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## EDITORIAL NOTE

The election of Shri N. Sanjiva Reddy, the erstwhile Speaker of Lok Sabha, to the exalted office of the President of the Indian Republic, has been unique in the sense that for the first time in the history of our country, the President was elected unanimously. The emergence of Shri Reddy as the unanimous choice of both the ruling party and the Opposition for this high office was an eloquent tribute to the outstanding qualities of head and heart of a leader who has spent his lifetime in the service of the people. In the leading article in this issue an attempt has been made to highlight some of these qualities including his role as Speaker of the Lok Sabha.

It is the very essence of the parliamentary system that the grievances of the people should be ventilated speedily and effectively by their elected representatives. One of the important instruments of Parliament available to the general public for redressal of their grievances is the Committee on Petitions, whose achievements, ever since its inception more than half a century ago, have been fairly significant. The special role performed by this important Committee has been highlighted in the second article in this issue by Shri H. V. Kamath, the Chairman of the Petitions Committee of Lok Sabha. The article emphasises the need for making the Committee a more effective instrument, so that it can fulfil its assigned role more vigorously.

Many significant aspects of the relationship between the House of Lords and the European Economic Community, a subject of current interest, have been analysed by Sir Peter Henderson, Clerk of the House of Lords in his valuable contribution. His exposition of the likely implications of direct elections to the European Parliament on the basis of universal adult suffrage from the member countries would be of special interest.

Among the recent developments in the country, the most important was the formation of new Governments in as many as eleven States and two Union Territories which went to the polls in the months of June and July 1977. There were cabinet reshuffles in four other States and Union Territories.

Surveying the developments abroad, it is a happy event that the former French territory of the Afars and Issas has achieved independence and become the Republic of Djibouti. General elections were held in Indonesia, Irish Republic, Israel, Madagascar, Sierra Leone and Sri Lanka. Spain also went to the polls for the first time since 1936. New Governments have been formed in Finland and Turkey while the Parliament in Fiji was dissolved and a caretaker Government appointed pending fresh general elections. There have also been changes in the Heads of State in the Soviet Union and Seychelles.

Enactment of legislation to provide for the salary and allowances of Leaders of Opposition in Parliament, for the first time in the history of the Indian Parliament, is a significant event. This issue, therefore, carries the text of this important enactment besides other regular features.

—AVTAR SINGH RIKHY

## PRESIDENT NEELAM SANJIVA REDDY

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To Shri Neelam Sanjiva Reddy belongs the unprecedented distinction of being proposed as a consensus candidate at the presidential election and of being declared elected unanimously to the highest office in the land. This was indeed a great personal honour to Shri Reddy bespeaking his illustrious standing in public life. It augured well for the office itself in that it set, to quote Shri Reddy's own words, 'a new precedent for keeping this great institution above political controversy so that the President can serve as a link between different parties in preserving the unity of the country.'

This unique honour has come to Shri Reddy as a fitting climax to a long, eventful and spectacular political career. Like many other young men in the resurgent thirties, Shri Reddy was drawn into the freedom struggle early in his life. Born on May 19, 1913 in a peasant family in Illuru village in the famine-prone Anantapur district of Andhra Pradesh, Shri Reddy left his studies to enter politics when barely 18, though Youth League and other nationalist activities had engaged his attention even while at college. In 1936, when he was only 23, Shri Reddy became the Secretary of the Andhra Provincial Congress Committee, which post he held for 10 years. During this time, like other national leaders, Shri Reddy also underwent imprisonment for a major part of the period 1940—45.

Shri Reddy was elected to the Madras Legislative Assembly in 1946, to become the Secretary of the Congress Legislature Party in the following year. He was inducted as a Minister into the Kumaraswami Raja Ministry in the composite Madras Province in 1949.

Two years later, in 1951, he became the President of the Andhra Pradesh Congress Committee. By now, he was emerging as a

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Contributed by the LARRDI Service, Lok Sabha Secretariat.

figure at the Centre. In 1947 he was chosen a member of the Constituent Assembly and in 1951 he became a member of the Central Congress Executive Committee and the Congress Parliamentary Board. He was elected to the Rajya Sabha in 1952.

On the formation of the Andhra State he was unanimously elected the leader of the Party in 1953, but he persuaded the veteran Andhra Leader Shri T. Prakasam to accept the Chief Ministership of the new State, with himself as the Deputy Chief Minister. Similarly, two years later, he stepped down in favour of Shri Gopala Reddy in the leadership contest in his State, although his chances were counted as bright in the event of an election.

On the formation of the enlarged Andhra State in 1956, the choice fell on him for becoming the Chief Minister.

Shri Reddy became the Congress President in 1959. He went back to Andhra as Chief Minister in 1962, which post he quit of his own free will, following a Supreme Court ruling, to uphold high standards in public life.

He returned to the Centre in 1964 when Shri Lal Bahadur Shastri invited him to join his Cabinet.

Following the Fourth General Elections, Shri Reddy was elected Speaker of Lok Sabha in 1967 in which office he won the admiration and affection of all sides of the House. He resigned the Speakership in 1969 to contest for the Presidentship as a Congress nominee and what happened thereafter is part of recent history. He came back as Speaker in March, 1977, only to resign shortly in July, to be elected this time unanimously to the office of the President.

Thus, in his public life spanning almost five decades, Shri Reddy has filled in succession a number of important positions with distinction—in his party organisation and the Government, in his home politics and at the Centre. The secret of his success lies in his devotion and dedication to the people. He is reputed as an eloquent forthright speaker, particularly in his mother tongue Telugu. He has also the capacity to carry people with him. Hailing from a peasant family, it has been said that "his rustic sturdiness and naivete are like a sudden burst of light in a dark room. They help clear the air." The country witnessed how, despite his illness not long ago, Shri Reddy undertook a strenuous tour of the cyclone-ravaged areas in Andhra Pradesh and Tamil Nadu to size up



the situation and galvanized the local authorities to take up the relief operations without any loss of time. This is the kind of initiative and directness of approach that has been associated with Shri Reddy's inspiring leadership.

When Shri Reddy first came to occupy the Chair, following the 1967 General Elections—aptly described as a political watershed in the country's post-Independence history, it was no easy House that he was called upon to preside over, but Shri Reddy was able to bring satisfaction to all sections of the House. As a Speaker, he has been praised for his tact and skill; his shrewd commonsense, which enabled him to anticipate the mood of the House; and 'the very fine mix of flexibility and firmness' in the way he handled the House and the members.

In crucial moments Shri Reddy provided leadership to those around him. He was forthright and unequivocal in the expression of his views. The two Conferences of Presiding Officers which he called during his first tenure—one in 1967 in the wake of large-scale floor-crossings in Legislatures in the country; and the other, an emergent one, in the next year, to consider the situation that arose out of the controversial exercise of powers by the West Bengal and Punjab Speakers—would be remembered for the manner in which he got his fellow Presiding Officers to address themselves to these problems.

To the officers and staff of the Lok Sabha Secretariat Shri Reddy was a father figure. Shri Reddy evinced keen concern for the welfare of the staff and was appreciative of the solid work being done by his men behind the scene and of their contribution to the smooth and efficient functioning of the House, which provided encouragement to the staff to give of their best always.

Shri Reddy returned to the Chair in 1977 the second time after another momentous general election. One should have witnessed the touching scene in Lok Sabha at the time he took leave of the House on the eve of his presidential nomination, to know how popular he was and in what respect and affection he was held by the entire House.

What now seemed to weigh uppermost in Shri Reddy's mind was the unity and integrity of India, and an anxious concern for the lot of the deprived and under-privileged in the country. This was

the thought predominant in Shri Reddy's words of farewell to Lok Sabha. And it was to this he returned in his address immediately after his swearing in as President in the Central Hall of Parliament. In words which will live long in the memory of his countrymen, he said:

"The country now needs a new equilibrium, a new spirit of national reconciliation, that can be brought about only by moving forward to the new frontiers of true equality, fuller opportunity and greater compassion for the weaker sections of its people. Our goal is total freedom for the people that can fully reflect their urges and aspirations for better life. We cannot remain content by merely reliving our past even under conditions of complete freedom, without a matching concept of the present and the future. We can survive only by seizing every constructive opportunity that can offer a creative alternative to the legacies of the past. It is only through such a lofty endeavour that the country can rediscover itself with a new sense of adventure and faith in ourselves.

The real unity of India lies in its immense diversity, not merely the diversity of language, region or religion, but in the plurality of its society in which all sections of the people have a role to play in preserving its integrity and ensuring its welfare."

It would be recalled how, shortly after his assuming office when it was known that Shri Reddy was not well and was leaving the country temporarily to be hospitalised, the entire nation kept vigil, spending anxious moments in prayer for his speedy recovery and safe return—an eloquent testimony to how deeply loved and respected Shri Reddy is by his people.

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## THE COMMITTEE ON PETITIONS

H. V. KAMATH

The Committee on Petitions is nominated by the Speaker every year under Rule 306 of the Rules of Procedure and Conduct of Business in Lok Sabha. It consists of 15 members. This is one of the oldest Committees of the House, and its history goes back to the early twenties of this century. On the 20th February, 1924, the President of the then Central Legislative Assembly constituted a Committee on Public Petitions. Its name was changed to Committee on Petitions in 1933. The Committee initially consisted of 5 members including the Chairman and its strength remained unchanged till April, 1954, when it was raised to 15 in order to provide adequate representation for a bigger House as well as for all parties and groups comprised in that House. The first Report of the Committee was presented to the Assembly by the Deputy President on 19th February, 1925, on certain petitions relating to the Indian Penal Code (Amendment Bill).

The functions of the Committee as envisaged in Rule 307 are:

- (i) to examine every petition presented to the House, and if the petition complies with the rules, the Committee may direct that the petition may be circulated *in extenso* or in summary form; where however, circulation of a petition has not been directed by the Committee, the Speaker may at any time direct that the petition be circulated;
- (ii) to report to the House on specific complaints and grievances contained in the petition after taking such evidence as the Committee may deem fit;
- (iii) to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future.

In the case of a petition on a Bill pending before the House, the Committee is required to meet as soon as possible after it has been

presented or reported to the House and submit its report to the House or direct the circulation of the petition to the Members, well in advance of the Bill being taken up in the House. If the Bill is already under consideration of the House, the Committee is required to meet immediately and submit its report to the House or direct the circulation of the petition to the Members.

Besides the petitions presented to the House and the petitions on Bills, the Committee is also required to consider representations, letters and telegrams from various individuals, associations etc. ventilating grievances, which are not covered by the rules relating to petitions and give directions for their disposal, provided that the grievances fall within the administrative control of the Government of India.

However, anonymous letters or letters on which names and addresses of senders are not given or are illegible and, endorsement copies of letters addressed to authorities other than the Speaker or the House, unless there is a specific request on such a copy praying for redress of the grievances are not considered by the Committee but are filed on receipt in the Lok Sabha Secretariat.

Only those representations on general matters or ventilating personal grievances are entertainable by the Committee which fall within the purview of the Government of India or Parliament. Representations concerning States fall within the purview of the State Governments and are, on receipt in the Lok Sabha Secretariat, forwarded to the Secretary of the State Legislative Assembly concerned for disposal by the Committee on Petitions of that House.

Representations ventilating service grievances of employees or ex-employees of Government/Statutory Bodies are also not normally entertained by the Committee as proper remedies are available to such employees under their service rules etc.

For a proper examination of the petitions and representations pending before the Committee, the Committee calls for the factual comments of the concerned Ministries/Departments of the Government of India. The Committee may in appropriate cases hear oral evidence of the petitioners and representatives of the concerned Ministries and Departments of the Government of India. In certain cases the Committee have also made on-the-spot study visits.

During the Fifth Lok Sabha, the Committee held 100 sittings and presented 34 reports to the House on 9 petitions and 207 representations. The Committee took oral evidence of the petitioners and

representatives of the various concerned Ministries and Departments of the Government of India on 44 occasions. The Government have taken action on most of the recommendations contained in the Reports of the Committee. The Committee systematically pursues its recommendations with the Government and presents an Action-taken Report to the House from time to time.

The need for making the Committee on Petitions a more effective instrument and to fulfil its role more vigorously even within the existing ambit of its functions, has been repeatedly highlighted by the Committee. The working of the Committee suggests that there is greater awareness in the country about this instrument of Parliament inasmuch as an increasingly large number of persons and institutions are utilising the medium of the Committee for a speedy and satisfactory redressal of their grievances against the Government in matters of current general public interest. This gives the Committee a distinct and special role.

Some of the more important matters of general public interest which were considered by the Committee on Petitions and on which the recommendations of the Committee were substantially implemented by Government during the last several years are as follows:—

- (i) The Committee have made a number of recommendations from time to time in regard to increase in pensions of Central Government pensioners. Some of the recommendations were implemented by Government and relief granted to pensioners.
- (ii) The Committee considered representations on complaints regarding over-billing and the working of the Subscriber Trunk Dialing (STD) system on Delhi Telephones. The Committee recommended the appointment of an Expert Committee for examining the billing system and working of Delhi Telephones. The suggestion of the Committee was agreed to and an Expert Committee was set up by the Government.
- (iii) The Committee recommended, *vide* their Third Report, restoration of the S.S. Light Railway which was to be dismantled. The Government accepted the recommendation of the Committee and agreed not only to restore the railway line but to convert it into a broad-gauge line.
- (iv) Another important subject which was examined by the Committee related to the claims against Railways on account of shortages in consignments of pig iron

booked from Steel Plants. In pursuance of the recommendations of the Committee, the Government have initiated certain measures to eradicate the causes of thefts and pilferages and minimise the incidence of claims arising out of shortages in iron and steel consignments, as a result of which the number of claims for compensation of loss had considerably come down.

- (v) The Committee considered a petition regarding unemployment of Agricultural Graduates, Post-Graduates and Agricultural Engineers and made certain recommendations. Some of the recommendations have been implemented by the Government.
  - (vi) On a petition regarding nationalisation of plantation industry and trade, the Committee made a number of recommendations in regard to housing, medical, educational and other facilities provided to the plantation workers. In pursuance of recommendations of the Committee, the Government have taken certain measures.
  - (vii) The Committee considered a petition regarding grievances of Railway employees. The Committee made a number of recommendations in regard to reinstatement of Railway employees dismissed during May 1974 Railway strike, and to provide the railwaymen the protection of industrial relations legislation to settle their grievances etc.
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## THE HOUSE OF LORDS AND THE EUROPEAN PARLIAMENT

SIR PETER HENDERSON

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An immediate consequence of the accession of the United Kingdom to the European Economic Community (EEC) in 1973 was the opportunity for this country to participate, for the first time, in the work of the major EEC institutions. Government Ministers now attend the meetings of the Council of Ministers—the supreme legislative authority in the EEC with power under the treaties of acceptance or rejection of draft EEC legislation—and indeed during the first six months of 1977 the United Kingdom has held the presidency of this body. A British judge sits at the European Court of Justice. Numbers of administrative positions in the EEC Commission—the administration and policy initiator for the Community—are now filled by former British civil servants and people from other walks of life.

There is also United Kingdom representation on the two consultative bodies of the Community. The first of these, the Economic and Social Committee, is entirely consultative and includes representatives of employees, workers and general interest groups who are nominated by member states' governments, and it is consulted on most important matters of a social or economic nature. The second of these bodies is the European Assembly, or the European Parliament as it is now known. The purpose of this article is to describe the relationship between the House of Lords and the European Parliament and the way in which the work of two highly dissimilar bodies has in some areas of activity been drawn more closely together.

The European Parliament consists of 198 members, designated by the Parliaments of Member States from amongst their members, of whom thirty-six are drawn from the United Kingdom. Of these, ten are members of the House of Lords and the remainder are members of the House of Commons: they are appointed by resolutions of each House.

The European Parliament is not a legislature in the sense that would be immediately intelligible to anyone familiar with the practice and procedure of the parliamentary democracies of the Commonwealth. It is primarily an advisory body, the powers of which are severely constrained by the Treaty of Rome which established the EEC in 1957. The great majority of Commission proposals for enactment by the Council of Ministers are referred to it for an opinion and amendments are often proposed but neither the Commission nor the Council are bound to accept them. However, the Parliament does have some influence at the pre-legislative stage in so far as the Commission is anxious to take the views of the representative bodies of the EEC into account when promoting its draft legislation. Its principal tangible powers lie in relation to the annual budget of the EEC where it can determine the level of what is termed non-obligatory expenditure—expenditure deemed not to arise out of the requirements of the Treaty of Rome—and it can in theory reject the proposed budget outright. In practice these powers will, over the 1978 budget for example, extend only to a 7 per cent modification of some 20 per cent of the budget or an overall increase or decrease of 2 per cent. Finally, the Parliament can, in the last resort, dismiss the Commission as a whole but this is unlikely ever to be used. Apart from these functions the European Parliament serves as a forum of debate and a means of tabling questions to Commissioners on matters of EEC competence. To that extent it may be said that it serves to some degree as a check on the executive. Although neither Commissioners nor members of the Council of Ministers sit as members, both have places reserved for them in the chamber.

The House of Lords, though limited by the Parliament Acts, is, by contrast, an integral part of a bicameral legislative parliament. Both Public and Private Bills are initiated there and the House makes amendments to Bills (whether they have been introduced in the Lords or Commons) of which cognizance is inevitably taken. In the last resort it may also delay Government Bills to which it takes exception. In budgetary matters, where the European Parliament is at its strongest the House of Lords is at its weakest. The Lords may not amend Supply Bills and, under the Parliament Act of 1911, they must pass within one month any bill dealing only with national taxation, public money or loans which has been certified by the Speaker of the House of Commons as a Money Bill. Finally, it serves as a forum of debate and organ for questioning the Government through the Ministers and spokesmen who sit as member of



the House. Thus, through the doctrine of ministerial responsibility to Parliament, the House of Lords plays its part in the parliamentary check on the executive.

Beyond the fact that some ten Lords serve a dual mandate to both institutions, there is clearly nothing in the constitutional or historic function of either body to require much recognition of the other's activities. However, in 1974 the House of Lords set up a Select Committee on the European Communities "to consider Community proposals whether in draft or otherwise, to obtain all necessary information about them and to make reports on those which, in the opinion of the Committee, raise important questions of policy or principle, and on other questions to which the Committee consider that the special attention of the House should be drawn."<sup>1</sup> The establishment of the Committee and its method of working was the subject of an earlier contribution to the *Commonwealth Parliaments*<sup>2</sup> and need not be further elaborated here, save to recall that while the European Parliament seeks to influence the Commission and the Council of Ministers collectively, the Scrutiny Committees of the two Houses of the United Kingdom Parliament seek primarily to influence the United Kingdom Minister at the Council of Ministers. However, by creating a Select Committee with seven sub-committees covering seven major policy areas the House of Lords has set up a committee system akin to, if not as numerous as, that which operates in the European Parliament. There the work of considering Commission proposals for legislation is done in twelve Committees, the reports of which are then received at the monthly plenary sittings of the Parliament. It is as a side effect of the work of these Committees that such links as exist between the Lords and the European Parliament have developed.

There are two ways in which, under the dual mandate, Lords members of the European Parliament constitute a physical link between the two bodies. The first is by their membership of or attendance at committees. Every Lord is a member of one or more committees at the European Parliament and at the time of writing<sup>3</sup>

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<sup>1</sup>Hereafter also referred to as the Scrutiny Committee.

<sup>2</sup>The Rt. Hon. Lord Elwyn-Jones, *The House of Lords and the EEC*, in S. L. Shakhder (Ed.): *The Commonwealth Parliament*, pp. 214—223.

<sup>3</sup>July 1977.

two are also members of sub-committees of the Select Committee of the House of Lords on the European Communities.<sup>4</sup> One is also a member of the Select Committee itself.<sup>5</sup> Unfortunately, the committee work of the European Parliament frequently prevents members from attending their committees of the Lords which is the principal reason why so few members of the European Parliament serve on them.

However, there is a provision whereby Lords members of the European Parliament, although not named of the Lords Select Committee can attend meetings whenever they wish. Under Standing Order 62, first made in March 1621, "At a Select Committee of the House any Lord, though not of the Committee, is not excluded from coming in and speaking, but he must not vote." In 1973 the Maybray-King Committee, established to consider the procedure for scrutiny of European proposals, took advantage of this Standing Order in recommending that all members of the House should be encouraged to attend any meeting of the Scrutiny Committee or its sub-committees.<sup>6</sup> This has been encouraged both by the House and by the Committee itself with the result that Lords members of the European Parliament do occasionally attend. Consequently it not infrequently happens that a member of the European Parliament whose European Parliament committee is currently examining a proposal at the same time as a Lords sub-committee will attend both series of meetings. The proceedings and deliberations of the Lords Scrutiny Committee can serve him in good stead for his European duties, especially if he is currently "rapporteur" for that Committee, while knowledge of the activities of the European Parliament is of benefit to those at Westminster.

The second way in which the dual mandate directly links the two Parliaments is that Lords members of the European Parliament participate in proceedings on European issues in the chamber of the House of Lords. In most cases debates on European affairs take place on a motion to take note of a report made by the Scrutiny Committee on the European Communities on a Commission proposal or policy document to which they feel the attention of the House should be drawn. A survey of debates on European matters in the House of Lords in session 1975-76 reveals that members of the Euro-

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<sup>4</sup>Lords Brimelow and Murray of Gravesend.

<sup>5</sup>Lord Brimelow. . . . .

<sup>6</sup>Second Report by the Select Committee on Procedure for Scrutiny of proposals for European Instruments, HL 1973, 194, para 123.

pean Parliament spoke on 10 out of a possible 21 occasions. Moreover, members are also able to take advantage of their position to table questions on European matters for oral or written answer by Her Majesty's Government.

There are other ways in which the dual mandate forges links between the Lords and the European Parliament. The exchange of papers is probably the most important of these. The Scrutiny Committee and its seven sub-committees frequently hear oral evidence and receive written evidence from both Government departments and interested private bodies on EEC proposals. For example, on matters relating to company law it is the practice to hear evidence from the Law Society, the Consultative Committee of Accountancy Bodies, the British Bankers' Association, the Trades Union Congress and the Confederation of British Industries, to name but a few of these groups. Unless there are compelling reasons to the contrary, evidence is heard in public and the minutes of evidence are published, and although occasionally witnesses may give evidence off the record—in the case of witness from the European Commission this is always the case—it is unusual. The Lords Scrutiny Committee strongly believes in the public nature of the evidence it hears on European instruments and transcripts of this evidence are made available to Lords members of the European Parliament.

The European Parliament, for its part, seldom receives evidence from outside bodies, despite recent instances to the contrary and any evidence that is heard has to be gathered on the independent initiative of members. It is, of course, more difficult for European associations to provide an agreed opinion on draft instruments and they may, in any case, already have been consulted by the Commission at the drafting stage. Consequently, the evidence heard by the Lords Committees has a value to Lords members of the European Parliament which could not easily be derived from any other source. In addition there is also an exchange of the draft reports of the respective committees of the two bodies. As both the Houses of Lords and the European Parliament frequently consider proposals at the same time, it has not proved possible to avoid duplication of effort, but this is not as wasteful as might be supposed because the interests of national and supra-national parliaments are often very different. This exchange of draft reports enables the secretariat and the United Kingdom members of the European Parliament to become aware of the feelings of the national parliament at an early stage. It also enables the Lords Committees to take advantage of the likely European point of view during their own deliberations.

It has also been possible to take advantage of the dual mandate to invite United Kingdom members of the European Parliament from both Houses to give formal evidence to the Scrutiny Committee or its sub-committees on matters in which the European Parliament is likely to have a particular interest. For example, evidence has been heard on direct elections to the European Parliament, EEC regional policy and the draft annual EEC budgets. On all these questions the European Parliament can have a corporate interest which often transcends party political differences and of which national legislatures should clearly be aware.

