	..	..	..	..	..	1(a)	1	..	..
Bihar	22	11	3	3	..	..	..	2	1	2	..	..	..	..	..
Gujarat	11	5	..	5	..	..	..	..	..	1	..	..	..	..	..
Haryana	5	4	..	..	..	..	..	..	1	..	..	..	..	..	..
Himachal Pradesh	3	2	..	..	..	..	..	..	..	1	..	..	..	..	..
Jammu & Kashmir	4	2	..	..	..	..	..	..	..	..	..	2(b)	..	..	..
Karnataka	12	7	..	1	..	..	..	3	..	..	..	..	1	..	..
Kerala	9	..	1	..	..	3	1	..	3	..	..	1(c)	..	..	..
Madhya Pradesh	16	11	..	..	..	..	..	..	2	3	..	..	..	..	..
Maharashtra	19	12	..	1	..	..	..	3	1	..	..	1(d)	..	1	..
Manipur	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Meghalaya	1	..	..	..	..	..	..	..	..	..	..	..	1	..	..
Nagaland	1	..	..	..	..	..	..	..	..	..	..	1(e)	..	..	..
Orissa	10	6	..	1	..	..	..	1	2	..	..	..	..	..	..
Punjab	7	3	..	..	..	1	..	..	..	..	..	3(f)	..	..	..





## C. PARTY POSITION IN STATE LEGISLATURES

STATE/UNION TERRITORY	Seats	Cong. (I)	Janata (JP)	Janata (CS)	BJP	Cong. (U)	CPI (M)	CPI	Other Parties	Ind.	Total	Vacancies.
1	2	3	4	5	6	7	8	9	10	11	12	13
Andhra Pradesh L.C. (As on 15-6-80)	90	41	5	1	..	8	1	2	6 (a)	2	66*	23
Andhra Pradesh L.A. (As on 15-6-80)	295	251	7	9	3	3	8	6	3 (b)	4	294	1
Assam L.A. (c) Bihar L.C. (As on 1-8-80)	96	37	6	6	2	3	..	5	2 (d)	4	65	31
Bihar L.A. (As on 30-6-80)	324	172	12	42	20	13	6	23	13 (c)	18	319*	4
Gujarat L.A. (As on 15-6-80)	182	139	21	1	..	..	..	9	(f)	10	180	2
Haryana L.A. (As on 1-8-80)	90	48	4	23	11	..	..	..	..	..	86*	3
Himachal Pradesh L.A. (As on 15-6-80)	68	34	1	1	24	..	1	..	..	4	65*	2
Jammu & Kashmir L.C. (As on 15-6-80)	36	6	1	..	..	..	..	..	27 (g)	..	34	2
Jammu & Kashmir L.A. (As on 15-6-80)	78	7	11	2	1	..	..	..	54 (h)	1	76	2
Karnataka L.C. (As on 15-6-80)	63	23	10	..	..	13	..	..	..	3	63	14
Karnataka L.A. (As on 15-6-80)	225	162	18	..	..	30	..	3	2 (i)	6	221*	3
Kerala L.A. (As on 15-6-80)	141	17	5	..	..	22	34	17	42 (j)	3	140*	..
Madhya Pradesh L.A. (As on 15-6-80)	320	246	2	1	60	..	..	2	..	9	320	..
Manipur L.A. (As on 15-6-80)	60	37	4	..	..	6	1	5	4 (k)	3	60	..

Meghalaya L.A. (As on 15-6-80)	60	..	1	..	..	..	..	56 (c)	..	59*	2
Punjab L.A. (As on 15-6-80)	117	63	..	1	..	5	9	37 (m)	2	117	..
Rajasthan L.A. (As on 1-8-80)	200	134	8	7	32	6	1	1	9 (mm)	2	200
Sikkim L.A. (As on 15-6-80)	32	..	..	..	..	..	..	31 (n)	1	32	..
Tamil Nadu L.C. (As on 21-4-80)	60	1	..	..	..	1	1	21 (o)	6	30*	29
Tamil Nadu L.A. (As on 1-8-80)	235	30	2	..	..	11	10	178 (p)	3	234*	..
Tripura L.A. (As on 15-6-80)	60	..	..	..	..	50	..	7 (q)	1	58	2
Uttar Pradesh L.C. (As on 15-6-80)	108	19	..	12	..	3	2	24 (r)	1	61	47
Uttar Pradesh L.A. (As on 1-8-80)	426	305	5	59	11	13	7	6 (s)	75	421	5
West Bengal L.A. (As on 15-6-80)	295	18	23	5	..	3	174 (t)	2	61 (u)	4	290
<b>UNION TERRITORIES</b>											
Arunachal Pradesh L.A. (As on 15-6-80)	33	23	..	..	..	..	..	8 (v)	2	33	..
<b>Delhi Metropolitan Council (W)</b>											
Goa, Daman & Diu L.A. (As on 15-6-80)	30	22	..	..	..	..	..	7 (x)	1	30	..
Mizoram L.A. (As on 15-2-80)	33	..	2	..	..	..	..	31 (y)	..	33	..
Pondicherry L.A. (As on 15-6-80)	30	10	3	..	..	1	..	16 (z)	..	30	..

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

(a) Progressive Democratic Front-4; National Democratic Front-2

(b) Majlis—Ittehad-Ul-Muslimeen.

- (c) President's rule in the State has been extended for a further period of six months w.e.f. 12th June, 1980.
- (d) Teachers-1; Janata(S)RN-1
- (e) Jbarkhand Mukti Morcha-11; Janata(S) RN-1; Forward Block-1.
- (f) Indian National Janata Party.
- (g) National Conference-26; others-1.
- (h) National Conference-50; Jamati Islami -1; People's Conference-1; Inqilabi National Conference-2.
- (i) Muslim League-1; RPI-1.
- (j) Kerala Congress(J)-6; Muslim League-14; National Democratic Party -3; Kerala Congress(M)-8; RSP-6; AIML-5.
- (k) M.P.P.-4.
- (l) United Meghalaya Parliamentary Democratic Forum-34; APHLC-20; PDIG-2.
- (m) Shiromani Akali Dal.
- (mm) Pragatishree.
- (n) Sikkim Janata Parishad-22; Sikkim Prajatantra Congress-1; Sikkim Congress (R)-8.
- (o) All India Anna DMK-11; DMK-4; Teachers Graduates Progressive Front-4; IUML-1; United Party-1.
- (p) AIADMK-129; DMK-96; Gandhi-Kamraj National Congress-6; All India Forward Block-3; Tamil Nadu Kamraj Congress-3 and Nominated-1.
- (q) RSP-2; Forward Block-1; Tripura Upajati Juba Samiti-4.
- (r) Janata (R)-18; Teachers-5 and Rashtravadi Dal-1.
- (s) Janata(S) (RN)-4; Shohit Samaj Dal-1 and Nominated-1.
- (t) Including one Independent Member supported by GPI(M).
- (u) Forward Block-27; RSP-20; RCPI-3; Forward Block (Marxist)-3; Biplabi Nangla Congress-1; Socialist Unity Centre-4; CPI(ML)-1; Nominated under Article 333 of the Constitution-1.
- (v) PPA-8.