The strength of these links is enhanced at official level by the designation of one of the Lords Committee Clerks as Secretary to the Lords Delegation to the European Parliament. He is able to ensure that members of both Houses are aware of any Scrutiny Committee reports or papers arising from work in progress which may be of use to them in the discharge of their duties either in European Parliament Committees or on the floor of the House. Conversely he is also able to take advantage of his position to ensure that the work of the European Parliament is brought to the attention of the corresponding Lords sub-committee where this is appropriate.

However, the European Parliament is shortly to undergo a considerable transformation in composition. In or soon after 1978 it is proposed to introduce the election of its members by direct universal suffrage in all Member States of the EEC. Her Majesty's Government have recently introduced the Bill necessary to put this into effect in the United Kingdom in the expectation that it may go through all stages in the next session of Parliament. If the Bill becomes law and when all Member States have ratified the decision to proceed with direct elections, then British European Parliament members will cease to be nominated by the two Houses of the Westminster Parliament: instead the 81 United Kingdom members of the enlarged 410 strong Parliament will be directly elected by their fellow countrymen. Obviously this development will have a profound effect on the relationship between the European Parliament and the Parliament at Westminster. A directly elected European Parliament is likely to make greater demands upon the time and energy of its members. As a result there will probably be fewer and fewer individuals who will feel able to shoulder the burdens of membership of both bodies. This consideration will particularly affect Members of the House of Commons who in addition to their other commitments, have responsibilities for their constituents. But

even members of the House of Lords who secure election to the European Parliament will in all probability find that they have less and less time to spend at Westminster.

Once direct elections are instituted, therefore, the links which the dual mandate at present provide will be weakened and may ultimately be severed altogether. It remains to be seen whether it will be possible to find some means of associating the work of the European Parliament and the House of Lords in the future.

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## PARLIAMENTARY EVENTS AND ACTIVITIES

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### FOREIGN PARLIAMENTARY DELEGATIONS IN INDIA\*

*Visit of the Speaker of the National Assembly of Kenya:* Speaker Sanjiva Reddy, and Shrimati Reddy hosted a dinner on June 8, 1977 at Hyderabad House, New Delhi in honour of His Excellency Mr. F. M. G. Mati, Speaker of the National Assembly of Kenya and Mrs. Mati, who were on a short private visit to India.

*Visit of the Minister for Foreign Affairs of Japan:* His Excellency Mr. Ichiro Hatoyama, Minister for Foreign Affairs of Japan, accompanied by His Excellency Mr. T. Suzuki, Ambassador of Japan in India, His Excellency Mr. Masup Takashima, Deputy Minister for Foreign Affairs, and Mr. Taketo Temono and Mr. Keisuke Nakanishi, Members of the House of Representatives of Japan, visited Parliament House on July 20, 1977. They were cordially received by Shri Godey Murahari, Deputy Speaker of Lok Sabha. They had discussion with Members of Parliament on several matters of mutual interest.

*Japanese Parliamentarian Delegation:* A six-member Japanese Parliamentarian Delegation led by Mr. Hoshio Sakurauchi, M.P. visited India from August 13 to 19, 1977. During the visit the delegation called on the President, Vice-President, Prime Minister, Speaker of Lok Sabha, Minister of Agriculture & Irrigation, Minister of Parliamentary Affairs and Labour and Deputy Chairman of Rajya Sabha. The Speaker, Lok Sabha hosted a luncheon in honour of the delegation on August 13 at the Banquet Hall in Parliament House Annexe. During their stay the delegation also visited Parliament House. Besides Delhi the delegates were taken round to some places of cultural interest and industrial importance like Agra and Madras.

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\*Contributed by the Conference Branch, Lok Sabha Secretariat.

*Visit of Swedish Parliamentary Delegation:* A seventeen-member Swedish Parliamentary Delegation led by Mr. Sven Aspling, former Minister of Health and Social Welfare, which was on an Asian study tour, visited Parliament House and Parliament House Annexe on August 31.

A meeting between the visiting Swedish Parliamentary Delegation and Members of Parliament was held under the chairmanship of Shri Jyotirmoy Bosu, M.P., Chairman of the Committee on Public Undertakings to discuss matters of mutual interest. The meeting was followed by a tea party in the Banquet Hall in Parliament House Annexe.

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PRIVILEGE ISSUES\*

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LOK SABHA

*Alleged misleading statement by a Minister in the House:* On July 16, Shri B. Rachaiah, a member, sought to raise<sup>1</sup> a question of privilege against the Minister of Home Affairs, Shri Charan Singh, for allegedly misleading the House on June 13 in the course of a statement made by him on a calling attention matter about atrocities on Harijans at Belchi village in Bihar.

The Deputy Speaker, Shri Godey Murahari, who was in the Chair, *inter alia*, informed the House that he had forwarded copies of three notices of questions of privilege on the subject he had received to the Minister of Home Affairs for his comments on facts and that he would take decision in the matter upon his receiving a reply.

On August 4, when Sarvashri C. K. Chandrappan and B. Rachaiah, two of the members who had tabled the notices sought to raise<sup>2</sup> the matter in the House, the Speaker, Shri K. S. Hegde, observed that he had not given his permission as the matter was pending before a court. Upon the Members submitting that the Deputy Speaker had allowed them to raise the matter under rule 222<sup>3</sup> of the Rules of Procedure and Conduct of Business in Lok Sabha, the Speaker observed that he would ascertain the position from the Deputy Speaker.

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\*Contributed by Committee Branch-I, Lok Sabha Secretariat.

<sup>1</sup>LS Deb., dt. 16-7-1977, c. 4.

<sup>2</sup>*Ibid.*, 4-8-1977, cc. 262—66.

<sup>3</sup>Rule 222 reads: A member may, with the consent of the Speaker raise a question involving a breach of privilege either of a member or of the House or of a Committee thereof.



The following day, the Speaker, disallowing the question of privilege, ruled<sup>4</sup> as follows:

"Yesterday, Sarvashri C. K. Chandrappan and B. Rachayah sought to raise a question of privilege regarding alleged misleading information given to the House on the 13th June 1977, in the statement made by the Minister of Home Affairs on a calling attention matter about atrocities on Harijans at Belchi village in Bihar. Some members stated that the Deputy Speaker had given his consent to raise this matter under rule 222.

I then observed that the records did not show that the Deputy Speaker had given his permission under rule 222. In fact, what the Deputy Speaker had said in the House on the 16th July, 1977, was:

'...In accordance with the practice of the House in such matters, I have sent copies of the notices to the Minister of Home Affairs for his factual comments. I will take a decision in the matter after I receive a reply from the Home Minister.'

The observations of the Deputy Speaker were communicated in writing to Sarvashri C. K. Chandrappan, K. A. Rajan, B. P. Kadam and Shrimati Parvathi Krishnan on the 16th July, 1977, itself.

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However, I observed yesterday that I would consult the Deputy Speaker whether he had given his permission to this matter being raised under rule 222 as claimed by certain Members. The Deputy Speaker has informed me in categorical terms that he had not given permission to any Member under rule 222 to raise this matter in the House.

It is thus clear that the contention of these Members that the Deputy Speaker had given them permission to raise this matter under rule 222 is not correct. I have already disallowed this matter as stated earlier on the ground that the question relating to notice for the occurrence is *sub-judice*."

*Alleged misleading statement by a Minister in the House:* On July 19, 1977, Shri Vayalar Ravi and Shri K. P. Unnikrishnan sought to raise a question of privilege against the Minister of Home Affairs, Shri Charan Singh, for allegedly misleading the House by certain

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<sup>4</sup>Ibid. dt. 5-8-1977, cc. 247-49.

statements of his in the House on July 13 and 14, 1977, about "thinking" of the previous Government during Emergency to shoot down top Opposition leaders.<sup>5</sup>

While raising the question of privilege, Shri Vayalar Ravi stated, *inter alia*, that the Home Minister had repeated his allegation saying that the ordinance issued by the President suspending the operation of articles 14, 20 and 21 of the Constitution was a preparation for such action. He had referred to a press report regarding the argument of Mr. Niren De in the Supreme Court: 'Justice Khanna pointed out that article 21 dealt not only with personal liberty but also with the right to live. It would follow that during Emergency if somebody's life was taken away by the State without the sanction of law, no action would lie'.<sup>6</sup> The contention of the Home Minister was that there was a thinking. The purpose was to mislead the House and malign all the members belonging to the Congress party.

Shri K. P. Unnikrishnan stated, *inter alia*, that the Home Minister's statement that 'preparations were being made for the day when certain leaders could be shot down as had been done in the Dacca jail' was not borne out from Mr. Niren De's arguments before the Supreme Court.<sup>7</sup> On the other hand, the member argued the Minister 'was referring to more than what was contained in Mr. De's argument', which he neither substantiated nor denied. So, the member contended, the Minister "was deliberately and wilfully misleading the House and uttering falsehood in the House... Uttering falsehood or deliberately misleading the House constitutes a breach of privilege of the House."

The Deputy Speaker, Shri Godey Murahari, who was in the Chair disallowed the question of privilege and ruled *inter alia* as follows:—

"In a case where it is alleged that a Minister or a member had made an incorrect statement in the House the procedure for inviting the attention of the House to such matters is laid down under Direction 115 of Directions by the Speaker which reads as follows:—

'115(1). A member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other member shall, before referring to the matter in

<sup>5</sup>LS Deb., July 19, 1977, cc, 156—76.

<sup>6</sup>Ibid.

<sup>7</sup>Ibid.

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.

- (2) The member may place before the Speaker such evidence as he may have in support of his allegation.
- (3) The Speaker may, if he thinks fit, bring the matter to the notice of the Minister or the member concerned for the purpose of ascertaining the factual position in regard to the allegation made.
- (4) The Speaker may then, if he thinks it necessary, permit the member who made the allegation to raise the matter in the House and the member so permitted shall, before making the statement, inform the Minister or the member concerned.

In the present case when the matter was raised in the House earlier on the 14th July, 1977 by Shri Y. B. Chavan, Leader of the Opposition under Rule 377, the Minister of Home Affairs had clarified the position.

Now today when this matter has again been raised by Shri Vayalar Ravi, the Minister of Home Affairs may again clarify the position. In view of the provisions of Direction 115 and the clarification by the Minister of Home Affairs, the matter may be treated as closed."<sup>8</sup>

*Alleged wrong and misleading information given to the House by a Minister in answer to a Question:* On August 8, Shri Kanwar Lal Gupta, a member, laid<sup>9</sup> on the Table of the House the following statement under Direction 115 of the *Directions by the Speaker*:

In reply to my Unstarred Question No. 1390, replied on 22nd June, 1977, the Home Minister stated that no lathi charge was made in the Jail during emergency.

In this connection, it is submitted that I too was detained in the Central Jail, Tihar, Delhi. I can say from my personal knowledge that it is incorrect to say that no lathi charge was made in Tihar Jail. As a matter of fact, many

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<sup>8</sup>Ibid.

<sup>9</sup>LS Deb., August 8, 1977, cc. 56-57.

persons detained in the Jail were injured and some of them severely wounded on account of lathi charge made in the Jail. Even the record of Tihar Central Jail will substantiate my contention. Those who were injured can be produced even now because they are the residents of Delhi. Moreover, even the Home Minister, Shri Charan Singhji was also detained in the Jail at that time and he must be knowing this fact that there was lathi charge in Tihar Central Jail.

It seems that the Delhi Administration was wrongly sent this information to the Home Minister. I request the Home Minister under Speaker's Direction 115 to correct his statement made on the 22nd June, 1977. It is further submitted that he may take action against those officers who misguided him.

The Minister of Home Affairs Shri Charan Singh, laid<sup>10</sup> on the Table of the House the following statement in reply to the statement laid by Shri Kanwar Lal Gupta:

Unstarred Question 1390 sought information regarding the names and places where lathi charge was made in jails during Emergency. I had stated that replies from 15 States and Union Territories were being awaited and that 16 States and Union Territories had reported that no lathi charge was made in their jails during Emergency. Union Territory of Delhi was included in the latter category. On 28th June Shri Kanwar Lal Gupta had written a letter stating that he was himself detained in Tihar Central Jail, Delhi, during the Emergency, that there was a lathi charge and that he was himself a witness thereto. He also added that I should be knowing about the lathi charge since I was also detained in the same Jail. Though I was detained in Tihar Jail, I was not personally a witness to any lathi charge. But I do recall that an alarm was sounded and the impression of a lathi charge having been made was widespread amongst the jail inmates. In fact Shri Prakash Singh Badal, Shri Atma Singh and I had sent a notice to the jail authorities saying that if no enquiry was held into the incident, we would be compelled to start a hunger strike. Thus, while I do feel that what I had stated in my written answer on the 22nd June, 1977 is not perhaps wholly accurate. I had no intention of misleading the House or wilfully furnishing any false information.

Hence further inquiries have been made from the Delhi Administration. It had again been stated by the Delhi Admi-

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<sup>10</sup>*Ibid.*, cc. 56-57.

nistration that although there was a scuffle on the 2nd October 1975 where the authorities had to use minimum force to control the situation, no lathi charge was resorted to and that 16 persons received minor injuries during this scuffle. On a careful examination of the report received from the Delhi Administration, I am not satisfied that all the relevant facts have been ascertained. The manner in which force was used has not been clearly brought out. Nor has any satisfactory explanation been furnished for the injuries sustained by 16 prisoners. It would, therefore, be necessary to ascertain all the relevant facts by a thorough inquiry. Accordingly, I propose to institute a judicial inquiry into the matter.

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

*Alleged misreporting of proceedings of the House by All India Radio:* On August 8, 1977, the Speaker, Shri K. S. Hegde, informed the House that on August 5 Shri K. P. Unnikrishnan gave notice of a question of privilege against (i) the Minister of Information and Broadcasting, Shri L. K. Advani and (ii) the Chief Editor, News Services (English), All India Radio, on the ground that in the English News Bulletin broadcast by the All India Radio at 9.00 P.M. on August 4, 1977, it was said that some of his remarks made in the House on that day were expunged by the Speaker whereas none of his remarks were so expunged.<sup>11</sup>

The Speaker, while disallowing the question of privilege, ruled as follows:—

“I referred the matter to the Minister of Information and Broadcasting for his comments and also called for a copy of the transcript of the said News Bulletin broadcast by the All India Radio.

The Ministry of Information and Broadcasting has, with the approval of the Minister, informed me as follows:

‘In the 9 P.M. English Bulletin broadcast on August 4, 1977, the following passage occurs at the end of the news item pertaining to the discussion in the Lok Sabha on the Congress Motion seeking to disapprove the conduct of the Home Minister:

‘During the acrimonious debate, fresh charges were flung by Congress members. Reacting sharply to one of these, Mr. Charan Singh challenged the relevance of the charge and offered to resign if it was proved

correct. The Speaker agreed with him and expunged the Congress Members' remarks. The Prime Minister will speak on the motion tomorrow.'

There is no doubt that All India Radio had erred in reporting this particular item. From the uncorrected copy of the day's proceedings of Lok Sabha it appears that the Hon. Speaker has used the words, 'may expunge it'. Unfortunately, the AIR Correspondent understood this to be 'I expunge it'. It was incumbent on the AIR Correspondent to have checked with the official Reporters before mentioning any 'expunging' of remarks, but in his anxiety to beat the deadline of the main 8.45 P.M. Hindi and 9 P.M. English News Bulletins, the AIR Correspondent overlooked this important precaution.

The mistake was, however, unintentional and is regretted. Suitable instructions are being issued to AIR Correspondents to be more careful with a view to ensuring avoidance of recurrence of such mistakes.

There was, however, no question of any wilful misrepresentation by AIR. Under these circumstances, it is requested the Privilege Motion may kindly be dropped.

In view of the explanation and the regret expressed, I decline to give my consent under Rule 222 of the Rules of Procedure and Conduct of Business in Lok Sabha. The matter is treated as closed.

I hope the accredited Correspondents in the Press Gallery, particularly the Correspondents of an official agency like the All India Radio, will be more careful in future. Whenever in doubt, they should check up with the official record of the proceedings of the House."

The matter was treated as closed.

*Proposal for a Committee to go into alleged misconduct of a member of Rajya Sabha and former Minister in acquiring assets disproportionate to his known sources of income:* On August 2, Shri Jyotirmoy Bosu, a member, sought to raise<sup>11</sup> a matter under Rule 377 of the Rules of Procedure and Conduct of Business in Lok Sabha, against Shri Bansi Lal, a member of Rajya Sabha and former Defence Minister for alleged misconduct in acquiring assets disproportionate to his known sources of income, as reported in the Press, and urged that a message might be sent to Rajya Sabha for constitu-

<sup>11</sup>LS Deb., August 2, 1977, cc. 251-52.

ting a Committee of 15 members, in which Lok Sabha might also be associated, for enquiring into his conduct and submitting a report to both the Houses of Parliament.

Disallowing the matter, the Speaker, Shri K. S. Hegde, observed:

“I have gone through the whole thing. I do not want to raise a controversy between this House and the other House. So far as the conduct of the Members of each House is concerned, the House itself is the fullest authority. I do not propose to make any reference to the other House. If any Member is interested, they may raise it in the other House because no controversy should ever arise between Lok Sabha and Rajya Sabha.”

The matter was then treated as closed.

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## PROCEDURAL MATTERS

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### LOK SABHA\*

*Laying of papers on the Table:* In answer to an Unstarred Question on July 25 the Minister of Works and Housing had stated that he would be placing the building plans of the former Prime Minister's House in the Parliament Library. Rising under Rule 377 on August 1, a Member, Shri H. V. Kamath, submitted that this procedure would be contrary to the Rules of the House and that the plans should be laid by the Minister on the Table. The Speaker thereupon observed that whenever any document was to be placed for the benefit of the House it should be laid on the Table of the House and not merely placed in the Library. The Minister accordingly laid on August 6 the building plans on the Table of the House.

On July 15, while a paper was being laid on the Table, a Member, Shri Vayalar Ravi, wanted to raise the question of delay in the laying of the paper. The Chair, drawing attention to Rule 305C, did not permit him to do so, observing that the member could subsequently raise the matter through notice of a motion or other means.

*Making allegations against persons:* On July 20, 1977 during clarificatory questions on the Home Minister's statement regarding resignation of Justice D. S. Mathur as Commission of Inquiry into Maruti Affairs, the Chairman, Shri Satyanarayan Rao, upheld a point of order raised by a Member, Shri Vasant Sathe, and ordered expunction of certain remarks made by another Member, Shri Jyotirmoy Bosu, on the ground that allegations had been made by the member without writing to the Speaker and the Minister in advance.

*Resignations by Members:* On July 21, 1977, while making an announcement regarding acceptance of the resignation from Lok

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\*Contributed by the Table Office, Lok Sabha Secretariat.



Sabha of Shri Sanjiva Reddy, the Speaker observed that although it was not the practice to disclose the reasons for a member's resignation, in this particular case, he was happy to inform the House that Shri Reddy had resigned his seat in Lok Sabha in view of his election as President of the Republic.

*Statements by Ministers:* On July 26, 1977, when a Calling Attention Notice regarding the visit of the Minister of External Affairs to Nepal was reached, a member, Shri Vayalar Ravi, raised a point of order that on such matters of public importance the Minister should have made a statement *suo motu* instead of making it in response to a Calling Attention Notice. Agreeing with the member, the Speaker observed that the Minister should have *suo motu* made a statement on the subject. When the Minister of External Affairs, Shri Atal Bihari Vajpayee, pointed out that only one member had tabled the Calling Attention Notice implying thereby that other members were not interested in the matter, the Speaker reiterated his observation that it would have been proper for the Minister to have come with a statement on his own.

#### ANDHRA PRADESH LEGISLATIVE COUNCIL

*Laying of papers on the Table:* On July 19, 1977, when the Minister for Harijan Welfare and Marketing, Shri P. Mahendranath, rose to lay on the Table, under rule 134 of the Rules of Procedure and Conduct of Business in the Andhra Pradesh Legislative Council, a copy of L.C. Bill No. 4 of 1977 further to amend the Andhra Pradesh (Agricultural Produce and Livestock) Markets (Amendment) Act, 1966 as passed by the Legislative Assembly, Shri Jupudi Yegnanarayana, Leader of the Opposition, raised a point of order. The objections raised by him were two fold. Firstly, that rule 134 did not specify the agency that should lay on the Table of the House a copy of the Bill which originated in the Legislative Council and to which certain amendments were made by the Legislative Assembly. Referring to rule 135, the Member contended that while under the rule the Minister was specified as the agency for moving the motion that the amendments be taken into consideration, rule 134 was silent as to the agency who should discharge the function of laying the Bill on the Table of the House. The laying of the paper on the Table of the House, he argued had to be done by some agency other than the Minister. Secondly, that the amendments which were

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\*Contributed by the Andhra Pradesh Legislature (Council Secretariat).

made by the Legislative Assembly were not indicated in the paper that was being laid on the Table of the House by the Minister. His contention was that the actual Bill which the Council passed and the amendments which were made by the Legislative Assembly must be indicated in the paper laid on the Table of the House under rule 134.

Giving his ruling, the Chairman agreed that rule 134 did not specify the agency which was required to lay on the Table of the House the Bill which originated in the House and which was transmitted back by the Legislative Assembly to the House with certain amendments for obtaining its concurrence to the amendments. But, said:

“The mere omission in the rule of any particular agency does not mean that the Minister who is in charge of the Bill is prohibited from discharging the function. It may be that in rule 135 the Minister in charge of the Bill is specifically required to move the motion that the amendments made by the Legislative Assembly be taken into consideration. But it does not follow that the function of laying on the Table a copy of the Bill with amendments shall be performed by some agency other than the Minister in charge of the Bill. The objection taken by the Leader of Opposition cannot be sustained, and I rule it out.”

In regard to the second objection raised by the Leader of the Opposition, the Chairman observed:

“The motion that is required by rule 135 to be made by the Minister is that the amendments be taken into consideration. The Chairman is required by rule 136 to put the amendments to the House for its consideration, if the motion is carried. The amendments that may be moved in the House are specified in rule 137. Having regard to the nature of the motion that may be moved by the Minister and to the restriction that further amendments that may be moved in this House shall be relevant to the subject matter of the amendment by the Legislative Assembly, it is obvious that the amendments made by the Legislative Assembly should be before the House. I have perused a copy of the Bill that was sought to be laid on the Table of this House by the Minister... and I find that the amendments made by the Legislative Assembly were incorporated in the Bill. The amendments made by the Legislative Assembly were not indicated. This copy does not meet the requirements of rule 134. Therefore, I uphold the second objection raised by the Leader of the Opposition. Consequently, I have instructed the Minister to circulate the amendments as passed by the

Legislative Assembly separately together with the original Bill as passed by this House and the Bill incorporating the amendments made by the Legislative Assembly with a clear indication, at an appropriate place, of the amendments so made. Accordingly, I permit the Minister to lay on the Table of this House, the Bill with the amendments as required by rule 134."

#### HIMACHAL PRADESH LEGISLATIVE ASSEMBLY\*

*Abituary references:* In the Himachal Pradesh Legislative Assembly the proposals for making obituary references are initiated by the Government. On March 24, 1977, when obituary references were made in the House to Shri Fakhruddin Ali Ahmed former President of India, Shrimati Lata Thakur, sitting member of Third Vidhan Sabha, Shri Ali Yavar Jung, former Governor of Maharashtra, Shri U. N. Dhebar and Shri Yashpal, the name of Shri Vidya Sagar Joshi, an ex-MLA, who died in custody during the Emergency was not mentioned. However, some members from the Opposition also mentioned his name and the then Speaker made a passing reference to his demise also while associating himself with the sentiments expressed in the House.

After the General Election, on the opening day of regular sitting of First Session on July 1, 1977, an obituary reference was initiated by the Government to the demise of the late Shri Vidya Sagar Joshi, A member from the opposition rose on a point of information seeking justification for making this reference, when it had already been made in the previous session of the previous Vidhan Sabha. The Leader of the House clarified that since the previous Government did not make any obituary reference to the memory of the late Shri Vidya Sagar Joshi, there was nothing wrong now by making such a reference. The Speaker upheld the point and the reference was then made.

#### ORISSA LEGISLATIVE ASSEMBLY†

*Governor's address in English:* The Governor addressed the Assembly on July 20. When he started reading his Address in English, some members of the Treasury benches stood up and requested that the Governor should address the Assembly in Oriya or any regional language. But the Governor went on reading his Address in English.

\*Contributed by Himachal Pradesh Legislative Assembly Secretariat.

†Contributed by the Orissa Legislative Assembly Secretariat.

On July 21, when a member sought to raise a question of breach of privilege against those members who had interrupted the Governor on the previous day, the Speaker observed that the member may give notice in writing. On July 22, after the commencement of sitting of the House the Member gave the notice in writing in which he stated that the members who had interrupted the Governor had committed a breach of privilege and contempt of the House.

Under rule 140 a member wishing to raise a question of privilege shall give notice in writing one day before the commencement of the sitting of the day on which the question is proposed to be raised. Therefore, the question could not be taken up on July 22. The next sitting was held on July 25 and when the member wanted to raise the matter in the House, objection was raised that the member had not availed of the earliest opportunity. The Speaker after hearing the members refused consent to the raising of the matter observing that when the members had the right to speak in the House in any language they liked, the Governor who was the constitutional head should not be deprived of such right.

#### UTTAR PRADESH LEGISLATIVE ASSEMBLY\*

*Important matters of recent occurrence:* On July 18, 1977 when immediately after the Question Hour certain members wanted to make mention of some important matters of recent occurrence, the Speaker while not allowing them to do so, observed that he was considering the matter in consultation with the Leader of the House and the Leader of the Opposition to lay down, if necessary, procedure for making mention of such matters immediately after the Question Hour as is done in the two Houses of the Parliament. Subsequently, in consultation with the Business Advisory Committee of the House, the Speaker directed that a member wishing to make mention of such important matters of recent occurrence in the House immediately after the Question Hour should give the same in writing to the Speaker atleast one hour before the commencement of the House and he would allow not exceeding such matters to be mentioned in the House. He emphasised that only those members permitted by him should make mention of such matters in the House, and those not permitted would not be allowed to mention the same in the House. Later on, on the request of the members, the Speaker agreed to members giving notice in writing of such matters within half an hour after the close of the sitting on the previous day.

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\*Contributed by the Uttar Pradesh Legislative Assembly Secretariat.

**ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY\***

**Sittings of the House:** Rule 11 of the Rules of Procedure and Conduct of Business in Arunachal Pradesh Legislative Assembly provides that on Fridays, the House shall sit from 9.30 A.M. to 11.30 A.M.

As there was heavy agenda for the last day of the session, the Minister of Parliamentary Affairs moved a motion that the House may sit on Friday, the 19th August, 1977 from 10 A.M. to 12.30 P.M. and from 2.30 P.M. to 5 P.M. as on other days. As this motion could not be discussed in view of Rule 11 of the Rules of Procedure, the Minister for Parliamentary Affairs moved another motion under Rule 316 for suspension of Rule 11 in its application to the motion before the House. The motion for suspension of Rule 11 was adopted first and thereafter the motion regarding revised timings of the sitting on the 19th August, 1977 was adopted. The House accordingly sat on Friday, the 19th August, 1977 from 10 A.M. to 12.30 P.M. and from 2.30 P.M. to 5.36 P.M.



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\*Contributed by the Arunachal Pradesh Legislative Assembly Secretariat.

PARLIAMENTARY AND CONSTITUTIONAL  
DEVELOPMENTS\*

(May 1, 1977 to July 31, 1977)

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INDIA

DEVELOPMENT AT THE CENTRE

*Cabinet Changes:* On June 17, Shri B. D. Jatti, Vice-President acting as President, accepted the resignation of Shri Prakash Singh Badal, Minister of Agriculture and Irrigation from the Union Council of Ministers with immediate effect and, on the advice of the Prime Minister, appointed Shri Surjit Singh Barnala in his place. Shri Barnala was sworn in on June 19.

An inter-change of portfolios was announced on July 6, with Shri George Fernandes moving from Communications to Industry and Shri Brij Lal Verma taking over the Communications portfolio.

*Recognition of Janata Party:* On May 11, the Election Commission of India recognised the Janata Party as a national party and allotted to it the earlier Bhartiya Lok Dal symbol of "Haldhar within wheel."

*By-elections to Rajya Sabha:* In the by-elections and biennial elections held in July 1977 to the 24 seats of Rajya Sabha the Janata Party secured 9 seats, Congress 7, AIADMK-5, CPM-2 and DMK-1, raising the strength of the Rajya Sabha to the optimum 244.

AROUND THE STATES

ANDHRA PRADESH

*Resignation by Ministers:* Shri Purshotham Reddy, Minister of Excise and Shri Chebrolu Hanumaiah, Minister of Transport, resign-

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\*This feature, prepared by the Research & Information Division of LARRDIS, Lok Sabha Secretariat, is based primarily on reports appearing in the newspapers and, as such, no responsibility is accepted for the accuracy or veracity of information or views covered.

ed from the Cabinet on May 11 and Shri Suryanarayana Raju, Minister of Animal Husbandry, few days later, on May 16.

*Recognition of Opposition Party:* For the first time in the history of the Andhra Pradesh Legislative Council, the Janata Party led by its leader, Shri Jupudi Yegnanarayana was recognised as the main Opposition Party on June 20, 1977.

#### ASSAM

*Resignation of Ministers and re-allocation of portfolios:* Two Ministers, viz. Shri Suranjan Nandy, Minister of State for Transport and Shri C. S. Teron, Minister of Industries and Planning, tendered their resignations from the Council of Ministers on May 1 and 13 respectively.

On May 13, the Chief Minister Shri S. C. Sinha, in a major Cabinet reshuffle, changed the portfolios of a number of his ministerial colleagues. The changed portfolios were as follows:

*Cabinet Ministers:* Shri S. C. Sinha: *Chief Minister, Home, Personnel and Administrative Reforms, Political and General Administration Department, Secretariat Administration Department, Minority Affairs, Matters relating to Elections and General coordination of all departments not allocated to any other Ministers;* Shri Syed Ahmed Ali: *Industries, Mines and Minerals, Parliamentary Affairs and Law;* Shri Mohammad Idris: *Finance, Livestock and Veterinary, Excise and Wakfs property;* Shri Gajen Tanti: *Supply, Trade and Commerce, Employment, Labour, Social Welfare, Municipal Administration, Town and Country Planning, Panchayat including Community Development;* Shri Uttam Chandra Brahma: *Co-operation, Welfare of Backward Classes, Relief and Rehabilitation and Tourism;* Shri Upendra Chandra Das: *Transport, Printing and Stationery, Registration and Stamp;* Shri Hiteswar Saikia: *Planning and Development, Education, Information and Public Relations and Cultural Affairs;* Dr. Lutfur Rahman: *Health and Family Planning;* Shri M. D. Umaruddin: *Revenue and Land Reforms and Fisheries;* Shri Girin Choudhury: *Power, Flood Control, Forest, Soil Conservation and Jails;* Shri Indreswar Khaund: *Public Works Department;* Shri Surath Chandra Dalagapu: *Hill Areas Development, Sericulture and Weaving, Khadi and Village industries and Freedom Fighters;* Shri Lakshya Nath Doley: *Agriculture and Irrigation.*

*Ministers of State:* Dr. D. Das: *Health and Family Planning, Planning and Development;* Syed Anwara Taimur: *Social Welfare, Sericulture and Weaving;* Shri Bijoy Sarma: *Home and General Administration Department;* Dr. Bhumidhar Barman: *Education.*

**Deputy Minister:** Shri Lilakanta Das: *Cooperatives and Panchayat.*

Syed Ahmad Ali, Minister of Industries, Mines and Minerals, Parliamentary Affairs and Law resigned from the Ministry as also from the Congress Party on June 10.

#### BIHAR

**New Ministry:** A nine-member Janata Ministry headed by Shri Karpoori Thakur was sworn in on June 24. Two more Ministers were included in the Ministry on June 29. The following allocation of portfolios was announced on June 29:

Shri Karpoori Thakur: *Education, Home, Police, Information, Power and Labour and all such portfolios not allocated to any Minister;* Shri Kailashpati Mishra: *Finance;* Shri Thakur Prasad: *Industries;* Shri Kapildeo Singh: *Agriculture and Parliamentary Affairs;* Shri Anup Lal Yadav: *River Valley Projects;* Shri Jageshwar Mandal: *Cooperation and Rural Development;* Shrimati Sumitra Devi: *Urban Development;* Shri Sachidanand Singh: *Irrigation (excluding River Valley Projects);* Shri Jabir Hussain: *Health and Family Welfare;* Shri Kameshwar Paswan: *Social Welfare;* Shri Lalit Oraon: *Forest.*

**Election of Speaker:** On June 28, Shri Tripurari Prasad Singh was elected Speaker of the Vidhan Sabha by voice vote.

#### HARYANA

**Formation of new Ministry:** A three-member Janata Ministry headed by Shri Devi Lal was sworn in by the Government, Shri Jaisukhlal Hathi on June 21. Three more Ministers were sworn in on July 1 and four others on July 17, one of whom resigned from the Cabinet on July 9. The allocation of portfolios among the Ministers was as under:

Shri Devi Lal: *Chief Minister, General Administration, Home, Administration of Justice, Planning, Agriculture, Forests, Waqf, Tourism, Elections, Public Relations and Transport;* Dr. Mangal Sein: *Industries, Industrial Training, Local Government, Town and Country Planning and Legislative Affairs;* Shri Preet Singh: *Revenue, Rehabilitation, Transport & Civil Aviation, Social Welfare and Scheduled Castes and Backward Classes;* Shrimati Kamla Devi: *Food and Supplies and Health and Family Welfare;*



**Shri Virender Singh:** *Irrigation and Power, PWD (Public Health), Co-operation and Technical Education; Shri Tara Singh: Development and Panchayats, Wild Life Preservation, Dairy Development and Animal Husbandry; Shri Ram Singh: Education and Languages, Archaeology, Sports, Civil Aviation and Fisheries; Shri Satbir Singh Malik: Finance and Excise and Taxation and Shrimati Shushma Swaraj: Labour and Employment, Housing, Jails, Architecture, Printing and Stationery and Cultural Affairs.*

Shri Preet Singh was divested of his portfolio by the Chief Minister on July 29.

**Election of Presiding Officers:** Shri Ran Singh and Shri Vijay Pal Singh were elected Speaker and Deputy Speaker of the State Assembly on July 4 and July 6 respectively:

#### HIMACHAL PRADESH

**New Ministry:** Shri Shanta Kumar, leader of the Janata Legislature Party, was sworn in as Chief Minister by the Governor, Shri Aminuddin Ahmed on June 22. Three Ministers were sworn in on June 24 and three more on June 25. Their portfolios announced on June 29 were as under:

**Shri Shanta Kumar:** *Chief Minister, General Administration (including Confidential and Cabinet, Parliamentary Affairs and Border), Home and Personnel, (including appointments, Secretariat Administration, Administrative Reforms and Vigilance,) Planning, Finance (including Treasuries, Economic Affairs and Local Audit), Public Relations and University Education; Shri Kishori Lal: Public Works, Multi-Purpose Projects, Power, Tourism, Health and Family Welfare (including Medical Education), Ayurveda and Irrigation; Shri Jagdev Chand: Revenue, Excise and Taxation, Transport, Elections and Welfare; Shri Daulat Ram Chauhan: Industries, Labour, Employment and Training, Education (including Technical Education), Local Self-Government, Arts, Language and Culture and Horticulture; Shri Devi Singh: Forest, Farming and Environmental Conservation, Rural Integrated Development, Tribal Development, Co-operation and Prisons; Shri Bachittar Singh: Agriculture, Animal Husbandry, Fisheries and Housing; Kumari Shyama Sharma: Minister of State; Panchayats, Food and Supplies and Law.*

**Elections of Presiding Officers:** Shri Sravan Kumar and Shri Ranjit Singh Verma were unanimously elected as Speaker and Deputy Speaker of the Fourth Vidhan Sabha on June 30, and July 4, 1977 respectively.

## JAMMU AND KASHMIR

**New Ministry:** A six-member Ministry headed by Sheikh Mohammad Abdullah was sworn in by the Governor, Shri L. K. Jha on July 9. The Ministry was expanded on July 13, with the inclusion of 17 more Ministers—one Cabinet Minister, seven Ministers of State and nine Deputy Ministers—in the Council of Ministers, thereby raising its strength to 23. The allocation of portfolios announced on July 15 was as follows:

**Cabinet Ministers:** Sheikh Mohammad Abdullah: *Chief Minister, General Administration, Health and Medical Education, Home, Information, Labour and Social Welfare, Organisation and Methods and Tourism*; Mirza Mohammad Afzal Beg: *Deputy Chief Minister, Agriculture and Revenue, Co-operation, Administrative Reforms, Employment and Law*; Shri Devi Das Thakur: *Finance and Education, Housing and Urban Development, Planning and Development, Relief and Rehabilitation*; Shri Sonam Narboo: *Public Works, Power Development and Ladakh Affairs*; Shri G. M. Shah: *Transport, Food and Supplies*, Shri Mohan Kishan Tickoo: *Forest, Games and Fisheries and Parliamentary Affairs*; Shri Ghulam Nabi Kochak: *Industries and Commerce*.

**Ministers of State:** Shri Ghulam Mohammad Bhaderwahi: *Parliamentary Affairs, Relief and Rehabilitation*; Shri Ghulam Quadir Mir: *Transport*; Dr. Harbhajan Singh: *Health*; Mian Bashir Ahmed: *Animal Husbandry and Sheep Husbandry*; Shri Mohammad Ashraf Khan: *Co-operation*; Shri Permanand Sharma: *Food and Supplies*; Mohammad Shafi: *School Education*.

**Deputy Ministers:** Shri Abdul Reshid Shaheen: *Organisation and Methods*; Shri Bashir Ahmed Kichloo: *Roads and Buildings*; Shri Ghulam Ahmed Ganai: *Local Self-Government*; Shri Ghulam Din Shah: *Housing and Urban Development*; Munshi Habibullah: *Irrigation*, Shri Hissamuddin Bandy: *Labour and Social Welfare, Waqf and Haj*; Shri Mohammad Dilawar Mir: *Tourism*; Shri Mohammad Husain: *Community Development*; Shri P. N. Raju: *Forest*.

## KARNATAKA

**Resignation by Ministers:** Shri S. M. Krishna, Minister of Industries and Parliamentary Affairs resigned from the Cabinet on June 1. On July 23, the Chief Minister, Shri Dev Raj Urs asked six dissident Ministers to submit their resignations from the Cabinet. However, only the Labour Minister Shri C. N. Patil tendered his resignation

on that day. On the recommendation of the Chief Minister, the Governor, Shri Uma Shankar Dikshit, dismissed the Food and Forest Minister, Shri K. H. Patil from the Cabinet and accepted the resignations of the remaining four Ministers, viz., Shri Mohammad Ali (Transport), Shri H. Siddaveerappa (Law), Shri N. Chikke Gowda (Agriculture) and Shri N. Hutchamasti Gowda (Revenue).

**Reconstitution of Ministry:** On July 29, the Chief Minister reconstituted his Council of Ministers by bringing into it 12 new Ministers thus raising its strength to 34. The reconstituted Ministry was as follows:

**Cabinet Ministers:** Shri Devraj Urs: *Chief Minister, Department of Cabinet Affairs, Department of Personnel and Administrative Reforms, Planning, Home, Irrigation, Electricity and Hydro-Electric Projects, Ceiling on Urban Immovable Property, Bangalore Development Authority and City Improvement Trust Board, Housing and Urban Development Department, Commerce and Industries Department;* Shri H. M. Channabasappa: *Health and Family Welfare;* Shri B. Basavalingappa: *Revenue;* Shri M. Mallikarjunaswamy: *Higher Education and Development of Kannada;* Shri Azeez Sait: *Transport;* Shri M. Y. Ghorpade: *Finance;* Shri D. K. Naikar: *Law and Municipal Administration;* Shri K. H. Ranganath: *Co-operation and Parliamentary Affairs;* Shri S. M. Yahya: *Labour, Tourism, Ports and Political Pensions;* Shrimati E. E. Vaz: *Food and Civil Supplies;* Shri V. L. Patil: *Horticulture;* Shri K. Prabhakar: *Rural Development and Panchayati Raj;* Shri R. Gundu Rao: *Housing and Youth Services;* Shri K. T. Rathod: *Social Welfare and Backward Classes;* Shri S. B. Nagaral: *Forests;* Shri H. C. Srikantaiah: *Public Works and Minor Irrigation;* Shri G. Rame Gowda: *Agriculture;* Shri D. R. Kalmankar: *Excise.*

**Ministers of State:** Shri V. S. Koujalgi: *Health and Family Welfare;* Shri Devendrappa Ghalappa: *Land Reforms;* Shri R. D. Kittur: *Regulated Markets;* Shri K. Sriramulu: *Fisheries;* Shri M. Veerappa Moily: *Small Scale Industries;* Shrimati Manorama Madhwaraj: *Women and Children Welfare;* Shri B. Subbayya Shetty: *Information and Power;* Shri B. G. Banakar: *Animal Husbandry;* Shri Mallikarjuna Kharge: *Primary and Secondary Education;* Shri V. Masiyappa: *Muzrai;* Shri R. S. Patil: *Major Irrigation;* Shri M. Mallappa: *Mines and Geology;* Shri S. Bangarappa: *Prisons and Home Guards and Protocol;* Shri H. T. Krishnappa: *Sericulture;* Shri C. Andanaiah: *Minor Irrigation;* Shri Nazir Ahmed Siddiqui: *Wakfs and Rehabilitation of Ex-Servicemen;* and Shri Babu Rao Hulsurkar: *Municipal Administration.*

**MADHYA PRADESH**

**New Ministry:** Shri Kailash Joshi was sworn in as Chief Minister of Madhya Pradesh by the Governor, Shri Satyanarayan Sinha on July 23. The portfolios of his 14-member Ministry were as under:

**Cabinet Ministers:** Shri Kailash Joshi (Chief Minister): *General Administration, Home, Jails, Planning, Statistics, Language, Panchayats, Tourism, Information and Publicity, Harijan and Social Welfare and Public Health Engineering;* Shri V. K. Saklecha: *Commerce and Industry, Power and Irrigation, PWD, Law, Parliamentary Affairs, Forest, Mineral Resources and Housing;* Shri Ramhit Gupta: *Finance and Excise;* Shri Yashwant Rao Meghawale: *Agriculture;* Shri Shitla Sahay: *Health and Family Welfare;* Shri Lakshmi Narain Sharma: *Labour and Cooperation;* Shri Shiv Prasad Chinpuria: *Revenue;* Shri Umrao Singh: *Tribal Welfare;* Shri Haribhau Joshi: *Education.*

**Ministers of State:** Shri Vibhash Banerji: *Revenue;* Shri Baliram Kashyap: *Public Works Department;* Dr. Parashram Sahu: *Health and Family Welfare;* Shri Rajendra Dharkar: *Local Self-Government;* Shri Pawan Diwan: *Social Welfare.*

**Election of Speaker:** On July 15, Shri Mukund Sakharam Newalkar was elected unopposed as Speaker of the Madhya Pradesh Legislative Assembly.

**MAHARASHTRA**

**Formation of new Party:** On July 3 the Congress dissidents led by the former Chief Minister, Shri S. B. Chavan announced the formation of a new party "Maharashtra Socialist Congress". Those who left the Congress Party included one member each from Lok Sabha and Rajya Sabha and 18 members of the State Legislature—11 MLAs and 7 MLCs.

**Election of Presiding Officers:** Shri D. S. Desai and Shri Shivraj Patil were elected Speaker and Deputy Speaker of the Assembly on July 4 and July 5 respectively.

**Recognition of Opposition Party:** On July 18, the 27-member Janata Aghadi, led by its Leader, Shri G. A. Deshmukh (PWP), was accorded recognition as the official Opposition party.

**MANIPUR**

**President's Rule:** Following the resignation of the 22-month old Congress Ministry led by the Chief Minister Shri R. K. Dorendra

Singh on May 13, President's rule was proclaimed in the State on May 16 for a brief spell. On June 29, a two-member Janata Ministry headed by Shri Yangmasho Shaiza, was sworn in by the Governor, Shri L. P. Singh. Eight more Ministers were included in the Ministry on July 16. The following portfolios of the Ministers were announced on July 19:—

*Cabinet Ministers:* Shri Yangmasho Shaiza: *Chief Minister, Home, Cabinet Department, Vigilance, Law, Food, Planning, Publicity and Information, Tourism, Education, P.W.D., Flood Control and Irrigation;* Shri Mohammed Alimuddin: *Finance, Revenue and Local Self-Government;* Shri S. Tombi Singh: *Industries and Labour;* Shri K. H. Chaba Singh: *Agriculture, Animal Husbandry, Veterinary, Community Development and Panchayati Raj;* Shri N. G. Rdinglien: *Transport, Medical, Health, Tribal and Backward Classes Welfare Departments.*

*Ministers of State:* Shri W. Komol Singh: *Co-operation, Food and Civil Supplies;* Shri W. Nirpamacha Singh: *Education and Law;* Shri K. H. Minaichand Singh: *Electricity;* Mohammed Ashraf Ali: *Publicity, Information, Tourism and Forest;* and Shri R. K. Theko: *PWD, Flood Control and Irrigation.*

#### MEGHALAYA

*Resignation by MLAs:* Four Congress MLAs, viz. Shri Dlosing Lyngdoh, Shri Mortin Narayan Majaw, Shri Hoover Hynewitta and Shri Humphery Hadem resigned from the party on July 19, reducing the party's strength in the 60-member Assembly to 36.

#### ORISSA

*New Ministry:* A 15-member Janata Ministry headed by Shri Nilamani Routray was sworn in by the Governor, Shri Harcharan Singh Barar on June 26. The allocation of portfolios announced on June 27 was as follows:—

*Cabinet Minister:* Shri Nilamani Routray: *Chief Minister; Political and Services, Home and Planning and Coordination;* Shri Pratap Chandra Mohanty: *Revenue, Irrigation, Power, Community Development, Social Welfare, Commerce and Transport;* Shri Prahalad Mallick: *Agriculture and Cooperation and Power (Lift Irrigation) Tribal and Rural Welfare;* Shri Pradipta Kishore Das: *Education and Youth Services, Health and Family Welfare;* Dr. Ram Prasad Mishra: *Finance;* Shri Natbar Pradhan: *Works, Forest and Fisheries and Animal Husbandry, Commerce and Transport,* Shri Biswabhushan

Harichandan: *Food and Civil Supplies Labour, Employment and Housing, Cultural Affairs*; Shri Harish Chandra Bakshipatra: *Industries, Mining and Geology, Rural Development, Cultural Affairs and Tourism*; Dr. Jhasketan Sahu: *Urban Development and Excise*.

*Ministers of State*: Shri Bir Bhadra Singh: *Tribal and Rural Welfare*; Shri Ghosiram Majhi: *Health and Animal Husbandry*; Shri Adwait Prasad Singh: *Community Development and Panchayati Raj, Cooperation, Home (Public Relations)*; Shri Saharai Oraon: *Rural Development, Forests, Fisheries and Animal Husbandry*; Shri Ighes Majhi: *Law, Labour, Employment and Housing*; Shri Harihar Swain: *Commerce and Transport and Home (Jails)*.

*Election of Presiding Officers*: Shri Satyapriya Mohanty and Shri Surendra Nath Nayak, were unanimously elected Speaker and Deputy Speaker of the Assembly on July 1 and July 27 respectively.