- (w) Dissolved *Vide* Presidential Order dated 21-3-1980.
- (x) MGP-7.
- (y) People's Conference Party (including Nominated Members)-22; Mizoram Congress Group-5; People's Conference I Party (B)-4.
- (z) DMK-15; IUML-1.

# THE JOURNAL OF PARLIAMENTARY INFORMATION

Index to Vol. XXVI (1980)

	PAGES		PAGE]
<b>ADDRESS TO MEMBERS OF PARLIAMENT]</b>		<b>ARUNACHAL PRADESH</b>	
Leonid Brezhnev [ . . . 462		General Election . . . 205	
		New Ministry . . . 205	
<b>AFGHANISTAN</b>		New Presiding Officers . . . 205	
Appointment of New Deputy Prime Minister . . . [207,520		President's rule . . . 58	
Deposition of President . . . 59		<b>ASSAM</b>	
New Constitution . . . 360		Agitation on the issue of 'foreign nationals' . . . 70,230]	
<b>AGARWAL, SATISH</b>		Extension of President's rule 54,72,349	
Article on "Parliamentary Scrutiny of Public Expenditure" . . . 300		Problem of 'foreigners' . . . 221,366	
<b>ANDHRA PRADESH</b>		Stalemate on 'foreign nationals' . . . 526	
Allowances for Presiding Officers and the Chief Whip . . . 200		State Legislature (Delegation of Powers) Bill . . . 380	
Expansion of Ministry . . . 53		Statutory resolution seeking continuance of Presidential Proclamations . . . 365,383	
Resignation by Deputy Speaker . . . 200,518		<b>AUSTRIA</b>	
<b>ARTICLES</b>		Re-election of President . . . 350	
Himachal Pradesh Vidhan Sabha Library-cum-Multi-Purpose Complex by Thakur Sen Negi . . . 21		<b>BAJP VI, DR. RAJENDRA KUMARI</b>	
Parliament and Administration by Bal Ram Jakhar . . . 148		Review of "Monopoly Capital and Public Policy" by S.K. Goyal . . . 402	
Parliamentary Scrutiny of Public Expenditure by Satish Agarwal . . . 300		<b>BANGLADESH</b>	
Privileges of Legislatures by Bal Ram Jakhar . . . 296		Resignation by Deputy Prime Minister . . . 207	
Social Legislation and Social Change by Dr. Ramjee Singh . . . 154		Revocation of Emergency . . . 59	
		<b>BANERJEE, B. N.</b>	
		Review of "Privileges of Member of Parliament in India" by Hans Raj . . . 87	

	PAGES		PAGES
Review of "Comparative Legislative Behaviour-Research Exploration in Indian Perspective" by Dr. R.B. Jain . . . .	238	National Security Bill . . . .	535,545
<b>BANSI LAL</b>		Payment of Bonus (Amendment) Bill . . . .	74
Speech at the joint inaugural meeting of Financial Committees . . . .	291	Prevention of Black-marketing and Maintenance of Supplies of Essential Commodities Bill . . . .	74
<b>BELGIUM</b>		Representation of the People (Amendment) Bill . . . .	75
New Government . . . .	360	Union Duties of Excise (Electricity) Distribution Bill, 1980 . . . . .	235
<b>BHAGIRATHI</b>		<b>BOLIVIA</b>	
Bank erosion in . . . .	400	'Army Coup' . . . .	59
<b>BHARAT RATNA AND PADMA AWARDS</b>		New President . . . .	520
Revival of . . . . .	71	Woman President . . . .	60
<b>BIHAR</b>		<b>BOOKS AND ARTICLES</b>	
Blinding of Criminals . . . .	529	List of . . . . .	101,241, 406, 554
General Election . . . .	349	<b>BOOK REVIEWS</b>	
New Ministry . . . . .	350	Bimal Prasad (ed.): <i>A Revolutionary Quest Selected writings of Jayaprakash Narayan</i> by prof. H N. Mukerjee. . . . .	532
Resignation by Ministers . . . .	54	D.N. Gadhok : <i>Accountability of Public Enterprises to Parliament</i> by T.R. Krishnamachari . . . . .	403
Withdrawal of support to the Government . . . . .	54	Hans Raj : <i>Privileges of Members of Parliament in India</i> by B.N. Banerjee . . . . .	87
<b>BILLS</b>		Joseph Pois : <i>Watchdog on the Potomac</i> by Dr. D.N. Gadhok . . . . .	93
Appropriation Bill, 1980 . . . .	81	L. K. Jha : <i>Economic Strategy for the 80s</i> by V. N. Gadgil . . . . .	551
Appropriation (No.3) Bill, 1980 . . . . .	394	R. B. Jain : <i>Comparative Legislative Behaviour: Research Exploration in Indian Perspective</i> by B.N. Banerjee . . . . .	238
Assam State Legislature (Delegation of Powers) Bill . . . . .	380,389	R. C. Gupta : <i>JP-from Marxism to Total Revolution</i> by Prof. H.N. Mukerjee . . . . .	542
Banking Companies Acquisition and Transfer of Undertakings) Bill, 1980 . . . . .	378	S. K. Goyal : <i>Monopoly Capital and Public Policy</i> by Dr. Rajendra Kumar Bajpai . . . . .	402
Constitution (forty-fifth Amendment) Bill . . . . .	73,80,211		
Criminal Procedure (Amendment) Bill, 1980 . . . . .	538,544		
Essential Services Maintenance (Assam) Bill . . . . .	379,387		
Finance Bill, 1980 . . . . .	224,235		
Finance (No.2) Bill, 1980 . . . . .	381,395		
Maruti Limited (Acquisition and Transfer of Undertakings) Bill, 1980 . . . . .	536,547		