#### PUNJAB

*Coalition Ministry*: On June 20, Shri Prakash Singh Badal was sworn in as Chief Minister by the Governor, Shri M. M. Chaudhury. A 15-Member two-tier Council of Ministers—representing 5 Ministers from the Janata Party and 10 from Akali Dal—was sworn in on June 23. The allocation of portfolios was as follows:

*Cabinet Ministers*: Shri Prakash Singh Badal: *Chief Minister, General Administration (excluding Parliamentary Affairs), Department of Personnel and Administrative Reforms, Home, Vigilance, Irrigation and Power, Public relations, Tourism, Cultural Affairs, Administration of Justice, Jails, Urban Development, Colonisation and Habitat*; Shri Balramji Dass Tandon: *Industries and Industrial Training (including Cottage Industries, Crafts Training, Export Promotion, Handicrafts and Khadi and Village Industries), Parliamentary Affairs and Irrigation*; Shri Atma Singh: *Development and Panchayats, including Rural Housing, Medical Education and Elections*; Shri Hit Abhilashi: *Excise and Taxation*; Shri Balwant Singh: *Finance, Planning and Local Government*; Shri Jaswinder Singh Brar: *Co-operation*; Shri Harbhajan Singh: *Food and Supplies*; Shri Jiwan Singh Umrangal: *Revenue, including Land Reforms Consolidation and Rehabilitation*; Shri Randhir Singh Cheema: *Public Works Department (Border and Roads) (except Public Health) Housing and Architecture*; Shri Sukhjinder Singh: *Education, including Welfare of Youth, State Archives, Languages and Printing and Stationery*; Shri mati Satwant Kaur Sandhu: *Public Workes Department*

(Public Health), Welfare of the Scheduled Castes and Backward Classes and Social Welfare; Shri Des Raj: Health and Family Planning, excluding Medical Education; and Shri Balwinder Singh: Agriculture, Forests, Wild life Preservation and Soil Conservation and Engineering.

**Ministers of State:** Sukhdev Singh Dhindsa: Transport, including Civil Aviation and Sports (independent charge) and Cultural Affairs and Tourism (attached to the Chief Minister); Shri Dalip Singh: Animal Husbandry, Dairy Development and Fisheries (independent Charge); Shri Dharam Paul: Labour and Employment (independent charge) and Colonisation and Habitat (attached to the Chief Minister).

**Election of Presiding Officers:** Shri Ravi Inder Singh and Shri Panna Lal were elected Speaker and Deputy Speaker respectively of the Assembly on July 1 and July 8.

#### RAJASTHAN

**Formation of New Ministry:** Shri Bhairon Singh Shekhawat was sworn in as the Chief Minister by the Governor, Shri Raghukul Tilak on June 22. Nine Ministers were included in the Ministry on June 27 and their portfolios were allocated as follows:—

**Cabinet Ministers:** Shri Bhairon Singh Shekhawat: Chief Minister: Personnel and Administrative Reforms, General Administration, Political, Cabinet Secretariat, Removal of Public Grievances, Mines, Public Health, Engineering, Ground Water Department, Dairy Development and Social Welfare; Master Adityendra: Finance, Taxation and Excise, Food Supplies, Revenue and Land Reforms, Planning and Devasthan; Prof. Kedar Nath Sharma: Home (including Civil Defence), Labour and Employment, Transport and Rajasthan Canal and Colonization; Shri Sampat Ram: Agriculture, Animal Husbandry, Relief and Rehabilitation, Flood and Famine Relief, Law and Judiciary, Legislative Affairs, Elections, Economics and Statistics, Irrigation and Power; Shri Trilok Chand Jain: Co-operation, Industry, State Enterprises, Forest, Khadi and Village Industries; Shri Lalit Kishore Chaturvedi: Education, Medical and Health including Family Welfare, Local Self-Government and Town Planning, Public Works Department and Linguistic Minorities.

**Ministers of State:** Shrimati Vidya Pathak: Ayurveda, Tourism (both independent) and Power; Shri Mahboob Ali: Public Relations, Waqf and Soldiers Welfare (all independent), Transport, Dairy Development, Law and

**Judiciary; Shri Kailash Meghwal: Sheep and Wool and State Enterprises, Mines, Revenue and Land Reforms; Shri Vigyan Modi: Jails, Printing and Stationery (all Independent) Local Self-Government, Town Planning, Education, Khadi and Village Industries.**

**New Speaker:** Shri Laxman Singh, former ruler of Dungerpur was elected unopposed as Speaker of the Vidhan Sabha on July 18.

### SIKKIM

**Merger of Sikkim Congress into Janata Party:** On May, 8, the Sikkim Congress which had merged with the Indian National Congress a year and a half ago, decided to dissociate itself from the Congress and join the Janata Party.

**Appointment of new Minister:** Shri Ram Chandra Poudyal, Deputy Speaker of the State Assembly was sworn in on July 21 by the Governor Shri B. B. Lal as Minister of Forestry and Tourism.

### TAMIL NADU

**New Ministry:** On June 30, a 14-member AIADMK Ministry, headed by Shri M. G. Ramachandran, was sworn in by the Governor, Shri Prabhudas Patwari with the following portfolios:

Shri M. G. Ramachandran: *Chief Minister, incharge of Public, Police, Prohibition, Industries and Health*; Shri K. Manoharan: *Finance, Planning, Revenue and Legislature*; Shri K. Narayanaswami Mudaliar: *Law*; Shri G. R. Edmund: *Food and Fisheries*; Shri S. Ramachandran: *Public Works*; Shri R. M. Veerappan: *Information and Tourism*; Shri S. A. Ranganayagam: *Education*; Shri P. Soundara Pandian: *Harian Welfare*; Shri K. Kalimuthu: *Local Administration*; Shri S. Raghavandam: *Labour, Housing and Slum Clearance*; Shri C. Ponnaiyan: *Transport*; Kumari P. T. Saraswathi: *Social Welfare*; Shri G. Kulandaivelu: *Agriculture*; Shri K. Raja Mohammed: *Co-operation and Handloom Industry*.

**Election of new Presiding Officers:** Shri Munu Adhi and Shri S. Thirunavukarasu, the nominees of the AIADMK, were unanimously elected Speaker and Deputy Speaker respectively of the State Assembly on July 6.



## TRIPURA

*New Ministry:* A new 7-member Janata-CPM coalition Ministry headed by Shri Radhika Ranjan Gupta was sworn in on July 26. Earlier, on the same day, the Governor, Shri L. P. Singh had dismissed the P. K. Das Ministry, also a Janata-CPM coalition, under article 164(1) of the Constitution.

## UTTAR PRADESH

*New Ministry:* A 5-member Janata Government headed by Shri Ram Naresh Yadav was sworn in by the State Governor, Dr. M. Chenna Reddy, on June 23. The Cabinet was expanded on July 4 by inclusion of 31 more in the Ministry. Their portfolios, announced on July 6, were as follows:

*Cabinet Ministers:* Shri Ram Naresh Yadav, Chief Minister: General Administration, Personnel, Appointments, Confidential, Vigilance, Election, Government Estates, Home, Home Guards, Civil Defence, Political Pension, Planning and Economics and Statistics, Hill Development, Information and Muslim Waqfs and other departments not allocated to any other Minister; Shri Ram Prakash: Heavy and Small Industries, Handloom and Handicrafts; Shri Balbir Singh: Irrigation and State Tubewells; Shri Satya Prakash Malaviya: Local Self-Government, Municipality, Housing, Relief and Rehabilitation, Water Supply, Ecology and Environment and Urban Land; Shri Ravindra Kishore Sahi: Power and Sports; Shri Rajendra Singh: Agriculture, Education and Research, Horticulture and Fruit Utilisation and Area Development; Shri Madhukar Dighe: Finance (Policy, Expenditure Control and Resources); Shri Jamuna Prasad Bose: Rural Development, Panchayati Raj, Pradeshik Vikas Dal and Minor Irrigation; Shri Harish Chandra: Food, Civil Supplies, Urban Building (Rent Control) and Science and Technology, Shri Ganesh Dutt Bajpai: Labour Employment, Excise and Prohibition; Shrimati Chandravati: Cane Development and Sugar Mills; Shri Mulayam Singh: Co-operative, Animal Husbandry and Rural Industries; Shri Ram Singh: Harijan Welfare, Social Welfare, Youth Welfare, Soldier Welfare and National Integration; Shri Kali Charan: Education (Higher Secondary, Basic, Adult) and Technical Education; Shri Keshri Nath Tripathi: Institutional Finance, Sales Tax, Entertainment Tax, Registration, Stamps and Court Fee; Shri Sharda Bhakt Singh: Revenue and Scarcity; Shri Mohammad Masood: Public Works Department and Cultural Affairs; Shri Abid Ali: Transport and Tourism; and Shri Kalyan Singh: Medical, Public Health and Family Welfare.

*Ministers of State:* Shri Laxman Singh: *Planning and Economic and Statistics*; Shri Avdesh Prasad: *Information* (both attached to Chief Minister); Shri Dharendra Sahai: *Agriculture* (attached to Agriculture Minister) Shri Subedar Prasad: *Rural Industries* (attached to Co-operation Minister); Shrimati Shakuntala Nayar: *Sales Tax* (attached to Institutional Finance Minister).

*Deputy Ministers:* Shri Satya Dev Tripathi: *Hill Development and Political Pensions* (attached to Chief Minister); Shri Abdul Rauf Lari: *Handloom*; Shri Reoti Ram: *Small Industries* both attached to Industries Minister); Shri Bhagwati Singh: *Housing*; and Shri Satya Prakash Agarwal: *Water Supply* (both attached to Local-Self-Government Minister); Shri Sharda Prasad Rawat: *Irrigation* (attached to Irrigation Minister); Shri Kunwar Satya Vir: *Technical Education* (attached to Education Minister); Shri Babu Lal Verma: *Area Development* (attached to Agriculture Minister); Shri Shiv Das Tiwari: *Tourism* (attached to Transport Minister); Shri Mukhata Anis: *Animal Husbandry* (attached to Co-operation of Minister); Shri Chhotey Lal: *Minor Irrigation* (attached to Rural Development Minister).

Six more Ministers (two Cabinet Ministers and four Deputy Ministers) were sworn in subsequently on July 9 and one Minister of Cabinet rank on July 12, thus raising the strength of the Council of Ministers to 43. The Governor, Dr. M. Chenna Reddy, on the advice of the Chief Minister, allocated the following portfolios among them:

*Cabinet Ministers:* Shri Om Prakash: *Justice, Legislature and Jails*; Shri Sri Chand: *Forests and Zoological Gardens*; Shri Shoban Singh Jina: *Hill Development*.

*Ministers of State:* Shri Reoti Raman Singh: *Small Scale Industries* (attached to Industries Minister).

*Deputy Ministers:* Shri Arif Mohammed Khan: *Muslim Waqfs, Excise and Prohibition* (attached to the Chief Minister and Excise Minister); Shrimati Malti Sharma: *Department of Basic and Adult Education* (attached to the Education Minister); Shri Tej Singh: *Sugar Mills* (attached to the Minister for Cane Development).

*Election of Speaker:* On July 12, Shri Banarsi Das, a former Minister and Member of the Rajya Sabha was elected Speaker of the Vidhan Sabha.

## WEST BENGAL

*Installation of new Government:* A five-member Left Front Government led by Shri Jyoti Basu was installed on June 21. Sixteen more Ministers were sworn in by the Governor, Shri A. L. Dias on June 23. One more Minister was appointed on June 25 and five others on June 30, raising the strength of the Council of Ministers to 27. The following are the names of Ministers and their portfolios:

*Cabinet Ministers:* Shri Jyoti Basu, *Chief Minister:* Home, Police and General Administration, Development of Hill Areas, Power, Metropolitan Development Board, Howrah Improvement Trust, Calcutta Improvement Trust, HRBC etc. and also other portfolios not distributed to any Minister; Shri Krishna Pada Ghosh: Labour; Dr. Ashok Mitra: Finance, Planning, Development and Excise; Shri Provas Chandra Roy: Irrigation and Waterways and Development of the Sunderbans; Shri Amritendu Mukherjee: Animal Husbandry and Dairy Development; Dr. Buddhadev Bhattacharya: Information and Public Relations; Shri Prasanta Sur: Municipal Services; Shri Radhika Banerjee: Refugee Relief and Rehabilitation; Shri Chittabrata Mazumdar: Small and Cottage Industries; Shri Mohammed Amin: Transport; Shri Benoy Chaudhry: Land and Land Revenue; Shri Goshim Abdul Halim: Judiciary and Legislative Department; Shri Parimal Mitra: Forest and Tourism; Dr. Kanai Bhattacharya: Commerce and Industry, Public Undertakings and Sick Industries; Shri Bhakti Bhushan Mandal: Fisheries and Cooperation; Shri Kamal Guha: Agriculture, Small Irrigation and Community Development; Shri Jatin Chakravorty: Public Works and Housing; Shri Nani Bhattacharya: Health and Family Welfare; Shri Debabrata Banerjee: Panchayat and Jails; Shri Sudhin Kumar: Food and Civil Supplies; Shri Sambhu Ghosh: Education (later Shri Parth Dev was to get Primary and Secondary Education and Shri Ghosh to be in-charge of Higher Education); Shri Bhabani Mukherjee: Parliamentary Affairs.

*Ministers of State:* Shrimati Nirupama Chatterjee: Social Welfare, Transport; Dr. Sambunath Nandi: Scheduled Castes and Scheduled Tribes; Shri Abdul Bari: Primary Education.

*Election of Presiding Officers:* Shri Abul Mansur Habibullah and Shri K. Alimuddin Sams were unanimously elected Speaker and Deputy Speaker of the State Assembly on June 24 and June 27 respectively.

## UNION TERRITORIES

## DELHI

*New Executive Council:* A four-member Executive Council headed by Shri Kidar Nath Sahni was sworn in by the Lt. Governor, Shri D. R. Kohli on June, 24. Their portfolios were as under:

Shri Kidar Nath Sahni, *Chief Executive Councillor; Finance Entertainment, Planning, Transport and Tourism, Education, Technical Education, and Training, Local Self-Government, Public Works Department, Publications, Vigilance, Secretariat Administration, Administrative Reforms, Hindi and Coordination;* Shri Madan Lal Khurana: *Industries and Electricity, Food and Civil Supplies, Medical, Public Health and Family Welfare, and Law and Justice;* Shri Rajesh Sharma: *Labour, Employment, Excise, Taxation, Jails and Passports;* Shri Fateh Singh: *Development, Revenue, Panchayats, Cooperation, Social Welfare, Irrigation, Flood Control and Animal Husbandry.*

*Election of Presiding Officers:* Shri Kalka Das was unanimously elected Chairman and Begum Khurshid Kidwai as Deputy Chairman of the Metropolitan Council on June 28 and 30 respectively.

## GOA, DAMAN AND DIU

*New Ministry:* A four-member Maharashtrawadi Gomantak Ministry headed by Shrimati Shashikala Kakodkar was sworn in on June 7, by the Lt. Governor, Shri S. K. Banerji. The allocation of portfolios was as follows:

*Cabinet Ministers:* Shrimati Shashikala Kakodkar: *Chief Minister, Home, Finance, Planning and Development Industries and General Administration;* Shri Vishweshwar Laad: *Law and Judiciary, Labour, Health, Revenue, and Housing;* Shri Vinayak Dharma Chandankar: *Agriculture, Irrigation and Power.*

*Minister of State:* Shri Raul Hilario Fernandes: *Education, Information, Tourism and Social Welfare.*

## MIZORAM

*Dissolution of Assembly:* The Congress Ministry headed by Ch. Chhunga resigned on May 9 following the expiry of the five year term of the Assembly. By a notification on May 11, Shri B. D. Jatti, Vice-President acting as President, placed the Union territory under President's rule and dissolved its Assembly.

## PONDICHERRY

*New Ministry:* A two-member all India Anna DMK Ministry was sworn in on July 2, the Lt. Governor Shri B. T. Kulkarni administered the oath of office and secrecy to Shri S. Ramaswamy as Chief Minister and Shri D. Ramachandran as Home Minister.

*Election of Speaker:* Shri K. Kandhi of the AIADMK was elected Speaker of the Assembly on July 13, defeating the Janata Party nominee, Shri V. M. C. Varada Pillai.

## DEVELOPMENTS ABROAD

## DJIBOUTI

*Achievement of Independence:* The former French Territory of the Afars and Issas became the independent Republic of Djibouti at midnight on June 26, 1977 following approval of the relevant legislation by the French Parliament earlier Mr. Hassan Gouled Aptidon, who was at that time also Premier and incharge of Cooperation, had on June 24, by acclamation, been elected President of the Republic by the territorial Chamber of Deputies. The new President subsequently declared that the country's official language would be Arabic and that the Republic of Djibouti would be non-aligned and remained committed to free enterprise.

## EGYPT

*New law on political parties:* After several weeks of debate, the Egyptian Parliament finally adopted on June 29, 1977 a new law on political parties, which for the first time since their abolition in 1953, following the overthrow of King Farouk in the previous year, permitted the establishment of political parties subject to certain conditions. These conditions *inter alia* were that each party (i) must have the authorization of the Arab Socialist Union, (ii) must include at least 20 members of the Egyptian Parliament (this condition did not apply to the parties already in existence), and (iii) should not have been in existence at the time of the monarchy (i.e. parties which had been dissolved by President Nasser in 1953).

## FIJI

*Dissolution of Parliament:* The Government headed by Ratu Sir Kamisese Mara, resigned on May 31, following its defeat on a vote of confidence. The Parliament was dissolved on the following day

and Ratu Sir Kamisese Mara was reappointed "Caretaker" Prime Minister pending the holding of a fresh general election.

#### FINLAND

*Coalition Government:* The three-party minority Government under Mr. Martti Miettunen formed in September 1976 resigned on May 11, 1977, after President Urho Kekkonen had urged the parties to form a majority government. A five-party coalition under Mr. Kalevi Sorsa (the sixtieth Government in 60 years), comprising five members of the Centre Party (KP) and one each from the Liberal Party (LKP) and the Swedish People's Party (SFP), four members of the Social Democratic Party (SSDP), three of the Communist-dominated Finnish People's Democratic League (SKDL/SKP) and one independent, was sworn in on May, 15.

#### INDONESIA

*General Elections:* General Elections to the 360 elected seats in the Indonesian House of Representatives were held on May 2. The elections were contested by three parties—the government-sponsored *Sekber Golkar* or "Joint Secretariat of Functional Groups", the *Partai Persatuan Pembangunan* (PPP) or United Development Party, formed in 1973 by the merger of four Islamic parties, and the *Partai Demokrasi Indonesia* (PDI) or Indonesian Democratic Party formed at the same time by the merger of five nationalist and Christian parties. The results, officially announced on June 8, were as follows:

	Votes 1977	Seats 1977	Seats 1971
Golkar	39,750,096	232	236
PPP	18,743,491	99	94
PDI	5,504,457	29	30

Another 100 members would be nominated by President Suharto, bringing total membership of the House of Representatives to 460.

#### IRISH REPUBLIC

*General Elections:* The National Coalition Government of Fine Gael and the Labour Party, which had been in power since March 1973, was decisively defeated by the opposition *Fianna Fail*, led by

Mr. Jock Lynch, in the general election held on June 16. The final distribution of seats in the new (21st) *Dail*, compared with the 1978 election, was as follows:

	1977	1973
Fianna Fail	84	6
Fine Gael	43	54
Labour	17	19
Independent Fianna Fail	1	1
Independent	1	1
Independent Labour	1	-
Democratic Labour	1	-

The new *Dail* at its first meeting on July 5 elected Mr. Jock Lynch as Prime Minister (*Taoiseach*) by 82 votes to 61 and later the same day approved without a division Mr. Lynch's Cabinet.

#### ISRAEL

*General Elections:* General elections held on May 17 resulted in the right-wing *Likud* Party becoming the largest group in the ninth *Knesset* (Parliament) and enabled the *Likud* leader, Mr. Manahem Begin, to form a Centre-right coalition Cabinet on June 19, thus ending an era in which the Israel Labour Party, which went into opposition, had been the dominant element in every Government since the foundation of the State in 1948.

#### MADAGASCAR

*General Elections:* Elections were held between March and June 1977 for a new National People's Assembly, as well as for the local bodies and Provincial Councils, under the Constitution approved in the referendum of December 1975.

The first of these elections, held on March 20, were for People's Councils of some 11,000 *fokontany* (villages or urban districts). They were followed by indirect elections of intermediary committees, held on April 2 and 17 and May 8 to choose some 2,750 "grand electors" who on May 29 elected 232 members to the People's Councils of the Island's six provinces. In the elections of the provincial Council announced on June 3, a total 220 seats (almost 95 per cent of the total number, had been won by the AREMA (set up by President Ratsiraka in March 1976); 11 seats by AKFM-KDRSM,

led by Pastor Richard Andriamanjato (the Mayor of Island's capital) and one seat by the Vonjy group ("for socialist revolution in national unity").

The campaign for the election of a National People's Assembly was opened on June 18. The final list contained the names of 137 candidates from four parties, viz., AREMA-112, AKFM-KDRSM-16, Vonjy-7 and the UDECMA-KMTP (a small progressive movement)-2. The *Front National* list for the National People's Assembly was approved in a poll of almost 90 per cent of the total electorate of about 3,500,000. Mr. Rakotoiaina resigned as Prime Minister on July 28, and three days later President Ratsiraka charged Gendarmerie Lt. Col. Desive Rakotoarijaona with forming a new government.

#### PAKISTAN

*Military Rule:* On July 5, the Army took over the civil administration in Pakistan, imposed martial law and promised 'free and fair general elections in October to check the country's drift towards political chaos. All the top political leaders, including the Prime Minister, Mr. Z. A. Bhutto were rounded up and political activities banned. On July 6, the Chief Justices of the four Provinces of Pakistan were sworn in as Governors of West Punjab, Sind, Baluchistan and North West Frontier Provinces.

#### PERU

*Announcement of elections:* President Morales Bermudez announced on July 28, (the 156th anniversary day of Peruvian independence) that election to a Constituent Assembly would be held in the second half of 1978 so that a new Constitution could be drafted in preparation for the transfer of power to civilians in 1980 after the general elections.

#### SEYCHELLES

*Deposition of President:* Just under a year after becoming the first President of Seychelles, upon the Indian Ocean State's attainment of independence from the United Kingdom on June 29, 1976, Mr. James R. M. Mancham, the leader of the Seychelles Democratic Party (SDP) was deposed in an almost bloodless *coup* during the night of June 4-5, 1977. He was replaced by Mr. F. Albert Rene, who formed a new Government on June 6, drawn entirely from members of his own Seychelles People's United Party (SPUP).



## SIERRA LEONE

*Elections:* In the parliamentary elections held on May 6, the ruling All People's Congress (APC) retained its ruling mandate by taking 74 of the 97 elected seats in Parliament. The opposition Sierra Leone People's Party (SLPP) won 15. Elections in the Bodisrict, which returned 8 members to Parliament, were postponed as a result of violence during the polling.

## SOVIET UNION

*Election of new President:* At a session of the plenum of the Central Committee of the Communist Party of the Soviet Union (CPSU) on May 24, 1977, it was announced that the plenum had "released Comrade (Nikolai) Podgorny from his duties as member of the Politburo of the CPSU"; had "elected Comrade Konstantin Rusakov as Secretary of the Central Committee of the CPSU"; and had "released Comrade Konstantin Katushev from his duties as Secretary of the CPSU Central Committee in connection with his transfer to work with the Council for Mutual Economic Assistance". At the Joint session of the two chambers of the USSR Supreme Soviet on June 16, Mr. Mikhail Suslov, Member of the Politburo responsible for ideology, nominated Mr. Brezhnev for the post of President. The members of the Supreme Soviet, thereupon unanimously elected him as President of the Presidium. On June 17, at a meeting of the Presidium, President Brezhnev disclosed that the decision to combine the posts of General Secretary of the CPSU's Central Committee and of the President had been made at the Central Committee's meeting on May 24.

## SPAIN

*General elections:* In the country's first general elections since 1936 held on June 15, the centre-left coalition—Union of the Democratic Centre (UCD) whose lists were headed by the Prime Minister, Sr. Adolfo Suarez Gonzalez—won 165 seats in the 350-member Congress of Deputies and 105 of the 207 elected seats in the Senate. The Spanish Socialist Worker's Party (PSOP), led by Sr. Felipe Gonzalez, emerged as the main opposition party by winning 118 seats in the Congress, while the Spanish Communist Party (PCE) led by Sr. Santiago Carillo, won 20.