	PAGES		PAGES
<b>BOTSWANA</b>		<b>CHINA</b>	
Death of President . . . . .	520	New Vice-Chairman of Parliament . . . . .	521
<b>BREZHNEV, LEONID</b>		Resignation by Prime Minister . . . . .	521
Address to MPs . . . . .	462	<b>COMMONWEALTH PARLIAMENTARY ASSOCIATION</b>	
Visit to India . . . . .	531	Regional Seminar on Parliamentary Practice and Procedure . . . . .	469,486
<b>BUDGET</b>		<b>COMMUNAL RIOTS</b>	
Constitutional Provisions relating to . . . . .	30	Discussion on . . . . .	530
General Budget . . . . .	213,228,370' 386	<b>CONFERENCES AND SYMPO-SIA</b>	
Railway Budget . . . . .	212,227,369, 385	Association of Secretaries-General of Parliaments—Meetings of (Oslo, April 7-12-1980) . . . . .	165
Presentation of . . . . .	301	Commonwealth Parliamentary Association—Regional Seminar on Parliamentary Practice and Procedure (New Delhi- Oct. 22-25, 1980) . . . . .	486
<b>BUREAU OF PARLIAMEN-TARY STUDIES AND TRAIN-ING</b>		<b>COMMITTEE ON PUBLIC UNDERTAKINGS</b>	
Courses conducted by . . . . .	31,166,328, 487	Recommendations of . . . . .	315
<b>BURMA</b>		Speech by Chairman . . . . .	291
New Foreign Minister . . . . .	207	Commonwealth Parliamen-tary Associations—Meeting of Executive Committee (Jersey, April 21-25, 1980) . . . . .	166
<b>CANADA</b>		Commonwealth Parliamen-tary Conference, New Zealand (Nov. 17-Dec. 1, 1979) . . . . .	29
Defeat of Government . . . . .	60	Commonwealth Parliamen-tary Conference, 26th (Lusaka, Sept. 19-Oct. 4, 1980) . . . . .	485
General Election . . . . .	207	Inter-Parliamentary Confer-ence, 67th (Berlin, Sept. 16—24, 1980) . . . . .	414
New Prime Minister . . . . .	207	Inter-Parliamentary Confer-ence on European Cooper-ation and Security-IVth (Brussels, May 12—18, 1980) . . . . .	328
<b>CAMEROON</b>			
Re-election of President . . . . .	360		
<b>CENTRAL AFRICAN RE-PUBLIC</b>			
Dismissal of Government . . . . .	520		
<b>CENTRAL GOVERNMENT</b>			
Formation of new . . . . .	51		
Ordinances issued by . . . . .	132,265,443, 581		
<b>CHAIRMAN RAJYA SABHA</b>			
Felicitations to . . . . .	15,76		
<b>CHILE</b>			
Dismissal of Foreign Mini-ster . . . . .	208		

	PAGES		PAGES
Inter-Parliamentary Union (Spring Meetings), Oslo (April 7—12, 1980) . . . . .	165	EGYPT	
Parliamentary Committees on Delegated Legislation in Commonwealth Countries— Conference of (Australia, Sept. 29— Oct. 3, 1980) . . . . .	486	Constitutional changes . . . . .	361
CONSTITUTION		President Sadat as Prime Minister . . . . .	361
Forty-fifth Amendment Bill . . . . .	73,80	EL SALVADOR . . . . .	
Inclusion of Bhojpuri Language in . . . . .	80,549	Declaration of emergency . . . . .	521
Supreme Court Ruling in the 42nd Amendment Case . . . . .	347	Deposition of President . . . . .	60
CZECHOSLOVAKIA		Martial Law . . . . .	208
Re-election of President . . . . .	360	ESSENTIAL COMMODITIES	
DEATH PENALTY		Rise in prices . . . . .	223,383,528
Supreme Court ruling on . . . . .	348	EXHIBITIONS	
DELHI		Books by and on Dr. Ambedkar . . . . .	170
Death of Executive Council- lor . . . . .	58	'Nehru—Patriot, Parliamentarian and Nation Builder' . . . . .	490
Dissolution of Metropolitan Council . . . . .	206	FARAKKA	
New Lt. Governor . . . . .	205	Sharing of Ganga Waters . . . . .	398
DEPUTY CHAIRMAN (RAJYA SABHA)		FINANCE BILL . . . . .	224,235,381, 395
Election of, and Felicitations to . . . . .	286	FINANCIAL COMMITTEES	
DEPUTY SPEAKER (LOK SABHA)		Joint Inaugural Meeting of . . . . .	290
Election of . . . . .	9	GADGIL, V.N.	
Felicitations to . . . . .	10	Review of "Economic Strategy for the 80s" by L.K. Jha . . . . .	551
DOCUMENTS OF CONSTITU- TIONAL AND PARLIAMEN- TARY INTEREST . . . . .	211	GADHOK, D.N.	
DOMINICA . . . . .		Review of "Watchdog on the Potomac" by Joseph Pois . . . . .	93
General Election and forma- tion of New Government . . . . .	521	GANDHIANA	
EDITORIAL NOTE . . . . .	1,147,285, 459	Anniversary celebrations of . . . . .	331
		GENERAL ELECTION (INDIA)	
		Notification for . . . . .	51
		Parties' performance in . . . . .	199
		GENERAL ELECTIONS (STATES)	
		Arunachal Pradesh . . . . .	205
		Bihar . . . . .	349
		Goa, Daman and Diu . . . . .	206
		Gujarat . . . . .	351
		Kerala . . . . .	202



	PAGES		PAGES
Madhya Pradesh . . .	353	HIDAYATULLAH, M.	
Maharashtra . . .	354	Felicitations to, as Chair- man, R.S. . . .	15
Manipur . . .	203	Life-sketch of . . .	18
Orissa . . .	356	Welcome speech at Presi- dent Brezhnev's add- ress to MPs. . . .	460
Pondicherry . . .	206		
Punjab . . .	357	HIMAGHAL PRADESH	
Rajasthan . . .	357	Expansion of Council of Ministers . . .	352
Tamil Nadu . . .	358	Foundation-stone laying ceremony of Assembly Library . . . .	26
Uttar Pradesh . . .	359	New Ministry . . . .	201
GOA, DAMAN AND DIU		HONDURAS	
Extension of President's rule . . . .	50	End of military rule . . .	521
General Election . . .	206	ICELAND	
New Ministry . . . .	206	New Minority Govern- ment . . . .	60
New Presiding Officers . .	206	INDIA (DEVELOPMENTS IN)	
GREECE		Allocation of additional portfolios . . . .	52
New President and Prime Minister . . . .	361	Dissolution of State Assem- blies, Proclamation re : . . . .	200
GUJARAT		Expansion of Council of Ministers . . . .	200,348, 517
General Election . . .	351	Formation of new Govern- ment . . . .	52
New Ministry . . . .	351	Parties' performance in General Election . . .	199
New Speaker . . . .	352	Promulgation of National Security Ordinance . .	517
HALF-AN HOUR DISCUSSIONS		Promulgation of Preven- tive Detention Ordi- nance . . . .	51
Lok Sabha . . . .	225,382,540	Resignation by Ministers . .	51
Rajya Sabha . . . .	236,390, 396,548	Supreme Court ruling in the Constitution (Forty- second) Amendment case . . . .	347
HARYANA		Supreme Court ruling on Death Penalty . . .	348
Change of Party by the Ministry . . . .	200		
Changes in salaries and other facilities of Legis- lators . . . .	352		
New Governor . . . .	201		
Pay-rise for Deputy Mini- sters and MLAs . . . .	201		
Resignation of Governor . .	54		