## SRI LANKA

*General elections:* In the general elections held on July 21, Mrs. Sirimavo Bandarnaike's Sri Lanka Freedom Party was swept

out of power. The opposition United National Party, led by Mr. J. R. Jayawardene, won over a two-thirds majority in the 168-seat National Assembly. The final results were: United National Party (UNP)-139; Tamil United Liberation Front (TULF)-17; Sri Lanka Freedom Party (SLFP)-8; Ceylon Worker's Congress-1. A 24-member Cabinet headed by Mr. Jayawardene was sworn in on July 23.

#### TURKEY

*New Coalition Government:* Mr. Bulent Ecevit, whose Republican People's Party won most of the parliamentary seats of any group in the June 5 elections, was defeated on July 4 in his first attempt to win parliamentary endorsement. On July 21, the Conservative Justice Party Leader, Mr. Suleyman Demirel formed a new coalition government with the National Salvation (Islamic) Party and the right wing Nationalist Action Party.

#### ZAMBIA

*New Prime Minister:* On July 20, the President, Mr. Kenneth Kaunda replaced the Prime Minister Mr. Elijah Mudenda with the Legal Affairs Minister, Mr. Mainza Chona.

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DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY  
INTEREST

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THE SALARY AND ALLOWANCES OF LEADERS  
OF OPPOSITION IN PARLIAMENT ACT, 1977

An Act to provide for the salary and allowances of Leaders of Opposition in Parliament.

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows—

1. *Short title and commencement.*—(1) This Act may be called the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definition.*—In this Act, “Leader of the Opposition”, in relation to either House of Parliament, means that member of the Council of States or the House of the People, as the case may be, who is, for the time being, the Leader in that House of the party in opposition to the Government having the greatest numerical strength and recognised as such by the Chairman of the Council of States or the Speaker of the House of the People, as the case may be.

*Explanation.*—Where there are two or more parties in opposition to the Government, in the Council of States or in the House of the People having the same numerical strength, the Chairman of the Council of States or the Speaker of the House of the People, as the case may be, shall, having regard to the status of the parties, recognise any one of the Leaders of such parties as the Leader of the Opposition for the purposes of this section and such recognition shall be final and conclusive.

3. *Salary of Leaders of Opposition.*—There shall be paid to each Leader of the Opposition a salary of two thousand, two hundred and fifty rupees per mensem.

4. *Residence for Leaders of Opposition.*—(1) Each Leader of the Opposition shall, so long as he continues as such Leader and for a period of one month immediately thereafter, be entitled without payment of rent to the use of a furnished residence and no charge shall fall on the Leader of the Opposition personally in respect of the maintenance of such residence.

(2) In the event of the death of a Leader of the Opposition, his family shall be entitled to the use of the furnished residence occupied by him—

- (a) for a period of one month immediately after his death, without payment of rent and no charge shall fall on his family in respect of the maintenance of such residence; and
- (b) for a further period of one month, on payment of rent at such rates as may be prescribed by rules made in this behalf by the Central Government and also charges in respect of electricity and water consumed in that residence during such further period.

*Explanation.*—For the purposes of this section, “residence” includes the staff quarters and other buildings appurtenant thereto, and the garden thereof, and “maintenance” in relation to a residence includes the payment of local rates and taxes and the provision of electricity and water.

5. *Travelling and daily allowances to Leaders of Opposition.*—Subject to any rules made in this behalf by the Central Government, a Leader of the Opposition shall be entitled to—

- (a) travelling allowances for himself and the members of his family and for transport of his and his family's effects—
  - (i) in respect of the journey to Delhi from his usual place or residence outside Delhi for assuming office;
  - (ii) in respect of the journey from Delhi to his usual place of residence outside Delhi on relinquishing office; and

- (b) travelling and daily allowances in respect of tours undertaken by him in the discharge of his duties as Leader of the Opposition, whether by sea, land or air.

6. *Medical treatment, etc., to Leaders of Opposition.*—Subject to any rules made in this behalf by the Central Government, a Leader of the Opposition and the members of his family shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to medical treatment.

7. *Leaders of Opposition not to draw salary or allowances as Members of Parliament.*—No Leader of the Opposition in receipt of a salary or allowance under this Act shall be entitled to receive any sum out of funds provided by Parliament by way of salary or allowance in respect of his membership of either House of Parliament.

8. *Amenities to Leaders of Opposition.*—(1) Subject to any rules made in this behalf by the Central Government, each Leader of the Opposition shall be entitled to telephone and secretarial facilities.

(2) Subject to any rules made in this behalf by the Central Government, each Leader of the Opposition shall be entitled to a conveyance allowance of three hundred rupees per month.

9. *Notification respecting the date on which persons became or ceased to be Leaders of Opposition to be conclusive evidence thereof.*—The date on which any person became or ceased to be a Leader of the Opposition shall be published in the Official Gazette, and any such notification shall be conclusive evidence of the fact that he became or ceased to be, a Leader of the Opposition on that date for all the purposes of this Act.

10. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the rates at which rent shall be payable by the family of a deceased Leader of the Opposition to the use of the furnished residence occupied by him under clause  
(b) of sub-section (2) of section 4;

- (b) the travelling and daily allowances admissible to a Leader of the Opposition under section 5;
- (c) the medical treatment admissible to a Leader of the Opposition and the members of his family under section 6;
- (d) the telephone and secretarial facilities admissible to a Leader of the Opposition and the conditions subject to which he shall be entitled to conveyance allowance under section 8.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

11. *Amendment of Act 30 of 1954.*—In the Salary, Allowance and Pension of Members of Parliament Act, 1954,—

(i) in clause (b) of section 2,—

(a) in sub-clause (i), the word “and” at the end shall be omitted;

(b) after sub-clause (i), the following sub-clause shall be inserted, namely:—

“(ii) a Leader of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977; and”;

(c) the existing sub-clause (ii) shall be re-numbered as sub-clause (iii);

(ii) in the *Explanation* to sub-section (1) of section 6, after the words and figures “the Salaries and Allowances of Ministers Act, 1952,” the words and figures “a Leader

of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977," shall be inserted;

(iii) in sub-section (4) of section 8A,—

- (a) for the words "an Officer of Parliament", the words "as an officer of Parliament" shall be substituted; and
- (b) for the words "or both", the words and figures "or as a Leader of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977, or has served in all or any two of such capacities" shall be substituted.

12. *Amendment of Act 10 of 1959.*—In the Parliament (Prevention of Disqualification) Act, 1959, in section 3,—

(i) after clause (a), the following clause shall be inserted, namely:—

"(aa) the office of a Leader of the Opposition in Parliament;";

(ii) the *Explanation* at the end shall be numbered as *Explanation 1*, and after *Explanation 1* as so numbered, the following *Explanation* shall be inserted, namely:—

*Explanation 2.*—In clause (aa), the expression "Leader of the Opposition" shall have the meaning assigned to it in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.'

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## SESSIONAL REVIEW

## LOK SABHA\*

The second session of the Sixth Lok Sabha was held from June 11 to August 8, 1977. A brief resume of some of the important discussions and legislative business transacted during the period July 1 to August 8, 1977\*\* is given below:

## A. DISCUSSIONS

*Reported disappearance of documents relating to Maruti Limited:* Making a statement on July 2, 1977 in response to a Calling Attention Notice moved by Shri Jyotirmoy Bosu, the Minister of Finance and Revenue and Banking, Shri H. M. Patel and that the Central Bank of India had reported that one file containing correspondence and other papers concerning the account of Maruti Limited covering the period December, 1971 to January 1974 was missing from the Bank's Regional Office at New Delhi. The Bank stated that the loss was detected by the Regional Office in May 1974 but was reported to the Central Office only in May, 1977. The Bank had further reported that since almost all proposals and transactions were referred to or sanctioned and reported by its Regional Office to its Central Office Bombay, copies of most of the relevant papers were available either at the Branch or at the Central Office. Papers such as security documents required for recovery of Bank's dues or sanction advices to identify the sanctioning authority were not missing. The Chief Internal Auditor of the Bank had been asked to look into the matter with a view to reconstructing the file. He also informed the House that the Bank's Central Office had also ordered an inquiry into the matter.

\*Contributed by the Research and Information Division of the LARRDIS, Lok Sabha Secretariat.

\*\*For a review of the Session for the period June 11 to 30, 1977 see JPI, July—September, 1977, pp. 473—79.



*Discussion on Demands for Grants*

*Agriculture and Irrigation:* Replying to the discussion on his Ministry's Demands for Grants on July 4, 1977, the Minister of Agriculture and Irrigation, Shri Surjit Singh Barnala said that in formulating the policies and programmes relating to food and agriculture, the Government would be guided solely by national interests. The objective of the Government, he said, would be to bring about a rapid development in agriculture and to promote the welfare of the common man, particularly the weaker sections. He added that the development of agriculture had to be viewed in the wider context of rural development aimed at the removal of poverty and enlargement of employment opportunities and dispersal of the fruits of development among the different regions and different sections of the population.

*Industry:* Outlying the Janata Government's Industrial Policy on July 8, 1977, the Minister of Industry, Shri George Fernandes said that it was aimed at maximising production of consumer goods, optimum utilization of human and material resources, prevention of monopoly concentration of economic power, speedy development of employment-oriented industry and making industry responsive to social needs. Replying to the debate on July 11, 1977, the Minister of Industry expressed the resolve of the Government to pursue a policy which ensured that the purchasing power was no more concentrated in the hands of a few, which would be possible only when industries in the rural, village and small-scale sector were encouraged. That, therefore, would be the effort of the Government in the coming years.

*Home Affairs:* Shri Charan Singh, Minister of Home Affairs, replying to the discussion on the Demands for Grants of his Ministry on July 13, 1977 informed the House that the Government proposed to appointment a Police Commission to go into the common problems of the police force and suggest ways to improve police administration in the country. He said that since it was a state subject, the Government would act in this matter in consultation with the State Governments. Making a reference to the proposed Lok Pal Bill, he said that it would cover Ministers, M.Ps. and the Prime Minister. He also stated that the Lok Pal would have the power to appoint an independent investigating agency of its own.

*Reported take-over of Power by Army in Pakistan:* Making a statement on July 5, 1977, the Minister of External Affairs, Shri Atal Bihari Vajpayee, said that these developments were the internal affair of Pakistan. India had consistently followed a policy of non-interference in the domestic affairs of other countries. He reaffirmed India's policy of seeking good neighbourly relations with all countries in the region so that peace and stability might prevail in the sub-continent.

*Discontinuance of institution of Civilian awards:* On July 13, 1977, the Prime Minister, Shri Morarji Desai informed the House that the question as to whether the institution of civilian awards was in conformity with article 18 of the Constitution had been examined. The Attorney General who was consulted, had clearly advised that on a harmonious interpretation of the word 'title' in clause (1) of article 18 as well as clauses (2) and (3) thereof, the Bharat Ratna and Padma Awards would fall within the prohibition of grant of titles and would, in his view, be "contrary not only to the letter but spirit of article 18(1)". Accordingly, the Government had decided that these awards should be discontinued. Those who had received such awards in the past were being informed that they would not be allowed to use these awards as titles on sign-boards, stationery or in any other manner and that if any recipient was found using the award as title, it would be withdrawn.

*Rise in prices of essential commodities:* Replying to the half-an-hour discussion raised by Dr. Laxminarayan Pandeya, the Minister of Commerce and Civil Supplies and Cooperation, Shri Mohan Dharia, pointed out on July 13 that the price rise in March-June, 1977 was just 2.5 per cent as against 5.5 per cent during the same period in 1976. He said that all possible efforts were being made to contain the prices. Regarding smuggling, the Minister said that all the quarters had been alerted for the purpose. In so far as the export policy of the Government was concerned, the essential articles and commodities required by the common man would not be exported. Their export would be allowed only after taking care of the needs of the country.

*Malaria incidence in the country:* On July 9, the Minister of Health and Family Welfare, Shri Raj Narain, replying to an half-an-hour discussion raised by Shri Om Prakash Tyagi on the subject said that the Government of India had approved a modified scheme for controlling malaria. Under the scheme launched on April 1, 1977, district malaria control units had been organised and the Chief

Medical Officers in the districts had been entrusted with the task of implementation of the programme. As a result of the measures taken by the Government, malaria incidence was on the decline. He assured the House that the Government would take steps to see that incidence of malaria did not rise after subsiding for some time.

*Resignation of Justice D. S. Mathur as the Commission of Inquiry into Maruti Affairs:* Making a statement on July 20, 1977, the Minister of Home Affairs, Shri Charan Singh denied Home Ministry having withheld any documents required by the Commission or that the Government had tried to influence the Commission in any way. He also said that in a recent publication, an oblique reference was made to a colleague of Justice Jagmohan Lal Sinha of the Allahabad High Court hinting to Justice Sinha about his possible elevation to the Supreme Court after the judgment. As there was reason to believe that the reference was to Justice Mathur, Justice Sinha was requested in the public interest, to confirm the veracity of the report. Justice Sinha had confirmed the incident as well as the impression he derived that Justice Mathur was conveying this information to him in a way which could not be dismissed lightly. When this was brought to the notice of Justice Mathur, he confirmed that he did meet Justice Sinha and spoke to him about some rumours regarding his elevation to the Supreme Court, but denied having done so in any manner which could be objected to. Justice Mathur had, in his letter of resignation, given his version of what happened. In view of the doubts which necessarily would arise in the public mind regarding this incident, the Home Minister observed that Justice Mathur's resignation was appropriate.

Making a statement on the subject on July 26, the Home Minister added that cases pertaining to some of the matters covered by the terms of reference of the Commission had been under investigation by the CBI under the normal process of law even before the Commission was appointed. He also said that inquiries, investigations and launching of prosecutions in respect of criminal offences could be undertaken regardless of the fact that they might be the subject of inquiry by a Commission appointed under the Commission of Inquiry Act, 1952.

*The rural poor:* Replying to an half-an-hour discussion raised by Shri Chitta Basu on the rural poor, the Minister of Agriculture and Irrigation, Shri Surjit Singh Barnala, said on July 21 that the problem of rural indebtedness had been a very serious one for the last many years. He assured the House that every effort would be

made to give more and more facilities like cash credit and consumption credit, to the poorer sections and it would be the endeavour of the Government to help them in every possible manner.

*Visit of the Minister of External Affairs to Nepal:* Making a statement on July 26, 1977 in response to a Calling Attention Notice moved by Shri Ugrasen, the Minister of External Affairs, Shri Atal Bihari Vajpayee said that the visit was primarily for the promotion of existing good-will between India and Nepal. He was confident that the talks resulted in recognition of the overriding community of interests of both the countries, in cementing friendship, and consolidation of co-operation for mutual benefit. The question of a new treaty on trade and transit between India and Nepal, which had been pending since 1976 also came up for discussion. Various on-going projects between the two countries for utilizing the enormous potential of the Himalayan water resources to the mutual benefit of both the peoples were also reviewed. The Minister added that his visit had led to a reinforcement of friendship and a reaffirmation of the desire to further improve beneficial relations to the advantage of both the countries.

*External Affairs Minister's visit to Tanzania:* Making a statement in the House on August 4, 1977, the Minister of External Affairs, Shri Atal Bihari Vajpayee said that during his visit to Tanzania he had in-depth discussions with the Tanzanian Foreign Minister, Mr. Mkapa on the situation in Zimbabwe, Namibia and Southern Africa generally. He explained to his Tanzanian counterpart the recent developments in the Indian sub-continent. Views were exchanged on a number of international issues of mutual interest and the discussions were marked by the traditional warmth and cordiality which had always characterised Indo-Tanzania relations. He was confident, the Minister said, that India's cooperation with Tanzania and with other developing countries would continue to grow from strength to strength.

*Censure motion against the Home Minister:* Moving the censure motion against the Minister of Home Affairs, Shri Charan Singh, on August 4, Shri C. M. Stephen made it clear at the very outset that the purpose of the motion was not to defeat the Government, but to focus attention on certain tendencies which were developing in the administration and conduct of the Government. He charged the Home Minister with misusing the floor of the House by making baseless and irresponsible statements. In support of his contention, he referred to an allegation made by the Home Minister on July 13,

that there was a preparation and thinking on the part of the previous Government to shoot the political leaders in detention.

Shri Stephen pointed out further that the Home Minister had meddled with the constitutional authority when he withdrew a letter addressed by him to the Election Commission as Chief of the Bhartiya Lok Dal in connection with the Party's merger into the Janata Party.

The discussion lasted for two days. The Prime Minister, Shri Morarji Desai intervening in the discussion on August 5 observed that in view of the collective responsibility of the Council of Ministers, the right course would have been to move a no-confidence motion against the Government and himself. Dealing with the allegation that the Home Minister had meddled with the affairs of independent constitutional bodies, the Prime Minister said that since Shri Charan Singh withdrew the letter he had written to the Election Commission in his capacity as leader of the B.L.D. and not as Home Minister and since the letter was returned without any modification therein, the question of meddling did not arise.

Referring to the allegation about the misuse of the floor of the House by the Home Minister by indulging in baseless and irresponsible statements, the Prime Minister said that when the Home Minister made the statement referred in the motion, he had come to that conclusion from the amendment made in article 359 during the Emergency, which he felt was done so that there was no effective Opposition. The Home Minister was entitled to have a particular opinion in view of the facts that had taken place. It was based on facts and not on mere interference. The Prime Minister added that the censure motion was completely misconceived.

The motion was negatived after Shri C. M. Stephen replied to the discussion.

*Coca-Cola Company:* Replying to the Calling Attention Notice moved by Shri Jyotirmoy Bosu on August 8, the Minister of Industry, Shri George Fernandes, informed the House that taking advantage of the facts that the manufacture of Coca-Cola did require an industrial licence and that the Registration Certificate did not stipulate any approved capacity, the Coca-Cola Company expanded its capacity from 3 lakhs to 26 lakhs kg. of concentrates per annum within a few years of its inception without seeking any formal approval from the Government. The Company had earned profits and made

remittances in foreign exchange totally disproportionate to its investment in India. Against the original investment in India by way of cash, plant and machinery amounting to Rs. 6.60 lakhs, the Company had remitted Rs. 6.87 crores in foreign exchange by way of imports, profits, and service charges etc., during the period 1958—74. The amount claimed by the company as still due to be remitted for the same period was Rs. 3.69 crores, making a total of almost Rs. 10 crores. In view of the restrictions imposed on the company that the total remittances should not exceed 80 per cent of the total export earnings and that the value of imports should not exceed 5 per cent of the total exports, the Minister said it had not been possible to issue further import licences for raw materials to the company.

*Revised and liberalised policy for grant of Passports:* Making a statement on August 8, the Minister of External Affairs, Shri Atal Bihari Vajpayee, announced that in future endorsements would be given for travel to all countries with whom India had diplomatic relations. He said that a new system would be introduced by which Members of Parliament would be fully competent to give verification certificates. He also added that the working of the new policy would be reviewed after a year, and in the light of the experience gained, changes, if required, would be made to correct any abuses or difficulties that might come to light.

#### B. LEGISLATIVE BUSINESS

*The Finance Bill, 1977:* Moving the motion that the Finance Bill, 1977 be taken into consideration, the Minister of Finance and Revenue and Banking Shri H. M. Patel said on July 15, that the Bill sought to extend the scope of investment allowance to all industries, except those which were engaged in the manufacture of low priority items. However, keeping in view the Government's overall policy to encourage and assist the small scale sector, it was proposed to modify this provision so that all small-scale industrial undertakings remained eligible for investment allowance even though they might be engaged in the manufacture of low priority items. In so far as the definition of "rural area" was concerned the Government would be empowered to notify areas upto 15 kilometres from the local limits of such municipalities and cantonment boards, which would not be regarded as rural areas.

Dealing with indirect taxes, the Minister said that in the budget proposals he had suggested a 10 per cent excise duty on five new items including (i) handtools and small tools (ii) weighing

machines (iii) watches, clocks and time pieces (iv) electric light fittings and (v) polishes, creams and scouring powders. While making these proposals he had provided for an exemption in the case of small scale manufacturers for first clearance upto Rs. 1 lakh per annum. It was now proposed to give them further relief by raising the exemption limit from Rs. 1 lakh to Rs. 5 lakhs in respect of the new levies. It was also proposed to reduce the rates of duty in respect of controlled cloth and drills by 50 per cent of the normal duty.

Taking into consideration the special features of the film industry, the Minister added that it was proposed to simplify the levy of excise duty by levying the duty on the basis of prints.

Participating in the discussion, the leader of the Opposition, Shri Y. B. Chavan suggested that in order to give highest priority to the rural areas, the Government should completely reorient the administration itself. He also appealed for the lifting of the excise duty on bidis.

Replying to the three-day discussion on July 18, 1977, Shri Patel refuted that allegation that the Government did not have a policy and he said that the budget did enunciate a certain policy for growth and it sought to implement it through measures of taxation and allocation of expenditure. He added that the Government's intention was to give primacy to agriculture as it alone could solve the problems of poverty and unemployment. However, he said, that primacy of agriculture did not mean neglect of industry. In view of the heavy investment in the public sector the Government would see to it that the public sector worked well and provided for future growth.

Referring to the rise in prices, he said that the Government would have to continue with some of the measures taken earlier such as a tight credit and monetary policy, large imports of essential commodities, a well-regulated export policy and above all a more effective distribution system besides greater fiscal discipline.

Regarding Centre-State relations, the Finance Minister expressed the hope that the recently appointed Seventh Finance Commission would take into consideration the new socio-economic parameters in the country while formulating its recommendations. The Bill, as amended, was then passed.

The Bill was returned by Rajya Sabha with six amendments. Moving for rejection of the amendments made by Rajya Sabha in

the Bill Shri H. M. Patel said on August 2, 1977 that all the six amendments suggested were by no means new ideas or new concepts. These amendments had already been considered and rejected by the Lok Sabha earlier. While disagreeing with the views expressed by certain members that the increase in the duty on bidis would ruin the bidi industry, the Minister said that the duty first levied in 1975 did not affect the production and consumption of bidis; on the other hand it rather went high.

Replying to the brief discussion, the Minister assured the House that every effort was being made to keep deficit financing to the minimum. The amendments recommended by Rajya Sabha were rejected.

*Salary and Allowances of Leaders of Opposition in Parliament Bill:* Moving that the Bill be taken into consideration, the Minister of Parliamentary Affairs and Labour, Shri Ravindra Varma said on August 8, 1977 that the Bill sought to provide the Leader of the Opposition in the Lok Sabha as well as in the other House with due recognition and status. It also tried to provide the Leader of the Opposition with such amenities and facilities as are considered necessary to enable him to play his role effectively in a parliamentary democracy.

Replying to the brief discussion which ensued, Shri Varma said that while accepting the fact that in a very big country like India there might be many parties in opposition to the Government, there had to be some criterion by which it could be identified as to what was the main thrust of the thinking on the side of the Opposition. He added that it would be very difficult to ignore the logic of numbers and say that there was no difference between a party in the Opposition which had certain requisite number of members and the other groups in the opposition. The Bill satisfied most of the considerations urged by the members, said the Minister. The Bill, as amended, was passed.

## RAJYA SABHA

(HUNDRED AND SECOND SESSION) \*

The Rajya Sabha met for its Hundred and Second Session on July 18, 1977 and adjourned *sine die* on August 9, 1977. Some of

\*Contributed by the Research Unit, Rajya Sabha Secretariat.



the important items of business transacted by it during this session are briefly mentioned below:

#### A. DISCUSSIONS

*Deaths in Delhi as a result of consuming illicit liquor:* Shri Charan Singh, Minister of Home Affairs, making a statement on July 18, 1977 in response to a Calling Attention Notice by Shrimati Lakshmi Kumari Chundawat said that 50 persons were reported to have been affected in Delhi as a result of consuming illicit liquor, out of whom 21 had died. 35 cases had been registered in this connection and 18 persons had been arrested. A magisterial enquiry ordered by the District Magistrate of Delhi was in progress and a special drive had been launched against dealers of illicit liquor.

Shri Charan Singh added that the Janata Party subscribed to the policy of total prohibition but prohibition and excise were State subjects. So all the States would have to be consulted in these matters.

*Restrictions on the import of cotton garments and handloom textiles from India:* Shri Mohan Dharia, Minister of Commerce and Civil Supplies and Cooperation, making a statement in response to a Calling Attention Notice by Shri Sunder Singh Bhandari on July 19, said that contrary to the provisions of the bilateral agreement, the European Economic Community introduced on March 18, 1977 unilateral quantitative restriction for the year 1977 on the imports of both handloom and mill-made items. The Government had lodged complaints in respect of these restrictions with the Textiles Surveillance Body which had been created under the GATT Agreement to resolve such disputes in international trade in textiles. The hearing was in progress and the decisions were expected shortly.

Following consultations held with the U.S.A., quota levels were mutually agreed upon in January, 1976 for exports of handloom garments. As a result of further discussions, these restrictions had been dismantled subject to the provision that consultations would be held at the instance of either side, whenever considered necessary, and in no case Indian exports would be restrained at a level lower than the highest level reached so far.

*Atrocities on Harijans in Belchi Village:* Making a statement in the House on July 22 in response to a Calling Attention Notice by Shri N. N. Kumbhare, Shri Charan Singh, Minister of Home

Affairs, said that the unfortunate incident at village Belchi on May 27, 1977 in which 11 persons had lost their lives, was a matter of deep concern and anguish to all. On the basis of investigations, the Union Government had been informed by the Government of Bihar that the incident arose out of a long-standing rivalry between two gangs of criminals who had been making attempts to liquidate each other. However, there could be no two opinions about the dastardly crime that had been committed and no words of condemnation of such incidents could be too strong.

*Increase in illegal export of labour from India:* Shri Ravindra Varma, Minister of Parliamentary Affairs and Labour, making a statement in response to a Calling Attention Notice by Shri Vithal Gadgil on July 25, 1977 said that there had been a growing demand for Indian personnel (experts, as well as skilled, semi-skilled and unskilled) for employment in foreign countries, particularly in the Arabian and West Asian countries. Instances had been brought to the notice of Government of malpractices being resorted to by some unscrupulous persons or agencies as a result of which numerous difficulties were faced by the emigrants. The Government therefore decided in June 1976 that the recruitment of persons by private recruiting agencies for employment abroad would be regulated and that these agencies would be registered and approved by the Ministry of Labour. The Indian Emigration Act, 1922 was proposed to be amended in accordance with the above decision of the Government. Pending such amendment of the Act administrative action had been taken for registration of recruiting agencies and for grant of permission for deployment of workers overseas. So far 150 Indian firms and organisations had been registered by the Ministry of Labour. To ensure that the terms and conditions of employment of Indian workers going abroad were satisfactory, the recruiting agencies here were required to enter, on behalf of their foreign employers, into an employment agreement covering various aspects of employment.

*Damage by floods:* Shri Surjit Singh Barnala, Minister of Agriculture and Irrigation, making a statement in response to a Calling Attention Notice on August 4 by Shri Prakash Veer Shastri said that according to the reports received from the State Governments, floods causing considerable damage had occurred in parts of Assam, Gujarat, Haryana, Punjab, Rajasthan, West Bengal and Delhi. These States had undertaken necessary relief and rescue operations in the affected areas. Though a detailed assessment of the damage

was yet to be made by the State Governments, preliminary reports received so far indicated that an area of about 13.4 lakh hectares and a population of about 52 lakhs had been affected, crops over an area of 5.6 lakh hectares and 69,200 houses had been damaged, and 103 human lives and 320 cattle heads lost.

Flood control was a State subject. So unless a comprehensive plan for the control of floods throughout the country was evolved, it would not be possible for the Government to co-ordinate the work and do it in an orderly fashion.

*Working of the Ministry of Home Affairs:* Shri Sunder Singh Bhandari raising a discussion on the working of the Ministry of Home Affairs on July 25, said that a great change had taken place during the last few months and the fear and terror that had been prevailing in the country during the last two years had ended and the people heaved a sigh of relief. Now they were free to go to courts to seek redressal of any injustice done to them. The first good thing done by the Home Ministry was to withdraw external Emergency imposed in 1971 at the time of Indo-Pak War. During the internal Emergency that lasted about 20 months and could have continued further if the circumstances had not compelled the then Government to declare elections, more than one lakh persons had been detained in the country under the MISA.

Replying to the discussion, Shri Charan Singh, Minister of Home Affairs said that the Government was determined to turn the police into a better instrument of public service. A five-member police commission was proposed to be set up soon to go into the working of the police administration and suggest reforms.

*Working of the Ministry of Commerce:* On August 1, raising a discussion on the working of the Ministry of Commerce, Shri S. W. Dhabe said that the statement of the Commerce Minister that no more mills would be taken over by the National Textile Corporation had created a very disappointing effect on the entire working class and was not really going to help in the growth of the textile industry in the country. There was need for having a second look at the question relating to the Nationalisation Act of 1974. In the event of the Government taking people in the new units, they must be given all the benefits of gratuity, provident fund and continuity of service etc. The principle of workers participation in administration should be adopted and effectively implemented.

Shri Mohan Dharia, Minister of Commerce and Civil Supplies and Co-operation, replying to the discussion said that to perform its task effectively his Ministry and the organisations and agencies under it as also its representatives abroad formed a well-knit group-manned by honest, sincere and dedicated persons. Soon after taking charge of the Ministry, he had to take urgent measures to cleanse and reorganise it to increase its efficiency.

The Government's new export strategy would give an additional boost to small scale and medium scale industries and help decentralised production in different regions of the country. Similarly, the import policy was designed to make imports available in order to increase domestic production and employment through better capacity utilisation, to increase the efficient lines of export production, to increase productivity of material resources by modernising the various sectors of the economy.

*Working of the Ministry of Information and Broadcasting:* Initiating the discussion on August 4, Shri Kalyan Roy said that probably there was complete unanimity amongst members that the period of the last three years was the darkest period of the Information and Broadcasting Ministry. There was suppression of democratic values and norms and all these media were nakedly and ruthlessly used to boost up the prestige of the then ruling party, perhaps more so of a ruling clique or coterie of three or four men. As stated in the White Paper, by the time the Emergency had ended, public faith in the reliability of the media had been completely shattered. But, he added, now a new style of suppression of truth had crept in. The news of the economic offences by the big monopoly houses, tax-evasion cases, foreign exchange racketeering, and multi-national companies' crimes were being totally suppressed by the All India Radio. The Television was also scrupulously avoiding all demonstrations, peaceful agitations, strikes and struggles by the working classes.

Replying to the discussion, Shri Lal K. Advani, Minister of Information and Broadcasting, said that it was correct that the White Paper did not contain all the facts. It was so, because the one man Das Committee did not take any decision regarding the 800 and odd complaints because they were not related to the abuse of media; they were regarding the various excesses that had been committed. Also, certain matters which required some enquiry or probe, could not be included in the White Paper. The White Paper was based on records only.

During the four-months of the Janata Party rule, the Government had fulfilled all the commitments made by it. It had restored the freedom of the Press and repealed the Prevention of Publication of Objectionable Matters Act. The Government had adopted a communication policy rooted in the concept of freedom of communication and freedom of information.

There was no difference of opinion regarding the need for setting up a Press Council. But it was necessary that some thought should be given to the character and functioning of the Press Council. Accordingly, it was proposed to bring forward a Bill during the next session of Parliament.

Shri Advani said that the Government was inclined to make the All India Radio and Television an autonomous Corporation. A working group was being set up to give a report on the matter. The matter regarding film censorship would be discussed with the persons connected with the film industry.

*Working of the Ministry of External Affairs:* Dr. V. P. Dutt, raising the discussion on August 9 on the working of the Ministry said that assurances seemed to have been given that India would not explode the atom even for peaceful purposes, and certainly not without discussion with certain powers. It was hoped that the Government would raise its voice against the new sources of tension in the Indian Ocean and call for a conference of all the littoral States and the big powers for resolving the problems in a manner, which would be fair and equitable to all.

Shri Atal Behari Vajpayee, Minister of External Affairs, replying to the discussion, said that the foreign policy adopted by the Government in the international field was the country's policy and not that of a party. A country's foreign policy should not be static, but dynamic. It should be flexible to meet changing situations but not subject to any outside pressure. It was in the national interest that India should adopt a foreign policy keeping herself away from the power blocs. The world was today divided not between two power blocs only, but in a number of power blocs. In Europe, there had been relaxation in the state of tension. The Soviet Union and the U.S.A. were trying to solve problems through mutual negotiations. A number of non-aligned countries wanted to develop more and more friendly relations with the neighbouring countries. The process of normalising relations with Pakistan was going on but the internal changes in that country had slowed down

this process. It was hoped that elections would be held in Pakistan very soon and then there would be further progress in that direction. Recently there had been elections in Sri Lanka resulting in a transfer of power. The new Government of Sri Lanka had expressed its faith in economic co-operation. The Government of India was also making its own efforts in that direction.

As regards the Farakka Barrage, the Minister said that the Government would not enter into any agreement under pressure.

The Prime Minister had already said that India had neither signed the non-proliferation treaty, nor was she going to sign that. India would not allow outside inspection of any nuclear establishment built with its own resources, under any circumstances. However, those built with U.S. and Canadian collaboration were open to such inspection under international law.

India and the Soviet Union had very cordial relations. Some doubts were there in the Soviet Union about the foreign policy of the Janata Party Government. Recently, the Government had invited the Soviet Union Foreign Minister, Mr. Gromyko, for discussion and he had gone back quite satisfied. India welcomed the hand of friendship extended to her by President Carter. Friendship with the U.S.A. would be in the interest of world peace. India's relations with Nepal were very friendly and had become even sweeter after the Minister's visit to that country.

*Report of the Commissioner for Scheduled Castes and Scheduled Tribes for 1973-74:* Shri Rabi Ray, initiating discussion on August 8 said that casteism was a peculiarity of India which had reduced crores of people to a stage where they had been denied proper social and economic position in the society for centuries. The Government should try to promote a national thinking on the issue of Harijans and other weaker sections which had been subjected to untold miseries and atrocities for so many centuries.

Shri Kamalapati Tripathi, Leader of the Opposition, intervening in the discussion said that there was no denying the fact that these sections of the society had been oppressed for centuries; but it appeared that ever since the Janata Party had come into power, there had been a flood of such incidents where innumerable injustices had been perpetrated on the Harijans. It was most unfortunate that the present Government seemed to be quite indifferent and taking no action against the guilty.

Shri Raj Narain, Minister of Health and Family Welfare, intervening in the discussion congratulated the Congress Members of the House who had honestly admitted that in the last 30 years nothing had been done for the Harijans and they lived below the poverty line. The people belonging to Scheduled Castes and Scheduled Tribes had amply realised now that the Congress party had never been their well-wisher and would never work for them honestly in future too. The report under discussion related to the year 1970-71, 1971-72, 1972-73 and 1973-74 when the Congress was in power. It was exploiting the Harijans even now, as they had been exploiting them for the last 30 years.

Shri Charan Singh, Minister of Home Affairs, replying to the discussion, said that it was not correct to say that there had been increase in cases of atrocities on Harijans since the Janata Party had come to power. During the last three decades the Congress Government in the States and at the Centre could not do much to ameliorate the lot of the weaker sections. But barring a few exceptions they had never been serious about it. Harijans and landless labour could have been given sufficient land from the surplus that would have become available if the Zamindari Abolition laws had been implemented earnestly. It was necessary to analyse the problem of Scheduled Castes and Scheduled Tribes. The problem had three factors—social, economic and educational. The Government was already doing its best to provide educational facilities to the people belonging to these communities. As regards the economic factor, the overwhelming majority of the population was very poor and this problem had to be tackled for all. As regards the social factor, casteism was a very potent impediment to the advancement of these communities and concerted efforts had to be made to smash its grip over the society. The Government was alive to the problem and would take all steps to see that Harijans were not subjected to atrocities.

#### B. LEGISLATIVE BUSINESS

*The Motor Vehicles (Second Amendment) Bill, 1976\**: On July 18, Shri Morarji Desai, Prime Minister, moving the motion for consideration of the Bill said that many accidents took place on account of the drivers of motor vehicles being under the influence of liquor. It was, therefore, necessary to see that this was effectively checked. It had, therefore, been provided in the Bill that

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\*Introduced in the Rajya Sabha on September 2, 1976.

the licence of a driver who was found to drive recklessly, and who was found to be under influence of liquor, would be suspended immediately. It was also provided that a test of his blood would be taken and if it was found that there was any alcohol in it then that report would be produced in a court of law so that he could be convicted. When he was convicted, his licence would be cancelled.

It was also a matter of common knowledge that many accidents occurred to motor cycles and scooters and that 90 per cent of the injuries in these accidents were head injuries. It was, therefore, necessary that some precaution was taken by the drivers or the pillion riders. It had been provided in the Bill that a helmet must be worn by them. As it was, there was no maximum speed provided for them. It had now been provided that the maximum speed in their case would be 50 kilometres.

A system of national permits for public carriers was introduced in 1976. Under the present provision, it appeared that only one who had a permit for a public transport carrier could get the licence for a national permit for his career. This was very unfair to new comers. It had, therefore, been provided in the Bill that any person, even a new comer, could get this licence. The Bill, as amended, was passed by the Rajya Sabha on the same day.

*The Finance (No. 2) Bill, 1977\**: Shri H. M. Patel, Minister of Finance and Revenue and Banking moving the motion for consideration of Bill on July 26 said that the Government wanted to stimulate the growth of the economy, to create conditions in which investment was encouraged and in which indigenous scientific and technological self-reliance could be promoted. It also desired to encourage and foster the small scale sector industrial companies to enable them to make their contribution towards the development of rural areas. With this end in view the relevant provision had been modified so that all small scale industries and undertakings would be eligible for investment allowance, irrespective of whether they were engaged in the manufacture of low priority items or not. The Bill also provided that expenditure incurred by companies for approved programmes of rural development would be deducted in computing their taxable profits. As the co-operative

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\*The Bill as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on July 19, 1977.



sector could also play a very useful role in this direction the scope of this provision had been extended to expenditure on rural development incurred by co-operative societies as well.

An attempt had also been made to rationalise and simplify the tax structure and on the basis of the representations which had been received as well as the suggestions made in the two Houses of Parliament, significant modifications had been made to the original tax proposals. A number of concessions were also proposed to be given to the textile industry. As a measure of support to the mini steel industry, imported scrap for the mini-steel plant had been exempted from the payment of customs duty. Certain concessions had already been announced to daily newspapers and periodicals. Certain other modifications had also been made in the budget proposals, the net effect of the proposals would be sacrifice of revenue to the extent of Rs. 21.6 crores. The Bill, with some recommendations made by the Rajya Sabha, was returned to the Lok Sabha on July 28, 1977.

*The Salary and Allowances of Leaders of Opposition in Parliament Bill, 1977\**: Shri Ravindra Varma, Minister of Parliamentary Affairs and Labour, moving the motion for consideration of the Bill on August 9, 1977 said that the Bill proposed to accord statutory recognition to the Leaders of Opposition in the two Houses of Parliament and provided for the extension of the facilities and amenities they required for playing their role as Leaders of Opposition effectively. The numerical strength of the opposition in both the Houses of Parliament was such that it must be accorded a special recognition and the Government wanted that it should receive that recognition and the prerogatives, the privileges and the amenities that went with that recognition. The people expected the opposition to mount a continuous vigil on the acts of omissions and commissions of the Government. The Opposition was the focal point of crystallisation of the alternative in the country. The Bill was passed by the Rajya Sabha on the same day.

### C. OBITUARY REFERENCES

The Chairman made references to the passing away of Sarvashri

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\*The Bill as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on August 8, 1977.

Mohan Lal Gautam and Michael John, former-Members of the House. The House stood in silence for a minute as a mark of respect to the memory of the deceased.

## STATE LEGISLATURES

### GUJARAT LEGISLATIVE ASSEMBLY\*

*Establishment of Indian Veterinary Council:* On July 26, 1977 the Assembly adopted the following resolution tabled by Shri Navalbhai Shah, Minister of Education and Rural Housing:

"Whereas the Gujarat Veterinary Council has been established for the State of Gujarat under the Gujarat Veterinary Practitioners Act, 1969;

And whereas this Assembly considers that Parliament should also make a law for the establishment of an Indian Veterinary Council and thereby provide a central statutory organisation which could promote the interests of the Veterinary profession at national level, by liaising with the Central and State Governments, co-ordinating the work of State Veterinary Councils, controlling and regulating the conduct of State Veterinary Councils, upholding the status and dignity of the Veterinary profession, maintaining a legally recognised register of veterinary practitioners in the country; laying down the norms to raise the standard of veterinary education obtaining reciprocal recognition of Indian Veterinary qualifications and doing all such things necessary to carry out the objects underlying its establishment;

And whereas the requisite law to be made by Parliament should be relatable to matters enumerated in entries 15 and 32 in List II and entry 26 in List III in the Seventh Schedule to the Constitution of India;

And whereas Parliament has no power to make such law for the State with respect to matters specified in entries 15 and 32 in the aforesaid List II, except as provided in articles 249 and 250 of the Constitution;

And whereas it appears to this Assembly to be desirable that a law as aforesaid should be made by Parliament so that the matters as aforesaid for which such law may be enacted may be regulated in the State of Gujarat by such law made by Parliament;

Now, therefore, in exercise of the powers conferred by clause (1) of article 252 of the Constitution of India, this

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\*Contributed by the Gujarat Legislative Assembly Secretariat.

Assembly hereby resolves that the aforesaid matters should be regulated in this State by Parliament by law, and requests the Parliament of India to enact the Indian Veterinary Council Act by which the Indian Veterinary Council will be empowered to do all the things as aforesaid."

*Raising of loan limit:* On July 26, 1977 the Assembly passed a resolution moved by Shri Bhailabhai Contractor, Minister of Industries and power, seeking to enhance the maximum limit of loan to be raised at any time by the Electricity Board from Rs. 150 crores to Rs. 250 crores.

**TRIPURA LEGISLATIVE ASSEMBLY\***

*Unemployed persons:* The Assembly adopted a private members' resolution† seeking to request the Central Government to provide working facilities to the unemployed people or to grant some sort of unemployment allowance to them.

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\*Contributed by the Tripura Legislative Assembly Secretariat.

†Original in Bengali.

## BOOK REVIEWS

**ADMINISTRATIVE TRIBUNALS IN INDIA: EXISTING AND PROPOSED:** By S. N. Jain, N.M. Tripathi Private Ltd., Bombay, 1977.

This small monograph by Shri S. N. Jain, Director of the Indian Law Institute, New Delhi, running to 44 pages seeks to present guidelines on administrative tribunals in India (existing and proposed), dealing with the concept of tribunal—its composition, its procedure, judicial review, supervision over these tribunals, and matters for which tribunals may be created. It also gives in its appendix a list of administrative tribunals and bodies held to be 'tribunal' under Art. 136 of the Constitution with reference to decided cases of the Supreme Court. The author has made it clear that the study is illustrative and not exhaustive.

As an introduction to the still not-much-touched subject of tribunals, the book has been commendably prepared by the Director of the Institute, which has already established a name in the field of legal research.

The Forty-second Amendment of the Constitution has introduced a new Chapter in the form of Part XIV A which adds two new articles in the Constitution—articles 323A and Art. 323B. While Art. 323A contemplates, administrative tribunals, Art. 323B deals with tribunals for other matters. The jurisdiction to make law governing administrative tribunals vests exclusively in the Parliament. The Parliament may by law provide for the adjudication or trial by administrative tribunals of disputes and complaints with respect to recruitment and conditions of service and posts in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India or under the control of Government of India or of any corporation owned or controlled by the Government. The jurisdiction to frame law for adjudication or trial by tribunal of any dispute, complaint or offence with respect to matters like levy and enforcement of any tax, foreign exchange, industrial and labour dispute, ceiling on urban property, production

and distribution of food-stuff and similar matters as enumerated under Art. 323B vests in the appropriate Legislature of the State concerned. In the wake of the Forty-second Amendment to the Constitution, the subject of administrative tribunals and tribunals for other matters has gained rather greater significance.

Perhaps the most delicate aspect relates to the procedure to be followed by the tribunals. As has been observed by Wraith and Hutchesson in their book *Administrative Tribunals*, the conflict between the need for informality and the need for some procedural guidelines is a tight rope which not all tribunals have managed to walk successfully. In this connection the author has laid emphasis on three aspects to be kept in view in matters of procedure. These are openness, fairness and informality. The author has, however, made a reference to the study conducted by the Indian Law Institute which disclosed that the tribunals tend to follow the Court procedure and often do not avail of the wide discretionary power given to them to disregard technical rules of evidence, such as rule against hearsay evidence and various rules of procedure to meet the demands of justice.

It is submitted that while the atmosphere in a Tribunal calls for informality, openness and fairness and not being too technical with rules, it must not be forgotten that the cardinal principles governing admissibility of evidence are now almost axiomatic in character and they cannot be brushed aside merely because it appears to the Tribunal as too technical. Thus hearsay evidence cannot be made admissible; else, the very purpose of fair-play would be lost, as the decision of a tribunal must ultimately depend on the material before it.

It must be pointed out that even in the new article 323A and 323B, there is express provision that the law creating the tribunal may provide for the procedure, including provisions as to limitation and rules of evidence, to be followed by tribunals. I think this has been a happy safeguard provided by the new articles in order to ensure that the informality does not traverse the limits of propriety.

The author has also given his suggestion for a body to be known as Council on Tribunals as in England whose principal function would be to keep under view the constitution and working of tribunals and to consider and report on specific matters as may be referred to the Council with respect to tribunals. It may also make

general recommendations about appointment and membership of specified tribunals. He has also suggested that as in England so here also the Council should not be an appellate or a reviewing body to examine decisions on individual grievances. He has suggested that the Council may examine the complaints carefully and if it thinks fit that there is a *prima facie* case, it may bring the matter to the notice of the authority concerned and leave it at that point. The need for such a council and its proposed functions are debatable topics. With the consideration of this subject is also involved the question of independence of tribunals. The author has expressed the apprehension that without due control tribunals would become tiny despots. Actually speaking, the absence of control of authority does not lead to despotism in functioning so long the discipline of Rules and rigour of Law are not flouted. For instance, no one has accused an independent Court of having become a tiny despot, for the simple reason that its discretion, though unfettered in the sense that there is no control by any superior so far as decision-making is concerned, is yet absolutely fettered in the sense that it is caged within the four walls of Law and Rules.

Practical suggestions ensuring independence of tribunals and still imposing checks on arbitrary approach may only materialize if the law to be applied and the procedure to be followed are clear in the mind of the tribunal. There can hardly be a dispute before a tribunal which is not governed by a particular law or rule having the force of law.

However, as an introduction to this fascinating topic, the book may safely be commended to those seeking guidelines or doing pioneer work in this field. The printing, the paper and the general presentation of the booklet are also appealing to the eye, for which the publishers deserve congratulations.

—K. B. ASTHANA

THE INDIAN NATIONAL CONGRESS AND THE RAJ (1929-42). By B. L. Tomlinson. The Macmillan Press Ltd., 1976, 208 pages. Rs. 55.

One may not wholly subscribe to the observation made by Tomlinson that "it was the British initiative that commanded an Indian response: none of the Indians who participated in the constitution-making process had a positive constructive notion of what India's new constitution should be"; yet the study of the Indian political

scene, undertaken by him, presents a fairly objective picture of the various issues at stake, as also of the currents and cross-currents generated by the fight between the forces of imperialism, as represented by the Raj and those of nationalism, represented by the Indian National Congress. It is an impartial analysis of the political behaviour of a number of leading personalities of the period under reference (1929-42) as also of the events, which ultimately determined the destiny of the Indian sub-continent at the end of World War II. The foregoing observation which springs mainly from Birkenhead's jibe that Indians were incapable of making constructive constitutional plan, need not be taken as a studied conclusion regarding the Indian contribution during this period.