	PAGES		PAGES
<b>INDIAN COUNCIL OF AGRICULTURAL RESEARCH</b>		Inaugural address at the meeting of Financial Committees . . . .	292
Performance of . . . .	532	Life sketch of . . . .	8
<b>INDUSTRIAL POLICY</b>		Speech at Address to MPs. by Mr. Brezhnev . . .	467
Discussion on . . . .	543		
<b>IRAN</b>		<b>JAPAN</b>	
Election of President . . .	208	Death of Prime Minister . . . . .	362
Expulsion of a Member from Parliament . . . .	522	Defeat of Ohira Government and dissolution of Parliament . . . .	362
New President . . . .	522	General Election . . . .	61
New Prime Minister . . . .	522	New Prime Minister . . . .	522
Resignation by Prime Minister . . . .	60	Re-election of Prime Minister . . . .	61
<b>IRAQ</b>		<b>JORDAN</b>	
Election victory for Iraqi regime	361	New Prime Minister . . . .	61,522
<b>IRELAND</b>		<b>KAMPUCHEA</b>	
New Prime Minister . . . .	61	Establishment of diplomatic relations . . . .	372
<b>ISRAEL</b>		<b>KARNATAKA</b>	
Resignation by Foreign Minister . . . .	61	By-election . . . .	201
<b>ITALY</b>		Expansion of Ministry . . . .	55
New Cabinet . . . .	362	New Deputy Chairman . . . .	353
New Government . . . .	208	New Leader of the Opposition . . . .	55, 201
Resignation by Government . . . .	522	New Lok Ayukta . . . .	55
<b>JAKHAR, BAL RAM</b>		Resignation by Chief Minister and formation of New Govt. . . .	201
Address at the foundation-stone laying ceremony of Himachal Pradesh Vidhan Sabha Library . . . .	26	<b>KENYA</b>	
Article on 'Parliament and Administration' . . . .	148	General Election . . . .	62
Article on 'Privileges of Legislatures' . . . .	296	<b>KERALA</b>	
Election as Speaker . . . .	2	General Election . . . .	202
Inaugural Address at the CPA Regional Seminar on 'Parliamentary Practice and Procedure' . . . .	469	New Ministry . . . .	202
		New Presiding Officers . . . .	203
		Resignation by Deputy Speaker . . . .	56

PAGES	PAGES
<b>KRISHNAMACHARI, T.R.</b>	<b>MADHYA PRADESH</b>
Review of "Accountability of public Enterprises to Parliament" by Dr. D.N. Gadhol . . . . 403	General Election . . . . 353
<b>LAKSHAMANAN, G.</b>	New Governor . . . . 353
Election as Deputy Speaker, Lok Sabha . . . . 2	New Leader of the Opposition . . . . 519
Key-note address on "The Role of Private Members" at the CPA Regional Seminar . . . . 475	New Ministry . . . . 353
Life sketch of . . . . 13	Presiding Officers . . . . 519
<b>LAL DENGAR</b>	Salary for Leader of the opposition . . . . 203
Resumption of talks with . . . . 377	<b>MAHARASHTRA</b>
<b>LAW AND ORDER</b>	Expansion of Ministry . . . . 519
Situation in the country . . . . 390	General Election . . . . 354
Situation in the North-Eastern region . . . . 77	New Ministry . . . . 354
<b>LEBANON</b>	Resignation by Speaker . . . . 56
Resignation by Prime Minister . . . . 362	<b>MALAYSIA</b>
Resignation by Government and appointment of new Prime Minister . . . . 523	New King . . . . 523
<b>LEGISLATORS</b>	<b>MANIPUR</b>
Salaries and other facilities in India . . . . 317	Formation of Coalition Ministry . . . . 203
<b>LIBERIA</b>	General Election . . . . 203
Assassination of President . . . . 362	New Speaker . . . . 204
<b>LIBYA</b>	President's rule . . . . 56
Declaration of Emergency . . . . 523	<b>MARUTI</b>
<b>LOK SABHA</b>	Acquisition and Transfer of Undertakings Bills . . . . 536, 547
Election of Presiding Officers and felicitations to them . . . . 2	<b>MAURITANIA</b>
Party Position in . . . . 138, 276, 450, 588	New Head of State . . . . 208
	<b>MEGHALAYA</b>
	Deletion of names of foreign nationals from the electoral rolls . . . . 398
	Influx of outsiders . . . . 397
	Ordinance of detention without trial . . . . 57
	Resignation by Deputy Speaker . . . . 355
	Violent agitation in . . . . 70

	PAGES		PAGES
<b>MINISTRIES</b>		<b>NETHERLANDS</b>	
Working of, discussion in R.S. . . . .	391-93	Abdication by Queen . . . .	363
<b>MIRDHA, RAM NIWAS</b>		<b>NEW ZEALAND</b>	
Key-note Address on the 'Executive and Parliamen- men:' at the CPA Re- gional Seminar . . . .	478	New Governor-General . . . .	62
<b>MUKERJEE, H.N.</b>		<b>NIGERIA</b>	
Review of (i) " <i>A Revolu- tionary Quest—Selected writings of Jayaprakash Narayan</i> " edited by Bimal Prasad and (ii) " <i>J.P.— From Marxism to Total Revolution</i> " by R.C. Gupta . . . . .	552	New President . . . . .	62
<b>NAGALAND</b>		<b>NO-CONFIDENCE MOTION</b>	
Dismissal of Deputy Chief Minister . . . . .	57	Kerاناتaka Legislative Assembly . . . . .	83
New Ministry . . . . .	355	Orissa Legislative Assembly . . . .	84
Resignation by Deputy Speaker . . . . .	355	Rajasthan Vidhan Sabha . . . .	84
Resignation by Ministers . . . .	204	Sikkim Legislative Assembly . . . .	549
<b>NATIONAL SECURITY</b>		Uttar Pradesh Vidhan Sabha . . . . .	86
BILL . . . . .	517, 535, 545	<b>ORISSA</b>	
<b>NATURAL RESOURCES</b>		By-elections . . . . .	204
Depletion of . . . . .	377	Expansion of Ministry . . . . .	57
<b>NEGI, THAKUR SEN</b>		General Election . . . . .	356
Article on "Himachal Pra- desah Vidhan Sabha Library-cum-Multi-Pur- pose Complex" . . . . .	21	New Governor . . . . .	356
<b>NEHRU, JAWAHARLAL</b>		New Ministry . . . . .	356
Exhibition on . . . . .	490	<b>PAKISTAN</b>	
<b>NEPAL</b>		Arms aid to . . . . .	69
Resignation by Ministers . . . .	208	Martial Law and post- ponement of elections . . . .	62
Results of referendum . . . . .	262	<b>PALESTINIAN LIBERATION ORGANISATION</b>	
Restoration of Freedom of speech, Press and assembly . . . . .	523	Diplomatic recognition to their office in Delhi . . . . .	223
		<b>PARASBIGHA</b>	
		Motion re: incident in . . . . .	237
		<b>PARLIAMENT</b>	
		Joint Inaugural Meeting of Financial Committees . . . .	290
		List of Bills passed by the two Houses . . . . .	123, 261, 433, 574

	PAGES		PAGES
<b>PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS</b>		<i>Other countries</i>	
India . . . . .	51, 199, 347, 517	Afghanistan . . . . .	59, 207, 360, 520
Andhra Pradesh . . . . .	53, 200, 518	Austria . . . . .	360
Arunachal Pradesh . . . . .	58, 205	Bangladesh . . . . .	59, 207
Assam . . . . .	54, 349	Belgium . . . . .	360
Bihar . . . . .	54, 349	Bolivia . . . . .	59, 520
Delhi . . . . .	58, 205	Botswana . . . . .	520
Goa, Daman & Diu . . . . .	59, 206	Burma . . . . .	207
Gujarat . . . . .	351	Canada . . . . .	60, 207
Haryana . . . . .	54, 200, 352	Cameroon . . . . .	360
Himachal Pradesh . . . . .	201, 352	Central African Republic . . . . .	520
Karnataka . . . . .	55, 201, 353	Chile . . . . .	208
Kerala . . . . .	56, 202	China . . . . .	521
Madhya Pradesh . . . . .	203, 353, 519	Czechoslovakia . . . . .	360
Maharashtra . . . . .	56, 354, 519	Dominica . . . . .	521
Manipur . . . . .	56, 203	Egypt . . . . .	361
Meghalaya . . . . .	57, 355	El Salvador . . . . .	60, 208, 521
Nagaland . . . . .	57, 204, 355	Greece . . . . .	361
Orissa . . . . .	57, 204, 356	Honduras . . . . .	521
Pondicherry . . . . .	59, 206	Iceland . . . . .	60
Punjab . . . . .	357, 519	Iran . . . . .	60, 208, 522
Rajasthan . . . . .	357, 519	Iraq . . . . .	361
Sikkim . . . . .	57, 519	Ireland . . . . .	61
Tamil Nadu . . . . .	254, 358	Israel . . . . .	61
Uttar Pradesh . . . . .	58, 204, 359, 520	Italy . . . . .	208, 362, 522
West Bengal . . . . .	205	Japan . . . . .	61, 262, 522
		Jordan . . . . .	61, 522
		Kenya . . . . .	62
		Lebanon . . . . .	362, 523
		Liberia . . . . .	362
		Libya . . . . .	523

	PAGES
Malaysia . . . . .	523
Mauritania . . . . .	208
Nepal . . . . .	208, 362, 523
Netherlands . . . . .	363
New Zealand . . . . .	62
Nicaragua . . . . .	363
Nigeria . . . . .	62
Pakistan . . . . .	62
Peru . . . . .	363, 523
Philippines . . . . .	62
Poland . . . . .	523
Portugal . . . . .	62, 209
Romania . . . . .	209
South Korea . . . . .	63, 363, 524
South Yemen . . . . .	363
Sri Lanka . . . . .	63, 524
Sudan . . . . .	209
Surinam . . . . .	209, 524
Swaziland . . . . .	63
Sweden . . . . .	63
Syria . . . . .	209
Thailand . . . . .	209
Turky . . . . .	63, 364, 525
Uganda . . . . .	364
United States . . . . .	364
U.S.S.R. . . . .	201
Vietnam . . . . .	201, 364
Yugoslavia . . . . .	364
Zimbabwe . . . . .	64, 210
<b>PARLIAMENTARY DELEGATIONS</b>	
Foreign . . . . .	166, 487
Indian . . . . .	487

	PAGES
<b>PARLIAMENTARY EVENTS AND ACTIVITIES</b> . . . . .	26, 165, 328, 484
<b>PARLIAMENTARY PRACTICE AND PROCEDURE</b>	
CPA Regional Seminar on . . . . .	469
<b>PATTABHI RAMA RAO, S.B.P.</b>	
Speech at the joint inaugu- ral meeting of Financial Committees . . . . .	290
<b>PERU</b>	
End of military rule . . . . .	523
Re-election of President . . . . .	363
<b>PETROLEUM PRODUCTS</b>	
Increase of prices . . . . .	367
<b>PHILIPPINES</b>	
Revocation by emergency . . . . .	62
<b>PITTS AIRCRAFT</b> . . . . .	
Enquiry into the crash of . . . . .	384
<b>POLAND</b>	
Resignation of Prime Minister . . . . .	523
<b>PONDICHERRY</b>	
Extension of President's rule . . . . .	59
General Election . . . . .	206
New Government . . . . .	207
New Presiding Officers . . . . .	207
<b>PORTUGAL</b>	
General Elections . . . . .	62
New Government . . . . .	209
<b>PRESIDENT'S ADDRESS</b> . . . . .	66
Motion of thanks on . . . . .	78
<b>PRESIDENT'S RULE</b>	
Arunachal Pradesh . . . . .	58
Assam . . . . .	54

PAGES	PAGES
Goa, Daman & Diu . . . . . 59	<i>House of Representatives</i> <i>(Australia)</i>
Kerala . . . . . 56	Casting of reflections on members by a newspaper 186
Manipur . . . . . 56	<i>Jammu &amp; Kashmir Legislative</i> <i>Assembly</i>
Pondicherry . . . . . 59	Alleged contradictory state- ments made by a Minister . . . . . 340
<b>PRESS COMMISSION</b>	Misleading statement by a Minister . . . . . 339
Government decision to scrap . . . . . 80	<i>Karnataka Legislative Assembly</i>
Revised terms of reference. 376	Denouncing of the legislative enactment by the former Chief Justice . . . . . 341
<b>PREVENTIVE DETENTION</b>	Remarks by a Minister alle- gedly affecting the right of a member to function in the House . . . . . 504
Promulgation of Ordinance 51	<i>Karnataka Legislative Council</i>
<b>PRIVILEGE ISSUES</b>	Alleged misleading state- ment in the House by a Minister . . . . . 505
<i>Andhra Pradesh Legislative</i> <i>Assembly</i>	<i>Lok Sabha</i>
Obstructing Members from entering the Assembly and raising of slogans in the House . . . . . 500	Alleged misleading state- ment made by a Mem- ber of Rajya Sabha and a former Minister in the House during Fifth Lok Sabha . . . . . 492
<i>Bihar Vidhan Sabha</i>	Alleged misleading infor- mation given to the House by a Minister . . . . . 335
Throwing of leaflets from the Visitors' Gallery on the floor of the House 501	Alleged misleading infor- mation given to the House by Ministers and alleged derogatory refer- ence to Parliament made by the Chief Minister . . . . . 33
<i>Goa, Daman &amp; Diu</i> <i>Legislative Assembly</i>	Alleged misleading infor- mation given to the House by a Minister during supplementaries to a Starred Question . . . . . 172
Disorderly conduct by a Member . . . . . 185	Announcement outside the House re: Constitution of Press Commission while the House was in Session . . . . . 334
Making of important state- ment by Minister outside the House when the House is in Session . . . . . 185	
<i>Gujarat Legislative Assembly</i>	
Shouting of slogans in the Visitors' Gallery and throwing of pamphlets in House . . . . . 173, 502	
<i>Haryana Vidhan Sabha</i>	
Alleged misleading state- ment by a Minister in the House . . . . . 38	
Alleged pressurising of a Member by certain offi- cials to vote for the ruling party in Rajya Sabha elections . . . . . 50a	