The author rightly focusses his attention at the national level, because it is at this level alone that the events and their impact could be studied in the proper perspective. Moreover, the chain of these important events and decisions could be best examined with the help of vertical linkages, within the Indian polity, which are provided by the stimulus and response (from and towards one another as also to the conditions around) of the men who sat at the top of the two institutional structures—the Government and the Congress. Still the author has wisely devoted a full chapter to the provincial politics in some Congress-governed states—notably Bihar, U.P. and the Central Provinces. This attempt provides a clear picture of the goings-on within the Congress party at the provincial and the district levels as also the stresses and strains to which the Central leadership of the party was subjected because of the peculiar circumstances in each province. The role of the right-wing Congress leaders in defending the Congress Ministries in their own states reveals the extent to which the lure of office with the accompanying prestige and influence, governed the Congress behaviour or largely influenced it even at the Central level. This would also explain the continuing tussle between the rightists and the leftists in the thirties. One only wishes that the author should have also included one such province for study, where the Congress did not form the Government, so as to offer a contrastive study of the Congress behaviour for the sake of clearer understanding.

One of the important achievements of the author is in painting a clear picture of the response of the various shades of Indian political opinion to the Government of India Act of 1935 and the Federal Scheme envisaged in the Act. This Act was as much a product of the political climate in Britain as it was a step forward

in the field of Constitutional reforms in relation to the Indian conditions. The British politicians were content to leave the affairs to the Congress and other parties. They were, however, very eager to consolidate the powers of the Raj as also to protect the British interests, at the Centre. The Federal scheme was acceptable to Gandhiji with certain modifications; it was opposed mildly by Jawaharlal Nehru, but very strongly by the leftists. However, the strongest opposition came from the Princes and the Muslim League. Jinnah was afraid that a strong Centre would mean Hindu domination. The Princes feared that the participation in a democratic all-India Government would add fuel to the growing agitations within their own states for representative institutions. Hence the rejection by them in 1939 of even the new offer of Linlithgow that their autocratic rule would be supported by the British in their states. The Princes had also the tacit support of a few Conservative diehards in the British Parliament. The author has rightly drawn the conclusion that by 1937 the British had abdicated control in the provinces and retreated to the Centre—the all India level.

Dr. Tomlinson cautions that the study does not propose to be a comprehensive analysis of the British policy in India. His main area of interest seems to be the one covering the changes in British attitude towards the Indian demand for freedom and dynamics of the political system established by the Indian National Congress in spearheading the nationalist movement in India, during the period 1929-42. Hence his analysis reaches the sound conclusion that the existence of an inter-connected institutional structure, running from the highest to the lowest level, was the real basis of the strength of the nationalist movement and the backbone of the Congress party.

Though the study broadly adheres to the contours of the stimulus and response theory, so far as the Congress and the Raj are concerned, it also helps in bringing into sharp focus, such characteristic features of the working of the Indian National Congress, as reveal the motives, weaknesses and the strong points of the various groups inside the party at the district, provincial and the All-India level. The victory of Subhash Bose in the bitterly contested poll for the Presidentship of the Congress party in 1939, against Dr. Pattabhi Sitaramayya, the nominee of Mahatma Gandhi, his subsequent betrayal by the Congress Socialist Party and other leftists, and his resignation caused by the intransigence and prejudiced attitude of the rightist bloc, led by Patel, Azad and Prasad with the blessings



of the Mahatma, as illustrated by the resignations of 12 members of the Working Committee (with the exception of Nehru, who remained neutral in this conflict)—show the extent to which the Congress had been manipulated so as to serve the interest of a strong and cohesive group and thus ultimately become a 'platform', by losing its original 'character', as warned by Acharya Narendra Dev, in the *Searchlight* dated the 5th July, 1939. The unwillingness of a large number of Congressmen to involve themselves in the constructive programme, as desired by Gandhiji and their lure for parliamentary politics helps to explain the fact that the rise of the professional careerist entrepreneur was not an entirely post-independence phenomenon. Gandhiji would have liked to promote the Congress as a 'Movement', while his other colleagues, mostly entrenched in or deriving their strength from the provincial politics, would like to perfect it as a 'Machine' for winning the elections or alternatively for adding to their status and prestige, if they were not fortunate enough in getting a seat in the Central or the Provincial Legislatures. Dr. Tomlinson has culled out a very apt warning from Gandhi:

"The Congress...derived not from the Members on the Congress Registers but from the millions, who have never entered the Congress but feel that the Congress represents them." (*Harijan*, September 29, 1940).

It is, therefore, hardly surprising that Gandhiji failed in his attempt of transforming the party into an organisation of high spirituality, strong in quality rather than in quantity and dedicated to a 'programme', which eschewed ordinary political activity, whether electoral or agitational and even Subhash in making it an organisation for revolution.

That the study is critical and objective, would be clear from Tomlinson's sharp comment in Chapter I that so far as the British were concerned "India's true place in the Empire was only revealed in times of imperial crisis, and the strains imposed by each successive crisis left India's role diminished from the next one". Hence the gradual withdrawal resulting in the virtual collapse.

A few areas which should have been given more attention are worth pointing out. The author has not done justice to the thousands of Congress workers who were carrying on the fight for freedom, in the native states. Their role has rarely been touched

upon. The All-India States People's Conference is barely mentioned. But the 'Praja Mandals' that sprang up in one princely state after another, and challenged the despotic rule of the Princes deserve not only mention but a rather elaborate treatment, commensurate with their heroic contribution. The study also fails to highlight the notable contribution made by the Congress leaders from the provinces of Punjab and Bengal. Through the party could not form the Ministries in these provinces, it is the activities of the Congress leaders and their co-workers notably the revolutionaries, which shook the very foundations of the Raj and also gave a jolt to the compromising and conciliatory politics of Gandhiji. It is hardly surprising that both these provinces stood by Subhash Bose and rejected the appeals of Gandhiji in the Presidential poll in 1939. Lastly, there is hardly sufficient evidence to prove the assertion of Dr. Tomlinson that the threatened and actual confrontation with the Raj had proved useful devices in internal Congress politics. Dr. Tomlinson's study suffers in its objectivity only in one instance, when he agrees with Abul Kalam Azad, in his estimate, biased and disparaging *in toto*, about the Subhash revolt, in the Congress. Dr. Tomlinson's agreement with the comment of Azad that "this revolt was neither a struggle between the right and the left, nor the composite or homogeneous Working Committee, it is only a matter of Subhash and some of his supporters", is to say the least unfair and unjust to Subhash, especially, when the author has testified to the hostility between Subhash and Azad. Moreover, Subhash's supporters were not 'some' but many and were so many as to defeat Azad and his combine even with the strong backing of Gandhiji.

On the whole, the study provides a valuable and systematic analysis and serves a useful purpose. It is in many respects a reliable thesis and provides a well documented and critical account of the motives and activities of the British policy-makers, sitting in London, the functionaries of the Raj in Delhi, and the leaders of the Indian National Congress, mostly at the all-India level, in a very stimulating period of India's history. Copious reference notes, index and fairly comprehensive bibliographical list, add to the utility of the work which even otherwise is presented in a gripping narrative style. It is sure to inspire further research in this important phase of Indian history, when giants clashed on the national and the international scenes.

—NARAIN CHAND PARASHAR

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE SECOND SESSION OF THE  
SIXTH LOK SABHA

1. Period of the Session	—11th June to 8th August, 1977
2. Number of meetings held	—48
3. Total number of sitting hours	—326 hours.
4. Number of divisions held	—15
5. <i>Government Bills :</i>	
(i) Pending at the commencement of the session . . . . .	2
(ii) Introduced . . . . .	18
(iii) Laid on the Table as passed by Rajya Sabha . . . . .	3
(iv) Returned by Rajya Sabha with recommendation and laid on the Table . . . . .	1
(v) Referred to Select Committee . . . . .	NIL
(vi) Referred to Joint Committee . . . . .	1
(vii) Reported by Select Committee . . . . .	NIL
(viii) Reported by Joint Committee . . . . .	NIL
(ix) Discussed . . . . .	18
(x) Passed . . . . .	17
(xi) Withdrawn . . . . .	NIL
(xii) Negatived . . . . .	NIL
[(xiii) Part-discussed . . . . .	NIL
(xiv) Discussion postponed . . . . .	NIL
(xv) Returned by Rajya Sabha without any recommendation . . . . .	5
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted . . . . .	NIL
(xvii) Pending at the end of the Session . . . . .	6
6. <i>Private Members' Bills :</i>	
(i) Pending at the commencement of the Session . . . . .	NIL
(ii) Introduced . . . . .	48
(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 . . . . .	4
(vii) Passed . . . . .	NIL
(viii) Withdrawn . . . . .	3
(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) Removed from the Register of Pending Bills . . . . .	NIL
(xvi) Pending at the end of the Session . . . . .	45
7. <i>Number of discussions held under Rule 193 :</i> (Matters of Urgent Public Importance)	
(i) Notices received . . . . .	99
(ii) Admitted . . . . .	2
(iii) Discussion held . . . . .	2
(iv) Part-discussed . . . . .	1
8. <i>Number of Statements made under Rule 197 :</i> (Calling-attention to matters of urgent public importance )	
Statements made by Ministers . . . . .	23
9. Half-an-Hour discussions held . . . . .	8
10. <i>Statutory Resolutions :</i>	
(i) Notices received . . . . .	1
(ii) Admitted . . . . .	1
(iii) Moved . . . . .	1
(iv) Adopted . . . . .	1
(v) Negatived . . . . .	NIL
(vi) Withdrawn . . . . .	NIL

11. *Government Resolutions :*

(i) Notices received . . . . .	3
(ii) Admitted . . . . .	3
(iii) Moved . . . . .	3
(iv) Adopted . . . . .	3

12. *Private Members Resolutions :*

(i) Received . . . . .	9
(ii) Admitted . . . . .	9
(iii) Discussed . . . . .	4
(iv) Withdrawn . . . . .	2
(v) Negatived . . . . .	NIL
(vi) Adopted . . . . .	1
(vii) Part-discussed . . . . .	1
(viii) Discussion postponed . . . . .	NIL

13. *Government Motions :*

(i) Notices received . . . . .	5
(ii) Admitted . . . . .	5
(iii) Moved . . . . .	3
(iv) Adopted . . . . .	NIL
(v) Discussed . . . . .	3
(vi) Part-discussed . . . . .	2

14. *Private Members Motions :*

(i) Received . . . . .	181
(ii) Admitted . . . . .	144
(iii) Moved . . . . .	5
(iv) Adopted . . . . .	NIL
(v) Discussed . . . . .	5
(vi) Negatived . . . . .	1
(vii) Part-discussed . . . . .	2
(viii) Withdrawn . . . . .	2

15. *Motions Re: Modification of Statutory Rule :* . . . . . Nil
16. Number of Parliamentary Committees, created, if any, during the Session . . . . . NIL
17. Total number of Visitors' Passes issued during the Session . . . . . 44256
18. Maximum number of Visitor's Passes issued on any single day, and date on which issued . . . . . 1843 on 8-8-1977
19. *Number of Adjournment Motions :*
- (i) Brought before the House . . . . . ..
  - (ii) Admitted and discussed . . . . . ..
  - (iii) Barred in view of adjournment Motion admitted on the subject . . . . . ..
  - (iv) Consent withheld by Speaker outside the House . . . . . 4
  - (v) Consent given by Speaker but leave not granted by the House . . . . . ..
20. *Total number of Questions Admitted :*
- (i) Starred . . . . . 814
  - (ii) Unstarred (including Starred questions converted as Unstarred Questions) . . . . . 6,489
  - (iii) Short-Notice Questions . . . . . 31
21. *Working of Parliamentary Committees :*

Name of Committee		No. of sittings held during the period 1-5-77 to 31-7-77	No. of reports presented during the session
1	2	3	4
(i)	Business Advisory Committee . . . . .	8*	5
(ii)	Committee on Absence of Members . . . . .	2*	2
(iii)	Committee on Public Undertakings . . . . .	..	..
(iv)	Committee on Papers laid on the Table . . . . .	..	..
(v)	Committee on Petitions . . . . .	1	..
(vi)	Committee on Private Members' Bills and Resolutions . . . . .	4	5
(vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes . . . . .	..	..
(viii)	Committee on Privileges . . . . .	..	..

\*Pertains to the period 1-5-77 to 31-10-77.

1	2	3	4
(ix) Committee on Government Assurances . . . . .		1	..
(x) Committee on Subordinate Legislation . . . . .		1	1
(xi) Estimates Committee . . . . .			
(xii) General Purposes Committee . . . . .		..	..
(xiii) House Committee . . . . .		6	..
(xiv) Public Accounts Committee . . . . .		..	..
(xv) Rules Committee . . . . .		..	..
(xvi) Accommodation sub-Committee . . . . .		2	..
<i>Joint/Select Committees</i>			
(i) Joint Committee of Chairmen, House Committees of both Houses of Parliament . . . . .		..	..
(ii) Joint Committee on Offices of Profit . . . . .		..	..

22. Number of Members granted leave of absence . . . . . 14
23. Petitions presented . . . . . 1
24. *Names of New Members sworn with dates and Constituencies*

S. No.	Name of Members sworn	Date on which sworn	Constituency
1	Shri A. E. T. Barrow . . . . .	11-6-1977	Nominated Anglo-Indian.
2	Shri Mohinder Singh Sayianwala . . . . .	17-6-1977	Ferozepur (Punjab)
3	Shri Rudolph Radriques . . . . .	20-6-1977	Nominated Anglo-Indian
4	Shri Ganga Singh . . . . .	24-6-1977	Mandi (Himachal Pradesh)
5	Shri Niranjan Prasad Kesharwani . . . . .	11-7-1977	Bilaspur (M.P.)
6	Smt. Parvati Devi . . . . .	20-7-1977	Ladakh (J&K)

## APPENDIX II

### STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED-SECOND SESSION OF RAJYA SABHA.

1. Period of the Session . . . . .	18th July to 9th August, 1977.
2. Number of meetings held . . . . .	17
3. Total Number of sitting hours . . . . .	106 hrs. & 38 minutes (Excluding lunch break)
4. Number of divisions held . . . . .	Six
5. <i>Government Bills</i> :	
(i) Pending at the commencement of the Session . . . . .	11
(ii) Introduced . . . . .	1
(iii) Laid on the Table as passed by Lok Sabha . . . . .	9
(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 . . . . .	13
(x) Passed . . . . .	7
(xi) Withdrawn . . . . .	2
(xii) Negatived . . . . .	Nil
(xiii) Part-Discussed . . . . .	Nil
(xiv) Returned by Rajya Sabha without any recommendation . . . . .	4
(xv) Returned by Rajya Sabha with recommendation . . . . .	1
(xvi) Discussion postponed . . . . .	Nil
(xvii) Pending at the end of the Session . . . . .	7
6. <i>Private Members Bills</i> :	
(i) Pending at the commencement of the Session . . . . .	22
(ii) Introduced . . . . .	1
(iii) Laid on the Table as passed by Lok Sabha . . . . .	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table . . . . .	Nil
(v) Reported by Joint Committee . . . . .	Nil
(vi) Discussed . . . . .	2
(vii) Withdrawn . . . . .	1
(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 . . . . .	22

7. *Number Of Discussions Held Under Rule 176: (Matters of Urgent Public Importance)*

(i) Notices received . . . . .	11
(ii) Admitted . . . . .	1
(iii) Discussion held . . . . .	1

8. *Number Of Statements Made Under Rule 180: (Calling-attention to matter of urgent public importance)*

Statements made by Ministers . . . . .	12
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9. Half-an-hour discussion held . . . . . Two

10. *(Statutory Resolutions):* Nil

11. *Government Resolutions:*

(i) Notices received . . . . .	1
(ii) Admitted . . . . .	1
(iii) Moved . . . . .	1
(iv) Adopted . . . . .	1

12. *Private Members' Resolutions :*

(i) Received . . . . .	4
(ii) Admitted . . . . .	4
(iii) Discussed . . . . .	..
(iv) Withdrawn . . . . .	..
(v) Negatived . . . . .	..
(vi) Adopted . . . . .	..
(vii) Part-discussed . . . . .	1
(viii) Discussion postponed . . . . .	..

13. *Government Motions :*

(i) Notices received . . . . .	1
(ii) Admitted . . . . .	1
(iii) Moved . . . . .	..
(iv) Adopted . . . . .	..
(v) Part-discussed . . . . .	..

14. *Private Member's Motions :*

(i) Received . . . . .	15
(ii) Admitted . . . . .	13
(iii) Moved . . . . .	..
(iv) Adopted . . . . .	..
(v) Part-discussed . . . . .	..
(vi) Negatived . . . . .	..
(vii) Withdrawn . . . . .	..

15. *Motions Regarding Modification of Statutory Rule :* Nil

16. Number of Parliamentary Committees created, if any, during the session . Nil

17. Total number of visitor's Passes . . . . . 1944

18. Maximum number of Visitor's Passes issued on any single day, and date on which issued. . . . . 348; ✓ on August 9, 1977.

19. *Number of Motions for Papers under Rule 175.* Nil20. *Total Number of Questions Admitted*

(i) Starred . . . . .	450
(ii) Unstarred (including Starred Questions) . . . . .	628
(iii) Short-Notice Questions . . . . .	9

21. *Discussion on the Working of the Ministries :*

(i) Ministry of Home Affairs . . . . .	
(ii) Ministry of Commerce . . . . .	
(iii) Ministry of Information & Broadcasting . . . . .	
(iv) Ministry of External Affairs. . . . .	

22. *Working of Parliamentary Committees :*

Name of Committee		No. of meetings held during the period 1-5-77 to 31-7-77	No. of Reports presented during the period
1	2	3	4
(i)	Public Accounts Committee . . . . .	..	NIL
(ii)	Committee on Public Undertakings . . . . .	..	NIL
(iii)	Business Advisory Committee . . . . .	3	NIL

1	2	3	4
(iv)	Committee on Subordinate Legislation . . . . .	7	1
(v)	Committee on Petitions . . . . .	11	1
(vi)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes . . . . .	..	NIL
(vii)	Committee of Privileges . . . . .	NIL	NIL
(viii)	Committee on Rules . . . . .	NIL	NIL
(ix)	Joint Committee on Offices of Profit . . . . .	--	NIL
(x)	Committee on Government Assurances . . . . .	4	2
(xi)	General Purposes Committee . . . . .	NIL	NIL

23. Number of Members granted leave of absence . . . . . NIL

24. Petitions presented . . . . . Two

25. *Number of New Members sworn with dates :*

Sl. No.	Name of Members Sworn	Date on which sworn
1	Shri T. V. Chandrashekharappa . . . . .	18-7-1977
2	Shri Baleshwar Dayal . . . . .	18-7-1977
3	Shri Patitpaban Pradhan . . . . .	18-7-1977
4	Shri K. B. Asthana . . . . .	18-7-1977
5	Shri Dinesh Singh . . . . .	18-7-1977
6	Shri Shanti Bhushan . . . . .	18-7-1977
7	Shri Narendra Singh . . . . .	18-7-1977
8	Shri Prem Manohar . . . . .	18-7-1977
9	Shri Sujan Singh . . . . .	18-7-1977
10	Shri N. G. Ranga . . . . .	19-7-1977
11	Shri Ananda Pathak . . . . .	19-7-1977
12	Dr. M. M. S. Siddhu . . . . .	19-7-1977
13	Shri E. R. Krishnan . . . . .	20-7-1977
14	Shri Trilok Gogoi . . . . .	21-7-1977
15	Shri L. G. Havanur . . . . .	21-7-1977
16	Shri L. R. Naik . . . . .	21-7-1977
17	Shri T. Basheer . . . . .	26-7-1977
18	Shri Muraoli Maran . . . . .	26-7-1977
19	Shri P. Ramamurti . . . . .	26-7-1977
20	Shri U. R. Krishnan . . . . .	27-7-1977
21	Shri A. P. Janardhanam . . . . .	27-7-1977
22	Shri rivati Noorjehan Razack . . . . .	27-7-1977
23	Sh G. K. Moopnar . . . . .	29-7-1977
24	Shri V. P. Munuswamy . . . . .	29-7-1977

## APPENDIX III

## STATEMENT SHOWING THE ACTIVITIES OF THE STATE LEGISLATURES DURING THE PERIOD APRIL 1, 1977 TO JUNE 30, 1977

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
Andhra Pradesh L.C.	17-6-77 to 28-7-77	16	4(9)	1	337 (194)	(17)	75(23)(a)
Bihar L.A. Y.	27-6-77 to 28-7-77	26	2(a)	..	1225(1022)	1179(1010)	424(238)
Gujarat L.A.	20-6-77 to 3-8-77	33	29(26)	18	2294(1984)	471(301)	60(23)
Haryana L.A.	..	..	..	..	..	..	..
Himachal Pradesh L.A.	29-6-77 to 4-7-77	4	..	..	..	..	..
Karnataka L.C.	25-3-77 to 18-6-77 (b)	..	(9)	..	195(123)	11(10)	8(7)
Karnataka L.A.	25-3-77 (continuing)	28	4(4)	..	234(219)	17(11)	8(1)
Meghalaya L.A.	25-5-77 to 15-6-77	16	3(3)	2	1(1)	225(224)	..
Rajasthan L.A.	..	..	..	..	..	..	..
Tripura L.A.	16-6-77 to 30-6-77	13	1(1)	..	352(242)(c)	48(65)(d)	19(6)

Uttar Pradesh L.C.	..	..	..	..	476(367)	100(77)	7(6)
Uttar Pradesh L.A.	..	..	..	..	..	..	..
<i>Union Territories</i>							
Arunachal Pradesh L.A.	..	..	..	..	..	..	..
Delhi Metropolitan Council	..	28-6-77 to 30-6-77	2	..	..	..	..
Goa, Daman and Diu L.A.	..	13-6-77	1	..	..	..	..
Mizoram L.A.	..	..	..	..	..	..	..
Pondicherry L.A.	..	..	..	..	..	..	..

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

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

(a) Includes 25 Notices converted as Starred Questions.

(b) 18 Sessions in all.

(c) Includes 5 Short Notices admitted as Starred Questions.

(d) Includes 42 Notices given as Starred but admitted as Unstarred.



Rajasthan L.A.	.	.	.	.	9	10	4	1	0	6	..	5	6	7	..
Tripura L.A.	.	.	.	1(1)	2(1)			..	..	2(2)	..	..	8(2)	..	(b)
Uttar Pradesh L.C.	.	.	.	9	3		2	..	..	..	..	1	..	2	..
Uttar Pradesh L.A.	.	.	.	..	..	..	..	..	..	..	..	..	..	..	..
<i>Union Territories</i>															
Arunachal Pradesh L.A.	.	.	.	..	..	..	..	..	..	..	..	..	..	..	..
Delhi Metropolitan Council	.	.	.	..	..	..	..	..	..	..	..	..	..	..	..
Goa, Daman and Diu L.A.	.	.	.	..	..	..	..	..	..	9	..	..	1	4	..
Mizoram L.A.	.	.	.	2	..	..	..	..	..	..	..	..	..	..	..
Pondicherry L.A.	.	.	.	..	..	..	..	..	..	..	..	..	..	..	..

Note: (a) Seventh Report was presented on 29-7-77.

(b) Committee on Absence of Members from the Sittings of the House-1.

#### APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT  
DURING THE PERIOD 1ST MAY, 1977 TO 31ST JULY, 1977

S. No.	Title of the Bill	Date of assent by the Pre- sident
1	The Appropriation (Railways) No. 2 Bill, 1977 . . . . .	29-6-77
2	The Payment of Wages (Amendment) Bill, 1977 . . . . .	30-6-77
3	The Presidential and Vice-Presidential Elections (Amendment) Bill, 1977	5-7-77
4	The Yoga Undertakings (Taking Over of Management) Bill, 1977 . . . . .	5-7-77
5	The Appropriation (No. 2) Bill, 1977 . . . . .	23-7-77
6	The Oil and Natural Gas Commission (Amendment) Bill, 1977 . . . . .	30-7-77



## APPENDIX V

### LIST OF BILLS PASSED BY THE STATE LEGISLATURES DURING THE PERIOD APRIL 1, 1977 TO JUNE 30, 1977

#### ANDHARA PRADESH LEGISLATIVE COUNCIL

1. The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Amendment) Bill, 1977.
2. The Andhra Pradesh Gram Panchayats (Amendment) Bill, 1977.
3. The Andhra Pradesh Gram Panchayats, Panchayat Samithis and Zilla Parishads (Amendment) Bill, 1977.
4. The Andhra Pradesh (Agricultural Produce and Livestock) Markets (Amendment) Bill, 1977.
5. The Rangaraya Medical College (taking over of Management) Bill, 1977.
6. The Andhra Pradesh Commercial Crops (Special Assessment) Repeal Bill, 1977.
7. The Andhra Pradesh Revenue Recovery (Amendment) Bill, 1977.
8. The Andhra Pradesh Appropriation (No. 2) Bill, 1977.
9. The Andhra Pradesh Agricultural Pests and Diseases (Amendment) Bill, 1977.

#### BIHAR VIDHAN SABHA

1. Bihar Appropriation (No. 2) Bill, 1977.
2. Bihar Buildings (Lease, Rent and Eviction) Control Bill, 1977.

#### GUJARAT LEGISLATIVE ASSEMBLY

1. The Gujarat Carriage of Goods Taxation (Amendment) Bill, 1977.
2. The Bombay Motor Vehicles (Taxation of Passengers) (Gujarat Amendment) Bill, 1977.
3. The Gujarat State Guarantees (Amendment) Bill, 1977.
4. The Bombay Court-fee (Gujarat Amendment) Bill, 1977.
5. The Motor Vehicles (Gujarat Amendment) Bill, 1977.
6. The Gujarat Panchayats (Amendment) Bill, 1977.
7. The Bombay Inams (Kutch Area) Abolition (Gujarat Second Amendment) Bill, 1977.

8. The Gujarat Rural Housing Board (Amendment) Bill, 1977.
9. The Gujarat Devasthan Inams Abolition (Amendment) Bill, 1977.
10. The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 1977.
11. The Gujarat Education Cess (Amendment) Bill, 1977.
12. The Gujarat State Tax on Professions, Trades, Callings and Employments (Amendment) Bill, 1977.
13. The Gujarat Legislative Assembly Members' Salaries and Allowances (Amendment) Bill, 1977.
14. The Gujarat Sales Tax (Amendment) Bill, 1977.
15. The Gujarat Entertainment Tax Bill, 1977.
16. The Bombay Electricity Duty (Gujarat Amendment) Bill, 1977.
17. The Bombay Stamp (Gujarat Amendment) Bill, 1977.
18. The Gujarat Tax on Luxuries (Hotels and Lodging Houses) Bill, 1977.
19. The Bombay Land Revenue (Gujarat Amendment) Bill, 1977.
20. The Industrial Disputes (Gujarat Amendment) Bill, 1977.
21. The Bombay Shops and Establishments (Gujarat Amendment) Bill, 1977.
22. The Gujarat Tenancy Laws (Amendment) Bill, 1977.
23. The Gujarat Rural Debtors' Relief (Amendment) Bill, 1977.
24. The Gujarat Appropriation (Excess Expenditure) Bill, 1977.
25. The Gujarat Appropriation (Excess Expenditure) (Second) Bill, 1977.
26. The Gujarat Appropriation Bill, 1977.

#### KARNATAKA LEGISLATIVE ASSEMBLY

1. Karnataka Land Reforms (Amendment) Bill, 1977.
2. Karnataka Village Panchayats (Postponement of Elections) (Amendment) Bill, 1977.
3. Karnataka Sales Tax (Amendment) Bill, 1977.
4. Karnataka Entertainments Tax (Amendment) Bill, 1977.

#### KARNATAKA LEGISLATIVE COUNCIL

1. Bangalore Development Authority (Amendment) Bill, 1977, as passed by L.A.
2. Karnataka Land Reforms (Amendment) Bill, 1977.

**3. Karnataka Village Panchayats (Postponement of Elections)  
(Amendment) Bill, 1977.**

**MEGHALAYA LEGISLATIVE ASSEMBLY**

1. The Legislative Assembly of Meghalaya (Member's Pension) Bill, 1977.
2. The Meghalaya Transfer of Land (Regulation) (Amendment) Bill, 1977.
3. The Meghalaya Appropriation (No. II) Bill, 1977.

**TRIPURA LEGISLATIVE ASSEMBLY**

1. The Tripura Appropriation Bill, 1977.
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## APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL GOVERNMENT DURING THE PERIOD 1ST MAY, 1977 TO 31ST JULY, 1977 AND THE STATE GOVERNMENTS DURING THE PERIOD 1ST APRIL, 1977 TO 30TH JUNE, 1977

Serial No	Title of Ordinance	Date of Pro-mulgation	Date on which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
CENTRAL GOVERNMENT					
1	The Additional Emoluments (Compulsory Deposits) Amendment Ordinance, 1977.	9-5-77	11-6-77	22-7-77	The Bill seeking to replace the (Ordinance) was passed by Lok Sabha on 18-6-77 and is pending in Rajya Sabha. The Ordinance lapsed at the expiration of the period of six weeks mentioned in clause 2(a) of article 123 of the Constitution.
2	The Yoga Undertakings (Taking over of Management) Ordinance, 1977.	24-5-77	11-6-77	22-7-77	Replaced by Legislation.
STATE GOVERNMENTS					
ANDHRA PRADESH					
1	The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Amendment) Ordinance, 1977.	28-4-77	20-6-77	..	Do.
2	The Rangaraya Medical College (Taking over of Management) Ordinance, 1977.	29-4-77	20-6-77	..	Do.

3	The Andhra Pradesh Revenue Recovery (Amendment) Ordinance, 1977.	31-5-77	Do.	..	Do.
4	The Andhra Pradesh Gram Panchayats, Panchayat Samithis and Zila Parishads (Amendment) Amending Ordinance, 1977	1-6-77	Do.	..	Do.
5	The Andhra Pradesh Gram Panchayats (Amendment) Ordinance, 1977.	Do.	Do.	..	Do.
6	The Andhra Pradesh (Agricultural Produce and Livestock) Markets (Amendment) Ordinance, 1977.	Do.	Do.	..	Do.
7	The Andhra Pradesh Commercial Crops (Special Assessment) Repeal Ordinance, 1977.	Do.	Do.	..	Do.
1	The Bihar Co-operative Society (Third Amendment) Ordinance, 1977.	..	BIHAR	6-9-77	
2	The Bihar Municipality (Second Amendment) Ordinance, 1977.	..	17-4-77	26-4-77	..
3	The Patna University (Amendment) Ordinance, 1977.	..	27-4-77	..	..
4	The Bihar State University (Amendment) Ordinance, 1977.	..	..	..	..
5	The Motor Vehicle (Bihar Third Amendment) Ordinance, 1977.	..	29-4-77	..	..
6	The Bihar Land and Water Protection and Land Development, Second Ordinance, 1977.	..	..	..	..

6

1	2	3	4	5	6
7	The Bihar Motor Vehicle Taxation (Second Amendment) Ordinance, 1977.	..	29-4-77	6-9-77	
8	The Rajendra Agriculture University (Second Amendment) Ordinance, 1977.	..	"	"	
9	The Bihar Hindu Religious Trust (Second Amendment) Ordinance, 1977.	..	"	"	
10	The Bihar Aid to Industries (Second Amendment) Ordinance, 1977.	..	"	"	
11	The Bihar Khadi and Village Industries (Second Amendment) Ordinance, 1977.	..	"	"	
12	The Bengal Ferries (Second Amendment) Ordinance, 1977.	..	"	"	
13	The Bihar Weight and Measure (Enforcement) (Second Amendment) Ordinance, 1977.	..	"	"	
14	The Chhota Nagpur and Santhal Pargana Development Authority (Second Amendment) Ordinance, 1977.	..	"	"	
15	The Bihar Irrigation Law (Second Amendment) Ordinance, 1977.	..	"	"	
16	The Bihar Irrigation Field Channels (Amendment) Ordinance, 1977.	..	"	"	
17	The Bihar Irrigation and Lift Irrigation (Second Amendment) Ordinance, 1977.	..	"	"	
18	The Bihar Inter State University Board Ordinance, 1977.	..	"	"	

19	The Bihar Panchayat Raj (Second Amendment and Validation), Ordinance, 1977.	..	"	"
20	The Bihar Panchayat Samiti and Zila Parishad (Second Amendment) Ordinance, 1977.	..	"	"
21	The Bihar Gramdan (Second Amendment) Ordinance, 1977.	..	"	"
22	The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Second Amendment) Ordinance, 1977.	..	"	"
23	The Bihar Public Land Encroachment (Second Amendment) Ordinance, 1977.	..	"	"
24	The Bihar Kolhan Civil Justice (Increase of Pecuniary Jurisdiction) Second Ordinance, 1977.	..	"	"
25	The Bihar Cess (Second Amendment) Ordinance, 1977.	..	"	"
26	The Bihar Agriculture Operations and Miscellaneous Provisions (Banks) Second Ordinance 1977.	..	"	"
27	The Bihar State Housing Board Second Ordinance, 1977.	..	"	"
28	The Bihar Chibwa (Control) (Second Amendment) Ordinance, 1977.	..	"	"
29	The Bihar Panchayat Samiti and Zila Parishad (Second Amendment and Validation) Ordinance, 1977.	..	"	"
30	The Bihar Irrigation Development (Land Acquisition) Second Ordinance, 1977.	..	"	"
31	The Bihar Electric Supply Undertaking (Acquisition) Second Ordinance, 1977.	..	"	"
32	The Essential Commodities (Bihar Second Amendment) Ordinance, 1977.	..	"	"

1	2	3	4	5	6
33	The Motor Vehicle (Bihar Fourth Amendment) Ordinance, 1977.	..	29-4-77	6-9-77	
34	The Bihar Premises and Motor (Acquisition) Second Ordinance, 1977.	..	"	"	
35	The Bihar Sugarcane (Supply and Purchase Regulation) Second Ordinance, 1977.	..	"	"	
36	The Bihar Farmer and Village Area Development Agency, Second Ordinance, 1977.	..	"	"	
37	The Bihar (Carried by Public Service Motor Vehicle) Taxation on Passengers and Goods (Second Amendment) Ordinance, 1977.	..	"	"	
38	The Bihar Agriculture Production Market (Second Amendment) Ordinance, 1977.	..	"	"	
39	The Bihar Non-Government Medical College (Taking Over of Management) Second Ordinance, 1977.	..	"	"	
40	The Bihar Regional Development Authority Second Ordinance, 1977.	..	"	"	
41	The Bihar Cycle Rickshaw (License Regulation) Second Ordinance, 1977.	..	"	"	
42	The Bihar Nursing Homes and Clinical Establishment (Registration and Advertisement) Second Ordinance, 1977.	..	"	"	
43	The Bihar Sales-Tax Second Ordinance, 1977	..	"	"	
44	The Bihar Co-operative Society (Fourth Amendment) Ordinance, 1977.	..	"	"	



45	The Bihar Medical Education Institution (Regulation & Control) Second Ordinance, 1977.	..	"	"
46	The Indian Stamp (Bihar Second Amendment) Ordinance, 1977.	..	"	"
47	The Bihar Municipality (Third Amendment) Ordinance, 1977 (Bihar Ordinance, No. 105).	..	"	"
48	The Bihar Municipality and Patna Corporation (Second Amendment) Ordinance, 1977.	..	"	"
49	The Jhariya Water Supply (Second Amendment) Ordinance, 1977.	..	"	"
50	The Bihar Public Service (Compulsory Retirement) Second Ordinance, 1977.	..	"	"
51	The Court Fee (Bihar Second Amendment) Ordinance, 1977	..	"	"
52	The Bihar Corporation Second Amendment Ordinance, 1977	..	"	"
53	The Bihar Health Cess Second Ordinance, 1977	..	"	"
54	The Patna Corporation (Second Amendment) Ordinance, 1977.	..	"	"
55	The Bihar District Board (Organisation) Second Ordinance, 1977.	..	"	"
56	The Bihar District Board and Local Board (Control & Management) (Amendment) Ordinance, 1977.	..	28-5-1977	"
57	The Bihar Forest Production (Trade Regulation) Ordinance, 1977.	..	1-6-77	"

1	2	3	4	5	6
58	The Bihar Irrigation Law (Third Amendment) Ordinance, 1977.		19-7-77	6-9-77	
59	The Bihar Irrigation Field Channel (Third Amendment) Ordinance, 1977.		"	"	
60	The Bihar Irrigation Development (Land Acquisition) Third Ordinance, 1977.		"	"	
61	The Rajendra Agriculture University (Third Amendment) Ordinance, 1977.		"	"	
62	The Essential Commodities (Bihar Third Amendment) Ordinance, 1977.		"	"	
63	The Bihar Premises and Motor (Acquisition) Third Ordinance, 1977.		"	"	
64	The Bihar Weight and Measure (Enforcement) Third Amendment Ordinance, 1977.		"	"	
65	The Bihar Agriculture Production Market (Third Amendment) Ordinance, 1977.		"	"	
66	The Bihar Land and Water Protection and Land Development Third Ordinance, 1977.		"	"	
67	The Bihar Sugarcane (Supply and Purchase Regulation) Third Ordinance, 1977.		"	"	
68	The Bihar (Carried by Public Service Motor Vehicle) Taxation on Passengers and Goods (Third Amendment) Ordinance 1977.		"	"	
69	The Chhotanagpur and Saunthal Pargana Development Authority (Third Amendment) Ordinance, 1977.		"	"	

70	The Bihar Cihowa (Control) (Third Amendment) Ordinance, 1977.	"	"
71	The Bihar Aid to Industries (Third Amendment) Ordinance, 1977.	"	"
72	The Motor Vehicle (Bihar Fifth Amendment) Ordinance, 1977	"	"
73	The Bihar Hindu Religious Trust (Third Amendment) Ordinance, 1977.	"	"
74	The Motor Vehicle (Bihar Sixth Amendment) Ordinance, 1977.	"	"
75	The Bihar Khadi and Village Industries (Third Amendment) Ordinance, 1977.	"	"
76	The Bihar Motor Vehicle Taxation (Third Amendment) Ordinance, 1977.	"	"
77	The Bihar Forest Production Market (Trade Regulation) Second Ordinance, 1977.	"	"
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86	The Bihar Non-Government Medical College (Management Taking Over) Third Ordinance, 1977.	..	"	"	
87	The Bihar Panchayat Samiti and Zila Parishad (Third Amendment) Ordinance, 1977.	..	"	"	
88	The Bihar Inter-University Board Fourth Ordinance, 1977.	..	"	"	
89	The Bihar State Housing Board Third Ordinance, 1977.	..	"	"	
90	The Bihar Electric Supply Undertakings (Acquisition) Third Ordinance 1977.	..	"	"	
91	The Bihar Panchayat Raj (Third Amendment and Validation) Ordinance, 1977.	..	"	"	
92	The Patna University (Second Amendment) Ordinance, 1977.	..	"	"	
93	The Bihar District Board and Local Board (Control & Management) (Second Amendment) Ordinance, 1977.	..	"	"	
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95	The Bihar Corporation Third Ordinance, 1977.	..	"	"	
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102	The Bihar Cess (Third Amendment) Ordinance, 1977.	"	"	"	
103	The Bihar Gramdan (Third Amendment) Ordinance, 1977.	"	"	"	
104	The Bihar Co-operative Society (Fifth Amendment) Ordinance, 1977.	"	"	"	
105	The Bihar Municipality (Fourth Amendment) Ordinance, 1977.	"	"	"	
106	The Bihar Kolhan Civil Justice (Increase of Pecuniary Jurisdiction) Ordinance, 1977.	"	"	"	
107	The Bihar Regional Development Authority Third Ordinance, 1977.	"	"	"	
108	The Bihar Sales Tax Third Ordinance, 1977	"	"	"	
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1	The Motor Vehicles (Gujarat Amendment) Ordinance, 1977.	20-6-77	8-6-77	..	Replaced by Legislation.
2	The Gujarat Panchayats (Amendment) Ordinance, 1977	Do.	15-6-77	..	Do.

	1	2	3	4	5	6
						Replaced by Legislation.
3	The Bombay Inams (Kutch Area) Abolition (Gujarat Amendment) Ordinance, 1977.		18-6-77	21-6-77		
			HARYANA			
1	The Bircandra Narayan Chakravarty University Kurukshetra (Amendment) Ordinance, 1977.		7-4-77	5-7-77		The Bircandra Narayan Chakravarty University Kurukshetra (Amendment) Bill, 1977 (which was passed on July 6, 1977).
2	The Punjab Gram Panchayat (Haryana Second Amendment) Ordinance, 1977.		7-4-77	"		
3	The Haryana Urban (Control of Rent and Eviction) Amendment Ordinance, 1977.		27-4-77	"		
4	The Punjab Urban Immovable Property Tax (Haryana Amendment and Repealing) Ordinance, 1977.		28-4-77	"		
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1	Uttar Pradesh Shiksha Vidhi Sanshodhan Adhyadesh, 1977.		21-4-77			
2	Uttar Pradesh Krishi Utpadan Mandi (Sanshodhan) Adhyadesh, 1977.		"			
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4	Uttar Pradesh Chal Chitra Viniyaman Sanshodhan Adhyadesh, 1977.		24-4-77			

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| 5 | Uttar Pradesh Jamindari Vinash Aur Bhumi Vyavastha<br>Tritiya Sanshodhan Adhyadesh, 1977.                       | 27-4-77 | .. |
| 6 | Uttar Pradesh Nagar Svayatta Shasan Vidhi Sanshodhan<br>Adhyadesh, 1977.  | "       | .. |
| 7 | Uttar Pradesh Shahari Bhavan, Kiraye par Denc, Kiray tatha<br>Bedakhali ka vinyaman Sanshodhan Adhyadesh, 1977. | "       | .. |
| 8 | Uttar Pradesh Rin Anutosh Dvitiya Adhyadesh, 1977 .   | 5-5-77  | .. |
| 9 | Uttar Pradesh Bhumi Vidhi Sanshodhan Adhyadesh, 1977 .  | "       | .. |

## APPENDIX VII

## A. PARTY POSITION IN LOK SABHA

(As on October 1, 1977)

Sl. No.	Name of State/Union Territory	Seats	Janata	Cong.	GPI(M)	AIADMK	Other parties	Unattached	Total	Vacancies
(i) States										
1	Andhra Pradesh	42	..	39	..	..	..	1	40	2
2	Assam	14	3	10	..	..	..	1	14	..
3	Bihar	54	52	..	..	..	..	2	54	..
4	Gujarat	26	14	10	..	..	..	1	25	1
5	Haryana	10	9	..	..	..	..	..	9	1
6	Himachal Pradesh	4	4	..	..	..	..	..	4	..
7	Jammu & Kashmir	6	..	3	..	..	2(e)	1	6	..
8	Karnataka	28	1	26	..	..	..	..	27	..
9	Kerala	20	..	11	..	..	9(b)	..	20	..
10	Madhya Pradesh	40	37	1	..	..	1(c)	1	40	..
11	Maharashtra	48	19	20	3	..	6(d)	..	48	..
12	Manipur	2	..	2	..	..	..	..	2	..
13	Meghalaya	2	..	1	..	..	..	1	2	..
14	Nagaland	1	..	..	..	..	..	1	1	..
15	Orissa	21	15	4	1	..	..	1	21	..
16	Punjab	19	3	..	1	..	8(e)	..	12	1
17	Rajasthan	25	24	1	..	..	..	..	25	..
18	Sikkim	1	..	1	..	..	..	..	1	..
19	Tamil Nadu	39	3	14	..	18	3(f)	1	39	..
20	Tripura	2	1	1	..	..	..	..	2	..
21	Uttar Pradesh	85	85	..	..	..	..	..	85	..



	22	15	3	17	..	6(£)	1	42	..
22 West Bengal . . . . .	42	15	3	17	..	6(£)	1	42	..
(ii) Union Territories									
23 Andaman & Nicobar . . . . .	1		1				..	1	
24 Arunachal Pradesh . . . . .	2		1			..	1	2	
25 Chandigarh . . . . .	1	1				..	..	1	
26 Dadra & Nagar Haveli . . . . .	1						1	1	
27 Delhi . . . . .	7	7	..	..	..		..	7	
28 Goa, Daman & Diu . . . . .	2	..	1		..	..	1	2	
29 Lakshadweep . . . . .	1		1				..	1	
30 Mizoram . . . . .	1		..		..		1	1	
31 Pondicherry . . . . .	1			..	1		..	1	..
Anglo-Indian] . . . . .	2	..	..	..	..	..	2		
<b>TOTAL</b> . . . . .	<b>544</b>	<b>293</b>	<b>151</b>	<b>22</b>	<b>19</b>	<b>35</b>	<b>18</b>	<b>538</b>	<b>5</b>

\* Excluding the Speaker

- (a) National Conference-2.
- (b) CPI-4, Kerala Congress-2, Muslim League-2, RSP-1
- (c) Republican party of India (Khobragde Group)-1.
- (d) Peasant & Workers Party-5; Republican Party of India (Khobragde Group)-1
- (e) Akali Dal-8
- (f) CPI-3
- (g) R.S.P.-3, P.B.-3





## C. PARTY POSITION IN STATE LEGISLATURES

State/Union Territory	Seats	Janata	Cong.	CPI(M)	CPI	AIA DMK	Akali	Other parties	Ind	Total	Vacancies
Andhra Pradesh L.C. (As on 1-9-77)	90	9	56	..	3	..	..	6(a)	3	77	13
Bihar L.A. (As on 29-8-77)	325	213	57	4	21	..	..	6(b)	22	323*	1
Gujarat L.A. (As on 31-7-77)	182	107	68	..	..	..	..	..	6	181	1
Haryana L.A. (As on 30-8-77)	90	75	3	..	..	..	..	5(c)	7	90	..
Himachal Pradesh L.A. (As on 13-9-77)	68	53	9	..	..	..	..	..	6	68	..
Karnataka L.A. (As on 29-8-77)	217	36	163	..	3	..	..	..	6	216*	8
Karnataka L.C. (As on 1-8-77)	63	17	42	..	..	..	..	..	3	62*	..
Manipur L.A. (As on 5-9-77)	60	55	..	..	4	..	..	..	..	59	1
Meghalaya L.A. (As on 12-9-77)	60	..	40	..	..	..	..	18	..	58	2
Rajasthan L.A. (As on 1-8-77)	200	150	41	1	1	..	..	4(d)	3	199	1
Tripura L.A. (As on 30-6-77)	60	22	19	15	1	..	..	..	2	59	1
Tamil Nadu L.C. (As on 31-7-77)	63	4	5	..	..	6	..	25(e)	1	41	22
Uttar Pradesh L.C. (As on 30-6-77)	108	29	59	..	3	..	..	13(f)	2	105	3

	Union		Territories		
Delhi Metropolitan Council (As on 1-9-77)	61	50	10	..	60*
Goa, Daman and Diu L.A. (As on 30-8-77)	30	3	10	..	30
				..	15 (£)
				..	2

- Excludes the Speaker/Chairman who is not a Member of either party.
- (a) Progressive Democratic Front-6
- (b) All India Jharkhand Party-2 ; Jharkhand-1 ; Soshit Samaj Dal-1 ; Forward Block-1 ; Vishal Haryana Party-5
- (c) Pragati Sheel Dal-4
- (d) DMK-15 ; United Party-4 ; Indian Union Muslim League-2 ; Tamil Arasu Kazhagam-1 ; Toilers Commonweal Party-1 ; Indian National Forward Block-1 ; Makkal DMK-1
- (f) Shikhaak Dal-7 ; Nirdaliya Sangh-3 ; Rashtrawadi Dal-2 ; Republican Party-1
- (g) Maharashtrawadi Gomantak Party-15

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