PAGES	PAGES		
Alleged suppression of proceedings of the House by All India Radio . . . . .	333	Ministers' allegedly misleading the House . . . . .	36
Casting reflections on the impartiality of the Speaker by a Member in a Press Statement . . . . .	337	Misreporting of a Member's speech by a newspaper	500
Making of important announcement by Ministers in the House first when the House is in Session . . . . .	171	<i>Tamil Nadu Legislative Assembly</i>	
Misreporting of proceedings of the House by a Newspaper . . . . .	492	Alleged suppression of proceedings by All India Radio and T. V. . . . .	39
Misreporting of a member by a Newspaper . . . . .	333	Alleged policy statement by a Government official	40
Shouting of slogans and throwing of leaflets from the Visitors' Gallery on the Floor of the House . . . . .	172	Publication by newspapers of the speeches of Members and omission of replies thereto by the Ministers . . . . .	507
Suggesting action by certain government officers against another officer for giving evidence before a Parliamentary Committee . . . . .	338	Publication of distorted version of the proceedings of the House by a newspaper . . . . .	507
<i>Meghalaya Legislative Assembly</i>		<i>Uttar Pradesh Legislative Assembly</i>	
Alleged casting of reflections by a newspaper on a former Minister . . . . .	174	Alleged misconduct of a member . . . . .	41
<i>Rajasthan Legislative Assembly</i>		Alleged misbehaviour by a Government official with a Member . . . . .	178
Illegally entering the floor of the House. . . . .	507	Alleged suppression of information by a Minister	179
Prior publicity to Notices . . . . .	39	Alleged character assassination by Newspapers . . . . .	180
Shouting of slogans and throwing of leaflets from the Visitors' Gallery on the floor of the Houses	507	Emoluments and facilities to the Ministers . . . . .	42
<i>Rajya Sabha</i>		Privileges of Committees and their members . . . . .	180
Alleged making of false statements and imputing of motives to a Member—by a newspaper in regard to his speech in the House . . . . .	495	Refusal by a member to give evidence before Committee of the other House . . . . .	177
Alleged misleading statement made by a Minister in the House . . . . .	497	<i>Uttar Pradesh Legislative Council</i>	
		Alleged publication of Report of a Committee of the House . . . . .	182
		Delay in getting entry into the Vidhan Bhawan . . . . .	181
		<i>West Bengal Legislative Assembly</i>	
		Reference to a previous House by a Minister as 'a fake Assembly' . . . . .	43



PAGES	PAGES.
<b>PROCEDURAL MATTERS</b>	No-Confidence motion . . . 49
<i>Arunachal Pradesh Legislative Assembly</i>	Ordinance making power of Governor . . . 515
Increased time for Private Members' Business. . . 515	Reference to an outsider in speech . . . 514
<i>Jammu &amp; Kashmir Legislative Assembly</i>	Withdrawal of motion <i>re</i> : expulsion of Member . . 196.
Raising matters <i>sub judice</i> . . . 47	<i>Lok Sabha</i>
<i>Rajasthan Legislative Assembly</i>	Absence of Minister during Question Hour . . . 346.
Change in date of commencement of Session . . . 511	Absence of Minister from the House . . . . 194
Election to Financial Committees . . . . . 47	Adjournment motions—admissibility of . . . 193
Taking oath in Rajasthani Language . . . . . 511	Adjournment motion—asking of leave of the House. . . . . 510.
Zero Hour—New Procedure for Adjournment Motions and Calling Attention Notices . . 511	Adjournment motions—withholding of consent by Chair . . . . . 510.
<i>Sikkim Legislative Assembly</i>	Calling Attention Notices—Minister cannot be compelled to reply to Clarificatory questions. . . . 345.
Recognition of parties. . . . . 48	Calling Attention Notice—Postponement of taking up for discussion . . . 344
<i>Tamil Nadu Legislative Assembly</i>	Calling Attention Notices—Presence of Member . . 345.
Consideration of a Bill seeking to replace an ordinance . . . . . 48	Convention that Members of Business Advisory Committee do not participate in discussion of its Report in House . . . 193.
<i>Tripura Legislative Assembly</i>	Debates—Time for Members to participate . . . . 194.
Passing of Budget in one day . . . . . 513	Examination of working of Government Companies in which the Central Government and the State Government(s) have a capital participation . . 45
Private Member's Business—relation of notice period . 195	Interruptions . . . . . 344
<i>Uttar Pradesh Legislative Assembly</i>	Laying of papers on the Table of the House . . 510.
Admissibility of motions . . . 197	Language to be used in the House . . . . . 346.
Appointment of Speaker <i>pro-tem</i> . . . . . 514	
Election of Speaker . . . . . 198	
Elections to Committees . . . . . 513	
Filling up of vacancies in Legislative Committees. . 197	
Making allegations against a Member . . . . . 515	
Nomenclature of parties . . . . 49	

PAGES	PAGES
<b>Legislative Competence of the House . . . .</b>	<b>195</b>
<b>Minutes of meetings of Consultative Committee .</b>	<b>346</b>
<b>Motion for adjournment of debate on a resolution .</b>	<b>509</b>
<b>Making of allegations by a Member . . . .</b>	<b>510</b>
<b>Permission for raising points of order . . . .</b>	<b>345</b>
<b>Private Members Business—time for . . . .</b>	<b>193</b>
<b>Raising matters under Rule 377 . . . .</b>	<b>346</b>
<b>Side remarks by Members while taking oath . . . .</b>	<b>195</b>
<b>Special arrangement for new members . . . .</b>	<b>194</b>
<b>Supplementary questions .</b>	<b>194</b>
<b>Time limit for asking questions . . . .</b>	<b>509</b>
<b>PUBLIC ACCOUNTS COMMITTEE</b>	
Constitution of . . . .	305
Speech by Chairman . . . .	294
<b>PUBLIC SECTOR</b>	
Watching/performance of, recommendation of Committee on P.U. : . . . .	314
<b>PUNJAB</b>	
General Election . . . .	357
New Leader of the Opposition . . . . .	519
New Ministry . . . .	357
New Presiding Officers . . . .	519
<b>QUESTION HOUR</b>	
Lok Sabha, also daily verage of Question in . . . .	75, 225, 382, 539
Rajya Sabha, also daily average of Question in. . . .	225, 236, 389, 548
<b>RAILWAY BUDGET</b>	
Discussion on . . . .	212, 369
<b>RAJASTHAN</b>	
General Election . . . .	357
New Ministry . . . .	357
New Speaker . . . .	519
<b>RAJYA SABHA</b>	
Biennial Elections to . . . .	325
Election of new Deputy Chairman . . . . .	286
Hundred and twelfth Session. . . .	76
Hundred and thirteenth Session . . . . .	226
Hundred and fourteenth Session . . . . .	382
Hundred and fifteenth Session . . . . .	390
Hundred and Sixteenth Session . . . . .	540
New Leader of Opposition in . . . . .	53
Obituary references . . . .	83, 236, 390, 397, 548
Party-position in . . . .	138, 276, 450, 590
<b>RAMJEE SINGH, DR.</b>	
Article on "Social Legislation and Social Change" . . . . .	154
<b>RECENT LITERATURE OF PARLIAMENTARY INTEREST . . . . .</b>	<b>101, 241, 406, 553</b>
<b>ROMANIA</b>	
Re-election of President . . . .	209
New Deputy Prime Minister. . . .	209
<b>SCHEDULED CASTES AND SCHEDULED TRIBES</b>	
Atrocities against . . . .	217, 226, 229.
Reservation for . . . .	83
Twenty-eighth report of the Commission on . . . .	219

	PAGES		PAGES
<b>SESSIONAL REVIEW</b>		<b>Diplomatic Recognition to the office of P.L.O. in New Delhi . . . . .</b>	
<i>Andhra Pradesh Legislative Assembly :</i>		<b>223</b>	
Fixation of borrowing limit of the State Electricity—Board . . . . .	397	<b>Drought conditions in the country . . . . .</b>	218
Reservation for SC & ST	83	<b>Essential Services Maintenance (Assam) Bill . . . . .</b>	379
<i>Bihar Legislative Council</i>		<b>Establishment of diplomatic relations with Kam-puchea . . . . .</b>	
Adjournment motion regarding Parashigha incident . . . . .	237	<b>24</b>	
Inclusion of Bhojpuri Language in the Constitution.	549	<b>Finance Bill, 1980 . . . . .</b>	224
<i>Karnataka Legislative Assembly</i>		<b>Finance (No. 2.) Bill, 1980 . . . . .</b>	381
No-confidence Motion . . . . .	83	<b>General Budget . . . . .</b>	213,370
<i>Lok Sabha</i>		<b>Half-an-hour Discussions . . . . .</b>	225,382
Arms aid to Pakistan by the U.S.A. in the context of recent developments in Afghanistan . . . . .	69	<b>Increase in prices of petroleum products . . . . .</b>	367
Assam State Legislature (Delegation of Powers) Bill . . . . .	380	<b>Incidents of Rape and atrocities on women . . . . .</b>	373
Atrocities on Harijans and Adivasis . . . . .	217	<b>Iran-Iraq conflict . . . . .</b>	527
Code of Criminal Procedure (Amendment) Bill . . . . .	538	<b>Labour Minister's conference . . . . .</b>	376
Communal riots—discussion on . . . . .	530	<b>Launching of SLV-3 . . . . .</b>	375
Constitution (Forty-Fifth Amendment) Bill . . . . .	73	<b>Maruti Limited (Acquisition and transfer of Undertakings) Bill . . . . .</b>	536
Continued stalemate in Assam on 'foreign nationals' . . . . .	526	<b>National Security Bill . . . . .</b>	535
Daily average of questions . . . . .	225,382	<b>Payment of Bonus (Amendment) Bill . . . . .</b>	74
Demand by farmers for remunerative prices for agricultural produce . . . . .	527	<b>Performance of I.C.A.R. . . . .</b>	532
Demonstration in West Bengal and situation in Assam . . . . .	221	<b>President's Address . . . . .</b>	66
Depletion of natural resources, pollution of habitat etc. . . . .	377	<b>President Brezhnev's visit to India . . . . .</b>	531
		<b>President's Proclamation in relation to nine States . . . . .</b>	222
		<b>President's rule in Assam . . . . .</b>	72
		<b>Prevention of Black-marketing and Maintenance of supplies of Essential Commodities Bill . . . . .</b>	74
		<b>Problem of Foreigners in Assam . . . . .</b>	366

PAGES	PAGES
Productivity linked Bonus to P. and T. Employees and Workers of Defence Production Establishments . . . . .	218
Question Hour . . . . .	75, 225, 382, 539
Railway Budget . . . . .	212, 369
Reported blinding of some suspected criminals in Bihar . . . . .	529
Reported Chinese offer to settle the border problem . . . . .	372
Representation of the people (Amendment) Bill . . . . .	75
Resumption of talks with Shri Laldenga . . . . .	377
Revised terms of Reference of the Press Commission . . . . .	376
Revival of Bharat Ratna and Padma Awards . . . . .	71
Rise in prices of essential commodities . . . . .	528
Separate Ministry for Scheduled Tribes . . . . .	377
Social tension in West Bengal . . . . .	374
State Budgets—General Discussion . . . . .	215
Statutory Resolution regarding continuance of Presidential proclamation in respect of Assam . . . . .	365
Statutory Resolution re. Auroville (Emergency Provisions) Ordinance, 1980 and Auroville (Emergency Provisions) Bill . . . . .	534
Steep rise in prices of essential commodities . . . . .	223
Supplementary Demands for Grants (General) 1980-81 . . . . .	533
Supply of Nuclear Fuel by the USA for Tarapur . . . . .	220
The Banking Companies (Acquisition and Transfer of Undertakings) Bill, 1980 . . . . .	378
Twenty-Fifth Report of the Commissioner for Scheduled Castes and Scheduled Tribes . . . . .	219
Twenty-eighth Report of the UPSC . . . . .	367
Violent agitation in Assam and Meghalaya . . . . .	70
Visit of Minister of External Affairs U.S.S.R . . . . .	363
<i>Meghalaya Legislative Assembly</i>	
Deletion of names of foreign nationals from the electoral rolls . . . . .	393
Influx of outsiders into Meghalaya . . . . .	397
<i>Mizoram Legislative Assembly</i>	
Establishment of Peace Centre . . . . .	86
Quit Notice to Non-Mizos . . . . .	86
<i>Orissa Legislative Assembly</i>	
No-Confidence Motion . . . . .	84
<i>Punjab Legislative Assembly</i>	
Maximum borrowing limit for the Electricity Board . . . . .	398
Water (Prevention and Control of Pollution) Act . . . . .	84
<i>Rajasthan Vidhan Sabha</i>	
No-Confidence Motion . . . . .	84
<i>Rajya Sabha</i>	
Acute shortage and abnormal rise in prices of essential commodities . . . . .	540
Agitation by farmers for fixation of remunerative prices for their produce . . . . .	541
Agitation in Assam on the issue of foreign nationals . . . . .	230

	PAGES		PAGES
Amendment of the Constitution to give more powers to the Prime Minister . . . . .	542	Reported Police Firing on Onion Growers in Nasik District . . . . .	232
Appropriation (No. 3) Bill, 1980 . . . . .	394	Serious situation in North-Eastern region of the country due to reported Secessionist movement . . . . .	231
Atrocities against Scheduled Castes and Backward Classes . . . . .	226	Situation arising out of the U.S. decision to extend massive arms aid to Pakistan . . . . .	76
Atrocities on Agricultural Labourers belonging to Scheduled Castes in Moradabad . . . . .	229	Statutory resolutions seeking continuance of the Presidential Proclamation in relation to the State of Assam . . . . .	383
Clashes in Tripura . . . . .	384	Steep rise in prices of Essential Commodities . . . . .	383
Code of Criminal Procedure (Amendment) Bill, 1980 . . . . .	544	The Appropriation Bill, 1980 . . . . .	81
Court of enquiry to investigate into the crash of Pitts Aircraft . . . . .	384	The Assam State Legislature (Delegation of Powers) Bill, 1980 . . . . .	389
Daily average of questions . . . . .	236, 390, 396, 548	The Budget (General), 1980-81 . . . . .	228, 386
Deterioration of Law and Order situation in various parts of the country . . . . .	390	The Budget (Railways) 1980-81 . . . . .	227, 385
Deteriorating law and order situation in the North-Eastern region of the country . . . . .	77	The Constitution (Forty-fifth Amendment) Bill, 1980 . . . . .	80
Discriminatory policy by the Centre towards the Government of West Bengal . . . . .	542	The Essential Service Maintenance (Assam) Bill, 1980 . . . . .	387
Felicitations to Chairman . . . . .	76	The Finance Bill, 1980 . . . . .	235, 395
Government decision to scrap the Press Commission . . . . .	80	The Maruti Limited (Acquisition and Transfer of Undertakings) Bill, 1980 . . . . .	547
Half-an-Hour Discussions . . . . .	236, 390, 396, 548	The National Security Bill, 1980 . . . . .	545
Industrial policy, discussion on . . . . .	543	The Prevention of Black-marketing and Maintenance of supplies of Essential Commodities Bill, 1980 . . . . .	82
Motion of thanks on the President's Address . . . . .	78	The Union Duties of Excise (Electricity) Distribution Bill, 1980 . . . . .	235
Motion seeking revocation of Proclamations issued in relation to the 9 States and Resolutions seeking approval of these Proclamations . . . . .	233	Working of Ministry of Energy and Department of Coal . . . . .	391
Obituary References . . . . .	83, 236, 390, 397, 548	Working of the Ministry of External Affairs . . . . .	393
Question Hour . . . . .	225, 236, 389		

	PAGES		PAGES
Working of the Ministry of I & B . . .	392	<b>SIKKIM</b>	
Working of the Ministry of Planning . . .	392	Election of Presiding Officers .	57
<i>Sikkim Legislative Assembly</i>		Enhancement of Allowances Legislators	519
No-confidence Motion against Council of Ministers . . .	549	General Election	57
Presidential ordinance No. 7 of 1979 . . .	85	New Ministry	57
<i>Tamil Nadu Legislative Assembly</i>		S.L.V.-3	
Censure Motion . . .	85	Launching of . . .	375
<i>Uttar Pradesh Vidhan Sabha</i>		<b>SOUTH KOREA</b>	
Dissolution of the House and elections thereto .	237	Imposition of Martial Law	363
No-Confidence Motion	86	New President . . .	63,524
Raising of loan limit by U.P. State Electricity Board	549	<b>SOUTH YEMEN</b>	
<i>West Bengal Legislative Assembly</i>		Resignation by President .	363
Bank erosion in river Bhagirathi	400	<b>SPEAKER, LOK SABHA</b>	
Construction of new Railway lines	398	Felicitations to . . .	3
Dissolution of Legislative Assemblies in 9 States—resolution re.	401	<b>SRI LANKA</b>	
Haldia Petro-Chemical complex . . .	549	Declaration of emergency .	524
Raising of loan limit by West Bengal State Electricity Board . . .	549	Former Prime Minister found guilty . . .	524
Sharing of Ganga Water at Farakka . . .	398	Resignation by Minister .	63
<b>SEVENTH LOK SABHA</b>		<b>STATE ASSEMBLIES</b>	
Election of Deputy Speaker	2	Dissolution of nine President's Proclamations re :	200
Election of Speaker . . .	9	Resolution passed by West Bengal Assembly against dissolution of . . .	401
<b>SHORT NOTES</b>		Revocation of Proclamations re : motion seeking .	233
Biennial Elections to Rajya Sabha . . .	325	<b>SUDAN</b>	
Salaries and other facilities to legislators in India . . .	317	Dissolution of Parliament	209
		<b>SUMMARIES OF BOOKS</b>	
		“People and Parliament” by John P. Mackintosh .	97
		<b>SUPREME COURT</b>	
		Ruling in the Constitution (Forty-second Amendment)	346
		Ruling on Death Penalty .	348

	PAGES		PAGES
<b>SURINAM</b>		<b>UTTAR PRADESH</b>	
New Civilian Government	209	By-elections . . . . .	204
New President . . . . .	524	General Election . . . . .	359
<b>SWAZILAND</b>		New Governor . . . . .	204
Death of Prime Minister . . . . .	63	New Ministry . . . . .	359
<b>SWEDEN</b>		New Presiding Officers	520
New Prime Minister . . . . .	63	Resignation by Ministers	58
<b>SYRIA</b>		<b>VIET NAM</b>	
New Prime Minister . . . . .	209	Death of President . . . . .	210
<b>TAMIL NADU</b>		New Acting President	364
General Elections . . . . .	358	<b>WEST BENGAL</b>	
New Ministry . . . . .	358	By-election . . . . .	205
Pension for Legislators . . . . .	204	Social tension in . . . . .	374
<b>THAILAND</b>		<b>YADAV, CHANDRAJIT</b>	
New Prime Minister . . . . .	209	Speech at the inaugural meeting of Financial Committees . . . . .	294
<b>TRIPURA</b>		<b>YADAV, SHYAM LAL</b>	
Clashes in . . . . .	384	Address at the C.P.A. Re- gional seminar on Parli- mentary Practice & Pro- cedure . . . . .	472
<b>TURKEY</b>		Election as Deputy Chair- man, Rajya Sabha . . . . .	286
Bloodless military <i>coup</i> . . . . .	524	Felicitations to . . . . .	287
New Prime Minister . . . . .	63	Life-sketch of . . . . .	288
Resignation by President . . . . .	364	<b>YUGOSLAVIA</b>	
<b>UGANDA</b>		Death of President Tito . . . . .	364
Overthrow of President . . . . .	364	<b>ZIMBABWE</b>	
<b>UNION PUBLIC SERVICE COMMISSION</b>		General Election . . . . .	210
Twenty-eighth report . . . . .	367	Restoration of British Rule	64
<b>UNITED STATES</b>			
Resignation by secretary of State . . . . .	364		
<b>U.S.S.R.</b>			
New Deputy Prime Minister	210		
Visit of External Affairs Minister . . . . .	368		